

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: **RULE TITLE:**
6A-1.0451 Florida Education Finance Program Student
 Membership Surveys

PURPOSE AND EFFECT: The purpose and effect of this rule development is to extend the Florida Virtual School (FLVS) Survey Period 1 amendment deadline, allowing revisions to common student identifiers, to update the definition of certain students with disabilities who may be reported for Florida Education Finance Program (FEFP) student transportation funds and to incorporate the full-time equivalent (FTE) student reporting instructions to meet state reporting requirements.

SUBJECT AREA TO BE ADDRESSED: Extension for the Florida Virtual School of the deadline for amending a common student identifier for Survey Period 1 until the Survey Period 2 amendment deadline, FEFP funding of certain transported students with disabilities, and incorporation of the FTE student reporting instructions.

RULEMAKING AUTHORITY: 1001.02(1), (2)(n),
1011.60(1), 1011.62(1) FS.

LAW IMPLEMENTED: 1011.61, 1011.62(1), 1011.68 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: Mark Eggers, Bureau of School Business Services, Department of Education, 325 West Gaines Street, Room 814, Tallahassee, Florida 32399-0400, (850)245-0405. To request a rule development workshop, please contact: Cathy Schroeder, Agency Clerk, Department of Education, (850)245-9661 or e-mail: cathy.schroeder@fldoe.org or go to
<https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT:
<https://app1.fldoe.org/rules/default.aspx>.

DEPARTMENT OF TRANSPORTATION

RULE NOS.: **RULE TITLES:**
14-91.002 Definitions
14-91.004 Prequalification Requirements
14-91.005 Public Announcement Procedures
14-91.007 Selection and Award Process

PURPOSE AND EFFECT: These rules are being amended to clarify procedures used in soliciting and awarding design-build contracts.

SUBJECT AREA TO BE ADDRESSED: The procedures for selecting a design-build firm.

RULEMAKING AUTHORITY: 334.044(2), 337.11(7)(b) FS.

LAW IMPLEMENTED: 337.11 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: Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458, (850)414-5392, susan.schwartz@dot.state.fl.us

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

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

PURPOSE AND EFFECT: The Commission is considering amendments to allow marine turtle-related permit applications to be submitted electronically. The effect of the action would be to allow applications to be submitted through the Commission’s online permitting portal or in writing.

SUBJECT AREA TO BE ADDRESSED: Applications procedures for permits involving marine turtles.

RULEMAKING AUTHORITY: 379.1025, 379.244(2),
379.2431(1) FS.

LAW IMPLEMENTED: 379.244(2), 379.2431(1) 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: Dr. Robbin Trindell, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600

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

Section II Proposed Rules

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-22.011	Policy and Purpose
40D-22.101	Definitions
40D-22.201	Year-Round Water Conservation Measures
40D-22.301	Variances (Repealed)
40D-22.303	Variances and Waivers
40D-22.401	Enforcement

PURPOSE AND EFFECT: The purpose of this rulemaking is to reference Chapter 40D-1, F.A.C., Procedural, to create a consolidated, consistent process for petitioning for variances and waivers from year-round conservation measures and water shortage orders; to update definitions to promote consistency of terms throughout Chapter 40D, F.A.C. and Florida Statutes; to delete obsolete provisions; to conform District rules to Florida Statutes; and to simplify the year-round conservation measure provisions. The effect of this rulemaking will improve rule clarity.

SUMMARY: Year-Round Conservation Measures.

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: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

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

RULEMAKING AUTHORITY: 120.542, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 120.542, 373.119, 373.171, 373.175, 373.219, 373.223, 373.246, 373.62, 373.603, 373.609 FS.

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

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 Director, (352)796-7211, ext. 4702, 1(800)423-1476 (FL only), ext. 4702 or 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sonya White, SWFWMD, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2013053)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-22.011 Policy and Purpose.

(1) ~~This chapter comprises the Southwest Florida Water Management District's (District) Year Round Conservation Measures.~~ It is the policy of the District to promote and require water conservation during times of average and above average rainfall as well as during declared water shortages. To that end, the purpose of this chapter is to promote long-term sustainability of the water resources of the District through water use efficiency ~~by regulatory means~~ during times when no water shortage has been declared. The measures contained in this chapter are intended to reduce wasteful irrigation practices and encourage lawn and landscape drought conditioning. ~~In addition to these measures, the District also uses Chapter 40D-2, F.A.C., provisions and education and incentive programs to promote water conservation.~~

(2) This chapter applies to all water sources as provided herein and all ~~water~~ Users as defined herein engaged in irrigation, including those not subject to permitting pursuant to Chapter 40D-2, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171 FS. History—New 3-15-92, Amended 9-15-03, _____.

40D-22.101 Definitions.

When used in this chapter:

(1) “Address” means the numeric or alphanumeric designation assigned to a house, building or plot of land by the U.S. Postal Service or, if none, by the local government, that, together with the street name, describes the physical location of a specific property. This includes “rural route” numbers but excludes post office box numbers. If a lot number in a mobile home park or similar community is used by the U.S. Postal Service to determine a delivery location, the lot number shall be the property’s address. If a lot number in a mobile home park or similar residential community is not used by the U.S. Postal Service (e.g., the park manager sorts incoming mail delivered to the community’s address), then the community’s main address shall be the property’s address, unless otherwise designated by the local government.

(2) “Agriculture” ~~shall mean as that term is defined in Section 570.02(1), F.S. means the science and art of production of plants and animals useful to humans, including to a variable extent the preparation of these products for human use and their disposal by marketing or otherwise, and includes aquaculture, horticulture, floriculture, zoological and botanical specimen exhibits, viticulture, forestry, dairy, livestock, pasture, poultry, bees, and any and all forms of farm products and farm production. This includes the irrigation of vegetables, fruits and other plants grown for human consumption at a residence or community garden, provided the plants are irrigated separately from any lawn or other landscape plant material. In order for irrigation of a fruit tree at a residence or community garden to be considered Agriculture, the irrigation shall not be applied to any Lawn or Landscape plant material.~~ Plant nurseries and Turfgrass production (“sod farming”) are agriculture. The care of new or Existing Lawns, non-edible Landscapes, Cemeteries, Golf Courses and Athletic Play Areas are not classified as Agriculture for the purpose of this chapter.

(3) “Athletic Play Area” means all golf course fairways, tees, and greens, and other athletic play surfaces including, but not limited to; for example, football, baseball, soccer, polo, tennis and lawn bowling fields, and rodeo, equestrian and livestock arenas. A turfgrass area in a public park, when used for a festival or other scheduled event that includes heavy foot traffic, is also considered an athletic play area for a period ending two weeks after the event.

(4) “Cemeteryies” means a place dedicated to and used or intended to be used for the permanent interment of human or pet remains. A Cemetery may contain land or earth interment; mausoleum, vault, or crypt interment; a columbarium, ossuary, scattering garden, or other structure or place used or intended to be used for the interment or disposition of cremated human

or pet remains; or any combination of one or more of such structures or places.

(5) “Core Aerification” means the process of mechanically removing cores or plugs of soil to relieve soil compaction and allowing oxygen, water and nutrients to enter the ground.

(6) “Domestic” ~~and Other “Sanitary Uses” shall mean as that term is defined in Section 373.019(6), F.S. All other uses shall not be considered Domestic the use of water for the individual personal household purposes of drinking, bathing, cooking, laundry, household cleaning, or other sanitation. Other uses often associated with domestic activities, such as Lawn Irrigation are classified elsewhere in this chapter within appropriate use classes.~~

(7) “Driving Range” is the turfgrass at a practice or instructional facility that provides a simulated golf fairway, simulated golf tee and simulated golf green. The simulated golf green associated with a simulated golf fairway is primarily a visual target instead of a regulated play surface, and so does not receive the foot traffic and related turfgrass damage normally associated with an actual golf green.

(8) “Even Numbered Address” means an Address, ending in the numbers 0, 2, 4, 6, 8 or the letters A-M.

(9) “Existing” means any Lawn or Landscape, or portion thereof, which has been in existence in the same location for a period of 60 days or more.

(10) “Frost/Freeze” or “Heat Stress” means the symptoms caused to plants or crops by extreme cold or hot weather unless an irrigation event occurs; for example, permanent wilt damage, yield reductions and/or plant death.

(11) “Golf Course” means an area of land laid out for the express purpose of playing golf, including all greens, tees, fairways, and roughs.

(12) “Hand Watering” means watering plants or crops with one hand held hose, fitted with a self-canceling or automatic shutoff nozzle, or a watering can or pail.

(13) “Irrigation” means the application of water to plants for the purpose of sustaining plant life, promoting plant growth or to facilitate crop production.

(14) “Landscape” means a section of ground adorned or improved by flowering plants (whether annual or perennial), vines, shrubs, palms, trees, ferns, ornamental grasses and groundcover other than Lawn.

(15) “Landscape Use” means the application of water to Lawns and associated Landscape surrounding homes, commercial or industrial buildings, government or other non-commercial buildings, parks, recreational areas, Cemeteries, non-play areas of Golf Courses, public and private right-of-ways and medians but excluding Athletic Play Areas.

(16) "Lawn" means a plot of Turfgrass, usually tended or mowed, surrounding homes, commercial or industrial buildings, government or other non-commercial buildings, parks, recreational areas, Cemeteries, and public or private right-of-ways and medians, but excludes Athletic Play Areas, whether such areas are free-standing or within a park or other setting.

(17) "Low-Volume Irrigation" means the use of Hand Watering, Micro-irrigation or other equipment and devices specifically designed to allow the volume of water delivered to be limited to a level consistent with the water requirement of the plant being irrigated and designed to allow that water to be placed with a high degree of efficiency within the root zone of the plant.

(18) "Micro-irrigation" means any Irrigation device that distributes water near or within the root zone through low flow rate and emitters. Examples of Micro-irrigation devices include drip, line source, microspray, microsprinkler, bubbler and similar types of systems. The term specifically includes propagation mist heads, capillary mats and soaker hoses. The term also includes water use in Mist Houses and similar establishments for plant propagation and production, but excludes any form of turf irrigation other than in a sod production ("turf farming") setting.

(19) "New Plant Material" means any Lawn or Landscape, or portion thereof, which has been in existence in the same location for less than 60 days.

(20) "Odd Numbered Address" means an Address ending in the numbers 1, 3, 5, 7, 9 or the letters N-Z.

(21) "Reclaimed Water" shall mean as that term is defined in Section 373.019(17), F.S. water that has received at least secondary treatment and basic disinfection and is reused after flowing out of a wastewater treatment facility.

(22) "Spot Treatment" is the Hand Watering of isolated areas of Turfgrass or other plant material, such as golf course greens, in order to efficiently deliver water needed to provide uniform moisture content as ~~as. This practice is~~ a water-conserving means of compensating for differences in sun exposure, sprinkler coverage, and other site-specific factors.

(23) "Sprigged turf area" means a turf area being established vegetatively by placing Sprigs in furrows or small holes.

(24) "Sprigs" means individual stems of grass with one to four nodes (joints) from which roots can develop. Sprigs may also be called runners, rhizomes, or stolons. Sprigs are a means of vegetative propagation that is sometimes used to produce Golf Course greens, Golf Course fairways, other Athletic Play Areas, and Lawns. ~~Bermuda grass is the most common type of turfgrass propagated in this manner.~~

(25) "Syringing" is the watering of turfgrass or other plant material in order to lower the air temperature around the leaf surfaces. ~~This generally involvesing the use of Hand Watering or "fogging" irrigation equipment. for t~~ The purpose of the special watering technique is to cooling off the leaf tissue, not to wet the soil.

(26) "Turfgrass" means a dense growth of grass (any of numerous plants of the botanical family Gramineae) being used as a ground cover to provide one or more of the following benefits: erosion control, dust reduction, beautification, or as a playing surface for sports or recreation. ~~Common turfgrasses in Florida include, but are not limited to: Bahiagrass, Bermudagrass, and St. Augustinegrass.~~

(27) "User" means any person, individual, firm, association, organization, partnership, business trust, corporation, company, agent, employee or other legal entity, 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 but not limited to uses from groundwater wells and private or public utility systems.

(28) "Vertical Mowing" means a form of thatch removal involving the use of special equipment that makes multiple vertical cuts into the Lawn or other turfgrass. Vertical Mowing may also be referred to as verticutting.

(29) "Water resource" or "waters in the District" shall mean as that term is defined in Section 373.019(22), F.S. means any and all water on or beneath the surface of the ground, including natural or artificial water courses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground, specifically including water withdrawn from wells, but excluding seawater.

(30) "Water shortage" shall mean as that term is defined in subsection 40D-21.051(28), F.A.C. or

(31) "Water shortage emergency" shall mean as that term is defined in subsection 40D-21.051(29), F.A.C. means that situation within all or part of the District when the Governing Board or Executive Director has declared a water shortage pursuant to Section 373.175 or 373.246, F.S., or Chapter 40D-21, F.A.C.

(32)(31) "Water Use Permit" shall mean as that term is defined in subsection 40D-2.021(15), F.A.C. (WUP) means a permit issued pursuant to Chapter 40D-2, F.A.C., authorizing the use of water.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.219, ~~373.223~~ FS. History—New 3-15-92, Amended 9-15-03, 12-7-10, _____.

40D-22.201 Year-Round Water Conservation Measures.

(1) General Requirements – The year-round water conservation measures contained in this section are applicable to all ~~water~~ Users, including end Users served by public or private water systems ~~and. The water conservation measures contained herein~~ shall be effective throughout all geographical areas within the District. Any restrictions or other measures declared pursuant to Chapter 40D-21, F.A.C., or any Board or Executive Director order that is more restrictive than a water conservation measure contained within this chapter, shall supersede the water conservation measure for the duration of the applicable ~~order water shortage declaration~~.

(2) Wasteful and Unnecessary Use – In addition to the specific restrictions enumerated below, the following wasteful and unnecessary water uses are prohibited:

(a) Allowing water to flow from an unattended hose, unless that water is discharged from a functional water-to-air air conditioning unit, residential reverse osmosis treatment system, or similar device.

(b) Hand ~~W~~atering a Lawn on an otherwise restricted day or more than once a day, except when used for Spot Treatment or other practices specified in this rule.

(c) Hosing-down a driveway or other impervious surface to remove grass clippings or other debris that can be removed with a broom or other dry methods.

(d) Hosing-down a building or other structure to remove cobwebs or other material that can be removed with a broom or other dry methods.

(e) Allowing water to flow from a broken sprinkler head, outdoor faucet, or other malfunctioning plumbing or irrigation system component, after receiving verbal or written notice of the malfunction from the District, water utility, or local government.

(3) Irrigation Uses – The following requirements shall apply to all Irrigation except Agriculture, ~~for example: Lawns, Landscapes, Golf Courses, and other Athletic Play Areas.~~

(a) Irrigation shall be prohibited daily between the hours of 10:00 a.m. and 4:00 p.m., except as otherwise provided herein.

(b) Irrigation systems may be operated during restricted days and/or times for cleaning and maintenance purposes with an attendant on site in the area being tested. Irrigation systems may routinely be operated for such purposes no more than once per week, and the total run time for each zone shall not exceed 10 minutes during the test.

(c) Irrigation for the purpose of chemigation, fertigation or watering-in of applied fertilizers, insecticides, fungicides and herbicides, where such Irrigation watering-in is required

by the manufacturer, or by federal, state or local law, or by applicable best management practices shall not be restricted, ~~with two exceptions when associated with a lawn or landscape.~~ In the absence of specific alternative instructions from the manufacturer, such Irrigation watering-in shall be limited to one application of one-quarter inches within 24 hours of the application; and, such Irrigation watering-in shall be accomplished during allowable watering hours unless a professional applicator has posted a temporary sign containing the date of application and the date(s) of needed Irrigation watering-in activity and has also provided instructions listing the chemicals used and stating that the Irrigation watering-in must occur immediately rather than during allowable watering hours.

(d) Landscape may be watered using Low-Volume Irrigation methods on an as-needed basis instead of being restricted to certain days or times.

(e) Lawns may be irrigated by Spot Treatment without regard to the normally allowable watering days. Lawns may only be irrigated by Spot Treatment by Hand-Watering or other targeted, manual means. Spot Treatment shall only be accomplished during allowable watering irrigation hours.

(f) In order to promote necessary rhizome repair, extra watering of Turfgrass may occur on any day of the week for a 14-day period after Core Aerification or Vertical Mowing has occurred. An entire zone of an Irrigation system, may only be used for ~~extra~~ rhizome repair watering if the zone in question is for an area that contains at least 50% Turfgrass recovering from Core Aerification or Vertical Mowing. If a zone contains less than 50% recovering Turfgrass, or if the recovering Turfgrass area is typically not watered by an Irrigation system, only the recovering Turfgrass is eligible for this 14-day exemption. Spot Treatment, Targeted watering may be accomplished by Hand Watering, or any appropriate method which isolates and waters only the recovering Turfgrass may be used.

(g) New Plant Material shall only be irrigated as follows:

1. Any ~~New Pplant Mmaterial~~ may be irrigated during a 60-day establishment period, for the purpose of maintaining plant health and encouraging root growth, ~~in, during a 60 day establishment period.~~ From day 1 through day 30 of this establishment period, irrigation may occur on any day of the week. From day 31 through day 60 of this establishment period, irrigation is limited to one application on each of three specified days, except as otherwise provided herein. The three allowable days shall be as follows: Even Numbered Addresses may provide establishment period irrigation on Tuesday, Thursday and Sunday and Odd Numbered Addresses may

provide establishment period irrigation on Monday, Wednesday and Saturday. Cemeteries and other properties two acres or greater are permitted to use an alternative schedule to provide three days of establishment irrigation per week from day 31 through day 60 so long as a written schedule of establishment period watering is maintained at the property. From day 31 through day 60, properties with no discernable address, such as common areas and rights of way, are permitted to provide establishment period irrigation on Tuesday, Friday and Sunday.

2. This establishment period begins the day the New Plant Material is installed, and is limited to areas containing New Plant Materials only. An entire zone of an Irrigation system may only be used for establishment period watering if the zone in question is for an area that contains at least 50% New Plant Material. If a zone contains less than 50% New Plant Material, or if the New Plant Material is in an area that will be typically not be watered by an Irrigation system, only the New Plant Material is eligible for this 60-day exemption. Spot Treatment. ~~Targeted watering may be accomplished by~~ Hand Watering, or any appropriate method which isolates and waters only the New Plant Material may be used.

3. On the day any New Plant Material is installed, it may be irrigated once without regard to the normally allowable watering times. Irrigation of the soil immediately prior to the installation of New Plant Material is also allowable without regard to the normally allowable watering times.

4. Irrigation of Sprigged turfgrass areas is allowable without regard to the normally allowable watering times for the entire 60-day establishment period.

5. Irrigation of new Turfgrass areas or other New Plant Material associated with a public works project, when and where conducted using tanker trucks or other vehicles, is allowable without regard to the normally allowable watering times for the entire 60 day establishment period.

6. Landscape may continue to be irrigated on an as-needed basis without regard to the normally allowable watering days or times after the establishment period ends if Low-Volume Irrigation technology is used, pursuant to paragraph 40D-22.201(1)(d), F.A.C.

7. Except as otherwise provided herein, all other ~~such~~ establishment period watering shall occur during normally allowable watering times.

(h) Irrigation using Reclaimed Water shall not be restricted except as further restricted by a local government or other Reclaimed Water provider, as necessary, to promote conservation of this alternative water source. However, Users

are encouraged to ~~all properties should~~ voluntarily conserve Reclaimed Water by not irrigating between the hours of 10:00 a.m. and 4 p.m. In addition, if Irrigation is accomplished ~~done~~ with a source that contains a blend of Reclaimed Water and potable water, ground water, pond water or some other supply, the use of this blended water shall be subject to the restrictions that apply to that other supply, except for the following circumstances:

1. The other supply is incidental stormwater runoff that enters a Reclaimed Water storage pond;

2. The other supply is a withdrawal regulated by a ~~District~~ Water Use Permit, provided that the quantity being blended with the Reclaimed Water is specifically authorized for blending purposes. ~~For example, such as this other supply may~~ be withdrawals from an un-augmented stormwater system or water recovered from a permitted ASR well that stores seasonal diversions from a surface water body, including ASR well testing authorized in preparation for permit issuance;

3. The other supply is water recovered from a Reclaimed Water ASR well permitted by the Florida Department of Environmental Protection, including Reclaimed Water ASR well testing authorized in preparation for permit issuance; or

4. The applicable Reclaimed Water provider is implementing a District-authorized variance from the provisions of Rule 40D-22.201, F.A.C., which addresses use of the reclaimed water blend.

(i) The operation of an Irrigation system for the discharge of water from a water-to-air air conditioning unit or other water-dependent cooling system shall not be subject to the provisions of this rule.

(j) Irrigation of established Turfgrass and Landscape associated with a public works project, when and where conducted using tanker trucks or other vehicles, may occur ~~is allowable~~ without regard to the normally allowable watering days and times, except that Irrigation of Turfgrass by this method is limited to a maximum of two applications of 3/4 inches of water in any seven-day period after conclusion of the establishment period exemption specified above.

(k) One extra irrigation application may occur within 72 hours of the conclusion of a named tropical storm or hurricane warning, if needed, to flush salt from plant material that was inundated or subjected to spray from saltwater or brackish water.

(4) Lawn and Landscape Use – The following additional requirements or exceptions to subsections 40D-22.201(1)-(3), F.A.C., shall apply to ~~the~~ Irrigation of Lawns and Landscape.

(a) Except as otherwise specified in this chapter, Even Numbered Addresses may accomplish necessary Lawn and Landscape Irrigation on only Thursday and/or Sunday.

(b) Except as otherwise specified in this chapter, Odd Numbered Addresses may accomplish necessary Lawn and Landscape Irrigation on only Wednesday and/or Saturday.

(c) Except as otherwise specified in this chapter, all properties not included in paragraphs (4)(a) and (b) above, including rights-of-way and common areas not associated with a specific property and other locations without any discernable address, may accomplish necessary Lawn and Landscape Irrigation on only Tuesday and/or Friday.

(d) Cemeteries and other Users irrigating property two acres or greater may water one-half of the property on the days allowed for Even Numbered Addresses and may water the remaining one-half on the days allowed for Odd Numbered Addresses. Each such User is required to maintain a map or sketch on site that indicates which days each part of the property will be watered, and the District or applicable local government may require that a copy of this same map or sketch be provided for verification or enforcement purposes. ~~If a specific property is unable to comply with this schedule, the variance process may be used to register an alternative schedule acceptable to the District.~~

(e) Any automatic Irrigation system in use must include a properly installed, maintained and operating device or system that inhibits or interrupts operation of the Irrigation system during periods of sufficient moisture. Examples of such technology include a rain sensor, a soil moisture sensor or an evapotranspiration ~~ET~~-based controller with local weather station.

(5) Golf Courses Use – The following additional requirements or exceptions to subsections 40D-22.201(1)-(3), F.A.C., shall apply to Golf Course Irrigation as appropriate:

(a) Users ~~who possess whose uses require and are authorized by a WUP are have been evaluated by the District and~~ required to maintain compliance with all WUP conditions and terms, including those designed to require the utilization of water conserving practices. Compliance with all WUP conditions and terms shall constitute compliance in lieu of other measures specified in subsections 40D-22.201(2)-(5), F.A.C.

(b) Except as excluded by paragraph 40D-22.201(5)(a), F.A.C., all ~~individual~~ Users for Golf Course Irrigation shall use:

1. Best Management Practices for Florida Golf Courses, University of Florida, Institute of Food and Agricultural Sciences, Cooperative Extension Service, Department of Environmental Horticulture, 1993, as amended; or
2. The following measures:

a. Irrigation shall be limited to the times specified in subsection 40D-22.201(3), F.A.C.

b. Fairways, roughs and Driving Ranges; shall be watered no more than two times per week.

c. Tees and greens shall be watered no more than three times per week.

d. The Irrigation of tees and greens shall not be restricted when such Irrigation is for plant protection, including Frost/Freeze or Heat Stress, except as limited by subsection 40D-22.201(2), F.A.C.

e. Spot Treatment and Syringing are not restricted.

f. Irrigation related to overseeding that is a component of a fall transition program shall not be restricted to a certain number of applications each week.

(6) ~~Other~~ Athletic Play Area Irrigation – The following additional requirements or exceptions to subsections 40D-22.201(1)-(3), F.A.C., shall apply to ~~the play areas of~~ Athletic Play Areas:

(a) Operation of an Irrigation system for plant protection of Athletic Play Areas Turfgrass fields, including Frost/Freeze or Heat Stress prevention, shall not be restricted, except in accordance with subsection 40D-22.201(2), F.A.C.

(b) The wetting of clay tennis courts, baseball/softball infields, livestock or rodeo areas and other non-Turf-grass Athletic Play Areas immediately prior to play is allowable to ensure athlete/animal safety, comply with sport standards and control dust.

(c) Baseball, softball, football, soccer, polo and other similar Turfgrass playing field surfaces may receive one extra Irrigation application immediately after heavy league play if necessary to encourage turf repair needed to maintain safe play conditions.

(d) Spot Treatment and Syringing are not restricted.

(e) One-half of Athletic Play Areas may be irrigated on Mondays and/or Thursdays; the other half may be irrigated on Tuesdays and/or Fridays for the purpose of meeting normal supplemental Irrigation needs. A map or sketch shall be maintained on site that indicates which days each part of the property will be watered, and the District or applicable local government may require that a copy of this same map or sketch be provided for verification or enforcement purposes. ~~If a specific property is unable to comply with this schedule, the variance process may be used to register an alternative schedule acceptable to the District.~~

(7) Agriculture Use – The following additional requirements or exceptions to subsection 40D-22.201(1), F.A.C., shall apply to Agriculture as appropriate:

(a) Users ~~who possess whose uses require and are authorized by a WUP are have been evaluated by the District and~~ required to maintain compliance with all WUP conditions

and terms, including those designed to require the utilization of water conserving practices. Compliance with all WUP conditions and terms shall constitute compliance in lieu of other measures specified in subsections 40D-22.201(1)-(2) and (7), F.A.C.

(b) Except as excluded by paragraph 40D-22.201(7)(a), F.A.C., all ~~individual Users for Agricultural Irrigation for Agriculture~~ shall follow these measures:

1. Use of Micro-irrigation and other Low-Volume Irrigation methods shall not be restricted.

2. Operation of an Irrigation system for plant protection, including Frost/Freeze or Heat Stress prevention, shall not be restricted.

3. Irrigation for the purpose of watering-in fertilizers, insecticides, fungicides and herbicides, where such watering-in is required by the manufacturer, or by federal, state or local law, shall not be restricted.

4. All other Irrigation shall be prohibited daily between the hours of 10:00 a.m. and 4:00 p.m.

~~5. The variance process may be used to register an alternative Irrigation program acceptable to the District, such as the ability to irrigate in accordance with a published document detailing Best Management Practices for the applicable crop or commodity.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.219, 373.223, 373.62 FS. History—New 3-15-92, Amended 9-15-03, 11-5-09, 12-7-10,_____.

40D-22.303 Variances and Waivers.

(1) Users may request relief from the provisions of ~~this~~ Chapter 40D-22, F.A.C., by following the procedures outlined in Rule 40D-1.1002, F.A.C.

(2) Examples of circumstances, which, subject to the above referenced statute and rule and the provisions below, may be candidates for the issuance of a variance or waiver are:

(a) Properties with Irrigation systems that water both Odd and Even Numbered Addresses at the same time.

(b) Two or more properties which share a common source of water.

~~(c) A local government providing water to Users or a Reclaimed Water provider providing Reclaimed Water blend to Users that desires to sponsor an alternative year round irrigation conservation plan approved by the District.~~

~~(c)(d)~~ A public or private water system experiencing, or anticipating, pressure problems associated with subsection 40D-22.201(4), F.A.C.

~~(d)(e)~~ Properties which, due to the amount of irrigated acreage in relation to the irrigation system configuration, cannot irrigate all zones in accordance with the watering days provided in paragraphs 40D-22.201(4)(a)-(d), F.A.C.

~~(e)(f) A variance granted local government or other entity that desires to offer an alternative irrigation program in accordance with Section 373.62(7), F.S.~~

~~(3)(2) A variance is invalid if it has expired or if the property owner or agent violates terms of the variance.~~

~~(4)(3) Users requiring relief from a local government's water conservation measures in a local government's alternative year round Irrigation conservation plan approved by the District must petition that local government for relief.~~

~~(4) Variances and plans issued in accordance with Board Orders 92-12, 92-21, 92-60, 93-105, SWF 01-83 and Executive Director Order 00-18 are hereby ratified and affirmed, and shall remain in full force and effect except that they shall expire 10 years after the original issuance, or one (1) year from September 15, 2003, whichever is later, unless an earlier date is specified in the letter granting the original variance or plan. These variances and plans are also subject to the following provisions:~~

~~(a) Any property with a valid District variance issued after March 2, 1992 but prior to April 26, 2000 may use both of the two watering days specified for each section of the property.~~

~~(b) Any property with a valid District variance issued after April 26, 2000 but prior to October 30, 2001, which contained provisions for a second water day for each section of property may also use the second watering day.~~

~~(c) Any property with a valid District variance issued after April 26, 2000 that did not specify a second watering day for each section of the property is modified as follows: each section of the property may also be irrigated on the day of the week that occurs three days following the originally specified day. (For example, if an alternative Irrigation plan stipulates that a certain section of property can be watered on Fridays, it may now also be watered on Mondays).~~

Rulemaking Authority 120.542, 373.044, 373.113, 373.171 FS. Law Implemented 120.542, 373.119, 373.171, 373.175(4), 373.246(7); ~~373.609~~ FS. History—New 9-15-03, Amended 12-7-10,_____.

40D-22.401 Enforcement.

(1) This chapter shall be effective year round. ~~Provided,~~ However, if that in the event of conflict, the measures, provisions and/or restrictions imposed when a water shortage has been declared pursuant to Chapter 40D-21, F.A.C., or related Board or Executive Director order are that is more restrictive than a water conservation measure contained within this chapter, such measures, provisions and/or restrictions shall supersede the water conservation measures contained in this cChapter 40D-22, F.A.C., for the duration of the applicable water shortage or related Board or Executive Director Order declaration.

(2) City and county officers shall assist the District with the enforcement of the provisions of this chapter in accordance with ~~As required by Section 373.609, F.S., but only upon specific request by the District, each county and city commission, state and county attorney, sheriff, police officer or other appropriate local government official shall assist the District in enforcing this chapter.~~ Local governments may voluntarily elect to provide additional local enforcement assistance, such as a violation reporting telephone number for citizens' use or a system of proactive enforcement patrols. ~~The District shall continue to only request assistance with address-specific or location specific violation complaints that do not involve a Water Use Permit holder and constitute either an emergency or a repeat violation situation.~~

(3) Irrigation of Lawns and Landscapes, as described in this chapter, may be further restricted by local governments in response to a local water supply system concern. In the event any county or city within the District adopts or implements such local measures, the measures contained therein shall be at least as restrictive as those imposed by this chapter and the county or city shall promptly notify the District and provide a copy of all local measures imposed and the effective implementation date.

(4) In enforcing the provisions of this chapter the District will utilize any of the enforcement remedies available pursuant to ~~Chapters Sections~~ 120 or 373, F.S., or applicable District rule, ~~including for example:~~

~~(a) Enforcement action may be initiated by the District as provided in Section 373.603, F.S., against violators of this chapter;~~

~~(b) The Executive Director may assign District personnel for the purpose of initiating enforcement action pursuant to Section 373.603, F.S.;~~

~~(c) The Executive Director may take appropriate action pursuant to Sections 373.119, 373.175(4), 373.246(7) and 120.69, F.S., to enforce the provisions of this chapter.~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.119, 373.171, 373.219, 373.175, 373.246, 373.603, 373.609 FS. History—New 3-15-92, Amended 9-15-03, 11-5-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Amy Wells Brennan, Senior Attorney
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 24, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 22, 2014

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Beaches and Coastal Systems

RULE NOS.:	RULE TITLES:
62B-49.001	Scope
62B-49.002	Definitions
62B-49.004	Consultation
62B-49.005	Application Requirements and Processing Procedures.
62B-49.006	Fees
62B-49.008	Permit Modifications
62B-49.010	Transfer of Permits and Authorizations
62B-49.011	Time Limits on Permits and Authorizations
62B-49.012	Suspension and Revocation
62B-49.013	General Conditions

PURPOSE AND EFFECT: The purpose of this rulemaking is to implement Laws of Florida 2012-65 and make revisions necessary to clarify the language in the Chapter.

SUMMARY: Chapter 62B-49, F.A.C., establishes the Joint Coastal Permit program. Activities that would have required both a coastal construction permit and an environmental resource permit are authorized by a single joint coastal permit. The Department proposes to amend Chapter 62B-49 and add new rules to implement the Laws of Florida 2012-65. The Department also proposes to clarify language in order to reduce confusion in the permitting process and reduce Requests for Additional Information (RAI's). The Department proposes to add conditions and amend portions to expedite the permitting process. Lastly, the Department proposes to amend procedures to allow for electronic submittal of applications.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the proposed amendments are designed to clarify the rule language, expedite the permitting process, and implement the Laws of Florida 2012-65. None of the amendments impose a new regulatory cost.

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: 161.041(8), 161.0535, 161.055(1), (2), 373.427(1) FS.

LAW IMPLEMENTED: 161.041(8), (9), 161.0535, 161.055(1), (2), (3), 373.109, 373.427(1), (2), (3), (4), (5), (6), 403.061(44) 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: March 3, 2014, 9:30 a.m.

PLACE: 2600 Blairstone Road, Room 609, Tallahassee, FL, 32399. If preferred, a live Webinar will be available. Participants may register at <https://www2.gotomeeting.com/register/433121034>.

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: Bureau of Personnel Services at (850)245-2511. 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: Kamie Carney, Department of Environmental Protection, Mail Station #3590, 2600 Blairstone Road, Tallahassee, Florida 32399, (850)488-7816, or kamie.carney@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62B-49.001 Scope.

This chapter implements the provisions of Section 161.055 ~~and 373.427~~, F.S., by combining the regulatory requirements of the coastal construction program (Section 161.041, F.S.) with the environmental resource ~~(or wetland resource)~~ permit program (Part IV of Chapter 373, F.S.) to establish the joint coastal permit program. Activities that would have required both a coastal construction permit and an environmental resource ~~(or wetland resource)~~ permit, are now authorized by a single joint coastal permit. In addition, this chapter provides for concurrent review of any activity requiring a joint coastal permit that also requires a proprietary authorization for use of sovereign submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund. This chapter also establishes procedures for processing applications for joint coastal permits and the linked proprietary authorizations. In the event that there is a conflict between the procedural requirements of this chapter and other procedural rules promulgated pursuant to the referenced statutes, then this chapter shall govern. The standards and criteria for issuance of

joint coastal permits include the criteria for an environmental resource ~~or wetland resource~~ permits pursuant to ~~Chapter 62-342, F.A.C., and the rules adopted under~~ Chapter 62-330, F.A.C., the coastal construction criteria pursuant to Chapter 62B-41, F.A.C., and any specific criteria for issuance of a joint coastal permit listed in this chapter. The criteria for the associated proprietary authorizations are found in Chapters 18-18, 18-20, 18-21, F.A.C.

Rulemaking Authority 161.055(1), (2), 373.427(1) FS. Law Implemented ~~161.041~~, 161.055(1), (2), (3), 373.427(1), (2), (3), (4) FS. History—New 10-12-95, Amended 2-19-98, 5-17-07, _____.

62B-49.002 Definitions.

For purposes of this chapter, the following definitions shall apply:

(1) “Activity” is any construction, dredge and fill, or other action that requires a permit pursuant to Section 161.041, F.S., an environmental resource ~~or wetland resource~~ permit pursuant to Part IV of Chapter 373, F.S., and a proprietary authorization to use sovereignty submerged lands pursuant to Chapter 253 or 258, F.S.

~~(2) “Agent” is any person with the written power or authority to act for the applicant for purposes of an application submitted pursuant to Section 161.041, F.S., Part IV of Chapter 373, F.S., and Chapter 253 or 258, F.S.~~

~~(2)(3)~~ No change.

~~(3)(4)~~ No change.

~~(4)(6)~~ No change.

~~(5)(7)~~ No change.

~~(5) “Bureau” is the Bureau of Beaches and Coastal Systems of the Department of Environmental Protection. The head of the Bureau is the Chief.~~

~~(6)(9)~~ “Joint Coastal Permit” (JCP) or “Permit” is a document authorizing an applicant to conduct an activity pursuant to both Section 161.041, F.S., and Part IV of Chapter 373, F.S., and authorization to use sovereign submerged land pursuant to Chapter 253, F.S. as provided in this chapter.

~~(7)(10)~~ No change.

~~(8)(11)~~ “Notice to Proceed” is the formal notification from the Department ~~Bureau~~ authorizing a permitted activity to commence.

~~(8) “Environmental Resource Permit” is a standard general or individual environmental resource permit, including a short form or standard form wetland resource (dredge and fill) permit issued under Part IV of Chapter 373, F.S., but excluding noticed general environmental resource permits.~~

~~(9)(13)~~ No change.

~~(10)(14)~~ “Request for Additional Information” or “RAI” is a written document from the Department to an applicant identifying errors, omissions or clarifications in the

application information that must be provided by the applicant to complete the application.

(11)(16) “Substantial Revision” is a request by the applicant to revise a complete pending permit application such that the proposed changes would alter the nature or extent of a proposed activity to such a degree that the Department would need additional time to reevaluate the expected performance or impacts of the project. Requested revisions that only decrease the degree or extent of impacts at the same sites, and do not require a reanalysis to confirm this decrease, would not be considered Substantial Revisions.

(12) ~~“Permit Condition” is a statement or stipulation appearing on or referenced in a permit, compliance with which is necessary for the continued validity of the permit or the issuance of a notice to proceed.~~

(15) ~~“Sovereignty Submerged Lands” means those lands including, but not limited to, tidal lands, islands, sand bars, shallow banks and lands waterward of the mean high water line, beneath tidally influenced waters, to which the State of Florida acquired title on March 3, 1845, by virtue of statehood, and which have not been heretofore conveyed or alienated. This also includes those lands located seaward of an established erosion control line.~~

Rulemaking Authority ~~161.041, 161.055(1), (2), 373.427(1) FS. Law Implemented 161.041, 161.055(1), (2), (3), 373.427(1), (2), (3), (4), (6) FS. History–New 10-12-95, Amended 2-19-98, 5-17-07, _____.~~

62B-49.004 Consultation.

Rulemaking Authority 161.055, 373.427 FS. Law Implemented 161.041, 161.055, 373.427 FS. History–New 10-12-95, Amended 2-19-98, 5-17-07. Repealed _____.

62B-49.005 Application Requirements and Processing Procedures.

(1) In order to make application for a joint coastal permit, the applicant shall submit ~~one signed original and two (2) paper copies of the Joint Application for Joint Coastal Permit and Authorization to Use Sovereignty Submerged Lands (DEP Form 73-500, effective XX-XX), which is hereby incorporated by reference, in a searchable electronic format. Copies of the form may be obtained by downloading from the Department’s web page, www.dep.state.fl.us/beaches <http://www.flrules.org/Gateway/reference.asp?No=Ref-03738>. When submitting the digital information on physical media, the applicant shall use the following standards: application form and supporting documents, plus two (2) electronic copies of the full application package, to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300,~~

~~Tallahassee, Florida 32399 3000, using the DEP Form 73-500 (revised 5-17-07), entitled “Joint Application for a Joint Coastal Permit and Authorization to Use Sovereignty Submerged Lands,” which is hereby incorporated by reference. Copies of the form may be obtained by writing to the above address or by downloading from the Bureau’s web page.~~

(a) Submit geotechnical data in electronic file format suitable for input to the Department’s Reconnaissance Offshore Sand Search (ROSS) database. The data may be submitted in Excel, Access or gINT files;

(b) Submit Geographic Information System (GIS) data (.shp, .dwg or .dxf or other GIS compatible format) that has been projected into the appropriate Florida State Plane coordinate system. Metadata shall be included using the Federal Geographic Data Committee (FGDC) standard. Metadata may be submitted in .xml format if included as part of the shapefile, in a .txt file if sent separately, or other convertible file;

(c) Use electronic signatures, pursuant to Ch. 668, F.S.;

(d) Use electronic professional certifications, pursuant to Section 471.025, F.S.;

(e) Appendices or attachments shall be separate electronic files indexed to the JCP Application. Each individual appendix or attachment file shall be labeled with the corresponding item number from the JCP Application Form and with the subject of the contents; and

(f) Submit the application and cover letter by email; or to a web page set up by the Department to receive electronic JCP applications; or on an electronic storage device mailed to the Department of Environmental Protection, 2600 Blair Stone Road, Mail Station 3544, Tallahassee, Florida 32399.

(2) The applicant shall provide the specific information required by this chapter, Section 161.041, Chapter 253 and, Part IV of Chapter 373, F.S., and Chapters 18-18, 18-20 and 18-21, F.A.C., as well as Chapters 62B-41, 62-330, ~~62-343, and 62-4, and 62-312, F.A.C.~~

(3) Within 30 days of receipt of an application for a ~~JCP joint coastal permit~~, the Department shall review the application to determine whether all information needed for a complete evaluation of the application has been submitted. If the Department determines the application to be incomplete, the Department will make a request for additional information within 30 days after receipt of the application. Within 30 days after receipt of each submittal of additional information, the Department shall review it and may request only that information needed to clarify such additional information or to answer new questions raised by or directly related to such additional information. The applicant may waive the thirty (30) day time limit specified under Sections 120.60(1), F.S.

(4) An application shall be denied if the applicant fails to provide all the additional information requested in the RAI to the Department within six (6) months after a written request for such information has been sent to the applicant. However, if the applicant can demonstrate that he or she has been actively working on collecting or developing the requested information, and that additional time will be required to complete their response to the "RAI," the applicant may request up to six (6) additional months to submit their complete response. If the inactive application is voluntarily withdrawn after paying the application fee, and a new application is submitted within one year after the withdrawal date, the applicant would not have to repay the application fee that was paid for the previous application.

(5) All applications shall be processed and reviewed according to the time requirements specified by Sections 120.60, 161.055 and 373.427, Florida Statutes.

~~(6) A notice of receipt of a complete or substantially complete joint coastal permit application shall be provided to any persons who have filed a written request for notification of any pending applications affecting the particular area in which the proposed activity is to occur. Such request shall expire after three (3) years. The notice that is distributed by the Department shall contain: the name and address of the applicant; a brief description of the proposed activity, including any mitigation; the location of the proposed activity, including whether it is located within an Aquatic Preserve or other Outstanding Florida Water; a map identifying the location of the proposed activity; a depiction of the proposed activity; a name or number identifying the application; and the office where the application can be inspected.~~

~~(6)(7)~~ Where a person has filed a written request with the Department for notification of the intended agency action for a specific joint coastal permit application, the Department shall provide that person with email notice of such intended agency action on that specific application.

~~(7)(8)~~ In addition to the notice required in subsections (6) and (7) above, ~~T~~the Department shall require an applicant to publish in a newspaper of general circulation in the area affected by the proposed activity, a notice of receipt of the application and a separate notice of intended agency action on the application for those activities, which because of their size, potential effect on the environment or the public, controversial nature, or location, are reasonably expected by the Department to result in a heightened public concern or likelihood of request for administrative proceedings. The notice of intended agency action shall include a notice of all interested party's rights under Section 120.57, F.S. If the applicant fails to publish the any notice of intended agency action required by

the Department within 30 days, as provided in this chapter, and to provide proof of publication (in the form required by Sections 50.041 and 50.051, F.S.) within 21 days of publication, the Department shall deny the application.

~~(8)(9)~~ No change.

~~(9)(10)~~ No change.

~~(10)(11)~~ When the authority to take final action on a request for proprietary authorization has not been delegated to the Department, the Department shall review the application, issue a recommended consolidated notice of denial or recommended consolidated notice of intent to issue and take final agency action in accordance with the procedures in Sections 373.427(2)(a)-(c), F.S.

~~(11)(12)~~ Upon issuance of the consolidated notice of denial or consolidated notice of intent to issue or upon issuance of the recommended consolidated notice of denial or recommended consolidated notice of intent to issue pursuant to subsection (10), the Department shall be deemed to be in compliance with the timeframes for approval or denial in Section 120.60(2), F.S. Failure to satisfy these timeframes shall not result in approval by default of the request for proprietary authorization.

~~(12)(13)~~ Once the Department's consolidated intent becomes final, the Department shall prepare and email mail the final agency action to the applicant, affected local governments, and all persons who requested, in writing, notification pursuant to Section 373.413(3), F.S., and Chapter ~~62-330~~ 62-343, F.A.C. The permit shall include specific conditions necessary to help define the project or provide reasonable assurance that the project will meet applicable rules and statutes.

~~(14)~~ If a substantial revision is made to an application before it is complete, the application shall be deemed amended. The amended application shall be treated in all respects as a new application and the time limits set out in Section 120.60, Florida Statutes, for processing shall begin anew.

~~(13)(15)~~ If a substantial revision to a complete application is received, the Department shall notify the applicant that an amended application cannot be accepted unless the applicant agrees in writing to restart the time periods of Section 120.60(2), Florida Statutes, and to submit a complete additional processing fee required for the project, as amended, pursuant to this chapter.

~~(14)(16)~~ If site conditions change during the processing of an application to such an extent that the data already provided can no longer be used to determine consistency as provided in this chapter, then the application shall be denied unless the applicant agrees to waive the 90 day time requirements of

Chapter 120.60, Florida Statutes, and provides the additional information required to reanalyze the application.

(15)(17) No change.

Rulemaking Authority 161.055(1), (2), 373.427(1) FS. Law Implemented 20.255(8), 120.569, 120.57, 161.041, 161.0535, 161.055(1), (2), 373.427(1), (2), (3), (4), (5), (6), 403.061(44) FS. History—New 10-12-95, Amended 2-19-98, 5-17-07, _____.

62B-49.0055 Expedited Permitting Process for Maintenance Projects.

(1) Beach nourishment and inlet management projects that are constructed and maintained with no substantial changes in project scope are eligible for a simplified and expedited permitting process under the following criteria:

(a) Physical and biological site conditions have not changed since the previously permitted construction of the project such that the project would not result in a violation of water quality standards or additional adverse impacts greater than those anticipated by the previous permitted project;

(b) Physical monitoring data and analysis has shown the project has performed according to design expectations;

(c) The project has met performance expectations, with due regard for storm impacts, by maintaining the beach restoration or inlet management project through the design nourishment interval or inlet maintenance cycle;

(d) The advance nourishment fill volume for the proposed project is not greater than the design volume used in the preceding events after an allowance for incidental erosion of the design profile (backshore berm);

(e) Biological monitoring data and analysis has shown no additional adverse impacts greater than those anticipated by the original permitted project;

(f) The applicant has conducted and submitted to the Department all the physical and biological monitoring data and analysis, as well as mitigation required by permits for the preceding project.

(2) The following application process is available for maintenance projects that are eligible for expedited review:

(a) The applicant shall submit the Joint Coastal Permit application and request processing of the permit application in accordance with Rule 62B-49.0055, F.A.C.;

(b) The Department shall process and review the application within time requirements specified by Sections 120.60, 161.055 and 373.427, Florida Statutes.

(c) If the Department determines the application for an eligible project to be incomplete, the Department will make a request for additional information within 30 days after receipt of the application.

(d) If the Department determines the application is not eligible for processing of the permit application in accordance with Rule 62B-49.0055, F.A.C., the Department will cite the specific criterion for eligibility under this rule and the related facts and circumstances, which do not justify an expedited permitting process under this rule. In such cases, the Department will include a request for any additional information necessary for a detailed review of the proposed activity.

(3) The applicant will not be required to submit to the Department the following information for projects eligible for expedited permitting as numbered on the Joint Application For Joint Coastal Permit: item numbers 6, 7, 8, 9, 10, 11, 12, 13, 14d, 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25.

(4) The use of a new sand source that was not included in the permit for the preceding beach nourishment will be eligible for expedited permit processing under this rule, if no additional adverse impacts, greater than those anticipated by the original permitted project, are expected. The applicant will submit the Application information required by item numbers 11, 12, 16, 17, and 20 for the proposed sand source.

(5) The Department shall include additional specific conditions or revisions to conditions contained in the permit for the preceding project, including monitoring and measures used to minimize adverse effects to water quality, that are necessary to provide reasonable assurance that the maintenance project will meet applicable rules and statutes.
Rulemaking Authority 161.041(8), 161.055(1), (2), 373.427(1) FS. Law Implemented 161.041(8), 161.0535, 161.055(1), (2), 373.427(1), (2), (3), (4), (5) FS. History—New _____.

62B-49.006 Fees.

(1) Each application for a joint coastal permit, except those applications filed by the U.S. Army Corps of Engineers and the Department, shall be accompanied by the full application fee which is based on the sum of fees required in Rules 62-4.050, ~~62-312.060, 62-343.070~~, 62B-41.0085, 18-21.008, 18-21.009 and ~~18-21.010~~ ~~18-10.010~~, F.A.C. Refer to the Department's ~~Bureau of Beaches and Coastal Systems~~ web page for an automated application fee calculation tool. ~~Severance and lease fees shall be paid prior to receipt of notice to proceed.~~ Fees assessed pursuant to these rules are not refundable, except fees received for an activity that is exempt and fee payments in excess of the amount required by these chapters. If an inactive application is voluntarily withdrawn by the applicant after paying the application fee, and a new application is submitted within one year after the withdrawal date, the applicant would not have to repay the application fee that was paid for the previous application.

(2) When an application is received without the required fee, or with a fee that is less than the amount required, the Department shall begin processing the application. The Department shall calculate the full application fee based upon the information submitted, and notify the applicant of the calculated fee in a ~~an~~ "RAI." If the applicant fails to remit the calculated processing fee within 45 days of the subsequent response (or partial response) to the "RAI," the Department shall deny the application pursuant to Section 373.109, F.S.

(3) The cost for publishing public notice of receipt of the application and public notice of intended agency action, as described in subsection 62B-49.005(8), F.A.C., shall be borne by the applicant. ~~If the Department incurs publication costs as a result of the applicant's failure to publish, the final permit shall not be issued until such costs are reimbursed.~~

(4) In addition to application fees, severance fees, private easement fees and lease fees shall be paid prior to receipt of notice to proceed.

Rulemaking Authority 161.0535, 161.055(1), (2), 373.427(1) FS. Law Implemented 161.0535, 161.055(1), (2), 373.109, 373.427(5) FS. History--New 10-12-95, Amended 2-19-98, 5-17-07,_____.

62B-49.008 Permit Modifications.

(1) Applications for major modifications to activities authorized under existing permits shall be processed in the same manner as new permits ~~except that the Department shall not require any information that has already been furnished to the Department to be submitted again unless the site conditions on which the permit was issued have changed.~~ The applicant shall submit a new application form, any changes to the permit drawings, and information demonstrating that the activity continues to meet the permitting requirements in this chapter, including physical or biological surveys that reflect the current conditions (if those surveys are pertinent to the proposed modification). The applicant may rely on information previously submitted to the Department in the original application if that information still reflects the current conditions.

(2) through (5) No change.

(6) The Department shall, for good cause and after notice to potentially affected parties ~~and an administrative hearing pursuant to Section 120.569 and 120.57, F.S., if requested,~~ require the permittee to conform to new or revised additional conditions. An application from the permittee to modify the permit is not required for the Department to initiate such action, known as an administrative modification. Upon a showing by the permittee that a specific period of time is required to comply with the new or additional conditions, the

Department shall allow the permittee such time to conform to the new or additional conditions. For the purpose of this rule, good cause shall include any of the following:

(a) A showing of any change in the environment or surrounding conditions that would result in a violation of water quality standards pursuant to Rule 62-302.530, F.A.C., or would result in a significant adverse impact to the coastal system ~~as defined in subsection 62B-41.002(6), F.A.C.;~~

(b) through (f) No change.

(g) Issuance of a new or revised Biological Opinion by the U.S. Fish & Wildlife Service or the National Marine Fisheries Service; or

(h) No change.

(7) Issuance of the modification shall require notice to potentially affected parties. ~~If an administrative hearing is held, the hearing may result in further modification of the permit or a denial of the modification request.~~

Rulemaking Authority 161.055(2), 373.427(1) FS. Law Implemented ~~120.569, 120.57, 161.041,~~ 161.0535, 161.055(1), (2), (3), 373.427(1), (2), (4), (5) FS. History--New 10-12-95, Amended 2-19-98, 5-17-07,_____.

62B-49.010 Transfer of Permits and Authorizations.

(1) A permit and proprietary authorization are issued to a specified applicant and are not valid for any other person unless formally transferred. A permittee must make application to the Department Bureau of Beaches and Coastal Systems for a transfer of the permit and sovereignty submerged lands authorization upon the transfer of ownership or control of the real property or the sale or legal transfer of a permitted facility to a new party. Payment of a fee as set forth in Rule 62B-49.006, F.A.C., shall be required. Until such transfer takes place the original permittee remains responsible for the terms and conditions of the permit and the authorization, if applicable. An application for transfer shall include a signed written request for the transfer by the transferor. The application shall also include a signed written request for the transfer by the transferee, which includes the name, address and phone number of the transferee along with proof of ownership or authorization to use the property, and a signed certificate by the transferee acknowledging acceptance of responsibility as provided in this chapter. A permit and an authorization shall not be transferred after expiration.

(2) No change.

(3) If a financial assurance was previously required, the Department will release the financial assurance instrument from the previous permittee once it has received a new financial assurance instrument from the new permittee such financial assurance shall be provided by the transferee as a condition of approval of the transfer.

(4) No change.

Rulemaking Authority ~~161.055(2), 161.041, 373.427(1)~~ FS. Law Implemented ~~161.041, 161.055(1), (2), (3), 373.427(1), (2), (4), (5)~~ FS. History—New 10-12-95, Amended 2-19-98, 5-17-07,_____.

62B-49.011 Time Limits on Permits and Authorizations.

~~(1) Joint Coastal Permits shall be issued with the following durations: Permits shall expire five years from the date of issuance unless a shorter period of time is requested by the applicant, the time period is limited by law or rule, as in the case of experimental coastal construction, pursuant to Chapter 62B-41, F.A.C., where the permit duration is limited to three years, or the permit authorizes an operation and maintenance phase pursuant to Section 373.416, F.S., and Chapters 62-312, 62-330 and 62-343, F.A.C. If requested by an applicant, the Department shall issue a permit and an authorization, for a longer term reasonably expected to be necessary for completion of the construction upon reasonable assurance that:~~

~~(a) Fifteen (15) years, or at least two construction events, for beach restoration, beach nourishment or disposal of dredged material onto the beach. If the permittee is unable to complete two events within 15 years, they may request, and the Department shall grant, an extension of the permit expiration date in order to allow completion of the second event. The extension would be documented through an administrative modification. The activity for which the permit is to be granted cannot reasonably be expected to be completed within five years after commencement of construction; and~~

~~(b) Three (3) years for experimental coastal construction, pursuant to Chapter 62B-41, F.A.C.; and The impacts of the activity, considering its nature, the size of the system and any required mitigation, can be accurately assessed, and offset where appropriate, and the terms of the permit can be met for the duration of the period requested.~~

~~(c) Five (5) year construction phase and perpetual operation and maintenance phase, pursuant to Section 373.416, F.S., for sand transfer plants and mitigation for erosion from erosion control structures that require long-term operation and maintenance.~~

~~(2) Permits and authorizations for maintenance of inlets in accordance with Section 161.142, F.S., that have an adopted inlet management plan, and permits and authorizations for beach nourishment that maintain a previously authorized beach restoration template and that are consistent with the statewide strategic beach management plan pursuant to Section 161.161, F.S., shall be issued for periods up to ten (10) years unless the Department determines that a shorter~~

~~duration is necessary to avoid or minimize environmental impacts or a shorter duration is requested by the applicant~~

~~(2)(3) Permits and authorizations shall be effective until the activity is certified complete or until expiration, whichever is earlier, unless suspended, revoked or surrendered according to Section 120.60, F.S., and Rule 62B-49.012, F.A.C. Sovereignty submerged lands authorizations shall expire upon expiration of the permit unless otherwise noted in the authorization.~~

~~(3) Sovereignty submerged lands authorizations shall expire upon expiration of the permit unless otherwise noted in the authorization.~~

(4) No change.

(5) The permittee or authorized agent may apply for a minor permit modification to extend the expiration date of the permit by filing a written application with the Department Bureau before the permit expires and paying any fees required in Rule 62B-49.006, F.A.C. An application will not be considered filed until the application is received by the Department Bureau. A new joint coastal permit is required to continue maintenance of a project beyond the expiration date of the permit ten (10) years.

(6) through (8) No change.

(9) When the Department takes final agency action on the application for a permit modification to extend the permit expiration date, the staff will notify by email mail the applicant, affected local government and all persons who requested in writing notification pursuant to Section 373.413(3), F.S., and subsection 62B-49.005(7), F.A.C.

(10) through (12) No change.

Rulemaking Authority ~~161.041(8), 161.055(2), 373.427(1)~~ FS. Law Implemented ~~161.041(9), 161.055, 373.427~~ FS. History—New 10-12-95, Amended 2-19-98, 5-17-07,_____.

62B-49.012 Suspension and Revocation.

(1) The following shall be grounds for suspension or revocation of a permit:

(a) No change.

(b) Section 161.041, Chapter 253 or Part IV of Chapter 373, F.S., or Chapters 18-18, 18-20, 18-21, 62-302, ~~62-312, 62-330, 62-343, 62-4, or 62B-41, F.A.C.~~, as applicable, have been violated.

(2) A permit shall be summarily suspended, revoked or modified by the Department if shoreline conditions change such that the activity could result in a significant adverse impact as defined in Rule 62B-41.002, F.A.C., or violation of state water quality standards pursuant to Chapter 62-302, F.A.C., or if the activity is determined to be inconsistent with

Section 379.2431, F.S., to cause or have caused conditions which endanger the public health, safety or welfare, or to render the previously authorized activity inconsistent with Sections 161.041, 161.055, Chapter 253, and Part IV of Chapter 373, F.S., Chapters 18-18, 18-20 and 18-21, F.A.C., ~~Chapters Chapter 62-312, 62-330, 62-343, 62-4, or 62B-41, F.A.C., or~~ and this chapter.

(3) All suspensions and revocations will be processed according to Section 120.60, ~~F.lorida S.tatutes~~, and all Uniform rules as referenced in Chapter 120.54, ~~F.lorida S.tatutes~~.

Rulemaking Authority 161.055(1), (2), 373.427(1) FS. Law Implemented ~~161.041, 161.055(1), (2), 373.427(1), (2), (3), (4)~~ FS. History—New 10-12-95, Amended 2-19-98, 5-17-07, _____.

62B-49.013 General Conditions.

(4) The following permit conditions shall apply to all permits issued pursuant to this chapter:

(1)(a) All activities authorized by this permit shall be implemented as set forth in the Project Description, permit drawings, plans and specifications approved as a part of this permit, and all conditions and requirements of this permit. The permittee shall notify the Department in writing of any anticipated deviation from the permit prior to implementation so that the Department can determine whether a modification of the permit is required pursuant to Rule 62B-49.008, ~~F.lorida A.dministrative Code~~.

(2)(b) If, for any reason, the permittee does not comply with any condition or limitation specified in this permit, the permittee shall immediately provide the ~~Department Bureau of Beaches and Coastal Systems~~ and the appropriate District office of the Department with a written report containing the following information: a description of and cause of noncompliance; and the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

(3)(e) No change.

(4)(d) Pursuant to Sections 253.77 and 373.422, F.S., prior to conducting any works or other activities on state-owned submerged lands, or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund, the permittee must receive all necessary approvals and authorizations under Chapters 253 and 258, F.S. Written authorization that requires formal execution by the Board of Trustees of the Internal Improvement Trust Fund shall not be considered received until it has been fully executed. This permit conveys no title to

~~land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of sovereignty land of Florida seaward of the mean high water line, or, if established, the erosion control line, unless herein provided and the necessary title, lease, easement, or other form of consent authorizing the proposed use has been obtained from the State. The permittee is responsible for obtaining any necessary authorizations from the Board of Trustees of the Internal Improvement Trust Fund prior to commencing activity on sovereign lands or other state owned lands.~~

(5)(e) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered specifically approved unless a specific condition of this permit or a formal determination under Section 373.421(2), ~~F.lorida S.tatutes~~, provides otherwise.

(6)(f) No change.

(7)(g) This permit or a copy thereof, complete with all conditions, permit drawings, attachments, plans and specifications, modifications, and time extensions shall be kept at the work site of the permitted activity. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

(8)(h) The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel with proper identification and at reasonable times, access to the premises where the permitted activity is located or conducted for the purpose of ascertaining compliance with the terms of the permit and with the rules of the Department and to have access to and copy any records that must be kept under conditions of the permit; to inspect the facility, equipment, practices, or operations regulated or required under this permit; and to sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules. ~~Reasonable time may depend on the nature of the concern being investigated.~~

(9)(i) At least forty-eight (48) hours prior to commencement of activity authorized by this permit, the permittee shall electronically submit to the ~~Department Bureau of Beaches and Coastal Systems~~ (JCP Compliance Officer) and the appropriate District office of the Department a written notice of commencement of construction indicating the actual start date and the expected completion date and an affirmative statement that the permittee and the contractor, if one is to be used, have read the general and specific conditions of the permit and understand them.

(10)(j) If any prehistoric or historic or archaeological artifacts, such as, but not limited to, pottery or ceramics, stone tools or metal implements, shipwreck remains or anchors, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement Indian canoes, arrow heads, pottery or physical remains, are encountered discovered at any time within on the project site area, the permitted project shall cease permittee shall immediately stop all activities involving subsurface disturbance in the immediate vicinity of such discoveries, area that disturb the soil in the immediate locale and The permittee, or other designee, shall contact notify the Florida Department of State, Division of Historical Resources, Compliance and Review Section at (850)245-6333 or (800)847-7278, as well as the appropriate permitting agency office State Historic Preservation Officer and the Bureau of Beaches and Coastal Systems (JCP Compliance Officer). Project activities shall not resume without verbal and/or written authorization from the Division of Historical Resources. In the event that unmarked human remains are encountered during permitted activities, all work shall stop immediately in the immediate area and the proper authorities notified in accordance with Section 872.05 872.02, F.S.

(11)(k) Within 30 days after completion of construction or completion of a subsequent maintenance event authorized by this permit, the permittee shall electronically submit to the Department Bureau of Beaches and Coastal Systems (JCP Compliance Officer) and the appropriate District office of the Department a written statement of completion and certification by a registered professional engineer. This certification shall state that all locations and elevations specified by the permit have been verified; the activities authorized by the permit have been performed in compliance with the plans and specifications approved as a part of the permit, and all conditions of the permit; or shall describe any deviations from the plans and specifications, and all conditions of the permit. When the completed activity differs substantially from the permitted plans, any substantial deviations shall be noted and explained on two paper copies and one electronic copy of as-built drawings electronically submitted to the Department Bureau of Beaches and Coastal Systems (JCP Compliance Office).

(2) ~~The Department shall require additional permit conditions based on site specific circumstances to insure compliance with the provisions of this chapter. Any such additional conditions will be specified in the Intent to Issue or draft permit.~~

Rulemaking Authority 161.041(8), 161.055(1), (2), 373.427(1) FS. Law Implemented 161.041(8), 161.055(1), (2), 371.421(2), 373.427(1), (2), (3), (4), 872.02 FS. History—New 2-19-98, Amended 5-17-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 12, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 17, 2013

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
1S-5.026 Post-Election Certification Voting System
 Audit
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 242, December 16, 2013 issue of the Florida Administrative Register.

The original publication of this rule was approved by both Kenneth Detzner, Secretary of State, and Maria Matthews, Director of the Division of Elections.

1S-5.026 Post-Election Certification Voting System
Audit.

- (1) General application.
 - (a) through (b) No change.
- (2) Definitions.
 - (a) through (d) No change.
 - (e) “Ballot type” means an early voting, election day, or absentee ballot. Provisional ballots cast in the election may are ~~to~~ be grouped with early voting, election day, or absentee ballots, as applicable. Overseas absentee ballots are to be grouped with other absentee ballots.
 - (f) through (g) No change.
 - (h) “Election definition” means the voting system tabulator’s code programmed for a unique election.

~~(i)(4)~~ “Independent” means that the audit system is not part of the county voting system’s tabulation devices or a similar type of tabulation device using the same election definition.

~~(j)(4)~~ “Indeterminate vote” means a marginal mark on a ballot where the Board believes the voting system may not have tabulated a choice in a race.

~~(k)(4)~~ “Manual audit” means a public manual tally of the votes cast in one randomly selected race that appears on a ballot in one or more randomly selected precincts.

~~(l)(4)~~ “Marginal mark” means a mark other than a prescribed mark (e.g., a solid dark filled oval), which the tabulator or automated independent audit system may or may not interpret as the voter’s choice in a race.

~~(m)(4)~~ “Marksense ballot” has the meaning ascribed in Section 97.021(4), F.S.

~~(n)(4)~~ “No vote” means that there is no mark and the voter did not make a selection for any candidate or issue in a race.

~~(o)(4)~~ “Paper ballot image” means an electronic record of the content of a marksense ballot cast by a voter and recorded by the voting device.

~~(p)(4)~~ “Race” means any contest for filling a candidate office or voting on an issue. Races for state or county executive committees of political parties are not included since these races do not constitute races for candidates pursuant to Section 97.021(5), F.S.

~~(q)(4)~~ “Technical data package” means the automated independent audit system’s description, software source code, executables, software configuration management system, description for creating the election definition and its required input and output, and description of the scanning devices.

~~(r)(4)~~ “Valid vote” means it could be determined from the mark that the voter has made a definite choice in a race.

(3) Forms.

(a) The following forms are used in this rule and are incorporated by reference:

1. Form DS-DE 105-A, entitled “Manual Audit Team Worksheet for Direct Recording Electronic Ballots” (eff. 01/2014). [insert hyperlink]

2. Form DS-DE 105-B, entitled “Manual Audit Team Worksheet for Marksense Ballots” (eff. 01/2014). [insert hyperlink]

3. Form DS-DE 106, entitled “Precinct Summary for Manual Audit” (eff. 01/2014). [insert hyperlink]

4. Form DS-DE 106A, entitled “Discrepancy Report Summary for Automated Independent Audit” (eff. 01/2014). [insert hyperlink]

5. Form DS-DE 107 entitled “~~Post-Election Certification~~ Voting System Post-Election Audit Report” (eff. 01/2014). [insert hyperlink]

(b) No change.

(4) General Procedures. The following procedures apply to both a manual audit and an automated audit except to the extent that the context states otherwise:

(a) The Board shall publish at least a 24-hour advance notice of the meeting to conduct the audit including the random selection of the race(s) and precincts respective to the applicable audit. The notice may be published before the official certification of the election results but neither the random selection nor the manual audit or the review of the audit result in an automated independent audit can occur until after the certification. The notice shall include the date, time and place for each meeting. Notice shall be posted in four conspicuous places in the county and on the home page of the county supervisor of elections’ website. A link to the notice on the county supervisor of election’s homepage will satisfy the website notice requirement.

(b) through (d) No change.

(e) A majority of the Board shall be present at all times until the manual audit is completed or when a review of the automated independent audit results occurs, whichever is applicable to the audit method being used.

(f) through (k) No change.

(l) Before beginning an audit, the Board shall verify an accurate ballot count exists between the number of ballots cast in the applicable precincts and races and the number of ballots to be audited. In the event that the ballot count does not match, the Board shall determine if the difference in the ballot count is ½ of 1% or more of the total ballots, as indicated by the voting system or the audit, whichever is less. If the difference is ½ of 1% or more, the Board must investigate to determine if it can resolve the discrepancy. If the discrepancy cannot be resolved, the Board shall provide an explanation on the “Voting System Post-Election ~~Certification~~ Audit Report” (DS-DE 107).

(m) through (n) No change.

(5) Specific procedures-direct recording electronic voting machine ballots.

(a) through (b) No change.

(6) Specific procedures-optical scan machine ballots. The Board and the audit teams shall follow these specific audit procedures for votes cast on optical scan machines:

(a) Manual audit: The manual audit shall include a tally of the selected race for the selected precinct or precincts of ballots cast on Election Day and during the Early Voting period, absentee ballots (to include absentee ballots cast by uniformed and overseas citizens), and provisional ballots (if tabulated separately).

1. The tally shall be of the marksense ballots that were tabulated by the voting system.

2. Ballots cast at the precinct on Election Day, early voted ballots, absentee ballots, and provisional ballots (if grouped separately), for each precinct shall be audited separately.

3. through 7. No change.

(b) No change.

(7) Results Compilation.

(a) No change.

(b) Automated independent audit: After the automated independent audit system has finalized its tally, the Board or the automated independent audit system shall compile and compare the results to the official vote totals for all races in the selected precincts.

1. The results of the automated independent audit shall be produced as a summary report listing the number of ballot and vote discrepancies computed at the lowest level of aggregation reported in the election.

2. If the automated tally and official vote totals show a discrepancy in every contest of less than ½ of 1%, the Board shall list this result on the “Voting System Post-Election Certification Audit Report” (DS-DE 107).

3. If the automated tally and official totals show a discrepancy in any contest of ½ of 1% or more of the votes being audited:

a. The Board must investigate the discrepancy. This shall be done by reviewing the paper ballot images or extracts therefrom to ascertain if any voter marked a race in a manner that likely was not read by the voting system tabulator or by the automated independent audit system.

b. The Board shall prepare a completed “Discrepancy Report Summary for Automated Independent Audit” form (DS-DE 106A) or, alternatively, the automated independent audit system may print a report providing the same information required by the DS-DE 106A.

c. No change.

(8) Audit Report. The Board shall submit to the Department of State a report of the audit results within 15 days after the audit is completed. The Board shall submit its report using the “Voting System Post-Election Certification Audit Report” (DS-DE 107).

(a) For a manual audit, each audit report shall be accompanied by a completed Precinct Summary for Manual Audit form (DS-DE 106) for each precinct audited.

(b) For an automated independent audit, each audit report shall be accompanied by the summary report as specified in subparagraph (7)(b)1. or a completed Discrepancy Report Summary for Automated Independent Audit form (DS-DE 106A), as applicable, for each precinct audited.

(c) No change.

(9) Security procedures. Each county supervisor of elections pursuant to its responsibility under Section 101.015, F.S., shall ensure that its security procedures include procedures relating to ballot accountability, the security of ballots, chain of custody controls, protocols for authorized access and secure storage of ballots that may be used in an audit.

(10) Requirements for approval and use of an automated independent audit system.

(a) No change.

(b)1. through 3. No change.

4.a. For all elections on or after January 1, 2016, be capable of operating without outside manufacturer or vendor support to use the system. However, if desired, a county may decide to use the audit system’s manufacturer or vendor support.

b. No change.

5. through 9. No change.

(c) All examination and testing of the automated independent audit system shall occur at the Bureau of Voting Systems Certification in Tallahassee, Florida, unless the Department of State approves the examination and testing to occur ~~or~~ at the vendor’s desired location. The vendor shall reimburse the Department of State an amount equal to the actual costs incurred by the department in its testing and examination of the automated independent audit system. Reimbursable actual costs of testing include reasonable travel costs such as lodging, car rental, parking, gas, airfare, travel-related fees and in the case of meals, not to exceed the per diem rate established per Section 112.061(6), F.S. per diem ~~when traveling outside of Tallahassee.~~

(d) No change.

(e)1. Notice of approval or non-approval will be provided within 30 days after all examination and testing of the automated independent audit system is completed.

2. No change.

Rulemaking Authority 20.10(3), 97.012(1), 101.591(2), 101.5911 FS. Law Implemented 101.591 FS. History–New 11-16-08, Amended_____.

Section IV
Emergency Rules

NONE

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

NONE

**Section VI
Notice of Meetings, Workshops and Public
Hearings**

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation, Florida National Register Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: February 21, 2014, 9:00 a.m. to conclusion

PLACE: R.A. Gray Building, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review nomination proposals for listing in the National Register of Historic Places.

A copy of the agenda may be obtained by contacting: Barbara E. Mattick, 1(800)847-7278, Barbara.Mattick@dos.myflorida.com. (Teleconferencing will be available.)

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: Barbara E. Mattick, 1(800)847-7278, Barbara.Mattick@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Barbara E. Mattick, 1(800)847-7278, Barbara.Mattick@dos.myflorida.com.

DEPARTMENT OF STATE

Division of Library and Information Services

The Division of Library and Information Services announces an online work group to which all persons are invited.

DATES AND TIME: First and third Tuesdays, from February 18, 2014 through April 15, 2014, 11:00 a.m. – 12:30 p.m., Eastern

PLACE: Metadata online meeting room: please join the meeting; meeting # 641 815 167

Participants can also join by phone, using the following dial-in number and passcode: dial-in number: 1(888)670-3525, (US toll-free), participant passcode: 932 550 5699#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a recurring meeting of the Metadata work group, as a part of the Florida Statewide Digital Action Plan project.

The project: focuses on bringing together and expanding Florida's digital collections, requires a cooperative approach, including adoption of standards and best practices that support collection interoperability and sustainability. This cooperative approach includes a steering committee and work groups to provide feedback and information.

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 five (5) days before the workshop/meeting by contacting: Sondra Taylor-Furbee at: Sondra.Furbee@dos.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service: 1(800)955-8771 (TDD), or 1(800)955-8770 (Voice).

For more information, contact: Sondra Taylor-Furbee at: Sondra.Furbee@dos.myflorida.com.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center and Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 20, 2014, 4:00 p.m.

PLACE: Florida Horse Park, 11008 South Highway 475, Ocala, FL 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Executive Committee to discuss general board business.

A copy of the agenda may be obtained by contacting: Shawn Doherty, Executive Director, (352)307-6099.

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: Shawn Doherty, Executive Director, (352)307-6099. If you are hearing or speech impaired, please contact the

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

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The SWFL Regional Planning Council/LEPC announces a public meeting to which all persons are invited.

DATE AND TIME: February 27, 2014, 9:30 a.m. – 11:00 a.m.

PLACE: Southwest Florida Regional Planning Council at 1926 Victoria Avenue in Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Region IX-Local Emergency Planning Committee (LEPC) quarterly meeting. To discuss and implement provisions of the Emergency Planning and Community Right-To-Know Act.

A copy of the agenda may be obtained by contacting John Gibbons at (239)338-2550, ext. 229 or jgibbons@swfrpc.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: 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 visit the SWFRPC's website at www.swfrpc.org.

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

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

DATE AND TIME: Thursday, February 20, 2014, immediately following the SWFRPC Board meeting (approximately 11:30 a.m.)

PLACE: Southwest Florida Regional Planning Council – 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review of the 2014 issues coming before the Council.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 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's 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 visit the SWFRPC's website at www.swfrpc.org.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

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

DATE AND TIME: Friday, March 21, 2014, 10:00 a.m.

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

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

A copy of the agenda may be obtained by contacting: writing to the South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

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: South Florida Regional Planning Council at (954)967-4152, ext. 40. 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: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

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

DATE AND TIME: February 18, 2014, 9:00 a.m.

PLACE: Collier County Government Center – Commission Chambers, 3299 Tamiami Trail East, Naples, FL 34112-5746

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a regular meeting of the Big Cypress Basin Board where the Board will conduct regular Big Cypress Basin Board business including Corkscrew Regional Ecosystem Watershed (CREW) Land and Water Trust presentation and FY15 budget and capital plan update.

A copy of the agenda may be obtained by contacting: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.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: 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).

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: Lucia Martin, (239)263-7615, ext. 7602, lmartin@sfwmd.gov.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:RULE TITLES:

59A-11.002 Definitions

59A-11.003 Licensure Procedures

59A-11.004 Investigations and License, Life Safety and Validation Inspections

59A-11.010 Informed Consent

59A-11.023 Physical Environment, Water Supply and Fire Safety

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

DATE AND TIME: Thursday, February 18, 2014, 11:00 a.m. – 12:00 Noon

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Agency is scheduling a hearing in Tallahassee, FL for the purpose of discussing its proposal to revise existing rules to add and delete definitions, update references to outdated forms which have been revised and are incorporated in rule, update a license fee; delete requirements that are duplicative, and add references to align with our uniform licensure statute and rule.

A copy of the agenda may be obtained by contacting: Kimberly Stewart, Hospital and Outpatient Services Unit, 2727 Mahan Drive, Mail Stop 31, Tallahassee, FL 32308-5407, telephone: (850)412-4362, e-mail: Kimberly.Stewart@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 48 hours before the workshop/meeting by contacting: Kimberly Stewart, Hospital and Outpatient Services Unit at (850)412-4362. 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: Kimberly Stewart, Hospital and Outpatient Services Unit, 2727 Mahan Drive, Mail Stop 31, Tallahassee, FL 32308-5407, telephone: (850)412-4362, e-mail: Kimberly.Stewart@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 20, 2014, 10:00 a.m., EST

PLACE: Call: 1(888)670-3525 and when prompted, enter passcode: 9988442611 followed by the # key

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting will be held to discuss the daily functions and activities of the Commission.

ACCESS POINT: The Florida Commission on Human Relations office at 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point.

A copy of the agenda may be obtained by contacting: Casey Snipes at (850)488-7082, ext. 1001 or casey.snipes@fchr.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 5 days before the workshop/meeting by contacting: Casey Snipes at (850)488-7082, ext. 1001 or casey.snipes@fchr.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: Casey Snipes at (850)488-7082, ext. 1001 or casey.snipes@fchr.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: February 21, 2013, 9:00 a.m.

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

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Terry Hansen at (850)245-8561. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The State Revolving Fund Program announces a public meeting to which all persons are invited.

DATE AND TIME: February 11, 2014, 2:00 p.m.

PLACE: The Bob Martinez Center, Room 538B, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

GENERAL SUBJECT MATTER TO BE CONSIDERED: A workshop will commence at 2:00 p.m. to present the Department's recommendations and to receive public comment on the Intended Use Plan (IUP) for Federal and State

Safe Drinking Water Act appropriations. Funds will be used to finance drinking water preconstruction and construction projects through the State Revolving Fund program in accordance with Chapter 62-552, Florida Administrative Code. Workshop topics will include project eligibility, project prioritization, type of assistance available, objectives of the program, program requirements, use of set-aside funds, and the proposed project list. A copy of the proposed IUP will be available after February 14, 2014 on the Department's Oculus website. If you need assistance locating the document, please contact Paul Brandl at paul.brandl@dep.state.fl.us and then, beginning at 2:30 p.m. the Department will hold a public meeting to receive public comment and to manage the proposed Fiscal Year 2014 Drinking Water State Revolving Fund priority list. Action will be taken under Chapter 62-552, F.A.C. Construction projects that submitted planning documents, plans, specifications, and permits by February 12, 2014, and pre-construction projects that submitted a complete Request for Inclusion on the priority list by February 12, 2014, will be added to the contingency or fundable portion of the priority list based on availability of funds. Projects shall be subject to a segment cap limit. The draft priority list will be available after February 25, 2014, on the Department's Notices website at <http://sharepoint.dep.state.fl.us/PublicNotices/default.aspx>.

The Department may approve, modify, or deny the proposed actions at the meeting. Prior to Department action at the meeting, all interested persons will have the opportunity to speak regarding any proposed actions. After the meeting, the Department will file the Notice of Final Agency Action (Notice). A copy of the Notice will be sent to local governments sponsoring the projects at issue and to any person submitting a request either at the meeting or to the Department's contact given below no later than 5:00 p.m. on the first business day after the meeting.

A copy of the agenda may be obtained by contacting: Venkata Panchakarla, State Revolving Fund Program, 2600 Blair Stone Road, Mail Station 3505, Tallahassee, Florida 32399-2400, by phone at (850)245-8366 or by e-mail at Venkata.Panchakarla@dep.state.fl.us.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Division of Waste Management announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, February 13, 2014, 11:00 a.m. – 12:00 Noon

PLACE: Call-in number: 1(888)670-3525; participant passcode: 887-372-1397

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Direct Exposure, Institutional Control/Engineering Control and Leachability workgroup of the Contaminated Media Forum is holding a teleconference to discuss Limits of Delineation for Soil and Groundwater for Site Assessment. Please visit: <http://www.dep.state.fl.us/waste/categories/csf/pages/exposure.htm> for a list of discussion topics.

A copy of the agenda may be obtained by contacting: Brian.Dougherty@dep.state.fl.us or (850)245-7503.

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: Brian.Dougherty@dep.state.fl.us or (850)245-7503. 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: Brian.Dougherty@dep.state.fl.us or (850)245-7503.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of the Secretary

The Florida Greenways and Trails Council announces a public meeting to which all persons are invited.

DATE AND TIME: March 19, 2014, 10:00 a.m.

PLACE: Jonathan Dickinson State Park, Kimbell Education Center, 16450 S.E. Federal Highway, Hobe Sound, FL 33455

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business and discuss the Florida Greenways and Trails System regional gap trail projects. The Council may also consider designation of the Withlacoochee Gulf Preserve Paddling Trail as a component of the Florida Greenways and Trails System.

A copy of the agenda may be obtained by contacting: Angie Bright, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, email: Angie.Bright@dep.state.fl.us, telephone: (850)245-2052. The agenda and meeting materials are also available at the Office of Greenways and Trails' website (FloridaGreenwaysandTrails.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 5 days before the workshop/meeting by contacting: Angie Bright, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 795, Tallahassee, Florida 32399-3000, email: Angie.Bright@dep.state.fl.us, telephone: (850)245-2052. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

The Board of Nursing Home Administrators Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, February 27, 2014, 1:30 p.m. at meet me number: 1(888)670-3525, participant code: 9238150597

PLACE: Department of Health, 4042 Bald Cypress Way, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Sherra W. Mears, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Sherra W. Mears. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Office of Statewide Research

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

DATE AND TIME: Wednesday, March 5, 2014, 4:00 p.m. – 5:00 p.m.

PLACE: Conference call: 1(888)670-3525, conference code: 2922384719

GENERAL SUBJECT MATTER TO BE CONSIDERED: Biomedical Research Advisory Council meeting pertaining to the James and Esther King Biomedical Research Program and the Bankhead-Coley Cancer Research Program.

A copy of the agenda may be obtained by contacting: Sarah Hofmeister, Public Health Research Unit, Division of Community Health Promotion at (850)245-4585 or email: Sarah.hofmeister@flhealth.gov.

For more information, you may contact: Sarah Hofmeister, Public Health Research Unit, Division of Community Health Promotion at (850)245-4585 or email: Sarah.hofmeister@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

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

DATE AND TIME: Wednesday, February 19, 2014, 1:30 p.m.

PLACE: Pasco Sheriff's Office Child Protective Investigation Division Office, 7601 Little Road, Suite 100, New Port Richey, FL 34654

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Pasco Community Alliance Business.

A copy of the agenda may be obtained by contacting: Stephanie Allen at (727)373-7842.

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: Stephanie Allen at (727)373-7842. 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).

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

The Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.

DATE AND TIME: February 25, 2014, 9:00 a.m.

PLACE: Bryant Building, Room #272, 620 South Meridian Street, Tallahassee, FL 32399-1600

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a quarterly meeting of the Steering Committee for the Florida Beaches Habitat Conservation Plan. Topics to be discussed include staff updates from the last quarter, draft best management practices, and updates on take estimates for sea turtles. No votes will be taken.

A copy of the agenda may be obtained by contacting: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.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 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Jennifer McGee, Florida Fish and Wildlife Conservation Commission, Species Conservation Planning Section, 620 South Meridian Street, MS 2A, Tallahassee, Florida 32399-1600, (850)921-1023, Jennifer.McGee@myfwc.com.

DEPARTMENT OF FINANCIAL SERVICES

The Florida Department of Financial Services, Division of Information Systems announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 14, 2014, 9:00 a.m.

PLACE: Larson Building, 200 E. Gaines St., Room 116, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the eighth meeting of the User Experience Task Force created in Section 2, Chapter No. 2013-054, Laws of Florida. The purpose of the meeting is to discuss the User Experience Task Force Work Plan Schedule and deliverables.

A copy of the agenda may be obtained by contacting: Angela Burroughs, Florida Department of Financial Services, Division of Information Systems, 200 E. Gaines St., Tallahassee, Florida 32399, (850)413-3184.

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: Angela Burroughs, Florida Department of Financial Services, Division of Information Systems, 200 E. Gaines St., Tallahassee, Florida 32399, (850)413-3184. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Angela Burroughs, Florida Department of Financial Services, Division of Information Systems, 200 E. Gaines St., Tallahassee, Florida 32399, (850)413-3184.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC

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

DATE AND TIME: February 20, 2014, 10:00 a.m. (Eastern Time)

PLACE: Florida Association of Insurance Agents (FAIA) office located at 3159 Shamrock South, Tallahassee, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Agenda topics shall include approval of minutes; legislative update; operations and financial reports; and committee reports on 2013 reserves, Subplan D, Operations Manual to include forms, 2014 business plan & forecast, disaster recovery matters, investment marketplace, and investment portfolio review.
 A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or at www.fwcjua.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION
 University of North Florida
 RFQ #14-18 CM Services – Repurposing of Existing Aquatic Center

NOTICE TO PROFESSIONAL
CONSTRUCTION MANAGERS
REQUEST FOR QUALIFICATIONS
RFQ 14-18

The University of North Florida Board of Trustees, a public body corporate, announces that Construction Management Services are required for the repurposing of the existing Aquatic Center at the University of North Florida, 1 UNF Drive, Jacksonville, FL 32224.

The project consists of a “conversion” of a pool facility into recreational basketball and volleyball courts. The existing facility is approximately 30,000 gross square feet consisting of a swimming pool, a deck with bleachers, Men’s and Women’s locker rooms and showers, a mechanical room and a couple of offices. The project will include the back-filling of the pool, adding a slab and basketball courts with wood flooring, renovations to the shower/locker rooms, replacement of the HVAC system and light fixtures, refinishing of the existing roof system and other general miscellaneous renovation work as noted in the solicitation documents.

The proposed schedule for this project is:

Advertisement	February 7, 2014
Pre-submittal conference	February 21, 2014, 10:00 a.m.
Submittals Due	March 11, 2014, 2:00 p.m.
Evaluation Meeting(s)	March/April 2014
Interviews/Award	April/May 2014

Firms wishing to apply for consideration shall submit a Letter of Application/Interest with the appropriate documents from RFQ #14-18 titled CM Services – Repurposing of Existing Aquatic Center.

The Letter of Application should have attached:

1. The most recent version of the “Construction Management Qualifications Supplement” completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant’s current Florida’s Contractors License from the appropriate governing board. An applicant must be properly registered at the

time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

3. Five complete copies of the above requested data bound and in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned.

Minority business participation is strongly recommended and supported by the University of North Florida.

As required by §287.133, Fla. Stat., a construction manager may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction management firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor or consultant in excess of \$15,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Construction Management Qualifications Supplement forms, descriptive project information and selection criteria may be obtained online at the UNF Purchasing department website at <http://www.unf.edu/purchasing/>.

Submit one original and four complete copies of submittals. RFQ submittals must be received no later than March 11, 2014 at 2:00 p.m. Facsimile (fax) or email submittals are not acceptable and will not be considered.

STATE BOARD OF ADMINISTRATION

Request for Qualifications

The State Board of Administration is soliciting competitive responses from firms or individuals offering exposure examination and consulting services to the Florida Hurricane Catastrophe Fund (FHCF). The request for qualifications information will be available by February 12, 2014, on the FHCF website: www.sbafla.com/fhcf (under "Announcements"). The deadline for submitting a complete response with compensation requirements is 2:00 p.m. (EST) on February 28, 2014.

SARASOTA MEMORIAL HOSPITAL

**REQUEST FOR STATEMENTS OF QUALIFICATIONS
for**

ARCHITECTURAL AND ENGINEERING SERVICES

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida ("the Hospital") is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the

provisions of the Consultants' Competitive Negotiation Act, Section 287.055, Florida Statutes. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection and structural design work for the renovation of existing buildings located at 5540, 5550, 5560, 5570 and 5580 Bee Ridge Road, Sarasota, FL, to include corporate office space of varying square footage located within the Centergate Office Park. Services required may include architectural design, civil, mechanical, electrical, plumbing, fire protection and structural design and engineering; and construction administration. Firms interested in being considered as candidates are required to submit *five bound statements of qualifications* that include at least the following data, *to be organized in the following order*:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Proof of General and Professional Liability Insurability.
3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team with resumes.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Past design experience on commercial office building projects with aggressive schedules.
7. Design and permitting experience within the County of Sarasota, FL and other applicable permitting agencies.
8. Location of the design firm's main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to, the firm's experience with local regulatory agency having jurisdiction, consideration of related project experience, qualifications of proposed team, design criteria experience as stated above, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed only to Thomas Perigo, (941)917-1804.

Submissions shall be titled
Statement of Qualifications
for

ARCHITECTURAL AND ENGINEERING SERVICES
The Sarasota Memorial Hospital
Centergate Office Park

5. Submittals must be received by the Hospital no later than 3:30 p.m. Tuesday, March 4, 2014. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.
7. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.
8. The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, first floor, on Thursday, March 20, 2014, from 1:00 p.m. to 3:30 p.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

SARASOTA MEMORIAL HOSPITAL
REQUEST FOR STATEMENTS OF QUALIFICATIONS
for
GENERAL CONTRACTING WORK

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the renovation of existing buildings located at 5540, 5550, 5560, 5570 and 5580 Bee Ridge Road, Sarasota, FL, to include corporate office space of varying square footage located within the Centergate Office Park. Firms interested in being considered as candidates are required to submit *five bound statements of qualifications* that include at least the following data, *to be organized in the following order*:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor’s Qualification Statement, latest edition.
3. Proof of general, automobile and workers’ compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel who would be used on this project.
7. Past design experience on commercial office building projects with aggressive schedules.
8. Construction building experience within the County of Sarasota, FL.
9. Location of the firm’s main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to, the firm’s experience with local regulatory agency having jurisdiction, consideration of related project experience, qualifications of proposed team, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.

Submissions shall be titled
Statement of Qualifications
for

GENERAL CONTRACTING WORK
The Sarasota Memorial Hospital
Centergate Office Park

4. Submittals shall not contain pricing information.
5. Submittals must be received by the Hospital no later than 3:30 p.m., Tuesday, March 4, 2014. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239.
6. Only Thomas Perigo shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.

7. Interested persons should contact Thomas Perigo, (941)917-1804 with any project-related questions.
8. The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, first floor, on Thursday, March 20, 2014, from 8:30 a.m. to 11:30 a.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

KTM North America, Inc., for the establishment of KTM motorcycles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that KTM North America, Inc., intends to allow the establishment of Barneys Motorcycle Sales, Inc., as a dealership for the sale of motorcycles manufactured by KTM Motor Fahrzeugbau/KTM North America, Inc. (line-make KTM) at 10411 Gandy Boulevard, St. Petersburg, (Pinellas County), Florida 33702, on or after March 11, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Barneys Motorcycle Sales, Inc. are dealer operator(s): Keith C. Wood, 1101 42nd Avenue Northeast, St. Petersburg, Florida 33703, Todd T. Hempstead, 15934 Soarawater Drive, Lithia, Florida 33547; principal investor(s): Keith C. Wood, 1101 42nd Avenue Northeast, St. Petersburg, Florida 33703, Todd T. Hempstead, 15934 Soarawater Drive, Lithia, Florida 33547.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Tom Buttleman, KTM North America, Inc., 1119 Milan Ave, Amherst, Ohio 44001.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Halo AutoSports, LLC, for the establishment of SKTM motorcycles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Value Group Enterprises, Inc., intends to allow the establishment of Halo Autosports, LLC, as a dealership for the sale of motorcycles manufactured by Jiangsu Sacin Motorcycle, Co., Ltd. (line-make SKTM) at 501 16th Street North, St Petersburg, (Pinellas County), Florida 33705, on or after March 11, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Halo Autosports, LLC, are dealer operator(s): Heather Craig, 501 16th Street North, Saint Petersburg, Florida 33705; principal investor(s): Heather Craig, 501 16th Street North, Saint Petersburg, Florida 33705.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Michael Leija, Value Group Enterprises, Inc., 12825 Alondra Boulevard, Norwalk, California 90650.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Halo AutoSports, LLC, for the establishment of ZHNG motorcycles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Value Group Enterprises, Inc., intends to allow the establishment of Halo Autosports, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycles, Co., Ltd. (line-make ZHNG) at 501 16th Street North, St Petersburg, (Pinellas County), Florida 33705, on or after March 11, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Halo Autosports, LLC, are dealer operator(s): Heather Craig, 501 16th Street North, Saint Petersburg, Florida 33705; principal investor(s): Heather Craig, 501 16th Street North, Saint Petersburg, Florida 33705.

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

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Michael Leija, Value Group Enterprises, Inc., 12825 Alondra Boulevard, Norwalk, California 90650.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Pirate Motorcycles of The Treasure Coast, Inc., for the establishment of URAL motorcycles

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group (USA), Inc., intends to allow the establishment of KM Powersports #2, LLC, as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturing, Co., Ltd. (line-make BASH) at 1402 Highway 92 West, Auburndale, (Polk County), Florida 33823, on or after March 11, 2014.

The name and address of the dealer operator(s) and principal investor(s) of KM Powersports #2, LLC are dealer operator(s): Amber L. Moran, 1402 Highway 92 West, Auburndale, Florida 33823; principal investor(s): William K. Moran, 1402 Highway 92 West, Auburndale, Florida 33823.

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

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

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles,

Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Meiredith Huang, Peace Industry Group (USA), Inc., 2649 Mountain Industrial Boulevard, Tucker, Georgia 30084.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

KM Powersports 2, LLC, for the establishment of BASH motorcycles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group (USA), Inc., intends to allow the establishment of KM Powersports #2, LLC, as a dealership for the sale of motorcycles manufactured by Chongqing Astronautical Bashan Motorcycle Manufacturing, Co., Ltd. (line-make BASH) at 1402 Highway 92 West, Auburndale, (Polk County), Florida 33823, on or after March 11, 2014.

The name and address of the dealer operator(s) and principal investor(s) of KM Powersports #2, LLC are dealer operator(s): Amber L. Moran, 1402 Highway 92 West, Auburndale, Florida 33823; principal investor(s): William K. Moran, 1402 Highway 92 West, Auburndale, Florida 33823.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Meiredith Huang, Peace Industry Group (USA), Inc., 2649 Mountain Industrial Boulevard, Tucker, Georgia 30084.

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

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On February 5, 2014, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Mark David Turney, RN, license number RN 2528102. This Emergency Restriction Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

CH2M HILL

DEPARTMENT OF TRANSPORTATION

Notice of Granted Location and Design Concept Acceptance

On January 28, 2014 the Federal Highway Administration granted location and design concept acceptance for the following Federal-Aid project:

Financial Project Number: 429356-1-22-01

Federal-Aid Project Number: 3994-048-P

Project Description: This project involves the widening from four lanes to six lanes of approximately 2.4 miles of U.S. 441 (S.R. 500) from north of S.R. 46 to S.R. 44 in the City of Mount Dora, Lake County. The proposed improvements include roadway and driveway reconstruction, paving, drainage, stormwater treatment ponds, sidewalks, and modifications to medians, intersections and turn lanes within the study limits. The project includes lowering the posted speed to 50 mph and modifying the access management classification from Class 3 to Class 5 from Lincoln Avenue to Donnelly Street/S.R. 44.

This project will now proceed to the next phase of development.

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.
