

Section I
**Notice of Development of Proposed Rules
and Negotiated Rulemaking**

DEPARTMENT OF CITRUS

RULE NO.: **RULE TITLE:**
20-13.013 Tango: Classification and Standards
PURPOSE AND EFFECT: Classifying the new variety of citrus hybrid “Tango” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUBJECT AREA TO BE ADDRESSED: Classifying the new variety of citrus hybrid “Tango”.

RULEMAKING AUTHORITY: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831-9010 or awiggins@citrus.myflorida.com or <http://fdocgrower.com/legal/rules/>

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

DEPARTMENT OF CITRUS

RULE NO.: **RULE TITLE:**
20-13.014 Orri: Classification and Standards
PURPOSE AND EFFECT: Classifying the new variety of citrus hybrid “Orri” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUBJECT AREA TO BE ADDRESSED: Classifying the new variety of citrus hybrid “Orri”.

RULEMAKING AUTHORITY: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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DEPARTMENT OF CITRUS

RULE NO.: **RULE TITLE:**
20-13.015 U.S. Early Pride: Classification and Standards

PURPOSE AND EFFECT: Classifying the new variety of citrus hybrid “U.S. Early Pride” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUBJECT AREA TO BE ADDRESSED: Classifying the new variety of citrus hybrid “U.S. Early Pride”.

RULEMAKING AUTHORITY: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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DEPARTMENT OF CITRUS

RULE NO.: **RULE TITLE:**
20-13.016 W. Murcott: Classification and Standards

PURPOSE AND EFFECT: Classifying the citrus hybrid “W. Murcott” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUBJECT AREA TO BE ADDRESSED: Classifying the citrus hybrid “W. Murcott”.

RULEMAKING AUTHORITY: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:

20-13.017 Osceola: Classification and Standards

PURPOSE AND EFFECT: Classifying the citrus hybrid “Osceola” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUBJECT AREA TO BE ADDRESSED: Classifying the citrus hybrid “Osceola”.

RULEMAKING AUTHORITY: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:

20-13.018 Lee: Classification and Standards

PURPOSE AND EFFECT: Classifying the citrus hybrid “Lee” to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUBJECT AREA TO BE ADDRESSED: Classifying the citrus hybrid “Lee”.

RULEMAKING AUTHORITY: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:

20-13.0041 Definition: Seedless and Low-Seeded

PURPOSE AND EFFECT: Seedless and low-seeded hybrids are defined to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.

SUBJECT AREA TO BE ADDRESSED: Defining seedless and low-seeded hybrids.

RULEMAKING AUTHORITY: 601.10(7), 601.11, 601.9910(3) FS.

LAW IMPLEMENTED: 601.11, 601.9910(3) FS.

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DEPARTMENT OF CITRUS

RULE NO.: 20-13.0042 **RULE TITLE:** Mandarin: Classification and Standards
PURPOSE AND EFFECT: Classifying mandarins to enhance the marketing strategies for fresh fruit, allowing the Florida citrus industry to better compete in the marketplace.
SUBJECT AREA TO BE ADDRESSED: Classifying mandarins.
RULEMAKING AUTHORITY: 601.10(7), 601.11, 601.9910(3) FS.
LAW IMPLEMENTED: 601.11, 601.9910(3) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice P. Wiggins, Administrative Assistant, Legal Department, Florida Department of Citrus, P. O. Box 9010, Bartow, Florida 33831-9010 or awiggins@citrus.myflorida.com or <http://fdocgrower.com/legal/rules/>
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FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.: 67-21.001 **RULE TITLES:** Purpose and Intent
 67-21.002 Definitions
 67-21.0025 Miscellaneous Criteria
 67-21.003 Application and Selection Process for Developments
 67-21.0035 Applicant Administrative Appeal Procedures (Repealed)
 67-21.004 Federal Set-Aside Requirements for MMRB Loans
 67-21.0045 Determination of Method of Bond Sale
 67-21.006 MMRB Development Requirements
 67-21.007 MMRB Fees

67-21.008 Terms and Conditions of MMRB Loans
 67-21.009 Interest Rate on Mortgage Loans
 67-21.010 Issuance of Revenue Bonds
 67-21.013 Non-Credit Enhanced Multifamily Mortgage Revenue Bonds
 67-21.014 MMRB Credit Underwriting Procedures
 67-21.015 Use of Bonds with Other Affordable Housing Finance Programs
 67-21.017 Transfer of Ownership of a MMRB Development
 67-21.018 Refundings and Troubled Development Review
 67-21.019 Issuance of Bonds for Section 501(c)(3) Entities
 67-21.025 HC Fees
 67-21.026 HC Credit Underwriting Procedures
 67-21.027 HC General Program Procedures and Requirements
 67-21.028 HC with Tax-Exempt Bond-Financed Developments
 67-21.029 HC Extended Use Agreement
 67-21.030 Sale or Transfer of a Housing Credit Development
 67-21.031 Qualified Contracts

PURPOSE AND EFFECT: The purpose of this rule chapter is to establish the procedures by which the Corporation shall (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the Multifamily Mortgage Revenue Bond (MMRB) Program authorized by Section 142 of the Code and Section 420.509, F.S., and (2) administer the Application process, determine Non-Competitive Housing Credit amounts and implement the provisions of the Non-Competitive Housing Credit process authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The rule development workshop will be held to receive comments and suggestions from interested persons relative to the development of the Non-Competitive Application and the program requirements for MMRB and Non-Competitive Housing Credits, as specified in Rule Chapter 67-21, Florida Administrative Code (F.A.C.).

RULEMAKING AUTHORITY: 420.507, 420.508 FS.
LAW IMPLEMENTED: 420.509, 420.5099 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: June 12, 2014, 2:00 p.m., Eastern Time
PLACE: The workshop will be available by telephone or interested parties may attend in person at Florida Housing's offices located at 227 N. Bronough Street, Seltzer Room, Suite 6000, Tallahassee, Florida

The call-in information is posted on the Florida Housing websites:

<http://www.floridahousing.org/Developers/MultiFamilyPrograms/Competitive/RuleDev/> and <http://www.floridahousing.org/Developers/MultiFamilyPrograms/NonCompetitive/2014RuleDev/>

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: Jean Salmonsens at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ken Reecy, Director of Multifamily Programs

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FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-32.002	Definitions
67-32.0035	Applicant Administrative Appeal Procedures
67-32.004	General Program Restrictions
67-32.005	Application Procedures
67-32.006	Terms and Conditions of Loan
67-32.007	Scoring, Ranking, and Funding Guidelines
67-32.009	EHCL Credit Underwriting Procedures
67-32.011	Fees

PURPOSE AND EFFECT: Pursuant to Section 420.5087(3)(e), Florida Statutes, the Florida Housing Finance Corporation administers the Elderly Housing Community Loan (EHCL) Program. This program provides loans to sponsors of affordable rental housing for very low income elderly households. Rule Chapter 67-32, F.A.C., provides the procedures for the administration of this loan program and criteria for receiving, evaluating, and competitively ranking all applications for loans under the EHCL program. The intent of this rule chapter is to provide loans to sponsors of housing for the elderly to make building preservation, health, or sanitation repairs or improvements which are required by federal, state, or local regulation or code, or life-safety or security-related repairs or improvements to such housing.

SUBJECT AREA TO BE ADDRESSED: The rule development workshop will be held to receive comments and suggestions from interested persons relative to the development of program requirements for the EHCL Program, as specified in Rule Chapter 67-32, Florida Administrative Code (F.A.C.).

RULEMAKING AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087 FS.

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

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FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-48.001	Purpose and Intent
67-48.002	Definitions
67-48.004	Selection Procedures for Developments
67-48.007	Fees
67-48.0072	Credit Underwriting and Loan Procedures
67-48.0075	Miscellaneous Criteria
67-48.009	SAIL General Program Procedures and Restrictions
67-48.0095	Additional SAIL Selection Procedures
67-48.010	Terms and Conditions of SAIL Loans
67-48.0105	Sale, Transfer or Refinancing of a SAIL Development
67-48.013	SAIL Construction Disbursements and Permanent Loan Servicing
67-48.014	HOME General Program Procedures and Restrictions

- 67-48.015 Match Contribution Requirement for HOME Allocation
- 67-48.017 Eligible HOME Activities
- 67-48.018 Eligible HOME Applicants
- 67-48.019 Eligible and Ineligible HOME Development Costs
- 67-48.020 Terms and Conditions of Loans for HOME Rental Developments
- 67-48.0205 Sale, Transfer or Refinancing of a HOME Development
- 67-48.022 HOME Disbursements Procedures and Loan Servicing
- 67-48.023 Housing Credits General Program Procedures and Requirements
- 67-48.027 Tax-Exempt Bond-Financed Developments
- 67-48.028 Carryover Allocation Provisions
- 67-48.029 Extended Use Agreement
- 67-48.030 Sale or Transfer of a Housing Credit Development
- 67-48.031 Qualified Contracts

PURPOSE AND EFFECT: The purpose of this rule chapter is to establish the procedures by which the Corporation shall (1) determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes, and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The rule development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of program requirements for the SAIL, HOME, and HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code and (2) amendments to the Florida Housing Finance Corporation’s 2014 Qualified Allocation Plan (QAP).

RULEMAKING AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

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

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FLORIDA HOUSING FINANCE CORPORATION

RULE NOS.:	RULE TITLES:
67-60.001	Purpose and Intent
67-60.002	Definitions
67-60.003	Notice and Posting of Competitive Solicitations
67-60.004	Withdrawal of Competitive Solicitation or Application
67-60.005	Modification of Terms of Competitive Solicitations
67-60.006	Responsibility of Applicants
67-60.007	Evaluation of Applications
67-60.008	Right to Waive Minor Irregularities
67-60.009	Applicant Administrative Appeal Procedures

PURPOSE AND EFFECT: The purpose of this rule chapter is to establish the procedures by which the Corporation shall (1) administer the competitive solicitation funding process to make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, F.S., and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, F.S.; and (2) administer the competitive solicitation processes to implement the provisions of the Housing Credit (HC) Program authorized by Section 42 of the IRC and Section 420.5099, F.S.

SUBJECT AREA TO BE ADDRESSED: The rule development workshop will be held to receive comments and suggestions from interested persons relative to the development of the procedures for the multifamily competitive solicitation funding process.

RULEMAKING AUTHORITY: 420.507(12) FS.
 LAW IMPLEMENTED: 420.507(48), 420.5087, 420.5089(2), 420.5099 FS.

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DATE AND TIME: June 12, 2014, 2:00 p.m., Eastern Time
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Section II Proposed Rules

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-1.021	Definitions
40E-1.602	Permits Required
40E-1.603	Application Procedures for Processing Permit Applications or Notices of Intent
40E-1.6065	Consideration of Intended Agency Decision on Permit Applications
40E-1.607	Permit Application Processing Fees
40E-1.6107	Transfer of Surface Water Management, or Water Use, or Wetland Resource Permit

40E-1.615 Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern

40E-1.659 Forms and Instructions

PURPOSE AND EFFECT: The District is re-initiating rule development to amend its consumptive use permitting and water supply related program rules as part of the Florida Department of Environmental Protection's statewide effort to improve consistency among the water management districts (referred to as CUP Consistency or CUPCon). This re-initiation of rule development will cure discrepancies between the versions of rules that were published on December 10, 2013, and acted on by the Governing Board on February 13, 2014, as well as correct some inadvertent text inaccuracies. There are no substantive changes to the rule text as adopted by the Governing Board in February 2014.

SUMMARY: Amendments to this chapter include: 1) updating rule references and deleting rules proposed for repeal; 2) clarifying when agency action shall occur for specific types of permit applications and the procedure for notifying applicants when projects do not qualify for noticed general water use permits; 3) clarifying types of permits and recommendations to be considered by the Governing Board; 4) replacing old forms with new ones; 5) reformatting the fee table so that it is easier to read; 6) conforming the permit types to those proposed in Rule 40E-2.071, F.A.C.; and 7) incentivizing the online submissions of applications for Noticed General Permits by reducing the application fee.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

Small businesses who are consumptive use permittees and applicants will benefit from the consistency and simplification of permit categories and experience cost savings.

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 benefits to costs over a five year implementation period will result in a cumulative nominal savings of \$862,740 and discounted cumulative savings of \$825,139.

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: 218.075, 373.044, 373.109, 373.113, 373.416, 373.4131, 373.4135, 373.4136, 373.421(2), 373.421(6)(b), 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.60, 218.075, 373.079, 373.083, 373.106, 373.107, 373.109, 373.113, 373.116, 373.171, 373.229, 373.309, 373.4131, 373.4135, 373.4136, 373.4141, 373.416, 373.417, 373.421(2), 373.421(6)(b), 373.422, 373.426, 373.429, 373.436, 380.051, 403.201, 668.003, 668.004, 668.50, 704.06 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 10, 2014, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2133 or (561)682-2133, email: smemberg@sfwmd.gov or Jennifer Bokankowitz, Attorney, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2258 or (561)682-2258, email: jbokanko@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-1.021 Definitions.

When used in this Chapter, Chapters 40E-2, ~~40E-3~~, 40E-4, ~~40E-20~~, 40E-41, and 40E-61, F.A.C.:

(1) through (6) No change.

Rulemaking Authority 373.044, 373.113, ~~373.171~~ FS. Law Implemented 668.003, 668.004, 668.50 FS. History—New 10-1-06, Amended 10-23-12, 1-19-14, _____.

40E-1.602 Permits Required.

Unless expressly exempt by statute or District rule, permits must be obtained from the District prior to commencement of the following activities:

(1) A water use individual or general permit pursuant to Chapter 40E-2 ~~or 40E-20~~, F.A.C., must be obtained prior to use or withdrawal of water or dewatering activities;

(2) through (11) No change.

Rulemaking Authority 373.044, 373.113, 373.4131, 373.4135 FS. Law Implemented 120.60, 373.085, 373.106, ~~373.116, 373.118, 373.219, 373.171, 373.216, 373.309, 373.323, 373.413, 373.414, 373.416~~ Chapter ~~373 Parts II and IV~~ FS. History—New 9-3-81, Formerly 16K-1.06, Amended 7-26-87, 5-11-93, 10-3-95, 4-1-96, 10-1-13, _____.

40E-1.603 Application Procedures for Processing Permit Applications or Notices of Intent.

(1) No change.

(a) No change.

(b) If the District determines that the application is incomplete, the District shall request the information needed to complete the application within 30 days of its receipt. ~~For individual water use permits, and standard general water use permits, T~~the applicant shall have 90 days from receipt of a timely request for additional information to submit that information to the District.

(c) through (e) No change.

(2) No change.

(3)(a) Agency action on all other individual permits and standard permits shall occur within 90 days of receipt of a complete application, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.

(b) An authorization to proceed for noticed standard general water use permits in Chapter 40E-20, F.A.C., shall occur within 30 ~~60~~ days of receipt of a complete notice of intent, unless a notice that the project does not qualify for the noticed general water use permit is sent by regular United States mail or electronic mail by the District within 30 days. If notice that the proposed project does not qualify for a noticed general water use permit is sent to the applicant, the review process under subsection (1) shall be initiated or the applicant shall be required to apply for the appropriate permit, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.

Rulemaking Authority 373.044, 373.113, ~~373.171~~, 373.4131 FS. Law Implemented 120.60, ~~373.085~~, 373.107, 373.109, 373.116, ~~373.118, 373.229, 373.309, 373.323, 373.4131, 373.4141, 373.417, 373.421, 373.422, 668.003, 668.004, 668.50~~ FS. History—New 9-3-81, Formerly 16K-1.08(1)-(8), Amended 7-1-86, 7-26-87, 11-21-89, 5-11-93, 10-3-95, 4-1-96, 7-2-98, 6-12-00, 10-1-06, Amended 12-1-11, 10-23-12, 10-1-13, _____.

40E-1.6065 Consideration of Intended Agency Decision on Permit Applications.

(1) No change.

(2) The District shall consider the application for a standard right of way occupancy permit at its next regularly scheduled Governing Board meeting following the mailing or electronic mailing of notice of intended agency decision, unless an administrative hearing is requested and granted pursuant to Section 120.569, F.S. If staff's recommendation is for denial, the District shall consider the application ~~for a conceptual approval, individual environmental resource, individual surface water management, or water use permit application~~ at its next available regularly scheduled Governing Board regulatory meeting following the mailing or electronic mailing of notice of intended agency decision, unless an administrative hearing is requested and granted pursuant to Section 120.569, F.S.

(3) In no case shall agency action be taken later than 60 days after the application for a conceptual approval or individual environmental resource permit, or later than 90 days ~~after for~~ an individual water use, water well, right of way occupancy, or works of the district permit is declared complete unless waived by the applicant or stayed by the filing of a petition for an administrative hearing. The permit applicant may voluntarily waive the timeline for governing action on the permit application in Section 120.60, F.S., in order to resolve any outstanding issues, including third party objections, regarding the project.

(4) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 120.60, 373.079, 373.083, ~~373.107, 373.109, 373.116, 373.4141, 668.003, 668.004, 668.50~~ FS. History—New 7-2-98, Amended 6-12-00, 10-1-06, 10-23-12, 10-1-13, _____.

40E-1.607 Permit Application Processing Fees.

A permit application processing fee is required and shall be paid to the District when certain applications are filed pursuant to District rules. An application shall not be considered complete until the appropriate application fee is submitted. These fees are assessed in order to defray the cost of evaluating, processing, monitoring, and inspecting for compliance required in connection with consideration of such applications. Fees are non-refundable in whole or part unless the activity for which an application is filed is determined by the District to be exempt or the fee submitted is determined by the District to be incorrect. Failure of any person to pay the applicable fees established herein will result in denial of an application. Activities that do not require a permit and are exempt pursuant to Rule 40E-2.051 or 40E-3.051, F.A.C., are not subject to the following permit application fees. The District's permit application processing fees are as follows:

(1) Water Use Permit Application processing fees are in the following table:

TABLE 40E-1.607(1)
 PERMIT APPLICATION PROCESSING FEES FOR
 WATER USE PERMIT APPLICATIONS
 REVIEWED PURSUANT TO CHAPTERS ~~40E-2 AND 40E-20~~, F.A.C.

Fee amounts shall apply to applications for new permits, permit modifications, and permit renewals, except as noted.

Category	Amount
<u>Individual Permit, except Mining/Dewatering (applies to all durations)</u>	
<u>Maximum monthly allocation:</u>	
<u>Up to 3 million gallons per month (mgm)</u>	<u>\$350</u>
<u>Greater than 3 mgm through 15 mgm</u>	<u>\$1,000</u>
Individual Public Water Supply with a duration less than 20 years	
Maximum monthly allocation:	
Greater than 15 million gallons per month (mgm) through 30 mgm	\$2,700
Greater than 30 mgm through 300 mgm	\$5,500
Greater than 300 mgm	\$7,000
Individual Public Water Supply with a duration of <u>at least</u> 20 years	
Maximum monthly allocation:	
Greater than 15 million gallons per month (mgm) through 30 mgm	\$4,200
Greater than 30 mgm through 300 mgm	\$8,500
Greater than 300 mgm	\$11,500

Individual Irrigation with a duration less than 20 years	\$1,000
Maximum monthly allocation:	
Greater than 15 mgm	<u>\$1,000</u>
Individual Irrigation with a duration of <u>at least</u> 20 years	
Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm	\$1,600
Greater than 30 mgm through 300 mgm	\$3,400
Greater than 300 mgm	\$5,600
Individual Mining / (Dewatering)	
Maximum monthly allocation	
<u>Standard Individual Permit for up to one year</u> Greater than 15 mgm through 30 mgm	<u>\$500</u>
	<u>\$1,800</u>
<u>Standard Individual Permit greater than one year</u> Greater than 30 mgm through 300 mgm	<u>\$1,800</u>
	<u>\$3,250</u>
<u>Master Individual Permit</u> Greater than 300 mgm	<u>\$4,000</u>
Individual <u>Commercial/Industrial</u> with a duration less than 20 years	
Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm	\$1,400
Greater than 30 mgm through 300 mgm	\$2,750
Greater than 300 mgm	\$3,500
Individual <u>Commercial/Industrial</u> with a duration of <u>at least</u> 20 years	
Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm	\$2,000
Greater than 30 mgm through 300 mgm	\$3,650
Greater than 300 mgm	\$5,600
Individual Diversion and Impoundment with a duration less than 20 years Maximum monthly allocation	
<u>Maximum monthly allocation:</u>	
Greater than 15 mgm through 30 mgm	\$1,400
Greater than 30 mgm through 300 mgm	\$2,750
Greater than 300 mgm	\$3,500
Individual Diversion and Impoundment with a duration of <u>at least</u> 20 years	
Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm	\$2,000
Greater than 30 mgm through 300 mgm	\$3,950
Greater than 300 mgm	\$6,200
Independent Secondary User of a Diversion and Impoundment (<u>applies to all durations</u>)	
with a duration of 20 years	

Maximum monthly allocation:	
Greater than 15 mgm through 30 mgm	\$1,000
Greater than 30 mgm through 300 mgm	\$2,000
Greater than 300 mgm	\$3,200

Noticed General Standard Water Use Permit

<u>Applications filed electronically at www.sfwmd.gov/ePermitting</u>	<u>Maximum monthly allocation through Aquifer Storage and Recovery</u>	\$100
<u>Application filed by other means</u>	<u>Less than 3 million gallons per month (mgm) (Minor)</u>	\$350
<u>Greater than 3 mgm through 15 mgm (Major)</u>		\$1,000
<u>Short term Dewatering</u>		\$500

Aquifer Storage and Recovery: (cost added to the applicable use type listed above) \$1,000

Permit Transfer to Another Entity Pursuant to Rules 40E-0.107 and 40E-2.351, F.A.C. \$300

Letter Modification to ~~Individual Permit~~ no fee

Letter Modification to ~~General Permit~~ no fee

General Permit by Rule no fee

(2) through (7) No change.

Rulemaking Authority 373.044, 373.109, 373.113, 373.171, 373.421(2), 373.421(6)(b), 373.4131 FS. Law Implemented 218.075, 373.109, 373.4131, 373.421(2), 373.421(6)(b), 403.201 FS. History—New 1-8-89, Amended 1-2-91, 11-15-92, 6-1-93, 1-23-94, 10-3-95, 4-1-96, 11-8-99, 5-24-00, 6-26-02, 7-11-02, 8-10-03, 8-14-03, 11-18-07, 11-1-09, 12-15-11, 10-23-12, 10-1-13,_____.

40E-1.6107 Transfer of Environmental Resource, Surface Water Management, ~~or~~ Water Use, or Wetland Resource Permit.

(1) The procedures for the transfer of environmental resource permits are set forth in Rule 62-330.310, F.A.C. To transfer a surface water management, water use, or wetland resource permit, the permittee, in addition to satisfying the applicable provisions in Rules 40E-2.351 ~~and 40E-20.351~~, F.A.C., must submit Form No. 0483, (October 1, 2013), <http://www.flrules.org/Gateway/reference.asp?No=Ref-02753>, Request for Surface Water Management, Water Use, or Wetland Resource Permit Transfer, incorporated by reference herein. Form No. 0483 is also available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436.

(2) through (5) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.083, 373.171, 373.219, 373.309, 373.413, 373.414, 373.416, 373.426, 373.429, 373.436, 668.003, 668.004, 668.50 FS. History—New 5-11-93, Amended 10-3-95, 10-1-06, 10-23-12, 10-1-13,_____.

40E-1.615 Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern.

(1) No change.

(2) The following coordinated agency review procedures apply to projects which are eligible for exemptions from District environmental resource and water use permitting requirements:

(a) No permit and no coordinated agency review participation by the District is required for the water uses exempted by Rule 40E-2.051 (Exemptions), F.A.C., or identified in Rule 40E-2.061, F.A.C.

(b) No change.

(3) The following coordinated agency review procedures apply to projects which require permits pursuant to Chapters 40E-2 ~~or 40E-20~~ (Consumptive Use), 62-330 and 40E-4, (Environmental Resource), F.A.C.:

(a) through (f) No change.

Rulemaking Authority 373.044, 373.113, 373.171, 373.4131, 380.051
 FS. Law Implemented 373.4131, 380.051, 668.003, 668.004, 668.50
 FS. History—New 9-22-87, Amended 10-3-95, 10-1-06, 12-1-11, 10-
 23-12, 10-1-13, _____.

are listed herein for convenience. Hyperlinks are provided in
 the rules in which the forms and instructions are referenced and
 copies can be obtained without cost by contacting the South
 Florida Water Management District Clerk’s Office, 3301 Gun
 Club Road, West Palm Beach, FL 33406, (800)432-2045, ext.
 6436, or (561)682-6436:

40E-1.659 Forms and Instructions.

The following forms and instructions are incorporated by
 reference throughout the District’s rules as specified below and

Form No.	Date	Title
0186	09-12	State of Florida Water Well Contractor’s Application, incorporated by reference in subsection 40E-3.038(3), F.A.C.
0188 QMQ	10-12	Quarterly Report of Withdrawals, incorporated by reference in subsection 40E 2.091(1), F.A.C.
0188 QASR	10-12	Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells, incorporated by reference in subsection 40E 2.091(2), F.A.C.
0188 QMON	10-12	Quarterly Report of Monitoring Requirements, incorporated by reference in subsection 40E 2.091(5), F.A.C.
0188 QMQF	10-12	Quarterly Report of Withdrawals from Wells and Surface Water Pumps, incorporated by reference in subsection 40E 2.091(3), F.A.C.
0188 QCROP	10-12	Report of Planting and Harvest of Seasonal Crops, incorporated by reference in subsection 40E-2.091(6), F.A.C.
0188 QBWDR	10-12	Quarterly Report of Bulk Water Delivered and Received, incorporated by reference in subsection 40E 2.091(4), F.A.C.
0445	10-12	Mining/Dewatering Permit Application, incorporated by reference in subsection 40E 2.101(3), F.A.C.
0483	10-01	Request for Surface Water Management, Water Use or Wetland Resource Permit Transfer, incorporated by reference in subsection 40E-1.6107(1), F.A.C.
0645-W01	10-12	Water Use Permit Application Form, incorporated by reference in paragraph 40E 2.101(1)(a), F.A.C.
0645-G60	10-12	Table A Descriptions of Wells, incorporated by reference in paragraph 40E 2.101(1)(b), F.A.C.
0645-G61-1	10-12	Table B Description of Surface Water Pumps, incorporated by reference in paragraph 40E 2.101(1)(c), F.A.C.
0645-G61-2	10-12	Table C Description of Culverts, incorporated by reference in paragraph 40E 2.101(1)(d), F.A.C.
0645-G65	10-12	Table D Crop Information, incorporated by reference in paragraph 40E 2.101(1)(e), F.A.C.
0645-G74	10-12	Table E Water Received From or Distributed to Other Entities, incorporated by reference in paragraph 40E 2.101(1)(f), F.A.C.
0645-G69	10-12	Table F Past Water Use & Table G Projected Water Use, incorporated by reference in paragraph 40E 2.101(1)(g), F.A.C.
0645-G70	10-12	Table H Projected Water Use (For Per Capita Greater than 200 GPD), incorporated by reference in paragraph 40E 2.101(1)(h), F.A.C.
0645-G71	10-12	Table I Water Treatment Method and Losses, incorporated by reference in paragraph 40E 2.101(1)(i), F.A.C.
0645-G72	10-12	Table J Aquifer Storage and Recovery, incorporated by reference in paragraph 40E 2.101(1)(j), F.A.C.

0645-G73	40-12	Table K Water Supply System Interconnections, incorporated by reference in paragraph 40E-2.101(1)(k), F.A.C.
0779	01-01	Application for a Works of the District Permit, incorporated by reference in subsection 40E-63.091(9), F.A.C.
0889	12-11	Certification of Waiver of Permit Application Processing Fee, incorporated by reference in paragraph 40E-1.607(6)(b), F.A.C.
1045	11-10	Application for a C-139 Basin Works of the District Permit, incorporated by reference in subsection 40E-63.430(2), F.A.C.
<u>1376</u>		<u>Report of Planting and Harvest of Seasonal Crops Form, incorporated by reference in paragraph 40E-2.091(2)(a), F.A.C.</u>
<u>1377</u>		<u>Water Quality Report Form, incorporated by reference in paragraph 40E-2.091(2)(b), F.A.C.</u>
<u>1378</u>		<u>Water Use Pumpage Report Form, incorporated by reference in paragraph 40E-2.091(2)(c), F.A.C.</u>
<u>1379</u>		<u>Water Use Permit Application, incorporated by reference in subsection 40E-2.101(3), F.A.C.</u>
<u>1380</u>		<u>Water Use Permit Application Supplemental Form A – Agricultural Use, incorporated by reference in paragraph 40E-2.101(3)(a), F.A.C.</u>
<u>1381</u>		<u>Water Use Permit Application Supplemental Form B – Commercial/Industrial Use, incorporated by reference in paragraph 40E-2.101(3)(b), F.A.C.</u>
<u>1382</u>		<u>Water Use Permit Application Supplemental Form C – Landscape/Recreation Use, incorporated by reference in paragraph 40E-2.101(3)(c), F.A.C.</u>
<u>1383</u>		<u>Water Use Permit Application Supplemental Form D – Dewatering Use, incorporated by reference in paragraph 40E-2.101(3)(d), F.A.C.</u>
<u>1384</u>		<u>Water Use Permit Application Supplemental Form E – Public Supply Use, incorporated by reference in paragraph 40E-2.101(3)(e), F.A.C.</u>
<u>1386</u>		<u>Water Use Permit Application Supplemental Form F – Diversion and Impoundment Use, incorporated by reference in paragraph 40E-2.101(3)(f), F.A.C.</u>
<u>1387</u>		<u>Flow Meter Accuracy Calibration Report Form, incorporated by reference in paragraph 40E-2.091(2)(d), F.A.C.</u>
<u>1388</u>		<u>Alternative Method Calibration Report Form, incorporated by reference in paragraph 40E-2.091(2)(e), F.A.C.</u>
<u>1389</u>		<u>Crop (Freeze) Protection Form, incorporated by reference in paragraph 40E-2.091(2)(f), F.A.C.</u>
<u>1391</u>		<u>Notice of Intent to Use a Water Use Noticed General Permit, incorporated by reference in subsection 40E-2.101(4), F.A.C.</u>
62-532.900(1)	10-10	State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well, incorporated by reference in subsection 40E-3.101(1), F.A.C.
62-532.900(2)	10-10	State of Florida Well Completion Report, incorporated by reference in subsection 40E-3.411(1), F.A.C.

Rulemaking Authority 218.075, 373.044, 373.113, 373.171, 373.4136, 373.416, 695.03, 704.06 FS. Law Implemented 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06, 1-23-07, 8-7-07, 7-4-10, 12-15-11, 5-20-12, 10-23-12, 10-1-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Maria C. Clemente, P.E., Water Use Bureau Chief, Regulation Division

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 9, 2014

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

PURPOSE AND EFFECT: The District is re-initiating rule development to amend its consumptive use permitting and water supply related program rules as part of the Florida Department of Environmental Protection's statewide effort to improve consistency among the water management districts (referred to as CUP Consistency or CUPCon). This re-initiation of rule development will cure discrepancies between the versions of rules that were published on December 10, 2013, and acted on by the Governing Board on February 13, 2014, as well as correct some inadvertent text inaccuracies. There are no substantive changes to the rule text as adopted by the Governing Board in February 2014.

SUMMARY: Amendments to this chapter include: 1) setting forth the policy for permit applications that do not meet the provisions in this chapter for a general permit; 2) requiring a single noticed general permit for contiguous areas unless the projects are served by separate withdrawal facilities; 3) granting a general permit by rule for short-term dewatering and for closed-loop systems; 4) setting forth circumstances under which the water use would qualify for a noticed general permit

and when an applicant must apply for an individual permit; 5) replacing old water use forms with new ones; 6) incorporating provisions from Chapter 40E-20, F.A.C.; 7) conforming to the Water Resource Implementation Rule on minimum flows and levels; 8) providing for modifications of permits by letter for certain types of projects or activities; and 9) facilitating implementation of the recent amendments to Section 373.236(5), F.S.

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

Small businesses who are consumptive use permittees and applicants will benefit from the consistency and simplification of permit categories and experience cost savings.

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 benefits to costs over a five year implementation period will result in a cumulative nominal savings of \$862,740 and discounted cumulative savings of \$825,139.

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: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.079, 373.083, 373.103(1), 373.109, 373.118, 373.196, 373.203, 373.216, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.244, 373.249, 373.250 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 10, 2014, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2133 or (561)682-2133, email: smemberg@sfwmd.gov or Jennifer Bokankowitz, Attorney, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2258 or (561)682-2258, email:

jbokanko@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE FULL TEXT OF THE RULE:

40E-2.011 Policy and Purpose.

(1) through (2) No change.

(3) Additional rules relating to water use are found in Chapter 40E-5, F.A.C. (Artificial Recharge), Chapter 40E-8, F.A.C.; (Minimum Flows and Levels (MFLs)), Chapter 40E-10, F.A.C. (Water Reservations), ~~Chapters 40E-20, F.A.C. (General Water Use Permits);~~ Chapter 40E-21, F.A.C. (The Water Shortage Plan), Chapter 40E-22, F.A.C., (Regional Water Shortage Plans), and Chapter 40E-24, F.A.C. (Mandatory Year-Round Landscape Irrigation Conservation Measures).

(4) No change.

(5) If an application for any proposed water use does not meet the provisions of this chapter for a general permit or evidence indicates the potential for harm, the District will provide the permit applicant with the option to either withdraw the general permit application or supply the additional information, and if applicable, the fee required for an individual permit. In the event one of these options is not selected, staff will recommend that the Governing Board deny the general permit application. The criteria in the "Applicant's Handbook for Water Use Permit Applications within the South Florida Water Management District," incorporated by reference in Rule 40E-2.091, F.A.C., will be utilized to determine whether the conditions for issuance in Rule 40E-2.301, F.A.C., are satisfied. Rulemaking Authority 373.044, 373.113, 373.171, ~~373.216~~ FS. Law Implemented ~~373.083, 373.103(4),~~ 373.203, 373.216, ~~373.219,~~ 373.249 FS. History--New 9-3-81, Formerly 16K-2.01, Amended 7-4-82, 2-24-85, 11-18-91, 8-1-02, 8-31-03, 7-2-09, 10-23-12, _____.

40E-2.041 Permits Required.

(1) No change.

(2) The District issues water use permits in two forms, individual water use permits and general water use permits. ~~A An individual water use permit may be obtained by meeting the requirements of this chapter. Chapter 40E-20, F.A.C., provides the requirements for qualifying for a general water use permit.~~

(3) No change.

(4) A water user seeking a noticed general permit shall obtain one permit for all withdrawals intended to serve contiguous areas. Unless obtaining multiple permits whose withdrawal quantities are monitored and reported from each withdrawal facility or point of diversion, if required by Subsection 4.1.1 of the Applicant's Handbook, and evaluated

for feasibility of using reclaimed water, if required by Subsection 2.2.4.B of the Applicant's Handbook, two or more projects shall be aggregated and treated as a single project for permitting purposes when the District determines that the projects are physically proximate and either a) share the same irrigation infrastructure or b) are operated as a common enterprise. However, when multiple use classifications, as set forth in Rule 40E-21.651, F.A.C., are served by separate withdrawal facilities, the District is authorized to issue separate noticed general permits.

Rulemaking Authority 373.044, 373.113, ~~373.171, 373.216~~ FS. Law Implemented ~~373.079, 373.083, 373.103(4),~~ 373.116, 373.118, 373.219, 373.244 FS. History--New 9-3-81, Formerly 16K-2.03(1), (2), Amended 10-23-12, _____.

40E-2.061 ~~No Notice~~ General Permits by Rule.

Certain specified uses have been determined to be reasonable-beneficial, not interfering with existing legal uses, and consistent with the public interest pursuant to Section 373.223, F.S.

~~(1) The Board hereby grants a Ggeneral water use Ppermit by Rrule for all non-exempt to each person that does not otherwise require a consumptive uses permit, within the District that satisfy the following criteria:~~

(1) General Permit by Rule for Landscape Irrigation at a Single Family Dwelling or Duplex-

(a) The Board hereby grants a general permit to each person for the to use, withdrawal withdraw, or diversion divert of water at a single family dwelling or duplex including, but not limited to, home lawn and ornamental irrigation, car washing, and other incidental uses provided that water is obtained from a single on-site withdrawal facility, such as a private irrigation well or surface water diversion, for each single family dwelling or duplex; provided that landscape irrigation is conducted in accordance with Chapters 40E-21 and 40E-24, F.A.C., or with any approved variance; and that the amount of water used is limited to only that necessary for efficient utilization.

~~(2) The filing of an application for a permit under this rule is not required.~~

~~(b)(3) No change.~~

~~(c)(4) No change.~~

(2) General Permit by Rule for Short-Term Dewatering-

(a) The Board hereby grants a general permit for the use of water in conjunction with short-term dewatering operations, such as well pointing, utility construction, lake construction, exploratory testing, and other minor uses; aquifer performance tests; or in conjunction with a short-term Remedial Action Plan approved by the state or local agency having legal jurisdiction over such activities, provided the following criteria are met:

1. Has a maximum daily pumpage of less than 5 million gallons (MG) and a maximum total project pumpage of less than 100 MG over a one year period;

2. Will retain all discharge on the project site unless associated with an aquifer performance test;

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

4. Will not occur within 100 feet of a wastewater treatment plant rapid-rate land application system permitted under Part IV of Chapter 62-610, F.A.C.;

5. Will not occur within 1,000 feet of a known landfill or contamination; and,

6. Will not occur within 1,000 feet of a freshwater wetland unless dewatering activities are completed within 60 days.

(b) In proceeding with a general permit by rule for dewatering, the permittee acknowledges that the dewatering operation is subject to the Permit Conditions in Section 5.0 of the Applicant's Handbook, including responsibility for mitigating any harm that may occur as a result of the dewatering to existing legal uses, off-site land uses, or natural resources.

(c) Linear projects, such as roads, utilities, or pipelines, may qualify for multiple general permits by rule. The dewatering activity for these projects may have a rolling one-year duration, in which the dewatering operation at the end of each one year period occurs no more than one mile from the location at the beginning of each one year period.

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

(a) The Board hereby grants a general permit for the use of water for cooling/heating systems for swimming pools and air conditioning units provided the following criteria are met:

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

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

3. The discharge or injection has been permitted by the Department; and,

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

(b) In proceeding with a general permit by rule for closed-loop systems, the permittee acknowledges that the use is subject to the Permit Conditions in Section 5.0 of the Applicant's Handbook, including responsibility for mitigating any harm that may occur as a result of the withdrawal to existing legal uses, off-site land uses, or natural resources.

(c) The permittee shall not utilize the withdrawal facility associated with this general permit by rule for any other type of consumptive use.

~~(5) This no notice general permit by rule does not apply to domestic uses of water, such as water used for household purposes of drinking, bathing, cooking, sanitation, or other indoor uses, at single family dwellings and duplexes, which are addressed by subsection 40E-2.051(1), F.A.C.~~

Rulemaking Authority 373.044, 373.113, 373.118, 373.171, 373.216 FS. Law Implemented 373.083, 373.118, 373.219, 373.223 FS. History--New 3-15-10, Amended _____.

40E-2.071 Noticed General Permits and Individual Permits.

(1) The use of water, which does not qualify for a general permit by rule, qualifies for a noticed general permit if the use:

(a) Does not withdraw from the following sources:

1. Surface water from the C-23, C-24, or C-25 Canals;

2. Surface water from the L-1, L-2, or L-3 Canals;

3. Surface water within the Lake Istokpoga/Indian Prairie Canal System depicted in Figures 21-20 and 21-21, Chapter 40E-21, F.A.C.;

4. Surface or groundwater within the Picayune Strand or Fakahatchee Estuary, groundwater indirectly from the Picayune Strand or Fakahatchee Estuary or any canal identified in Figure 3-4 of the Applicant's Handbook, or surface water indirectly from any canal identified in Figure 3-4 of the Applicant's Handbook;

5. Surface water from the Lower East Coast Everglades Waterbodies, the North Palm Beach County/Loxahatchee River Watershed Waterbodies, or the integrated conveyance system identified in Figures 3-1 and 3-2 of the Applicant's Handbook;

6. Surface water from the protected canal reaches identified in Figure 3-1 in Chapter 40E-10, F.A.C.;

(b) Satisfies the following facility restrictions:

1. Is from facilities having a cumulative withdrawal capacity of less than 1,000,000 GPD;

2. Is from groundwater wells less than eight (8) inches in diameter; and,

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

(c) Has a cumulative average daily use of less than 100,000 GPD on an annual basis, unless the location and volume criteria in subparagraph (d)4., below, is applicable;

(d) Meets the following location and volume criteria, as applicable:

1. Withdraws groundwater from the Lower Tamiami aquifer within the area depicted in Figure 2-1 and has an annual average allocation of less than 10,000 GPD;

2. Withdraws groundwater from the Sandstone aquifer within the area depicted in Figure 2-2 and has an annual average allocation of less than 10,000 GPD;

3. Withdraws groundwater from the Mid-Hawthorn aquifer within the area depicted in Figure 2-3 and has an annual average allocation of less than 10,000 GPD; or,

4. Withdraws water for irrigation purposes within the South Dade County Water Use Basin depicted in Figure 21-11, Chapter 40E-21, F.A.C., and has an annual average allocation

of less than 300,000 GPD, regardless of the facility restrictions in paragraph (1)(b), above; and.

(e) Is consistent with requirements of any applicable mandatory reuse zones.

(2) An individual permit is required for all non-exempt uses that do not qualify for a general permit. Diversion and impoundment uses do not qualify for a general permit and must apply for an individual permit. Dewatering uses that do not qualify for a general permit by rule must apply for an individual permit.

SEE INDIVIDUAL SECTION II FOR MAPS

Rulemaking Authority 373.044, 373.113, 373.118, 373.171, 373.216 FS. Law Implemented 373.083, 373.118, 373.219, 373.223 FS. History—New _____.

40E-2.091 Publications Incorporated by Reference.

(1) The “Applicant’s Handbook Basis of Review for Water Use Permit Applications within the South Florida Water Management District – _____ July 21, 2013,” (insert hyperlink), is incorporated by reference herein, ~~and requires the use of the following forms, which are also incorporated by reference herein:~~

(2) The following forms are referenced in the “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District – _____” and are incorporated herein:

(a)(1) Form 1376 0188 QMQ, Report of Planting and Harvest of Seasonal Crops Form, Quarterly Report of Withdrawals, (effective date) ~~October 2012,~~ (hyperlink) <http://www.flrules.org/Gateway/reference.asp?No=Ref-01564>, (referenced in Subsection Section 5.2.1.E 4.1);

(b)(2) Form 1377 0188 QASR, Water Quality Report Form Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells, (effective date) ~~October 2012,~~ (hyperlink) <http://www.flrules.org/Gateway/reference.asp?No=Ref-01565>, (referenced in Subsection Section 4.2.1 4.1);

(c)(3) Form 1378 0188 QMQF, Water Use Pumpage Report Form Quarterly Report of Withdrawals from Wells and Surface Water Pumps, (effective date) ~~October 2012,~~ (hyperlink) <http://www.flrules.org/Gateway/reference.asp?No=Ref-01566>, (referenced in Subsection Section 4.1.1);

(d)(4) Form 1387 0188 QBWDR, Flow Meter Accuracy Calibration Report Form Quarterly Report of Bulk Water Delivered and Received, (effective date) ~~October 2012,~~ (hyperlink) <http://www.flrules.org/Gateway/reference.asp?No=Ref-01567>, (referenced in Subsection Section 4.1.1);

(e)(5) Form 1388 0188 QMON, Alternative Method Calibration Report Form Quarterly Report of Monitoring Requirements, (effective date) ~~October 2012,~~ (hyperlink) <http://www.flrules.org/Gateway/reference.asp?No=Ref-01568>, (referenced in Subsection Section 4.1.1 4.2); and,

(f)(6) Form 1389 0188 QCROP, Crop (Freeze) Protection Form Report of Planting and Harvest of Seasonal Crops, (effective date) ~~October 2012,~~ (hyperlink) <http://www.flrules.org/Gateway/reference.asp?No=Ref-01569>, (referenced in Subsection Section 4.1.1 5.2.3);

(3) Subsections 62-40.416(7) and (8), F.A.C., May 6, 2013, (hyperlink) are referenced in Subsection 3.1.2.A and incorporated by reference herein.

(4) The “Applicant’s Handbook Basis of Review for Water Use Permit Applications within the South Florida Water Management District” and forms incorporated therein are available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561) 682-6436.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171, 373.216 FS. Law Implemented 373.042, 373.0421, 373.083, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, 9-26-12, 10-23-12, 7-21-13, _____.

NOTE: The proposed “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District” and Forms are available for viewing at www.sfwmd.gov/rules, then selecting CUP Consistency Rule, or may be obtained by contacting Jan Sluth, Paralegal, South Florida Water Management District, telephone: (800)432-2045, ext. 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

40E-2.101 Content of Application.

(1) Except in those circumstances detailed in subsection (5), below, applications for permits required by this chapter shall be filed electronically at www.sfwmd.gov/ePermitting, or at the South Florida Water Management District Regulation Reception Desk, 3301 Gun Club Road, West Palm Beach, FL 33406, or at any of the District’s Service Centers. The addresses and phone numbers of the District’s Service Centers are online at www.sfwmd.gov, “Locations”;

(a) ~~The application, Form No. 0645 W01, Water Use Permit Application, October 2012,~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-01570>, shall include the following forms, if applicable:

(b) Form No. 0645-G60, Table A Description of Wells, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01571>, for permits with wells;

(c) Form No. 0645-G61-1, Table B Description of Surface Water Pumps, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01572>, for permits with pumps;

(d) Form No. 0645-G61-2, Table C Description of Culverts, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01573>, for permits with irrigation culverts;

(e) Form No. 0645-G65, Table D Crop Information, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01574>, for agricultural permits;

(f) Form No. 0645-G74, Table E Water Received From or Distributed to Other Entities, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01575>, for public water supply permits;

(g) Form No. 0645-G69, Table F Past Water Use & Table G Projected Water Use, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01576>, for public water supply permits;

(h) Form No. 0645-G70, Table H Projected Water Use, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01577>, for public water supply permits;

(i) Form No. 0645-G71, Table I Water Treatment Method and Losses, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01578>, for public water supply permits;

(j) Form No. 0645-G72, Table J Aquifer Storage and Recovery, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01579>, for public water supply permits; and

(k) Form No. 0645-G73, Table K Water Supply System Interconnections, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01580>, for public water supply permits.

(2) The application for all water use permits shall contain:

(a)(4) The appropriate permit application processing fee required by Rule 40E-1.607, F.A.C.;

(b)(m) The information required in Section 373.229(1), F.S.; and

(c)(n) Information sufficient to show that the use meets the criteria and conditions established in Rule 40E-2.301, F.A.C.; and

(d)(2) The application forms, as specified below, must be signed by the applicant or the authorized agent of the applicant.

(3) Application for an Individual Water Use Permit shall be made using Form No. 1379, Water Use Permit Application, (effective date), (hyperlink). Applicants shall also submit one or more of the following supplemental forms as appropriate for each type of water use proposed in the permit application: Applicants for a Dewatering Water Use permit shall

electronically file or file with the District Form 0445, October 2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01581>, Mining/Dewatering Permit Application.

(a) Form 1380, Water Use Permit Application Supplemental Form A – Agricultural Use, (effective date), (hyperlink);

(b) Form 1381, Water Use Permit Application Supplemental Form B – Commercial/Industrial Use, (effective date), (hyperlink);

(c) Form 1382, Water Use Permit Application Supplemental Form C – Landscape/Recreation Use, (effective date), (hyperlink);

(d) Form 1383, Water Use Permit Application Supplemental Form D – Dewatering Use, (effective date), (hyperlink);

(e) Form 1384, Water Use Permit Application Supplemental Form E – Public Supply Use, (effective date), (hyperlink);

(f) Form 1386, Water Use Permit Application Supplemental Form F- Diversion and Impoundment Use, (effective date), (hyperlink).

(4) Application for a Noticed General Water Use Permit shall be made using Form 1391, Notice of Intent to Use a Water Use Noticed General Permit, (effective date), (hyperlink).

(5) The filing of an application is not required for a General Permit by Rule provided the criteria in Rule 40E-2.061, F.A.C., are met.

(6)(4) The forms identified in subsections (3)(4) and (4)(3) above are incorporated by reference herein and are available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436, or (561)682-6436.

Rulemaking Authority 373.044, 373.113, 373.171, 373.216 FS. Law Implemented 373.083, 373.103(1), 373.116, 373.219, 373.223, 373.229 FS. History—New 9-3-81, Amended 12-1-82, 2-24-85, 11-21-89, Repromulgated 1-4-93, Amended 4-20-94, 8-1-02, 10-23-12,_____.

NOTE: The proposed Forms are available for viewing at www.sfwmd.gov/rules, then selecting CUP Consistency Rule, or may be obtained by contacting Jan Sluth, Paralegal, South Florida Water Management District, telephone: (800) 32-2045, ext. 6299, or (561)682-6299, email: jsluth@sfwmd.gov.

40E-2.301 Conditions for Issuance of Permits.

(1) No change.

(a) through (g) No change.

(h) For uses with a recommended maximum allocation which exceeds 100,000 gallons per day or uses within a mandatory reuse zone, m~~M~~akes use of a reclaimed water source in accordance with the criteria contained in the "Applicant's

~~Handbook Basis of Review~~ for Water Use Permit Applications within the South Florida Water Management District₁”; incorporated by reference in Rule 40E-2.091, F.A.C.

(i) Is in accordance with ~~any the established~~ minimum flows ~~or and~~ levels and implementation strategy established pursuant to Sections 373.042 and 373.0421, F.S. ~~provisions in Chapter 373, F.S., this chapter and Chapter 40E-8, F.A.C.;~~ and

(j) through (k) No change.

(2) In order to satisfy the conditions for permit issuance in subsection (1), the permit applicant must provide reasonable assurances that the criteria in the ~~“Applicant’s Handbook Basis of Review~~ for Water Use Permit Applications within the South Florida Water Management District₁”; incorporated by reference in Rule 40E-2.091, F.A.C., are met.

Rulemaking Authority 373.044, 373.113, 373.118, ~~373.171~~ FS. Law Implemented 373.036, 373.042, ~~373.083~~, 373.103(4), 373.1501, 373.1502, 373.223, 373.229, 373.2295, 373.470 FS. History—New 8-14-02, Amended 8-31-03, 4-23-07, 2-13-08, 7-2-09, _____.

40E-2.321 Duration of Permit.

General Duration Provision. When requested by an applicant, a consumptive use permit shall have a duration of 20 years provided the applicant provides sufficient data to demonstrate reasonable assurance that the proposed use meets the conditions for issuance for the requested 20 year permit duration; or otherwise, permits may be issued for a shorter duration that reflects the period for which such reasonable assurances can be provided. This determination will be made pursuant to requirements in Rule 40E-2.301, F.A.C., and the ~~“Applicant’s Handbook Basis of Review~~ for Water Use Permit Applications within the South Florida Water Management District₁”; incorporated by reference in Rule 40E-2.091, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171, ~~373.216~~ FS. Law Implemented 373.236 FS. History—New 9-3-81, Amended 2-24-85, 4-20-94, 7-11-96, 8-31-03, 4-23-07, 2-13-08, _____.

40E-2.331 Modification of Permits.

(1) through (3) No change.

(4)(a) Modification of an existing water use permit shall be approved by letter, provided the permit is in compliance with all applicable limiting conditions and the modification request:

1. No change.

2. Does not modify the existing permit expiration date, except ~~that~~ when:

a. The permit duration is based upon the current lease expiration date, the permit duration shall be extended by letter modification to the new lease date, but shall not exceed the applicable permit duration pursuant to Rule 40E-2.321, F.A.C.;

b. A public water supply permittee achieves demonstrable savings attributable to implementation of its water conservation plan beyond that required by Subsection 2.3.2.F.1 of the Applicant’s Handbook;

c. A permittee complies with the extension provisions of Section 373.236(5), F.S.; or,

d. The permit duration is based upon a proposed “start” date for dewatering, the permit duration shall be extended to one year from the new “start” date, but shall not exceed the applicable permit duration in Rule 40E-2.321, F.A.C.; or

3. Does not potentially interfere with any presently existing legal use of water, cause environmental harm, saltwater intrusion, pollution of the water resources, harm to offsite land uses, does not withdraw water reserved under Chapter 40E-10, F.A.C., or does not otherwise raise issues requiring a Staff determination of whether such impacts would occur pursuant to the ~~“Applicant’s Handbook Basis of Review~~ for Water Use Permit Applications within the South Florida Water Management District₁”; incorporated by reference in Rule 40E-2.091, F.A.C.; ~~and~~

4. Does not change the permitted withdrawal source(s) or use classification; ~~;~~

5. Does not result in a modification of the permit pursuant to Section 373.239(2), F.S.; ~~and,~~

6. No change.

(b) No change.

Rulemaking Authority 373.044, 373.113, ~~373.171~~, ~~373.216~~ FS. Law Implemented ~~373.079~~, 373.083, 373.223, 373.229, 373.239 FS. History—New 9-3-81, Formerly 16K-2.09(1), Amended 4-20-94, 7-11-96, 4-9-97, 12-10-97, 8-1-02, 4-23-07, 2-13-08, 7-2-09, 3-15-10, 10-23-12, _____.

40E-2.381 ~~Permit Limiting~~ Conditions.

Pursuant to Sections 373.216, 373.219, and 373.223, F.S., ~~(The District shall impose on any permit granted under this chapter such reasonable standard and special permit conditions on permits granted under this chapter, as are necessary to assure that the permitted use or withdrawal will be consistent with the overall objectives of the District, will not be harmful to the water resources of the District, is reasonable beneficial, will not interfere with any presently existing legal uses, and is consistent with the public interest. Standard permit conditions in Section 5.1 of the “Applicant’s Handbook Basis of Review~~ for Water Use Permit Applications within the South Florida Water Management District₁”; incorporated by reference in Rule 40E-2.091, F.A.C., shall be set forth in the permit. Special permit conditions, including those specified in Section 5.2 of the ~~“Applicant’s Handbook Basis of Review~~ for Water Use Permit Applications within the South Florida Water Management District₁”; incorporated by reference in Rule 40E-2.091, F.A.C., shall be set forth in the permit as applicable.

Rulemaking Authority 373.044, 373.113, 373.171, ~~373.216~~ FS. Law Implemented 373.042, 373.0421, ~~373.079~~, 373.083, ~~373.216~~, 373.219(1), ~~373.223~~ FS. History—New 9-3-81, Amended 2-24-85, 7-26-87, 4-20-94, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 8-1-02, 4-23-07, 2-13-08, 10-23-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Maria C. Clemente, P.E., Water Use Bureau Chief, Regulation
 Division

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

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: May 15, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: May 9, 2014

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-3.011	Policy and Purpose
40E-3.021	Definitions
40E-3.040	Scope of Part I
40E-3.041	Permits Required
40E-3.051	Exemptions
40E-3.301	Conditions for Issuance of Permits
40E-3.451	Emergency Authorization

PURPOSE AND EFFECT: The District is re-initiating rule development to amend its consumptive use permitting and water supply related program rules as part of the Florida Department of Environmental Protection's statewide effort to improve consistency among the water management districts (referred to as CUP Consistency or CUPCon). This re-initiation of rule development will cure discrepancies between the versions of rules that were published on December 10, 2013, and acted on by the Governing Board on February 13, 2014, as well as correct some inadvertent text inaccuracies. There are no substantive changes to the rule text as adopted by the Governing Board in February 2014.

SUMMARY: The proposed amendments delete references to repealed rules or rules proposed for repeal, and make grammatical corrections.

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 proposed amendments are non-substantive and therefore, have no impact on small business or increased regulatory costs. 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 proposed amendments are non-substantive; no SERC or legislative ratification is required.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.019, 373.103(1), 373.106, 373.303, 373.306, 373.308, 373.309, 373.313, 373.314, 373.316, 373.319, 373.323, 373.326, 373.329, 373.333, 373.342 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 10, 2014, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2133 or (561)682-2133, email: smemberg@sfwmd.gov or Jennifer Bokankowitz, Attorney, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2258 or (561)682-2258, email: jbokanko@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-3.011 Policy and Purpose.

(1) The purpose of Chapter 40E-3, F.A.C., is to implement the duties and responsibilities of the South Florida Water Management District (District) under Part III, Chapter 373, F.S., and those responsibilities and duties delegated to the District by the Department of Environmental Protection (Department) to regulate the location, construction, repair, or abandonment of water wells and the licensing of water well contractors. It is the policy of the Governing Board that these rules are reasonably necessary to insure the protection and management of water resources and the health, safety, and general welfare of the people of this District.

(2) Additional District rules relating to water wells are found in Chapters 40E-5, (Artificial Recharge), and 40E-2, (Consumptive Use), ~~and 40E-30, F.A.C. (General Permits for Wells).~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.306, 373.308, 373.309, 373.313, 373.314, 373.316, 373.319, 373.323(2), 373.326, 373.329, 373.333, 373.342 FS. History—New 1-1-85, Amended 12-19-89, 3-16-05, _____.

40E-3.021 Definitions.

When used in this chapter:

(1) through (3) No change.

(4) “Consumptive Use Permit” or “Water Use Permit” means a Water Use Permit issued under Chapter 40E-2 or ~~40E-20~~, F.A.C.

(5) through (19) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.019, 373.106, 373.303, 373.306 FS. History—New 1-1-85, Amended 12-19-89, 3-16-05, 9-26-12, _____.

40E-3.040 Scope of Part I.

The rules in this part relate to the permitting requirements applicable to the construction, repair or abandonment of wells. Unless expressly exempt by statute or this rule, all wells must be permitted prior to construction, repair or abandonment and must be constructed, repaired or abandoned by a licensed water well contractor. This exemption does not relieve the applicant from obtaining permits which may be required under Chapter 40E-2 (Consumptive Use), Chapter 40E-4 (Surface Water Management), ~~Chapter 40E-20 (General Water Use Permits)~~ or Chapter 40E-40 (General Surface Water Management Permits), F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.303, 373.308, 373.309, 373.316, 373.326, 373.342 FS. History—New 1-1-85, Amended _____.

40E-3.041 Permits Required.

(1) through (3) No change.

(4) Permits for construction, repair, modification or abandonment of wells for which a water use permit is required under Chapters 40E-2 ~~and 40E-20~~, F.A.C., shall not be issued prior to issuance of the water use permit authorizing water use withdrawals.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.309, 373.313, 373.316 FS. History—New 1-1-85, Amended 3-16-05, _____.

40E-3.051 Exemptions.

(1) The following wells are exempt from Rule 40E-3.041, F.A.C.:

(a) through (d) No change.

~~(e) In addition, a well which satisfies the requirements of Chapter 40E-30, F.A.C., is exempt from the provisions of Rules 40E-3.301, 40E-3.321, 40E-3.411, 40E-3.501, 40E-3.512, and 40E-3.351, F.A.C.~~

(2) These exemptions do not relieve the applicant from obtaining permits which may be required under Chapter 40E-2 (Consumptive Use), Chapter 40E-4 (Environmental Resource Permits), ~~Chapter 40E-20 (General Water Use Permits)~~ or Chapter 40E-40 (Environmental Resource Standard General Permits), F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.303, 373.308, 373.313, 373.316, 373.326 FS. History—New 1-1-85, Amended 3-16-05, _____.

40E-3.301 Conditions for Issuance of Permits.

(1) No change.

(2) A water use permit, if applicable, ~~under Chapter 40E-2 or 40E-20~~, F.A.C., must have already been obtained. If a water use permit has not been obtained, an application for a consumptive use permit must be submitted concurrently with the well construction application and must also be approved by the District prior to issuance of the well construction permit.

(3) through (5) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.306, 373.308, 373.309, 373.313, 373.342 FS. History—New 1-1-85, Amended 3-16-05, _____.

40E-3.451 Emergency Authorization.

(1) No change.

(2) Emergency permits may be applied for and issued orally. Mere carelessness or lack of planning on the part of the applicant, contractor or driller will not constitute sufficient cause for the issuance of an emergency permit. If Chapter 40E-2 ~~or 40E-20~~, F.A.C., also applies to the well, an emergency permit may be issued only if, in addition to qualifying under subsection (1) above, an application for a consumptive use permit has been filed with the District. Issuance of an emergency permit will not be evidence of any entitlement to the consumptive use permit.

(3) No change.

Rulemaking Authority 373.044, 373.119, 373.171 FS. Law Implemented 373.308, 373.309, 373.313, 373.326, 373.342 FS. History—New 1-1-85, Amended 7-2-98, 3-16-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Maria C. Clemente, P.E., Water Use Bureau Chief, Regulation Division

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2014
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 9, 2014

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.: RULE TITLES:
 40E-5.011 Policy and Purpose
 40E-5.041 Permits Required
 40E-5.301 Conditions for Permit Issuance

PURPOSE AND EFFECT: The District is re-initiating rule development to amend its consumptive use permitting and water supply related program rules as part of the Florida Department of Environmental Protection's statewide effort to improve consistency among the water management districts (referred to as CUP Consistency or CUPCon). This re-initiation of rule development will cure discrepancies between the versions of rules that were published on December 10, 2013, and acted on by the Governing Board on February 13, 2014, as well as correct some inadvertent text inaccuracies. There are no substantive changes to the rule text as adopted by the Governing Board in February 2014.

SUMMARY: The proposed amendments delete references to repealed rules or rules proposed for repeal, and make grammatical corrections.

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 proposed amendments are non-substantive and have no impact on small business or increased regulatory costs.

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 proposed amendments are non-substantive; no SERC or legislative ratification is required.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.019, 373.103(1), 373.106, 373.303, 373.306, 373.308, 373.309, 373.313, 373.314, 373.316, 373.319, 373.323, 373.326, 373.329, 373.333, 373.342 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:

DATE AND TIME: July 10, 2014, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2133 or (561)682-2133, email: smemberg@sfwmd.gov or Jennifer Bokankowitz, Attorney, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2258 or (561)682-2258, email: jbokanko@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-5.011 Policy and Purpose.

(1) No change.

(2) It is the intent of the District to consolidate permits issued pursuant to this chapter with consumptive uses regulated under Chapter 40E-2 ~~or 40E-20~~, F.A.C., when such permit is required. Thus, if water is obtained from a regulated surface or groundwater ~~ground-water~~ source, authorization under this Chapter shall be issued in conjunction with the associated consumptive use permit. If a consumptive use permit for the project is not required pursuant to Chapter 40E-2 ~~or 40E-20~~, F.A.C., (e.g., the recharge water is reclaimed waste water), a separate permit shall be obtained pursuant to this chapter.

(3) through (4) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.106(1) FS. History—New 9-3-81, Amended 8-14-03,_____.

40E-5.041 Permits Required.

(1) Unless expressly exempt by law or District rule, a permit is required pursuant to this chapter to operate an artificial recharge system. The permit applicant shall provide reasonable assurances that the proposed activity meets the criteria set forth in Rule 40E-5.301, F.A.C. In the event the project also requires a consumptive use permit pursuant to Chapter 40E-2 ~~or 40E-20~~, F.A.C., demonstration of reasonable assurances required under Rule 40E-5.301, F.A.C., shall be made in conjunction with application for such permit and a consolidated permit will be issued.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.106(1) FS. History—New 9-3-81, Formerly 16K-2.02(1), Amended 8-14-03, _____.

40E-5.301 Conditions for Permit Issuance.

In order to obtain a permit, permit renewal, or permit modification pursuant to this chapter, an applicant must give reasonable assurances that the proposed diversion of water to be introduced into an aquifer and the impact of introducing and recovering the water from an aquifer:

(1) through (2) No change.

(3) Satisfies the criteria contained in the “Applicant’s Handbook Basis of Review for Water Consumptive Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rule 40E-2.091, F.A.C.; and

(4) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.106(1) FS. History—New 8-14-03, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria C. Clemente, Water Use Bureau Chief, Regulation Division

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 9, 2014

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-8.011	Purpose and General Provisions
40E-8.421	Prevention and Recovery Strategies
40E-8.431	Consumptive Use Permits

PURPOSE AND EFFECT: The District is re-initiating rule development to amend its consumptive use permitting and water supply related program rules as part of the Florida

Department of Environmental Protection’s statewide effort to improve consistency among the water management districts (referred to as CUP Consistency or CUPCon). This re-initiation of rule development will cure discrepancies between the versions of rules that were published on December 10, 2013, and acted on by the Governing Board on February 13, 2014, as well as correct some inadvertent text inaccuracies. There are no substantive changes to the rule text as adopted by the Governing Board in February 2014.

SUMMARY: The amendments to this chapter include deleting references to repealed rules and replacing references to the Basis of Review with the Applicant’s Handbook.

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 proposed amendments are non-substantive and have no impact on small business or increased regulatory costs.

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 proposed amendments are non-substantive; no SERC or legislative ratification is required.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.019, 373.103(1), 373.106, 373.303, 373.306, 373.308, 373.309, 373.313, 373.314, 373.316, 373.319, 373.323, 373.326, 373.329, 373.333, 373.342 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 10, 2014, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2133 or (561)682-2133, email: smemberg@sfwmd.gov or Jennifer Bokankowitz, Attorney, South Florida Water Management District, 3301 Gun Club

Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2258 or (561)682-2258, email: jbokanko@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-8.011 Purpose and General Provisions.

(1) through (3) No change.

(4) The recovery and prevention strategies set forth in Rule 40E-8.421, F.A.C., the consumptive use permitting procedures described in paragraph 40E-2.301(1)(i), Rule 40E-8.431, F.A.C., Section 3.9 of the “Applicant’s Handbook Basis of Review for Water Use Permit Applications within the South Florida Water Management District₁”; incorporated by reference in Rules 40E-2.091 and ~~40E-20.091~~, F.A.C., the water shortage plan implementation provisions specified in Rules 40E-8.441, 40E-21.531, and 40E-21.541, F.A.C., and Part III of Chapter 40E-22, F.A.C., are inseparable components of the MFLs established in Rules 40E-8.321 and 40E-8.331, F.A.C. The District would not have adopted the MFLs set forth in Rules 40E-8.321 and 40E-8.331, F.A.C., for Lake Okeechobee, the Everglades, the Biscayne Aquifer, the Lower West Coast Aquifers, and the Caloosahatchee River without simultaneously adopting their related implementation rules. If the rules cited above, as they pertain to a specified MFL water body, are found to be invalid, in whole or in part, such specified minimum flow(s) or level(s) in Rule 40E-8.321 or 40E-8.331, F.A.C., (including Lake Okeechobee, Everglades, Biscayne Aquifer, Lower West Coast Aquifers, Caloosahatchee River) (month, year) shall not be adopted, or if already in effect, shall not continue to be applied, until the District amends the applicable regional water supply plan(s), as necessary, and amends the subject rules, as necessary to address the reason for invalidity consistent with the requirements of Section 373.0421, F.S. This section shall be triggered after a rule is found to be invalid pursuant to a final order issued under Section 120.56, F.S., and after appellate review remedies have been exhausted.

(5) No change.

Rulemaking Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History—New 9-10-01, Amended 4-1-03, 1-19-06, 10-23-12,_____.

40E-8.421 Prevention and Recovery Strategies.

(1) At the time of adoption of this rule, the existing flow or level for certain specified water bodies is below, or within 20 years is projected to fall below, the applicable MFL. For this reason, Section ~~373.709~~ ~~373.0361~~, F.S., requires regional water supply plans to contain recovery and prevention strategies, including water resource development and water supply development projects that are needed to achieve compliance with MFLs during the planning period. The implementation of such projects will allow for the orderly replacement or enhancement of existing water sources with alternative supplies in order to provide sufficient water for all existing and projected reasonable-beneficial uses, consistent with Section 373.0421, F.S.

(a) through (b) No change.

(c) The rules implementing water resource protection tools, including Chapters 40E-2, 40E-8, ~~40E-20~~, 40E-21, 40E-22, F.A.C., and the “Applicant’s Handbook Basis of Review for Water Consumptive Use Permits Applications wWithin the South Florida Water Management District₁”; incorporated by reference in Rules 40E-2.091 and ~~40E-20.091~~, F.A.C., identify the specific factors and conditions that will be applied and considered in implementing the conceptual model. Due to the extreme variations in water resource conditions, climatic conditions, hydrologic conditions, and economic considerations that will be faced when implementing these rules, it is critical to apply such criteria flexibly and to reserve for the governing board the ability to implement water resource protection and allocation programs considering all of the District’s missions under Chapter 373, F.S., and to balance water supply, flood protection, resource protection and water quality protection needs. Implementation of the recovery and prevention strategies will be achieved in compliance with the assurances to consumptive users and to natural systems contained in the LEC Plan and the LWC Plan.

(d) through (f) No change.

(2) No change.

(3) Biscayne Aquifer. The LEC Plan contains an approved prevention strategy for the Biscayne Aquifer pursuant to Section 373.0421, F.S., which consists of the following:

(a) No change.

(b) Apply conditions for permit issuance in Chapter 40E-2 or ~~40E-20~~, F.A.C., to prevent the harmful movement of saltwater intrusion up to a 1-in-10 year level of certainty;

(c) through (e) No change.

(4) through (5) No change.

(6) Northwest Fork of the Loxahatchee River Recovery Strategy: Purpose and Intent.

(a) The Northwest Fork of the Loxahatchee River is currently not meeting the MFL and requires implementation of a recovery strategy to achieve the MFL as soon as practicable, consistent with Section 373.0421, F.S. The recovery strategy consists of projects contained within the following approved plans: the Lower East Coast Regional Water Supply Plan (LEC Plan), the Comprehensive Everglades Restoration Plan (CERP), and the Northern Palm Beach County Comprehensive Water Management Plan (NPBCCWMP). Four phases of recovery are identified in the Technical Documentation to Support Development of Minimum Flows and Levels for the Northwest Fork of the Loxahatchee River, November 2002, which are projected to increase flows to meet the MFL for the Northwest Fork of the Loxahatchee River. As part of the recovery strategy, as provided in this rule, the consumptive use permitting and water shortage requirements in this Chapter and Chapters 40E-2, ~~40E-20~~, and 40E-21, F.A.C., and the “Applicant’s Handbook ~~Basis of Review~~ for Water Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rules 40E-2.091 and ~~40E-20.091~~, F.A.C., including Subsection ~~Section~~ 3.2.1.E. regarding Restricted Allocation Areas for Lower East Coast Everglades Waterbodies and North Palm Beach County/Loxahatchee River Watershed Waterbodies, shall apply to consumptive use direct and indirect withdrawals from surface and groundwater sources from the Northwest Fork of the Loxahatchee River and those areas directly tributary to the Northwest Fork.

(b) through (g) No change.

(7) through (8) No change.

Rulemaking Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History—New 9-10-01, Amended 11-11-02, 4-1-03, 1-19-06, 12-12-06, 4-23-07, 10-14-08, 10-23-12, _____.

40E-8.431 Consumptive Use Permits.

(1) Consumptive use permit applications that propose to withdraw water directly or indirectly from a MFL water body, that meet the conditions for permit issuance in Part II of Chapter 373, F.S., (including implementing rules in this chapter, Chapter 40E-2, F.A.C., and the “Applicant’s Handbook for Water Use Permit Applications within the South Florida Water Management District,” ~~Basis of Review~~, and ~~Chapter 40E-20, F.A.C.~~, as applicable), and are consistent with the approved recovery and prevention strategies under Section 373.0421, F.S., will be permitted. Consumptive use permit applications will be reviewed based on the recovery and prevention strategy approved at the time of permit application review.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History—New 9-10-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria C. Clemente, Water Use Bureau Chief, Regulation Division

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 9, 2014

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-10.011	Policy and Purpose
40E-10.031	Water Reservations Implementation
40E-10.051	Water Reservation Areas: Upper East Coast Planning Area

PURPOSE AND EFFECT: The District is re-initiating rule development to amend its consumptive use permitting and water supply related program rules as part of the Florida Department of Environmental Protection’s statewide effort to improve consistency among the water management districts (referred to as CUP Consistency or CUPCon). This re-initiation of rule development will cure discrepancies between the versions of rules that were published on December 10, 2013, and acted on by the Governing Board on February 13, 2014, as well as correct some inadvertent text inaccuracies. There are no substantive changes to the rule text as adopted by the Governing Board in February 2014.

SUMMARY: The amendments to this chapter include deleting references to repealed rules and replacing references to the Basis of Review with the Applicant’s Handbook.

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 proposed amendments are non-substantive and have no impact on small business or increased regulatory costs.

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 proposed amendments are non-substantive; no SERC or legislative ratification is required.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595 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 10, 2014, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2133 or (561)682-2133, email: smemberg@sfwmd.gov or Jennifer Bokankowitz, Attorney, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2258 or (561)682-2258, email: jbokanko@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-10.011 Policy and Purpose.

The purpose of this chapter is to define the quantity, location and timing of waters reserved from allocation for the protection of fish and wildlife pursuant to Section 373.223(4), F.S., for specified water bodies. Water reservations are implemented in the water use program pursuant to Chapters 40E-2 and 40E-20, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New 7-2-09, Amended _____.

40E-10.031 Water Reservations Implementation.

(1) Applicants for consumptive use permits shall meet the requirements of this rule by providing reasonable assurances that Rules 40E-2.301 and ~~40E-20.301~~, F.A.C., and Section 3.11 of the “Applicant’s Handbook Basis of Review for Water Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rules 40E-2.091, F.A.C., are met.

(2) through (4) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New 7-2-09, Amended 3-18-10, 7-21-13, _____.

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

North Fork of the St. Lucie River, as defined in subsection 40E-10.021(3), F.A.C.:

Surface waters up to and including the mean monthly flow of 130 cubic feet per second flowing over the Gordy Road Structure from November 1st through May 31st; see Appendix 2, Figure 2-2; are reserved from allocation. The water reserved under this Rule will be available for fish and wildlife upon formal determination of the Governing Board, pursuant to state and federal law, that any one or all of the Comprehensive Everglades Restoration Plan’s C-23/C-24 North and South Reservoirs and STA Project are operational. Reservations contained in this Rule and the criteria contained in section 3.11.2 of the “Applicant’s Handbook Basis of Review for Water Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rule 40E-2.091, F.A.C., shall be revised pursuant to Section 373.223(4), F.S., in light of changed conditions or new information and concurrent with the approval specified, above.

Notwithstanding the above, presently existing legal uses for the duration of a permit existing on March 18, 2010 are determined to be not contrary to the public interest pursuant to Section 373.223(4), F.S.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.026, 373.036, 373.1501, 373.1502, 373.219, 373.223, 373.4592, 373.4595, 373.470 FS. History—New-3-18-10, Amended 7-21-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Maria C. Clemente, P.E., Water Use Bureau Chief, Regulation Division

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: South Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2014
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 9, 2014

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

- RULE NOS.: RULE TITLES:
- 40E-20.010 Review of General Water Use Permit Applications
 - 40E-20.011 Policy and Purpose
 - 40E-20.061 Delegation of Authority Pertaining to General Water Use Permits
 - 40E-20.091 Publications Incorporated by Reference
 - 40E-20.101 Content of General Water Use Permit Applications
 - 40E-20.301 Conditions for Issuance of General Water Use Permits
 - 40E-20.302 Types of General Water Use Permits
 - 40E-20.321 Duration of General Water Use Permits
 - 40E-20.331 Modification of General Water Use Permits
 - 40E-20.351 Transfer of General Water Use Permits
 - 40E-20.381 Limiting Conditions

PURPOSE AND EFFECT: The District is re-initiating rule development to amend its consumptive use permitting and water supply related program rules as part of the Florida Department of Environmental Protection's statewide effort to improve consistency among the water management districts (referred to as CUP Consistency or CUPCon). This re-initiation of rule development will cure discrepancies between the versions of rules that were published on December 10, 2013, and acted on by the Governing Board on February 13, 2014, as well as correct some inadvertent text inaccuracies. There are no substantive changes to the rule text as adopted by the Governing Board in February 2014.

SUMMARY: The District is transferring relevant portions of this Chapter governing general water use permits to Chapter 40E-2, F.A.C. Therefore, these rules are proposed for repeal.

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 rules are proposed for repeal; there are no adverse impacts on small business or increased regulatory costs.

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 rules are proposed for repeal; no SERC or legislative ratification is required.

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: 120.54(5), 120.60, 373.044, 373.113, 373.118, 373.171, 373.216 FS..

LAW IMPLEMENTED: 120.54(5), 120.60, 373.036, 373.042, 373.0421, 373.083, 373.103(1), 373.103(4), 373.118, 373.1501, 373.1502, 373.171, 373.219, 373.223, 373.229, 373.2295, 373.239, 373.470 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 10, 2014, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2133 or (561)682-2133, email: smemberg@sfwmd.gov or Jennifer Bokankowitz, Attorney, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2258 or (561)682-2258, email: jbokanko@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-20.010 Review of General Water Use Permit Applications.

Rulemaking Authority 120.54(5), 120.60 FS. Law Implemented 120.54(5), 120.60 FS. History—New 7-2-98, Amended 8-14-02, 10-23-12, Repealed.

40E-20.011 Policy and Purpose.

Rulemaking Authority 373.044, 373.083, 373.113, 373.118 FS. Law Implemented 373.042, 373.0421, 373.083, 373.103(4), 373.118, 373.219 FS. History—New 9-3-81, Formerly 16K-2.032(4), 16K-3.031(4), Amended 4-20-94, 7-11-96, 4-9-97, 12-10-97, 11-4-01, 8-14-02, 8-31-03, 4-23-07, 2-13-08, Repealed.

40E-20.061 Delegation of Authority Pertaining to General Water Use Permits.
 Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118 FS. History—New 8-14-02, Amended 10-23-12, Repealed.

40E-20.091 Publications Incorporated by Reference.
 Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.103(4), 373.118, 373.171, 373.223, 373.229 FS. History—New 8-14-02, Amended 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, 9-26-12, 10-23-12, Repealed.

40E-20.101 Content of General Water Use Permit Applications.
 Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.219, 373.223, 373.229 FS. History—New 8-14-02, Amended 8-31-03 (2), 8-31-03 (3), 10-23-12, Repealed.

40E-20.301 Conditions for Issuance of General Water Use Permits.
 Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.036, 373.042, 373.103(4), 373.1501, 373.1502, 373.223, 373.229, 373.2295, 373.470 FS. History—New 8-14-02, Amended 8-31-03, 4-23-07, 2-13-08, 7-2-09, 9-26-12, 10-23-12, Repealed.

40E-20.302 Types of General Water Use Permits.
 Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.042, 373.0421, 373.103(4), 373.118, 373.219, 373.223 FS. History—New 9-3-81, Amended 12-1-82, Formerly 16K-2.031(1), 16K-2.032(1)(b), Amended 2-24-85, 3-29-87, 7-26-87, 4-20-94, 7-11-96, 4-9-97, 12-10-97, 11-4-01, 8-14-02, 8-31-03, 4-23-07, 2-13-08, 7-2-09, Repealed.

40E-20.321 Duration of General Water Use Permits.
 Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.236 FS. History—New 9-3-81, Formerly 16K-2.031(2)(j), 16K-2.032(2)(d), Amended 7-26-87, 4-20-94, 8-14-02, 8-31-03, 4-23-07, 2-13-08, 10-23-12, Repealed.

40E-20.331 Modification of General Water Use Permits.
 Rulemaking Authority 373.044, 373.113, 373.171, 373.216 FS. Law Implemented 373.223, 373.229, 373.239 FS. History—New 4-20-94, Amended 7-11-96, 4-9-97, 12-10-97, 8-14-02, 8-31-03, 4-23-07, 2-13-08, 7-2-09, 3-15-10, Repealed.

40E-20.351 Transfer of General Water Use Permits.
 Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.223, 373.229, 373.239 FS. History—New 12-1-82, Amended 4-20-94, 8-14-02, Repealed.

40E-20.381 Limiting Conditions.
 Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.042, 373.0421, 373.103(4), 373.118, 373.219, 373.223 FS. History—New 9-3-81, Formerly 16K-2.031(2), 16K-2.032(2), Amended 2-24-85, 7-26-87, 4-20-94, 7-11-96, 4-9-97, 12-10-97, 11-4-01, 8-14-02, 4-23-07, 2-13-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Maria C. Clemente, P.E., Water Use Bureau Chief, Regulation Division

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 9, 2014

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-24.011	Policy and Purpose
40E-24.101	Definitions
40E-24.201	Year-Round Landscape Irrigation Conservation Measures

PURPOSE AND EFFECT: The District is re-initiating rule development to amend its consumptive use permitting and water supply related program rules as part of the Florida Department of Environmental Protection's statewide effort to improve consistency among the water management districts (referred to as CUP Consistency or CUPCon). This re-initiation of rule development will cure discrepancies between the versions of rules that were published on December 10, 2013, and acted on by the Governing Board on February 13, 2014, as well as correct some inadvertent text inaccuracies. There are no substantive changes to the rule text as adopted by the Governing Board in February 2014.

SUMMARY: The amendments to this chapter include deleting references to repealed rules.

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 proposed amendments are non-substantive and have no impact on small business or increased regulatory costs.

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 proposed amendments are non-substantive; no SERC or legislative ratification is required.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.171, 373.219, 373.223, 373.227 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 10, 2014, 9:00 a.m.

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steven Memberg, Water Use Policy Principal Scientist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2133 or (561)682-2133, email: smemberg@sfwmd.gov or Jennifer Bokankowitz, Attorney, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 2258 or (561)682-2258, email: jbokanko@sfwmd.gov. For procedural questions contact Jan Sluth, Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, telephone: 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-24.011 Policy and Purpose.

(1) This chapter comprises the Mandatory Year-Round Landscape Irrigation Conservation Measures within the boundaries of the South Florida Water Management District (District). These mandatory conservation measures are intended to provide a framework for consistent implementation to ensure the long-term sustainability of the water resources of the region, increase water use efficiency and prevent and curtail wasteful water use practices through regulatory means for landscape irrigation by all users. Water savings achieved by public and private water supply utilities through conservation may be used to extend the availability of all water sources to meet future demands and defer the need for additional capital investment in

alternative water supplies, subject to compliance with Chapters 40E-2 and ~~40E-20~~, F.A.C. Local governments are encouraged to implement these conservation measures through the adoption of ordinances that would include these measures, variance and enforcement provisions. These measures are in addition to the Chapters 40E-2 and ~~40E-20~~, F.A.C., provisions and non-regulatory measures, such as education and incentive programs, which are also utilized by the District to promote water conservation. These conservation measures prohibit landscape irrigation during those periods of the day when irrigation efficiency significantly decreases, and limit landscape irrigation water use to two days per week except as specified herein. Users are encouraged to apply no more than 3/4-inch to 1-inch of water per week on their lawns and landscapes and only as needed to supplement rainfall. However, provisions have been made in this chapter to allow landscape irrigation three days per week in designated counties to address utility operational, health, and safety and landscape concerns.

(2) through (4) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.219, 373.223, 373.227 FS. History—New 6-12-03, Amended 3-15-10,_____.

40E-24.101 Definitions.

When used in this chapter:

(1) through (2) No change.

(3) “Consumptive Use Permit (CUP)” means a permit issued pursuant to Chapter 40E-2 ~~or 40E-20~~, F.A.C., authorizing the consumptive use of water.

(4) through (13) No change.

(14) “User” means any person, individual, firm, association, organization, partnership, business, trust, corporation, company, agent, employee, or other legal entity whether natural or artificial, the United States of America, and the State and all political subdivisions, regions, districts, municipalities, and public agencies thereof, which directly or indirectly takes water from the water resource, including uses from private or public utility systems, uses under water use permits issued pursuant to Chapter 40E-2 ~~or 40E-20~~, F.A.C., or uses from individual wells and pumps.

(15) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.219, 373.223, 373.227 FS. History—New 6-12-03, Amended 3-15-10,_____.

40E-24.201 Year-Round Landscape Irrigation Conservation Measures.

(1) The year-round landscape irrigation conservation measures contained in this chapter are applicable to all users as defined in subsection 40E-24.101(14), F.A.C., including permitted and exempt users under Chapter 40E-2, F.A.C., unless indicated otherwise herein. These conservation measures

apply to all water sources, except that the use of reclaimed water, which may or may not be supplemented from another source, is allowed anytime. In addition to the requirements of this section, all permitted users under Chapters 40E-2 and 40E-20, F.A.C., are required to maintain compliance with all CUP conditions and terms, including those designed to require the implementation of water conservation practices.

(2) through (7) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.219, 373.223, 373.227 FS. History—New 6-12-03, Amended 3-15-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Maria C. Clemente, P.E., Water Use Bureau Chief, Regulation Division

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 15, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 9, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-7.020 Public Comment

PURPOSE AND EFFECT: The Board proposes to develop and adopt a new rule to establish procedures for public participation in public meetings.

SUMMARY: The new rule will develop and adopt a new rule to establish procedures for public participation in public meetings.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: : During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 286.0114 FS.

LAW IMPLEMENTED: 286.0114 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-7.020 Public Comment.

The Florida Real Estate Appraisal Board invites and encourages all members of the public to provide comment on matters or propositions before the Board or a committee of the Board. The opportunity to provide comment shall be subject to the following.

(1) Members of the public will be given an opportunity to provide comment on subject matters before the Board after an agenda item is introduced at a properly notice board meeting.

(2) Members of the public shall be limited to five (5) minutes to provide comment. This time shall not include time spent by the presenter responding to questions posed by Board members, staff or board counsel. The chair of the Board may extend the time to provide comment if time permits.

(3) Members of the public shall notify board staff in writing of their interest to be heard on a proposition or matter before the Board. The notification shall identify the person or entity, indicate support, opposition, or neutrality, and identify who will speak on behalf of a group or faction of persons consisting of three (3) or more persons.

Rulemaking Authority 286.0114 FS. Law Implemented 286.0114 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 18, 2014

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-7.001 Fees

PURPOSE AND EFFECT: The purpose of the amendment is to reduce application fees.

SUMMARY: Fees.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the fees for licensure application were reduced. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.0115, 464.012, 464.013, 464.014, 465.0276, 1009.66 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-7.001 Fees.

The following fees are prescribed by the Board.

(1) For application to sit for the examination as provided in Section 464.008, F.S.:

(a) For registered nurse and licensed practical nurse fifty ninety dollars (~~\$50.00 90.00~~) ~~plus pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.~~

(b) No change.

(2) For application for licensure without examination by endorsement as provided in Section 464.009, F.S.:

For registered nurse and licensed practical nurse fifty ninety dollars (~~\$50.00 90.00~~) ~~plus pay the fee charged by the Department of Law Enforcement for the criminal background check mandated by Section 464.008(1)(b), F.S.~~

(3) Initial license as a registered nurse or a licensed practical nurse fifty dollars ~~seventy five~~ (~~\$50.00 75.00~~).

(4) through (19) No change.

Rulemaking Authority 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS. Law Implemented 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.0115, 464.012, 464.013, 464.014, 465.0276, 1009.66 FS. History—New 9-12-79, Amended 3-5-81, 12-28-82, 11-17-83, Formerly 21O-15.01, Amended 9-23-86, 2-5-87, 10-21-87, 11-19-89, 3-13-90, 1-1-92, 6-24-93, Formerly 21O-15.001, 61F7-7.001, Amended 9-13-94, 11-6-94, 4-12-95, Formerly 59S-7.001, Amended 8-18-98, 11-2-98, 6-20-00, 7-7-02, 9-26-05, 9-4-06, 5-20-07, 12-21-08, 1-3-12, 9-18-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: May 7, 2014

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.: RULE TITLES:

69O-123.001 Purpose

69O-123.002 Procedure

PURPOSE AND EFFECT: The purpose of this proceeding is to repeal rules applicable to the filing of civil remedy notices.

The Department of Financial Services administers the requirements of Section 624.155, F.S. The Office does not enforce the provisions of the filing requirements and accordingly the rule is not necessary. The Department of Financial Services implements the filing requirements of Section 624.155, F.S. by Rule 69J-123.002. F.A.C.

SUMMARY: Rule Chapter 69O-123, Florida Administrative Code, was promulgated to implement the provisions of Section 624.155, Florida Statutes. Section 624.155, Florida Statutes, permits any party to bring a civil action against an insurer when such person is damaged by a violation of certain enumerated provisions of the Florida Insurance Code. As a condition precedent to bringing an action under Section 624.155, Florida Statutes, the insured is required to give the Department of Financial Services 60 day written notice of the violation. The notice is required to be provided to the Department of Financial Services on a form provided by the Department and must

include the statutory provision violated, the facts and circumstances giving rise to the violation and the name of any individual involved in the violation.

Section 624.155, Florida Statutes, gives the Department of Financial Services authority to enforce the statute and not the Office. As a result the Office does not have sufficient statutory authority to enforce the Rules contained in Rule Chapter 690-123, F.A.C. and these rules should be repealed. Furthermore, the Department of Financial Services has developed its own rule and form to implement the provisions of Section 624.155, Florida Statutes.

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: Agency personnel familiar with the subject matter of the rule repeal have performed an economic analysis of the rule repeal that shows that the rule repeal is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 624.308(1) FS.

LAW IMPLEMENTED: 624.155, 624.307(1) 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: June 19, 2014, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debra Seymour, Office of Insurance Regulation, E-mail: Debra.Seymour@flor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Debra Seymour, Office of Insurance Regulation, E-mail: Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-123.001 Purpose.

Rulemaking Specific Authority 624.308(1) FS. Law Implemented 624.155, 624.307(1) FS. History—New 4-25-90, Formerly 4-103.001, 4-123.001, Repealed.

690-123.002 Procedure.

Rulemaking Specific Authority 624.308(1) FS. Law Implemented 624.155 FS. History—New 4-25-90, Formerly 4-103.002, Amended 8-28-00, Formerly 4-123.002, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Debra Seymour, Office of Insurance Regulation, E-mail: Debra.Seymour@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 22, 2014

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: **RULE TITLE:**

690-148.001 Funding of Preneed Contracts with Life Insurance or Annuities

PURPOSE AND EFFECT: Removes the dollar amount cap and refers instead to the statute which contains the dollar amount and brings the rule in compliance with current law.

SUMMARY: The Rule addresses requirements for insurance policies which fund preneed contracts. Currently, the rule caps the maximum face amount at \$7,500 and the statute caps the maximum face amount at \$12,500.

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: Agency personnel familiar with the subject matter of the rule amendment have performed an economic analysis of the rule amendment that shows that the rule amendment is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 626.785, 626.9541(1)(a), (t), 627.410 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: June 19, 2014, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Betty Pate, Office of Insurance Regulation, E-mail: Betty.Pate@flor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Betty Pate, Office of Insurance Regulation, E-mail Betty.Pate@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-148.001 Funding of Preneed Contracts with Life Insurance or Annuities.

(1) through (4) No change.

(5) Limitation of Coverage.

(a) Life insurance or nonvariable type annuity contracts may be sold to cover the cost of services and merchandise specified in a preneed funeral contract of an insured or annuitant, provided the face amount of the life insurance policy, or the total consideration paid for such annuity, does not exceed the amount set forth in Section 626.785, Florida Statutes \$7,500. Any increase in the death benefit of such life insurance or annuity shall be limited to the reasonably anticipated increase in the retail price of the services and merchandise specified in the preneed funeral contract.

(b) through (c) No change.

(6) No change.

Rulemaking Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 626.785, 626.9541(1)(a),(t), 627.410 FS. History—New 4-8-97, Formerly 4-148.001, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Betty Pate, Office of Insurance Regulation, E-mail Betty.Pate@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 22, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 14, 2012

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
690-228.010	Purpose
690-228.020	Scope
690-228.030	Definitions
690-228.040	Course Providers
690-228.050	School Officials
690-228.060	Instructors and Supervising Instructors
690-228.080	Course Approval; Requirements; Guidelines
690-228.090	Course Offerings and Attendance Records
690-228.100	Certification of Students
690-228.110	Textbooks
690-228.120	Course Fees
690-228.130	Facilities
690-228.150	Advertising
690-228.160	Prohibited Practices
690-228.180	Forms
690-228.190	Transition Time in the Event of Rule Changes
690-228.210	Penalties for Course Providers, School Officials, Supervising Instructors, Instructors, and Monitors
690-228.220	Licensee Compliance; Requirements; Penalties for Non-Compliance
690-228.230	Extensions
690-228.240	Applicability of Continuing Education Requirement for New Licensees
690-228.250	Exempted Licensees

PURPOSE AND EFFECT: The purpose of this rule proceeding is the repeal rule Chapter 690-228, F.A.C. which addresses the continuing education requirements of insurance representatives. The Office does not exercise authority over insurance representatives. The Department of Financial Services regulates the continuing education requirements of insurance representatives in Rule Chapter 69B-228, F.A.C.

SUMMARY: Rule Chapter 690-228, F.A.C., was promulgated to establish requirements and standards for continuing education courses and records for persons: (1) licensed to solicit or sell insurance or act as limited surety or bail bond agents, (2) licensed to adjust workers' compensation claims in this state and (3) authorized to offer or teach related coursework in this state.

Section 626.2816, Florida Statutes, specifically requires the Department of Financial Services to adopt rules relating to continuing education of this type. Towards this end, the Department of Financial Services has promulgated Rule Chapter 690-228, F.A.C. The Office does not have sufficient

statutory authority to enforce the rules contained in Rule Chapter 690-228, F.A.C. and as a result this rule chapter should be repealed.

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: Agency personnel familiar with the subject matter of the rule repeal have performed an economic analysis of the rule repeal that shows that the rule repeal is unlikely to have an adverse impact on the State economy in excess of the criteria established in Section 120.541(2)(a), Florida Statutes.

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: 624.308, 648.26, 626.9611 FS.

LAW IMPLEMENTED: 624.307(1), 626.2815, 626.2816, 626.869(5), 648.385, 648.386, 624.501 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: June 19, 2014, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Debra Seymour, Office of Insurance Regulation, E-mail: Debra.Seymour@flor.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Debra Seymour, Office of Insurance Regulation, E-mail: Debra.Seymour@flor.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-228.010 Purpose.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.2816, 626.2816(2), 626.869(5) FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.010, Repealed.

690-228.020 Scope.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.501, 626.2815, 626.869(5), 648.385 FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.020, Repealed.

690-228.030 Definitions.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.2816(2), (3), 626.869(5), 648.26, 648.386 FS. History–New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.030, Repealed.

690-228.040 Course Providers.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.501(20), 626.2815, 626.869(5), 648.386 FS. History–New 8-17-93, Amended 4-11-94, 2-28-95, 4-29-01, Formerly 4-228.040, Repealed.

690-228.050 School Officials.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.501(20)(c), 626.2815, 626.869(5), 648.36 FS. History–New 8-17-93, Amended 4-11-94, 2-28-95, 4-29-01, Formerly 4-228.050, Repealed.

690-228.060 Instructors and Supervising Instructors.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.501(20)(c), 626.2815, 626.869(5), 648.386 FS. History–New 8-17-93, Amended 4-11-94, 2-28-95, 4-29-01, Formerly 4-228.060, Repealed.

690-228.080 Course Approval; Requirements; Guidelines.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.501(20), 626.2815, 626.869(5), 648.386 FS. History–New 8-17-93, Amended 4-11-94, 2-28-95, 4-29-01, Formerly 4-228.080, Repealed.

690-228.090 Course Offerings and Attendance Records.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 626.2815, 626.869(5), 648.386 FS. History–New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.090, Repealed.

690-228.100 Certification of Students.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.501(20)(c), 626.2815, 626.869(5) FS. History–New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.100, Repealed.

69O-228.110 Textbooks.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.869(5) FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.110, Repealed.

69O-228.120 Course Fees.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.869(5) FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.120, Repealed.

69O-228.130 Facilities.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.869(5) FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.130, Repealed.

69O-228.150 Advertising.

Rulemaking Specific Authority 624.308, 626.9611 FS. Law Implemented 624.307(1), 626.2815, 626.869(5), 626.9541(1)(b) FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.150, Repealed.

69O-228.160 Prohibited Practices.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 626.2815, 626.869(5), 648.386 FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.160, Repealed.

69O-228.180 Forms.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.501, 626.2815, 626.8419(1), 626.869(5), 627.952(1)(b), 648.386 FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.180, Repealed.

69O-228.190 Transition Time in the Event of Rule Changes.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.501, 626.2815, 626.611, 626.621, 626.681, 626.869(5), 648.386 FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.190, Repealed.

69O-228.210 Penalties for Course Providers, School Officials, Supervising Instructors, Instructors, and Monitors.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 624.4211, 626.2815, 626.611, 626.621, 626.869(5), 648.385, 648.386 FS. History–New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.210, Repealed.

69O-228.220 Licensee Compliance; Requirements; Penalties for Non-Compliance.

Rulemaking Specific Authority 624.308, 648.26 FS. Law Implemented 624.307(1), 616.221(2)(d), 626.2815, 626.611, 626.621, 626.681, 626.691, 626.869(5), 648.385 FS. History–New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.220, Repealed.

69O-228.230 Extensions.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.501, 626.2815, 626.869(5) FS. History–New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.230, Repealed.

69O-228.240 Applicability of Continuing Education Requirement for New Licensees.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.2815, 626.869(5) FS. History–New 8-17-93, Amended 4-11-94, 4-29-01, Formerly 4-228.240, Repealed.

69O-228.250 Exempted Licensees.

Rulemaking Specific Authority 624.308 FS. Law Implemented 624.307(1), 626.2815(3)(c), 626.869(5) FS. History–New 8-17-93, Amended 4-29-01, Formerly 4-228.250, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Debra Seymour, Office of Insurance Regulation, E-mail
Debra.Seymour@flor.com
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: THE FINANCIAL SERVICES
COMMISSION
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 22, 2014

Section III Notice of Changes, Corrections and Withdrawals

**FISH AND WILDLIFE CONSERVATION
COMMISSION**

Marine Resources

RULE NO.: 68E-1.004 RULE TITLE: General Permit Application Procedures,
Requirements and Expiration
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 64, April 2, 2014 issue of the Florida Administrative Register.

The notice failed to describe the information relied upon by the agency to determine that legislative ratification is not required. The pertinent part of the notice should have read as follows: 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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required. THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ms. Robbin Trindell, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER14-27
 RULE TITLE: Instant Game Number 1233, HAPPY-GO-LUCKY

SUMMARY: This emergency rule describes Instant Game Number 1233, "HAPPY-GO-LUCKY" for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

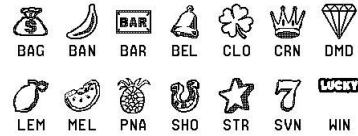
53ER14-27 Instant Game Number 1233, HAPPY-GO-LUCKY.

(1) Name of Game. Instant Game Number 1233, "HAPPY-GO-LUCKY."

(2) Price. HAPPY-GO-LUCKY lottery tickets sell for \$1.00 per ticket.

(3) HAPPY-GO-LUCKY lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning HAPPY-GO-LUCKY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER13-31, F.A.C.

(4) The play symbols and play/prize symbol captions are as follows:



(5) The prize symbols and prize symbol captions are as follows:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$20.00 TWENTY
\$30.00 THIRTY	\$50.00 FIFTY	\$100 ONE HUN	\$200 TWO HUN	\$500 FIVE HUN	\$1,000 ONE THOU

(6) The legends are as follows:

- GAME 1
- GAME 2
- GAME 3
- GAME 4
- GAME 5

(7) Determination of Prizewinners.

(a) There are five games on a ticket. Each game is played separately. A ticket having three like play symbols and corresponding play symbol captions in a game, shall entitle the claimant to the prize shown for that game. A ticket having a "LUCKY

WIN" symbol in a game shall entitle the claimant to the prize shown for that game.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$200, \$500 and \$1,000.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 1233 are as follows:

		<u>ESTIMATED</u>	<u>NUMBER OF</u>
		<u>ODDS OF</u>	<u>WINNERS IN</u>
		<u>1 IN</u>	<u>64 POOLS OF</u>
<u>GAME PLAY</u>	<u>WIN</u>		<u>240,000 TICKETS</u>
			<u>PER POOL</u>
\$1	\$1	10.71	1,433.600
\$1 x 2	\$2	30.00	512.000
\$2	\$2	30.00	512.000
\$1 x 4	\$4	300.00	51,200
(\$1 x 2) + \$2	\$4	150.00	102,400
\$2 x 2	\$4	150.00	102,400
\$4	\$4	150.00	102,400
\$1 x 5	\$5	750.00	20,480
(\$1 x 3) + \$2	\$5	750.00	20,480
(\$2 x 2) + \$1	\$5	750.00	20,480
\$1 + \$4	\$5	750.00	20,480
\$5	\$5	750.00	20,480
\$2 x 5	\$10	500.00	30,720
(\$2 x 3) + \$4	\$10	500.00	30,720

<u>\$1 + (\$2 x 2) + \$5</u>	<u>\$10</u>	<u>500.00</u>	<u>30.720</u>
<u>\$5 x 2</u>	<u>\$10</u>	<u>500.00</u>	<u>30.720</u>
<u>\$10</u>	<u>\$10</u>	<u>500.00</u>	<u>30.720</u>
<u>\$4 x 5</u>	<u>\$20</u>	<u>1,500.00</u>	<u>10.240</u>
<u>\$5 x 4</u>	<u>\$20</u>	<u>1,500.00</u>	<u>10.240</u>
<u>(\$5 x 2) + \$10</u>	<u>\$20</u>	<u>1,500.00</u>	<u>10.240</u>
<u>\$10 x 2</u>	<u>\$20</u>	<u>1,500.00</u>	<u>10.240</u>
<u>\$20</u>	<u>\$20</u>	<u>1,500.00</u>	<u>10.240</u>
<u>(\$5 x 4) + \$10</u>	<u>\$30</u>	<u>8,000.00</u>	<u>1.920</u>
<u>(\$5 x 2) + (\$10 x 2)</u>	<u>\$30</u>	<u>8,000.00</u>	<u>1.920</u>
<u>\$10 x 3</u>	<u>\$30</u>	<u>8,000.00</u>	<u>1.920</u>
<u>\$10 + \$20</u>	<u>\$30</u>	<u>8,000.00</u>	<u>1.920</u>
<u>\$30</u>	<u>\$30</u>	<u>8,000.00</u>	<u>1.920</u>
<u>\$10 x 5</u>	<u>\$50</u>	<u>8,000.00</u>	<u>1.920</u>
<u>(\$5 x 4) + \$30</u>	<u>\$50</u>	<u>9,600.00</u>	<u>1.600</u>
<u>(\$10 x 3) + \$20</u>	<u>\$50</u>	<u>12,000.00</u>	<u>1.280</u>
<u>\$20 + \$30</u>	<u>\$50</u>	<u>12,000.00</u>	<u>1.280</u>
<u>\$50</u>	<u>\$50</u>	<u>12,000.00</u>	<u>1.280</u>
<u>\$20 x 5</u>	<u>\$100</u>	<u>20,000.00</u>	<u>768</u>
<u>(\$10 x 2) + \$30 + \$50</u>	<u>\$100</u>	<u>20,000.00</u>	<u>768</u>
<u>(\$10 x 2) + \$20 + (\$30 x 2)</u>	<u>\$100</u>	<u>20,000.00</u>	<u>768</u>
<u>(\$20 x 2) + (\$30 x 2)</u>	<u>\$100</u>	<u>20,000.00</u>	<u>768</u>
<u>\$100</u>	<u>\$100</u>	<u>20,000.00</u>	<u>768</u>
<u>\$20 + \$30 + (\$50 x 3)</u>	<u>\$200</u>	<u>120,000.00</u>	<u>128</u>
<u>\$50 x 4</u>	<u>\$200</u>	<u>120,000.00</u>	<u>128</u>
<u>(\$50 x 2) + \$100</u>	<u>\$200</u>	<u>120,000.00</u>	<u>128</u>
<u>\$100 x 2</u>	<u>\$200</u>	<u>120,000.00</u>	<u>128</u>
<u>\$200</u>	<u>\$200</u>	<u>120,000.00</u>	<u>128</u>
<u>\$100 x 5</u>	<u>\$500</u>	<u>240,000.00</u>	<u>64</u>
<u>(\$100 x 3) + \$200</u>	<u>\$500</u>	<u>240,000.00</u>	<u>64</u>
<u>\$100 + (\$200 x 2)</u>	<u>\$500</u>	<u>240,000.00</u>	<u>64</u>
<u>\$500</u>	<u>\$500</u>	<u>240,000.00</u>	<u>64</u>
<u>\$1,000</u>	<u>\$1,000</u>	<u>48,000.00</u>	<u>320</u>

(9) The estimated overall odds of winning some prize in Instant Game Number 1233 are 1 in 4.88. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 1233, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) Payment of prizes for HAPPY-GO-LUCKY lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-24-14.

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

EFFECTIVE DATE: May 24, 2014

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER14-28
 RULE TITLE: Instant Game Number 1234, CHILI PEPPER TRIPLER

SUMMARY: This emergency rule describes Instant Game Number 1234, "CHILI PEPPER TRIPLER," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:


53ER14-28 Instant Game Number 1234, CHILI PEPPER TRIPLER.

(1) Name of Game. Instant Game Number 1234, "CHILI PEPPER TRIPLER."

(2) Price. CHILI PEPPER TRIPLER lottery tickets sell for \$2.00 per ticket.

(3) CHILI PEPPER TRIPLER lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning CHILI PEPPER TRIPLER lottery ticket, the ticket must meet the applicable requirements of Rule 53ER13-31, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 THIRTYONE	22 THIRTYTWO	23 THIRTYTHREE	24 THIRTYFOUR	25 THIRTYFIVE					

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 THIRTYONE	22 THIRTYTWO	23 THIRTYTHREE	24 THIRTYFOUR	25 THIRTYFIVE					

(6) The prize play symbols and play symbol captions are as follows:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$15.00 FIFTEEN	\$20.00 TWENTY
\$30.00 THIRTY	\$100 ONE HUN	\$150 ONEHUN FTY	\$300 THR HUN	\$1,000 ONE THOU	\$3,000 THR THOU	\$25,000 THYFIV THOU

(7) The legends are as follows:

YOUR NUMBERS	WINNING NUMBERS
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(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches either play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol.



A ticket having a "TRIPLE" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to triple the prize shown for that symbol. A ticket having a "HINALL" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to all ten prizes shown.



(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$100, \$150, \$300, \$1,000, \$3,000 and \$25,000.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 1234 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 56 POOOLS OF 180,000 TICKETS PER POOL
\$1 x 2	\$2	25.00	403.200
\$2	\$2	16.67	604.800
\$1 x 4	\$4	75.00	134.400
(\$1 x 2) + \$2	\$4	75.00	134.400

\$1 (FLAMING CHILI PEPPER) + \$1	\$4	37.50	268.800
\$2 x 2	\$4	75.00	134.400
\$4	\$4	75.00	134.400
\$1 x 5	\$5	375.00	26.880
\$1 (FLAMING CHILI PEPPER) + \$2	\$5	375.00	26.880
\$1 + (\$2 x 2)	\$5	375.00	26.880
\$1 + \$4	\$5	375.00	26.880
\$5	\$5	375.00	26.880
\$1 x 10 (MONEYBAG)	\$10	250.00	40.320
\$2 x 5	\$10	250.00	40.320
\$2 (FLAMING CHILI PEPPER) + \$4	\$10	250.00	40.320
\$5 x 2	\$10	250.00	40.320
\$10	\$10	250.00	40.320
(\$2 x 5) + \$5	\$15	750.00	13.440
\$5 (FLAMING CHILI PEPPER)	\$15	750.00	13.440
\$1 + \$2 + \$4 (FLAMING CHILI PEPPER)	\$15	750.00	13.440
\$5 + \$10	\$15	750.00	13.440
\$15	\$15	750.00	13.440
\$2 x 10 (MONEYBAG)	\$20	750.00	13.440
\$4 x 5	\$20	750.00	13.440
\$4 (FLAMING CHILI PEPPER) + (\$4 x 2)	\$20	750.00	13.440
\$10 x 2	\$20	750.00	13.440
\$20	\$20	750.00	13.440
(\$2 x 8) + \$4 + \$10 (MONEYBAG)	\$30	1,800.00	5.600
\$5 x 6	\$30	2,000.00	5.040
\$10 (FLAMING CHILI PEPPER)	\$30	1,800.00	5.600
\$15 x 2	\$30	2,000.00	5.040
\$10 + \$20	\$30	2,000.00	5.040
\$30	\$30	2,000.00	5.040
\$10 x 10 (MONEYBAG)	\$100	7,200.00	1.400
\$10 x 10	\$100	7,200.00	1.400
(\$10 x 6) + (\$20 x 2)	\$100	7,200.00	1.400
\$20 x 5	\$100	7,200.00	1.400
\$5 (FLAMING CHILI PEPPER) + (\$10 x 4) + \$15 (FLAMING CHILI PEPPER)	\$100	6,000.00	1.680
(\$5 x 2) + \$10 (FLAMING CHILI PEPPER) + \$20 (FLAMING CHILI PEPPER)	\$100	6,000.00	1.680
\$100	\$100	7,200.00	1.400
\$15 x 10 (MONEYBAG)	\$150	18,000.00	560
\$15 x 10	\$150	36,000.00	280
(\$10 x 5) + (\$20 x 5)	\$150	18,000.00	560
\$30 x 5	\$150	36,000.00	280
\$20 (FLAMING CHILI PEPPER) + \$30 (FLAMING CHILI PEPPER)	\$150	18,000.00	560

\$150	\$150	36,000.00	280
\$30 x 10 (MONEYBAG)	\$300	45,000.00	224
\$30 x 10	\$300	45,000.00	224
\$20 + \$30 + \$100 + \$150	\$300	45,000.00	224
\$100 (FLAMING CHILI PEPPER)	\$300	45,000.00	224
\$150 x 2	\$300	45,000.00	224
\$300	\$300	45,000.00	224
\$100 x 10 (MONEYBAG)	\$1,000	180,000.00	56
\$100 x 10	\$1,000	180,000.00	56
(\$20 x 5) + \$100 (FLAMING CHILI PEPPER) + (\$300 x 2)	\$1,000	180,000.00	56
\$10 + \$30 (FLAMING CHILI PEPPER) + (\$150 x 4) + \$300	\$1,000	180,000.00	56
\$100 + \$300 (FLAMING CHILI PEPPER)	\$1,000	180,000.00	56
\$1,000	\$1,000	180,000.00	56
\$1,000 (FLAMING CHILI PEPPER)	\$3,000	180,000.00	56
\$3,000	\$3,000	180,000.00	56
\$25,000	\$25,000	840,000.00	12

(10) The estimated overall odds of winning some prize in Instant Game Number 1234 are 1 in 4.32. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1234, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for CHILI PEPPER TRIPLER lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-22-14.

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

EFFECTIVE DATE: May 22, 2014

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER14-28
 RULE TITLE: Instant Game Number 1234, CHILI PEPPER TRIPLER

SUMMARY: This emergency rule describes Instant Game Number 1234, "CHILI PEPPER TRIPLER," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:



53ER14-28 Instant Game Number 1234, CHILI PEPPER TRIPLER.

(1) Name of Game. Instant Game Number 1234, "CHILI PEPPER TRIPLER."

(2) Price. CHILI PEPPER TRIPLER lottery tickets sell for \$2.00 per ticket.

(3) CHILI PEPPER TRIPLER lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning CHILI PEPPER TRIPLER lottery ticket, the ticket must meet the applicable requirements of Rule 53ER13-31, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 TENNTY
21 THYONE	22 THYTHO	23 THYTHR	24 THYFOR	25 THYFIV	 TRIPLE	 WINALL			

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 TENNTY
21 THYONE	22 THYTHO	23 THYTHR	24 THYFOR	25 THYFIV					

(6) The prize play symbols and play symbol captions are as follows:

\$1.00 <small>ONE</small>	\$2.00 <small>TWO</small>	\$4.00 <small>FOUR</small>	\$5.00 <small>FIVE</small>	\$10.00 <small>TEN</small>	\$15.00 <small>FIFTEEN</small>	\$20.00 <small>TWENTY</small>
\$30.00 <small>THIRTY</small>	\$100 <small>ONE HUN</small>	\$150 <small>ONEHUN FTY</small>	\$300 <small>THR HUN</small>	\$1,000 <small>ONE THOU</small>	\$3,000 <small>THR THOU</small>	\$25,000 <small>TWYFV THOU</small>

(7) The legends are as follows:

YOUR NUMBERS WINNING NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches either play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol.



A ticket having a "TRIPLE" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to triple the prize shown for that symbol. A ticket having a "MINIALL" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to all ten prizes shown.



(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$100, \$150, \$300, \$1,000, \$3,000 and \$25,000.

(9) The estimated odds of winning, value and number of prizes in Instant Game Number 1234 are as follows:

GAME PLAY	WIN	NUMBER OF WINNERS IN 56 POOL OF 180,000 TICKETS PER POOL	
		ESTIMATED ODDS OF 1 IN	
\$1 x 2	\$2	25.00	403,200
\$2	\$2	16.67	604,800
\$1 x 4	\$4	75.00	134,400
(\$1 x 2) + \$2	\$4	75.00	134,400
\$1 (FLAMING CHILI PEPPER) + \$1	\$4	37.50	268,800
\$2 x 2	\$4	75.00	134,400
\$4	\$4	75.00	134,400
\$1 x 5	\$5	375.00	26,880
\$1 (FLAMING CHILI PEPPER) + \$2	\$5	375.00	26,880
\$1 + (\$2 x 2)	\$5	375.00	26,880
\$1 + \$4	\$5	375.00	26,880
\$5	\$5	375.00	26,880
\$1 x 10 (MONEYBAG)	\$10	250.00	40,320
\$2 x 5	\$10	250.00	40,320
\$2 (FLAMING CHILI PEPPER) + \$4	\$10	250.00	40,320
\$5 x 2	\$10	250.00	40,320

\$10	\$10	250.00	40,320
(\$2 x 5) + \$5	\$15	750.00	13,440
\$5 (FLAMING CHILI PEPPER)	\$15	750.00	13,440
\$1 + \$2 + \$4 (FLAMING CHILI PEPPER)	\$15	750.00	13,440
\$5 + \$10	\$15	750.00	13,440
\$15	\$15	750.00	13,440
\$2 x 10 (MONEYBAG)	\$20	750.00	13,440
\$4 x 5	\$20	750.00	13,440
\$4 (FLAMING CHILI PEPPER) + (\$4 x 2)	\$20	750.00	13,440
\$10 x 2	\$20	750.00	13,440
\$20	\$20	750.00	13,440
(\$2 x 8) + \$4 + \$10 (MONEYBAG)	\$30	1,800.00	5,600
\$5 x 6	\$30	2,000.00	5,040
\$10 (FLAMING CHILI PEPPER)	\$30	1,800.00	5,600
\$15 x 2	\$30	2,000.00	5,040
\$10 + \$20	\$30	2,000.00	5,040
\$30	\$30	2,000.00	5,040
\$10 x 10 (MONEYBAG)	\$100	7,200.00	1,400
\$10 x 10	\$100	7,200.00	1,400
(\$10 x 6) + (\$20 x 2)	\$100	7,200.00	1,400
\$20 x 5	\$100	7,200.00	1,400
\$5 (FLAMING CHILI PEPPER) + (\$10 x 4) + \$15 (FLAMING CHILI PEPPER)	\$100	6,000.00	1,680
(\$5 x 2) + \$10 (FLAMING CHILI PEPPER)	\$100	6,000.00	1,680
\$20 (FLAMING CHILI PEPPER)	\$100	7,200.00	1,400
\$15 x 10 (MONEYBAG)	\$150	18,000.00	560
\$15 x 10	\$150	36,000.00	280
(\$10 x 5) + (\$20 x 5)	\$150	18,000.00	560
\$30 x 5	\$150	36,000.00	280
\$20 (FLAMING CHILI PEPPER) + \$30 (FLAMING CHILI PEPPER)	\$150	18,000.00	560
\$150	\$150	36,000.00	280
\$30 x 10 (MONEYBAG)	\$300	45,000.00	224
\$30 x 10	\$300	45,000.00	224

\$20 + \$30 + \$100 + \$150	\$300	45,000.00	224
\$100 (FLAMING CHILI PEPPER)	\$300	45,000.00	224
\$150 x 2	\$300	45,000.00	224
\$300	\$300	45,000.00	224
\$100 x 10 (MONEYBAG)	\$1,000	180,000.00	56
\$100 x 10 (\$20 x 5) + \$100 (FLAMING CHILI PEPPER) + (\$300 x 2)	\$1,000	180,000.00	56
\$10 + \$30 (FLAMING CHILI PEPPER) + (\$150 x 4) + \$300	\$1,000	180,000.00	56
\$100 + \$300 (FLAMING CHILI PEPPER)	\$1,000	180,000.00	56
\$1,000	\$1,000	180,000.00	56
\$1,000 (FLAMING CHILI PEPPER)	\$3,000	180,000.00	56
\$3,000	\$3,000	180,000.00	56
\$25,000	\$25,000	840,000.00	12

(10) The estimated overall odds of winning some prize in Instant Game Number 1234 are 1 in 4.32. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1234, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for CHILI PEPPER TRIPLER lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-22-14.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: May 22, 2014

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER14-30
 RULE TITLE: Instant Game Number 1236, MONOPOLY™ PARK PLACE PAYOUT™.

SUMMARY: This emergency rule describes Instant Game Number 1236, “MONOPOLY™ PARK PLACE PAYOUT™” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER14-30 Instant Game Number 1236, MONOPOLY™ PARK PLACE PAYOUT™.

(1) Name of Game. Instant Game Number 1236, “MONOPOLY™ PARK PLACE PAYOUT™.”

(2) Price. MONOPOLY™ PARK PLACE PAYOUT™ lottery tickets sell for \$5.00 per ticket.

(3) MONOPOLY™ PARK PLACE PAYOUT™ lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MONOPOLY™ PARK PLACE PAYOUT™ lottery ticket, the ticket must meet the applicable requirements of Rule 53ER13-31, F.A.C.

(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10	11	12
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELV
13	14	15	16	17	18	19	20	21	22	23	24
THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN	NINTN	THENTY	THYONE	THYTHO	THYTHR	THYFOR
25	26	27	28	29	30	31	32	33	34	STIMES	WIN\$200
THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	THIRTY	THYONE	THYTHO	THYTHR	THYFOR		HINALL

(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10	11	12
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN	ELEVEN	TWELV
13	14	15	16	17	18	19	20	21	22	23	24
THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN	NINTN	THENTY	THYONE	THYTHO	THYTHR	THYFOR
25	26	27	28	29	30	31	32	33	34		
THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	THIRTY	THYONE	THYTHO	THYTHR	THYFOR		

(6) The prize symbols and prize symbol captions are as follows:

\$2.00 TWO FIVE HUN	\$5.00 FIVE ONE THOU	\$10.00 TEN FIVE THOU	\$20.00 TWENTY FIVHUN THOU	\$25.00 THY FIVE	\$30.00 THIRTY	\$50.00 FIFTY	\$100 ONE HUN	\$200 TWO HUN
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(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A



ticket having a "WIN\$200" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to



a prize of \$200. A ticket having a "5 TIMES" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to five times the prize shown for that



symbol. A ticket having a "WINALL" symbol and corresponding caption in the "YOUR NUMBERS" play area shall entitle the claimant to all twelve prizes shown.

(b) The prizes are: \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000, \$5,000 and \$500,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1236 are as follows:

(\$2 x 10) + (\$5 x 2) (MONEYBAG)	\$30	1,500.00	13,440
(\$2 x 10) + (\$5 x 2)	\$30	1,500.00	13,440
\$5 + \$5 (CAR)	\$30	1,500.00	13,440
\$10 x 3	\$30	1,500.00	13,440
\$30	\$30	1,500.00	13,440
(\$2 x 5) + (\$5 x 6) + \$10 (MONEYBAG)	\$50	1,500.00	13,440
(\$2 x 5) + (\$5 x 6) + \$10	\$50	1,500.00	13,440
\$10 (CAR)	\$50	1,500.00	13,440
\$10 x 5	\$50	1,500.00	13,440
\$50	\$50	1,500.00	13,440
(\$5 x 4) + (\$10 x 8) (MONEYBAG)	\$100	1,200.00	16,800
(\$5 x 4) + (\$10 x 8)	\$100	1,500.00	13,440
\$25 x 4	\$100	2,000.00	10,080
\$20 (CAR)	\$100	1,200.00	16,800
\$50 x 2	\$100	2,000.00	10,080
\$100	\$100	1,500.00	13,440
(\$10 x 6) + (\$20 x 4) + (\$30 x 2)	\$200	12,000.00	1,680
(MONEYBAG)			
(\$10 x 6) + (\$20 x 4) + (\$30 x 2)	\$200	12,000.00	1,680
\$100 x 2	\$200	12,000.00	1,680
\$200 (GO)	\$200	3,000.00	6,720
\$200	\$200	12,000.00	1,680
(\$30 x 10) + (\$100 x 2) (MONEYBAG)	\$500	12,000.00	1,680
(\$30 x 10) + (\$100 x 2)	\$500	12,000.00	1,680
(\$50 x 4) + \$100 + \$200 (GO)	\$500	12,000.00	1,680
\$100 (CAR)	\$500	12,000.00	1,680
\$500	\$500	12,000.00	1,680
(\$50 x 8) + (\$100 x 2) + (\$200 x 2) (MONEYBAG)	\$1,000	60,000.00	336
(\$50 x 8) + (\$100 x 2) + (\$200 x 2)	\$1,000	60,000.00	336
(\$100 x 3) + \$200 (GO) + \$500	\$1,000	30,000.00	672
\$200 (CAR)	\$1,000	60,000.00	336
\$1,000	\$1,000	60,000.00	336
\$500 x 10	\$5,000	120,000.00	168
(\$500 x 8) + \$1,000	\$5,000	120,000.00	168
\$1,000 x 5	\$5,000	120,000.00	168
\$5,000	\$5,000	120,000.00	168
\$500,000	\$500,000	3,360,000.00	6

GAME PLAY	WIN	ESTIMATED ODDS OF	NUMBER OF WINNERS IN 168 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	2,016,000
\$2 x 5	\$10	60.00	336,000
\$2 (CAR)	\$10	30.00	672,000
\$5 x 2	\$10	30.00	672,000
\$10	\$10	30.00	672,000
\$2 x 10	\$20	300.00	67,200
\$2 (CAR) + \$10	\$20	300.00	67,200
\$5 x 4	\$20	300.00	67,200
\$10 x 2	\$20	300.00	67,200
\$20	\$20	300.00	67,200
(\$2 x 10) + \$5	\$25	1,200.00	16,800
\$5 x 5	\$25	1,200.00	16,800
\$5 (CAR)	\$25	1,200.00	16,800
\$5 + (\$10 x 2)	\$25	1,200.00	16,800
\$25	\$25	1,200.00	16,800

(10) The estimated overall odds of winning some prize in Instant Game Number 1236 are 1 in 4.01. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1236, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for MONOPOLY™ PARK PLACE PAYOUT™ lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 5-22-14.

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

EFFECTIVE DATE: May 22, 2014

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 19, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Denning Parking Garage. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.2.2.6, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators sump and pump operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-134).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 20, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Top Golf Tampa. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-135).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 20, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Jacksonville Transit Authority Operations Building (1). Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-136).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 20, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Florida Southern College Nursing Bldg. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-140).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 20, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Econo Blast Office. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-141).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 20, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Florida Hospital MOB. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-139).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 20, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for One Enterprise Center. Petitioner seeks a temporary variance of the requirements of ASME A17.1, Section 2.27.3.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires phase II emergency in-car operation which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-142).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 20, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Tower Place @ Summit. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 101.3, 111.10 and 204.5h and Chapter 7C-5 Florida Administrative Code, 1987 edition, Rule 7C-5.001(f)1. as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires access to the elevator machine rooms and overhead equipment spaces, hoistway door unlocking device, elevator car door must be openable by hand from inside the elevator when car is stopped due to malfunction or power failure within the unlocking zone with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-143).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 20, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Jacksonville Transit Authority Operations Building (2). Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.4.6.2 (c) and 2.10.2.1, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators folding car top handrail which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-137).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 20, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Jacksonville Transit Authority Operations Building (3). Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.4.1.5 and 2.15.9.2, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with retracting toe guard which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-138).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On May 21, 2014, the Department issued a Final Order that was in response to a Petition for Variance from Building 600, filed February 27, 2014, and advertised on March 4, 2014, in Vol. 40, No. 43, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.8.1 and 2.8.2.2, ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, from providing equipment allowed or electrical equipment and wiring in the elevator machine space because the Petitioner has not demonstrated that the purpose of the underlying statute has been met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-053).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice:

On May 21, 2014, the Department issued a Final Order that was in response to a Petition for Variance from Centurylink, filed May 8, 2014, and advertised on May 12, 2014, in Vol. 40, No. 92, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, and 211.3c, ASME A17.1, 1987 edition as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has not demonstrated that the purpose of the underlying statute has been met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2014-123).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on May 21, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sundial: BEMC Market. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-144).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

RULE NO.: RULE TITLE:

61G2-2.0031 Delinquent Status

NOTICE IS HEREBY GIVEN that on March 27, 2014, the Board of Auctioneers, received a petition for variance or waiver filed by Richard Slajchert. The Petition does not state which Rule the Petitioner is requesting a variance or waiver. However, it appears that Petitioner is requesting a variance or waiver of paragraph 61G2-2.0031(3)(b), Florida Administrative Code, which requires the licensee to pay a delinquent status license fee.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Daniel Biggins, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783. Comments on this petition should be filed with the Board of Auctioneers at the above address, within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on May 22, 2014, the Board of Medicine, received a petition for waiver filed by Samuel F. B. Botros, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allison M. Dudley, J.D., Executive Director, Board of Medicine at the above address or telephone: (850)245-4131.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 30, 2014, 2:00 p.m. – 4:00 p.m.

PLACE: Teleconference: 1(888)670-3525, Passcode: 792 353 3220

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Full Council Business Meeting to discuss Council Agenda Items.

A copy of the agenda may be obtained by contacting: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Roy Cosgrove, (850)245-3317, roy.cosgrove@vr.fldoe.org.

DEPARTMENT OF TRANSPORTATION

Florida Seaport Transportation and Economic Development Council

The Florida Seaport Transportation and Economic Development Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, June 12, 2014, 10:30 a.m.

PLACE: Dial-in Number: 1(270)400-2000, Participant Access Code: 9348585

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Toy Keller at the Florida Ports Council offices at (850)222-8028 or by email at toy.keller@flaports.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Toy Keller at the Florida Ports Council offices at (850)222-8028 or by email at toy.keller@flaports.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Toy Keller at the Florida Ports Council offices at (850)222-8028 or by email at toy.keller@flaports.org.

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

DATE AND TIME: June 11, 2014, 9:30 a.m.

PLACE: Sebring Airport Authority Board Room, 128 Authority Lane, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the Central Florida Regional Planning Council and/or its Executive Committee.

A copy of the agenda may be obtained by contacting: Kathy Hall at (863)534-7130, ext. 129 or khall@cfrpc.org, Website cfrpc.org.

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.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: June 3, 2014, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st floor conference room, 1926 Victoria Avenue, Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council's Regional Transportation Committee will be holding their first meeting.

A copy of the agenda may be obtained by contacting: Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, #232.

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: SWFRPC Offices at (239)338-2550. 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: Visit the SWFRPC's website at www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
 The Southwest Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: June 4, 2014, 9:00 a.m.

PLACE: 7601 HWY 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at www.watermatters.org/calendar/calendar.php/.

A copy of the agenda may be obtained by contacting: Carol Lynch, (813)985-7481, ext. 2004.

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: SWFWMD, Human Resources Bureau Chief at 1(800)423-1476, ext. 4702, TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District
 The Southwest Florida Water Management District (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 9, 2014, 10:00 a.m.

PLACE: Sarasota Service Office, 6750 Fruitville Road, Sarasota, FL 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Southern Water Use Caution Area (SWUCA) Most Impacted Area (MIA) Stakeholder Workgroup Meeting. Discussion is focused on how to meet the minimum level set for the Upper Floridan aquifer to reduce the rate of saltwater intrusion. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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: SWFWMD Human Resources Bureau Chief at 1(800)423-1476 (FL only) or (352)796-7211, x4703, TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.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: SWUCA.Recovery@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, x4422(Ad Order EXE0325).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District
 The Water Resource Advisory Commission (WRAC) announces a public meeting to which all persons are invited.

DATE AND TIME: June 5, 2014, 9:00 am.

Water Resource Advisory Commission (WRAC) - Monthly Meeting

PLACE: South Florida Water Management District, B-1 Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED:

A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Tia Barnett, (561)682-6286, tbarnett@sfwmd.gov or at our website: <http://my.sfwmd.gov/wrac.gov>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the District Clerk, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tia Barnett, (561)682-6286.

REGIONAL UTILITY AUTHORITIES

Peace River/Manasota Regional Water Supply Authority
 The Peace River Manasota Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: June 4, 2014, 9:30 a.m.

PLACE: Sarasota County Administration Center, Commission Chambers, 1660 Ringling Boulevard, Sarasota, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Linda Stewart at (941)316-1776 or email: lstewart@regionalwater.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: (941)316-1776. 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: (941)316-1776.

DEPARTMENT OF ELDER AFFAIRS

The Senior Resource Alliance announces a public meeting to which all persons are invited.

DATE AND TIME: August 14, 2014, 10:00 a.m.

PLACE: 988 Woodcock Rd, Ste. 200, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: This session will provide an opportunity for input on the issues facing older adults, caregivers, and providers in Central Florida. Recommendations will be forwarded to the SRA Board of Directors and integrated into the new Area Plan on Aging to be developed in 2015. Please feel free to invite staff, subcontractors and other individuals who may want to participate.

A copy of the agenda may be obtained by contacting: (407)514-1800.

For more information, you may contact: (407)514-1800.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:

59C-1.042 Neonatal Intensive Care Services

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

DATE AND TIME: Wednesday, June 25, 2014, 1:00 p.m. – 3:00 p.m., EST

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a workshop for the purpose of discussing the Certificate of Need requirements for Neonatal Intensive Care Services. A conference call line has been set up for those interested parties that are unable to attend the workshop in person at 1(888)670-3525; participants should use

1038470489# to access the conference call at the time of the workshop.

A copy of the agenda may be obtained by contacting: Marisol Fitch, Florida Center for Health Information and Policy Analysis, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308, telephone: (850)412-3750, email: marisol.fitch@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Marisol Fitch, (850)412-3750 or by email: marisol.fitch@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Marisol Fitch, (850)412-3750 or by email: marisol.fitch@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NOS.:RULE TITLES:

59C-1.032 Cardiac Catheterization and Angioplasty Institutional Health Services

59C-1.033 Open Heart Surgery Program

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

DATE AND TIME: Wednesday, June 25, 2014, 3:00 p.m. – 4:00 p.m., EST

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a rule development workshop for the purpose of discussing the Certificate of Need requirements for Pediatric Cardiac Catheterization, Angioplasty and Open Heart Surgery. A conference call line has been set up for those interested parties that are unable to attend the workshop in person at 1(888)670-3525; participants should use 1038470489# to access the conference call at the time of the workshop.

A copy of the agenda may be obtained by contacting: Marisol Fitch, Florida Center for Health Information and Policy Analysis, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308, telephone: (850)412-3750, email: marisol.fitch@ahca.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by

contacting: Marisol Fitch, (850)412-3750 or by email: marisol.fitch@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

AGENCY FOR HEALTH CARE ADMINISTRATION
Certificate of Need

RULE NOS.:RULE TITLES:

- 59C-1.004 Projects Subject to Review
- 59C-1.005 Certificate of Need Exemption Procedure
- 59C-1.036 Nursing Facility Beds

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

DATE AND TIME: Tuesday, July 1, 2014, 10:00 a.m. – 11:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a rule development workshop for the purpose of discussing the Certificate of Need requirements for Nursing Facility Beds as well as language associated to these facilities in Certificate of Need rules 59C-1.004 (Projects Subject for Review) and 59C-1.005 (Certificate of Need Exemption Procedure).

A copy of the agenda may be obtained by contacting: Marisol Fitch, Florida Center for Health Information and Policy Analysis, 2727 Mahan Drive, Mail Stop 28, Tallahassee, Florida 32308, telephone: (850)412-3750, email: marisol.fitch@ahca.myflorida.com.

For more information, you may contact: Marisol Fitch: (850)412-3750 or by email: marisol.fitch@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, “THE COMMISSION”, FIRE Technical Advisory Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: June 4, 2014, 10:00 a.m. – until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the Teleconference number for Audio Only and the Webinar for Visual Only.

To join the online meeting (Now from mobile devices!)

- 1. Go to <https://suncom.webex.com/suncom/j.php?ED=278438707&UID=492507407&RT=MiMxMQ%3D%3D>

- 2. If requested, enter your name and email address.
- 3. If a password is required, enter the meeting password: (This meeting does not require a password.)
- 4. Click “Join”.

Provide your phone number when you join the meeting to receive a call back. Alternatively, you can call:

Call-in toll-free number: 1(888)670-3525 (US)

Call-in number: 1(720)389-1212 (US)

Show global numbers:

Attendee access code: 606 232 6940

Public point of access: Office of Codes and Standards, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider, discuss and provide recommendation for consideration by the Commission regarding a request for declaratory statement, DS2014-043 petitioned by Donald L. Fuchs, Jr., City of Oviedo and other business on behalf of the Commission.

A copy of the agenda may be obtained by contacting: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 N. Monroe Street, Tallahassee, Florida 32399, call: (850)487-1824 or visit our website at: <http://floridabuilding.org/c/default.aspx>.

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: Ms. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone: (850)487-1824 or fax: (850)414-8436. 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: Mr. Robert Benbow, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, phone: (850)487-1824 or fax: (850)414-8436, website: <http://floridabuilding.org/c/default.aspx>.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation
 The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 6, 2014, 10:00 a.m.

PLACE: The Clarion Inn & Suites, 20967 US Hwy 19 N, Clearwater, Florida 33765. To attend the meeting by telephone, please call: 1(888)909-7654 and enter pass code: 128126 when prompted

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will address official business of the Florida Mobile Home Relocation Corporation which will include, among other matters, a review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use and such other business as may come before the Board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Vicky Krentz at 1(888)862-7010.

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: Vicky Krentz at 1(888)862-7010. 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: Vicky Krentz, Executive Director, FMHRC, PO Box 7848, Clearwater, FL 33758, 1(888)862-7010. Ms. Krentz may be reached by email at vicky@fmhrc.org.

DEPARTMENT OF HEALTH

The Florida Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 30, 2014, 3:30 p.m. All future meeting dates and times related to this solicitation will be posted on the Vendor Bid System (VBS) prior to the meetings.

PLACE: FDOH Purchasing Office, 1050 West 15th Street, Riviera Beach, FL 33404

GENERAL SUBJECT MATTER TO BE CONSIDERED: Opening of the Cost Reply by the Procurement Officer for DOH1081 New Chemistry/Immunochemistry Analyzer.

Any person requiring a special accommodation because of a disability at this public meeting should contact the FDOH

Purchasing Office at (850)245-4199 at least 24 hours prior to the meeting.

If a person decides to appeal any decision made by the Department with respect to any matter considered at the meeting, he or she will need a recording of the proceedings, and for such purpose he or she may need to ensure that a verbatim record of the proceedings is made which to include testimony and evidence upon which the appeal is to be based.

A copy of the agenda may be obtained by contacting: CPORequests@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Dentistry

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

DATE AND TIME: June 27, 2014, 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Room #301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION

The First Florida Governmental Financing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2014, 12:00 Noon (EDT)

PLACE: St. Louis Room, Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida and via conference call.

This special meeting of the Commission will be conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons desiring to attend the meeting may do so by conference call which may be in listen-only mode during Commission deliberations and action, or at other times not designated for public comment. A copy of the agenda, conference-call dial-in instructions, and directions to the location of the hosting facility designated for public use of communications media technology

(conference call) for this meeting may be obtained from the agency contact listed below. Any one not having access to a telephone will be entitled to use the telephone facilities located in Department of Financial Services, City of Boca Raton, City Hall, 201 West Palmetto Park Road, Boca Raton, FL 33432.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General Business of the Commission

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Executive Director, (850)878-1874 or from the Commission's web site: www.ffgfc.com.

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

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The Sunshine State Governmental Financing Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 2, 2014, 4:30 p.m. (EDT)
PLACE: Denver Room, Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida and via conference call. This special meeting of the Commission will be conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons desiring to attend the meeting may do so by conference call which may be in listen-only mode during Commission deliberations and action, or at other times not designated for public comment. A copy of the agenda, conference-call dial-in instructions, and directions to the location of the hosting facility designated for public use of communications media technology (conference call) for this meeting may be obtained from the agency contact listed below. Any one not having access to a telephone will be entitled to use the telephone facilities located in Room 100, Clerk of the Circuit Court – Leon County, 301 South Monroe Street, Tallahassee, FL 32301.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Annual Membership and Board of Directors Meetings

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Program Administrator, ssgfc@embarqmail.com or (850)878-1874.

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: the agency contact as noted above. If you are hearing or speech impaired, please contact the agency using the

Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA LOCAL GOVERNMENT FINANCE COMMISSION

The Florida Local Government Finance Commission announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 13, 2014, 10:30 a.m.
PLACE: 2502 Rocky Point Drive, Suite 1060, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Commission will be for the purposes of reviewing the statewide pooled commercial paper loan program for Florida governmental entities. The Commission is an unincorporated, nonprofit association whose members are comprised of Brevard County, Florida, Charlotte County, Florida, Collier County, Florida, Lee County, Florida, Osceola County, Florida and Sarasota County, Florida.

A copy of the agenda may be obtained by contacting: Anna Doughty, Florida Association of Counties, 100 South Monroe Street, Tallahassee, Florida 32301.

QUEST CORPORATION OF AMERICA, INC.

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 24, 2014, 6:00 p.m. – 8:00 p.m.

PLACE: Mount Dora Community Center, 520 N. Baker Street, Mount Dora, FL 32757

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Financial Management No. 238275-2-52-01 & 238275-3-52-01.

Project Description: Wekiva Parkway Sections 3A & 3B
The Section 3A project limits are on State Road (SR 46) from east of Vista View Lane to east of Round Lake Road. The project consists of designing the widening and other non-tolled improvements to 1.4 miles of SR 46 and Round Lake Road. Design improvements will include medians and turn lanes, drainage, lighting, utilities and other roadway features.

The Section 3B project limits are along SR 46 from west of US 441 to east of Vista View Lane in Mount Dora. The 2.4-mile project consists of designing the US 441 flyover interchange at SR 46, as well as road widening. Design improvements will include traffic signals, medians and turn lanes, drainage, lighting and other roadway features.

A copy of the agenda may be obtained by contacting: Ms. Mary Brooks, Public Information Officer, (407)694-5505 or via e-mail: info@wekivaparkway.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by

contacting: Ms. Mary Brooks, Public Information Officer, (407)694-5505 or via e-mail: info@wekivaparkway.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Matt Hassan, the FDOT Project Manager, (386)943-5542 or via e-mail: Medhat.Hassan@dot.state.fl.us. You may also log onto the project website at www.wekivaparkway.com.

Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received the petition for declaratory statement from the Office of Public Counsel on May 20, 2014. The petition seeks the agency's opinion as to the applicability of subsections 350.0611(1), 366.093(2), 367.156(2), F.S., and Rule 28-106.206, F.A.C., as it applies to the petitioner.

Petition for Declaratory Statement Regarding Discovery in Dockets or Proceedings Affecting Rates or Cost of Service Processed with the Commission's Proposed Agency Action Procedure. Docket No. 140107-OT.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Carlotta Stauffer, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, clerk@psc.state.fl.us, (850)413-6770.

Please refer all comments to: Kathryn G.W. Cowdery, c/o Carlotta Stauffer, Office of Commission Clerk, Docket No. 140107-OT. Ms. Cowdery's contact information is kcowdery@psc.state.fl.us, (850)413-6216.

Except for good cause shown, motions to intervene or petitions for administrative hearing by substantially affected persons must be filed within 21 days after publication of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

NOTICE IS HEREBY GIVEN that on May 15, 2014, the Florida Real Estate Commission has received the petition for declaratory statement from Christine Yvonne Knize/Top Notch Realty, LLC. The petition seeks the agency's opinion as to the applicability of Section 475.15, Florida Statutes, as it applies to the petitioner.

Petitioner is requesting the Commission's interpretation of Section 475.15, Florida Statutes, as to whether she can add a non-person, such as an S. Corporation, LLLP or a trust, as a member of her single member LLC.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, N801, Orlando, Florida 32801, (850)487-1395.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Drugs, Devices and Cosmetics

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation, Division of Drugs, Devices and Cosmetics has issued an order disposing of the petition for declaratory statement filed by Safecor Health, LLC on March 12, 2014. The following is a summary of the agency's disposition of the petition:

Petitioner is seeking a declaratory statement regarding the applicability of subparagraph 499.003(54)(b)7., subsection 499.005(21), paragraph 499.0051(12)(a), subsection 499.006(10) and Section 499.01212, Florida Statutes (2013), to Petitioner's facts. Petitioner also seeks a statement as to the Department's enforcement authority as set forth in Sections 499.002, 499.051, 499.06, 499.061, and 499.067, Florida Statutes, as applied to Petitioner's facts. Accordingly, applying the foregoing to Petitioner's facts, Petitioner's requests are answered as follows: A. If Safecor receives, for purposes of repackaging, finished pharmaceutical products that have been purchased by a public or private hospital or other health care entity and distributed to Safecor by or at the direction of the health care entity, the Department will not prohibit Safecor from transferring those repackaged drugs to the public or private hospitals' or health care entities' locations in Florida which are under common control with the hospital or other health care entity that originally purchased the products, so long as ownership of the drug remains with the hospital or other health care entity at all times. B. The transfers as described in paragraph A above would require

Safecor to comply with minimum recordkeeping requirements, including tracking requirements as set forth in the PDMA. However, for transfers described in paragraph A, the Department will not require Safecor to receive or provide a Florida-compliant pedigree paper.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division of Drugs, Devices and Cosmetics, Dinah Greene, 1940 N. Monroe Street, Suite 26A, Tallahassee, FL 32399-1047.

Please refer all comments to: Reginald Dixon, Division Director Division of Drugs, Devices and Cosmetics, 1940 N. Monroe Street, Suite 26A Tallahassee, FL 32399-1047.

**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**

GAINESVILLE-ALACHUA COUNTY REGIONAL AIRPORT AUTHORITY

REQUEST FOR BIDS 14-002

Gainesville-Alachua County Regional Airport Authority
Terminal Entrance Loop Road Rehabilitation

The Gainesville-Alachua County Regional Airport Authority (GACRAA) is soliciting sealed bids for the "Terminal Entrance Loop Road Rehabilitation" project. The work shall include the rehabilitation of the existing Terminal Entrance Loop Road pavement surface as well as associated Signing, Marking, Landscaping, Hardscaping, and miscellaneous Electrical Improvements. Work shall include the removal and reconstruction of asphalt pavement and new pavement

construction. The project is estimated to be 4 lane miles comprising of an estimated 2,700 tons of asphalt and 22,100 square yards of milling.

Complete sets of bid documents will be available for review or purchase beginning June 2, 2014 at the office of:

AVCON, INC.
5555 E. Michigan Street, Suite 200
Orlando, FL 32822

Attn: Robert H. Palm, P.E. c/o Sue Finney
Email: sfinney@avconinc.com
Phone: (407)599-1122

A payment of One Hundred Fifty Dollars and 00/cents (\$150) will be required to purchase each set of the bid documents.

A mandatory pre-bid conference will be held on Thursday, June 5, 2014, 10:00 a.m. at the Gainesville Regional Airport, Passenger Terminal, 3880 N.E. 39th Avenue, Gainesville, Florida 32609. A site visit of the project areas will be conducted immediately following the pre-bid conference.

Bids must be signed by an authorized official, enclosed in a sealed envelope or package clearly marked: "Project No. 14-002 Terminal Entrance Loop Road Rehabilitation" and mailed or delivered to the Authority's Administrative Office, Gainesville Regional Airport, Attn: Chief Executive Officer, 3880 N.E. 39th Avenue, Suite A, Gainesville, Florida 32609.

A Bid Bond in the amount of five percent (5%) of the base bid will be required to accompany bids.

Bids are due at 2:00 p.m. Tuesday, June 24, 2014 and will be publicly opened at this time. The official clock is located in the Authority's Administrative Office. Bids received after 2:00 p.m. Tuesday, June 24, 2014 will not be considered.

Disadvantaged Business Enterprise (DBE) firms are encouraged to participate.

GACRAA reserves the right to reject any or all bids received in response to this Request for Bids as determined to be in the best interest of the Airport.

For additional information, contact Robert H. Palm, P.E., AVCON, INC. at (407)599-1122 or rhpalm@avconinc.com.

WHARTON-SMITH, INC.
UNIVERSITY OF CENTRAL FLORIDA BENNETT
BUILDING RENOVATION

INVITATION TO BID

BID DATE: Thursday, June 26, 2014, 2:00 p.m.

PROJECT: University of Central Florida Bennett Building Renovation

Sealed Bids are being solicited by Wharton-Smith, Inc., the Design Builder for UCF Bennett Building Renovation, Orlando, FL. The construction consists of renovating two-buildings, totaling 47,000 sf in the Central Florida Research Park. The work includes, but is not limited to; replacing existing sanitary lift station; replacing potable water BFP; underground

fire service; selective demolition; concrete; miscellaneous metals; millwork; roofing; doors; frames & finish hardware; storefront; overhead doors; masonry; stucco; GWB systems; floor finishes; acoustical ceilings; paint; HVAC; plumbing; fire protection and electrical. Only prequalified bids will be accepted - contact Tonja Williams, (407)321-8410 or (comest@whartonsmith.com) for more details. Payment & Performance Bonds may be required.

Sealed Bids will be received at the offices of Wharton-Smith, Inc., 750 Monroe Road, Sanford, FL 32771 by 2:00 P.M. on Thursday, June 26, 2014. All late bids will not be opened and returned to sender. Faxed or emailed bids will not be accepted. Non-mandatory Pre-Bid Meetings and site examinations will be held on Wednesday June 11, 2014 at 10:00 A.M. for Divs. 02-14 and Thursday, June 12, 2014 at 10:00 A.M. for Divs. 15-16. RFI Deadline is June 16, 2014.

Bid documents are available via the web-based site iSqFt by contacting Tonja Williams, (407)321-8410 or (comest@whartonsmith.com). All questions for this project should be directed to the Preconstruction Dept. (comest@whartonsmith.com).

CG C032669 / PC C048385 / CU C056506

Section XII Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Siting Coordination Office

NOTICE OF INTENT TO ISSUE PROPOSED

MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Conditions of Certification (Conditions) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 et seq., Florida Statutes (“F.S.”), for the Polk Power Station (PPS), Power Plant Siting Application No. PA92-32P, OGC Case No. 14-0065. Pursuant to Section 403.516(1)(c), F.S., the Department proposes to modify the Conditions for PPS to construct and operate 2.0 miles of new reclaimed water pipeline from the City of Mulberry Wastewater Treatment Plant to the Reclaimed Water Pipeline on State Road 37, as well as 2.5 miles of pipeline from the Polk County reclaimed water system to the Lakeland Wetlands Treatment System. A copy of the proposed modification may be obtained by contacting the Department of Environmental Protection, Siting Coordination Office, 2600 Blair Stone Road, MS 5000, Tallahassee, Florida 32399-2400, (850)717-9111. Pursuant to 403.516(1)(c)2., F.S., parties to the certification proceeding have 45 days from

issuance of notice to such party’s last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this notice to object in writing. The written objection must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. 35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Rule 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On May 22, 2014, State Surgeon General issued an Order of Emergency Restriction of License with regard to the license of David Christopher Ropp, R.N., License No.: RN 9333289. This Emergency Restriction Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Pharmacy

Notice of Emergency Action

On May 22, 2014, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Evans Branch, R.Ph, P.U., License No.: PS 30288, PU 4801. 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. (2012-2013). 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.
