

2. Completed Form ~~62-730.900(1)(c)~~ ~~62-730.900(1)(b)~~, 8700-12FL – Florida Notification of Regulated Waste Activity, effective date \_\_\_\_\_, which is adopted and incorporated by reference at paragraph ~~62-730.171(2)(a)~~ ~~62-730.150(2)(a)~~, F.A.C.

3. through (8) No change.

62-730.182 Criteria to Determine Whether Changes Constitute a “Substantial Modification” at Certain Existing Hazardous Waste Facilities That Are Otherwise Exempt From Statutory Location Standards.

(1)(a) through (c) No change.

(d) Hazardous waste facilities that meet all siting requirements of Section ~~403.7211~~ ~~403.7224~~, F.S.

(2) through (5)(g)1. No change.

a. The inhalation toxic endpoints shall be determined in accordance with the hierarchy provided in the “Technical Report for the Substantial Modification Rule for Chapter 62-730, F.A.C.” dated August 1, 2008, which is hereby adopted and incorporated by reference ~~technical report dated \_\_\_\_\_~~.

b. through (7)(a)1. No change.

2. Separated from the existing hazardous waste storage, treatment, disposal units, or areas by a sufficient distance (to be specified in the site-specific permit or other authorization based upon the flammability and explosive potential of the permitted waste types at their maximum permitted mass or volume; the types of containers and building materials; the available data on wind speed and relative humidity; any passive fire suppression systems; and the presence of natural or manmade features between the existing and proposed units) such that a spill, fire, or other accidental release will not result in the spread of a fire, spill, or other accidental release to the new unit or units.

(b) through (8) No change.

Specific Authority ~~403.0877~~, 403.7211 FS. Law Implemented ~~403.0877~~, ~~403.7211~~ ~~402.7244~~ FS. History–New \_\_\_\_\_.

62-730.900 Forms.

(1)(a) through (b) No change.

(c) 8700-12FL – Florida Notification of Regulated Waste Activity, \_\_\_\_\_ . [Form number ~~62-730.900(1)(c)~~]

(2) through (8) No change.

### Section IV Emergency Rules

#### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

#### DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER08-53  
RULE TITLE: Instant Game Number 767, LUCKY 7’s

SUMMARY: This emergency rule describes Instant Game Number 767, “LUCKY 7’s,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-53 Instant Game Number 767, LUCKY 7’s.

(1) Name of Game. Instant Game Number 767, “LUCKY 7’s.”

(2) Price. LUCKY 7’s lottery tickets sell for \$5.00 per ticket.

(3) LUCKY 7’s lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY 7’s lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.



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

1	2	3	4	5	6	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	EIGHT	NINE	TEN
11	12	13	14	15	16	18	19	20
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	EIGHTEEN	NINETEEN	TWENTY
21	22	23	24	25	26	28	29	30
TWENTYONE	TWENTYTWO	TWENTYTHREE	TWENTYFOUR	TWENTYFIVE	TWENTYSIX	TWENTYEIGHT	TWENTYNINE	THIRTY
								THREE
								DOUBLE

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

<b>\$2.00</b> TWO	<b>\$5.00</b> FIVE	<b>\$7.00</b> SEVEN	<b>\$10.00</b> TEN	<b>\$20.00</b> TWENTY
<b>\$25.00</b> TWENTY FIVE	<b>\$50.00</b> FIFTY	<b>\$75.00</b> SEVENTY FIVE	<b>\$77.00</b> SEVENTY SEVEN	<b>\$100</b> ONE HUNDRED
<b>\$250</b> TWO HUNDRED FIFTY	<b>\$300</b> THREE HUNDRED	<b>\$500</b> FIVE HUNDRED	<b>\$777</b> THREE SEVENTY SEVEN	<b>\$1,000</b> ONE THOUSAND
<b>\$5,000</b> FIVE THOUSAND	<b>\$7,777</b> SEVEN THOUSAND SEVENTY SEVEN	<b>\$10,000</b> TEN THOUSAND	<b>\$77,777</b> SEVENTY SEVEN THOUSAND SEVENTY SEVEN	

**(6) Determination of Prizewinners.**

(a) A ticket having a “” symbol and corresponding caption in the play area shall entitle the claimant to the prize shown for that symbol. A ticket having a “” symbol and corresponding caption in the play area shall entitle the claimant to double the prize shown for that symbol.

(b) The prizes are: \$2.00, \$5.00, \$7.00, \$10.00, \$20.00, \$25.00, \$50.00, \$75.00, \$77.00, \$100, \$250, \$300, \$500, \$777, \$1,000, \$5,000, \$7,777, \$10,000 and \$77,777.

(7) The estimated odds of winning, value and number of prizes in Instant Game Number 767 are as follows:

\$500	\$500	20,000.00	336
\$50 (77) + \$77 + \$300 (77)	\$777	672,000.00	10
\$777	\$777	672,000.00	10
\$100 x 10	\$1,000	1,680,000.00	4
\$1,000	\$1,000	1,680,000.00	4
\$7,777	\$7,777	1,344,000.00	5
\$5,000 (77)	\$10,000	1,680,000.00	4
\$10,000	\$10,000	1,680,000.00	4
\$77,777	\$77,777	672,000.00	10

(8) The estimated overall odds of winning some prize in Instant Game Number 767 are 1 in 3.38. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(9) For reorders of Instant Game Number 767, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(10) By purchasing a LUCKY 7's lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(11) Payment of prizes for LUCKY 7's lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-29-08.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.  
EFFECTIVE DATE: August 29, 2008

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER08-54  
RULE TITLE: Instant Game Number 768, WINFALL

SUMMARY: This emergency rule describes Instant Game Number 768, “WINFALL,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: This emergency rule describes Instant Game Number 768, “WINFALL,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 56 POOLS OF 120,000 TICKETS PER POOL
\$5	\$5	10.00	672,000
\$5 + \$2	\$7	30.00	224,000
\$7	\$7	30.00	224,000
\$5 (77)	\$10	30.00	224,000
\$10	\$10	20.00	336,000
\$2 + (\$5 x 3)	\$17	120.00	56,000
\$5 (77) + \$7	\$17	120.00	56,000
\$10 (77)	\$20	120.00	56,000
\$20	\$20	120.00	56,000
\$5 x 10	\$50	240.00	28,000
\$25 (77)	\$50	480.00	14,000
\$50	\$50	480.00	14,000
\$2 + (\$5 x 13) + \$10	\$77	2,608.70	2,576
\$2 + \$5 (77) + \$5 + \$10 + \$25 (77)	\$77	2,608.70	2,576
\$77	\$77	2,608.70	2,576
\$2 + (\$7 x 14)	\$100	1,500.00	4,480
\$5 (77) + \$20 (77) + \$25 (77)	\$100	1,500.00	4,480
\$50 (77)	\$100	1,500.00	4,480
\$100	\$100	1,500.00	4,480
(\$50 x 3) + \$75 (77) + \$100 (77)	\$500	20,000.00	336
\$250 (77)	\$500	20,000.00	336

sets forth the specifics of the game; determination of prizewinners; estimated odds of winning; value and number of prizes in the game.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER08-54 Instant Game Number 768, WINFALL.

(1) Name of Game. Instant Game Number 768, "WINFALL."

(2) Price. WINFALL lottery tickets sell for \$2.00 per ticket.

(3) WINFALL lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning WINFALL lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-20, F.A.C.

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

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

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

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

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

TICKET	\$2.00	\$3.00	\$4.00	\$5.00	\$6.00	\$10.00	\$15.00	\$20.00	\$25.00
TWO TICKETS	\$30.00	\$50.00	\$100	\$250	\$500	\$1,000	\$2,000	\$5,000	\$12,000
	THIRTY	FIFTY	ONE HUN	TWO HUN FTY	FIVE HUN	ONE THOU	TWO THOU	FIVE THOU	TLV THOU

(7) The legends are as follows:



(8) Determination of Prizewinners.

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

(b) The prizes are: TICKET, \$2.00, \$3.00, \$4.00, \$5.00, \$6.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$250, \$500, \$1,000, \$2,000, \$5,000 and \$12,000. A claimant who is entitled to a prize of a "TICKET" shall be entitled to a prize of a \$2.00 instant ticket or combination of instant tickets with a total value of \$2.00, except as follows. A person who submits by mail a WINFALL lottery ticket which entitles the claimant to a prize of a \$2.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$2.00 in lieu of an actual ticket.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 768 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 180,000 TICKETS PER POOL
TICKET	\$2 TICKET	12.50	604,800
\$2	\$2	25.00	302,400
\$2 x 2	\$4	25.00	302,400
\$5	\$5	18.75	403,200
\$2 + (\$4 x 2)	\$10	75.00	100,800
\$5 x 2	\$10	150.00	50,400
\$10	\$10	150.00	50,400
\$10 + \$15	\$25	360.00	21,000
\$5 + (\$10 x 2)	\$25	300.00	25,200
\$25	\$25	321.43	23,520
(\$5 x 2) + (\$10 x 2) + \$20	\$50	1,800.00	4,200
\$10 + (\$20 x 2)	\$50	1,800.00	4,200
\$50	\$50	3,600.00	2,100
(\$25 x 2) + \$50	\$100	1,636.36	4,620
(\$2 x 2) + (\$3 x 2) + \$4 + \$5 + \$6 + \$20 + \$25 + \$30	\$100	9,000.00	840
(\$50 x 2) + \$100	\$200	15,000.00	504
(\$250 x 2) + \$500	\$1,000	180,000.00	42
\$1,000	\$1,000	180,000.00	42
\$2,000 + (\$5,000 x 2)	\$12,000	1,512,000.00	5
\$12,000	\$12,000	1,512,000.00	5

(10) The estimated overall odds of winning some prize in Instant Game Number 768 are 1 in 3.98. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 768, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a WINFALL lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for WINFALL lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes.

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

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 8-29-08.

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

EFFECTIVE DATE: August 29, 2008

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

RULE NO.:	RULE TITLE:
68DER08-2	Emergency Regulation of Vessel Traffic – St. Johns River and Tributaries

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Recent rains from Tropical Storm Fay have caused severe flooding along various portions of the St. Johns River. The river has overflowed its banks in many places and expanded into the flood plain. This flooded condition has created an immediate danger to vessels transiting the area. Objects previously well above the water and objects previously on dry land have become wholly or partially submerged, creating hazards to navigation. These objects include without limitation, dwellings, electrical and telephone wires, utility poles, trees and stumps, docks and wharfs, boat houses, and sheds. The turbulent and muddy water has caused boats to allide dangerously upon submerged objects without warning. The flood now submerges the accustomed footpaths and handholds. Within these submerged areas, vessel wakes could cause persons to slip and fall, perhaps into the river. Under these circumstances, there is a substantial likelihood of injury or death. Operation of vessels on the waters of the St. Johns River, its associated lakes, and its tributaries from Lake George to State Road 50 presents an immediate danger to vessels and their occupants and to persons in or near the river when the

river is at or above flood stage. Based on river flood levels, emergency regulations either exclude or restrict vessel operation to Idle Speed No Wake.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: There is general concurrence from Volusia, Seminole, Brevard, Orange and Lake Counties, the Florida Fish & Wildlife Conservation Commission’s field office in Ocala, and the FWC Boating and Waterways Section, that enactment of the restricted areas based on water levels and gauge readings within segments of the St. Johns River, its associated lakes, and its tributaries is essential for the protection of public safety.

The boating restricted areas established in this emergency rule shall be active and enforceable only when the water levels are as specified in each area. The Commission established regulations based on the United States Geological Survey gauge levels as displayed by the National Weather Service’s Advanced Hydrologic Prediction Service. These river levels are available in real time to the general public and to law enforcement agencies through the National Weather Service’s web site at [www.weather.gov/ahps](http://www.weather.gov/ahps).

This emergency rulemaking is being coordinated with the United States Coast Guard, the United States Army Corps of Engineers, and the sheriffs of the affected counties. The Commission has consulted with the Executive Office of the Governor and through the sheriffs of the respective counties coordinated this action with the Board of County Commissioners of each county in which the restricted areas are located. The emergency rule will be forwarded to the United States Coast Guard Seventh District for publication in their weekly Local Notice to Mariners. The boating public will be notified by publication in the local notice, by marine VHF radio broadcast of the Coast Guard’s local notice, by personal contact from law enforcement officers, and by regulatory markers posted at boat ramps and other access points to the boating restricted areas.

Because the water levels on the St. Johns River are in constant flux, varying in response to wind directions, wind speed, and accumulated rainfall, the danger to life and property is such that normal rulemaking procedures would not adequately protect the public from the anticipated harm. The procedures used in this emergency rulemaking action are therefore fair under the circumstances.

SUMMARY: This emergency rule supersedes and replaces Emergency Rule 68DER08-1 filed for adoption with the Department of State on August 25, 2008. This action establishes: 1) An Idle Speed No Wake boating restricted area on the waters south of Lake George fender system to the Highlands Park Canal at Day Mark 39 to be in effect and enforceable when the St. Johns River level is at specified flood stage levels, 2) An Idle Speed and No Vessel boating restricted area from the Highlands Park Canal at Day Mark 39 and the I-4 Bridge to be in effect and enforceable when the St. Johns River

level is at specified flood stages, 3) An Idle Speed boating restricted area from the I-4 Bridge to a select location within the southern portion of Lake Monroe to be in effect and enforceable when the St. Johns River level is at specified flood stages, and 4) An Idle Speed and No Vessel boating restricted area south of a select location within the southern portion of Lake Monroe to State Road 50 Bridge to be in effect and enforceable when the St. Johns River level is at specified flood stages. The exclusion areas will not apply to vessels under the command of U.S. Coast Guard licensed Masters, vessels owned or operated by governmental entities or are being used for governmental purposes, or persons resident at riparian property. Vessels are required to proceed only at Idle Speed No Wake. Residents will be allowed access to their properties at Idle Speed No Wake, but will be required to carry proof of residency and have it available for inspection.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Major Paul Ouellette, Boating and Waterways Section, Division of Law Enforcement, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE EMERGENCY RULE IS:

68DER08-2 Emergency Regulation of Vessel Traffic – St. Johns River and Tributaries.

(1) This emergency rule supersedes and replaces Emergency Rule 68DER08-1 filed for adoption with the Department of State on August 25, 2008.

(2) For the purpose of protecting public safety during flood conditions, the following boating restricted areas are established on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, as follows:

(a) Lake George fender system and Highlands Park Canal at Day Mark 39 – An Idle Speed No Wake boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, from a line drawn perpendicular to the centerline of the Lake George fender system south to the line drawn perpendicular to the centerline of the Highlands Park Canal at the south end of that canal at Day Mark 39, to be in effect and enforceable when the St. Johns River level is at 2.8 feet or higher as indicated by the United States Geological Survey gauge at the S. R. 40 Bridge over the St. Johns River at Astor (ASTF1).

(b) Highlands Park Canal at Day Mark 39 and the I-4 Bridge –

1. An Idle Speed No Wake boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, from a line drawn perpendicular to the centerline of the Highlands Park Canal at the south end of that canal at Day Mark 39 to the centerline of the north span (westbound lanes) of the I-4 Bridge over the St. Johns River, to be in effect and enforceable when the St. Johns

River level is at 4.2 feet or higher as indicated by the United States Geological Survey gauge at the S. R. 44 Bridge over the St. Johns River near Deland (DLAF1).

2. A No Vessel boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, from a line drawn perpendicular to the centerline of the Highlands Park Canal at the south end of that canal at Day Mark 39 to the centerline of the north span (westbound lanes) of the I-4 Bridge over the St. Johns River, to be in effect and enforceable when the St. Johns River level is at 5.0 feet or higher as indicated by the United States Geological Survey gauge at the S. R. 44 Bridge over the St. Johns River near Deland (DLAF1).

(c) I-4 Bridge and Lake Monroe Vicinity - An Idle Speed No Wake boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, from the centerline of the north span (westbound lanes) of the I-4 Bridge south and east to a line drawn at 81 degrees 15 minutes 00 seconds West Longitude within Lake Monroe, to be in effect and enforceable when the St. Johns River level is at 7.0 feet or higher as indicated by the United States Geological Survey gauge at the U.S. Highway 17/92 Bridge over the St. Johns River near Sanford (SNFF1).

(d) Lake Monroe to State Road 50 Bridge –

1. An Idle Speed No Wake boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, south and east of a line drawn at 81 degrees 15 minutes 00 seconds West Longitude within Lake Monroe east and south to the centerline of the S.R. 50 Bridge, to be in effect and enforceable when the St. Johns River level is at 8.5 feet or higher as indicated by the United States Geological Survey gauge at the S.R. 46 Bridge over the St. Johns River above Lake Harney near Geneva (GENF1).

2. A No Vessel boating restricted area on the St. Johns River, from shoreline to shoreline and including its associated lakes and its tributaries, south and east of a line drawn at 81 degrees 15 minutes 00 seconds West Longitude within Lake Monroe east and south to the centerline of the S.R. 50 Bridge, to be in effect and enforceable when the St. Johns River level is at 9.0 feet or higher as indicated by the United States Geological Survey gauge at the S.R. 46 Bridge over the St. Johns River above Lake Harney near Geneva (GENF1).

(3) (a) The restrictions in this rule do not apply:

1. In situations requiring immediate action to protect life, limb, and property from imminent danger;

2. To law enforcement or fire fighting vessels;

3. To rescue vessels owned or operated by governmental entities;

(b) The No Vessel restrictions in paragraph (2) do not apply to the following vessels:

1. Any vessel under the command of an individual licensed by the United States Coast Guard to serve as Master of Steam or Motor Vessels;

2. Vessels owned or operated by governmental entities or are being used for governmental purposes under contract with a governmental entity.

3. Vessels operated by individuals resident at riparian property within the No vessel boating restricted area may traverse these waters but must proceed directly to and from their properties without delay or diversion and must carry proof of residency and have it available for inspection on board the vessel.

4. Proceed only at Idle Speed No Wake.

(4) When in Effect – each boating restricted area established in subsection (2) shall be active and enforceable only when the water level is as specified in each respective paragraph. For purposes of this emergency rule, all referenced river levels are as displayed by the National Weather Service’s Advanced Hydrologic Prediction Service on its web site at [www.weather.gov/ahps](http://www.weather.gov/ahps).

(5) As provided in Section 327.70, F.S., this emergency rule shall be enforced by the Division of Law Enforcement of the Fish and Wildlife Conservation Commission and its officers, the sheriffs of the various counties through which these waters flow and their respective deputies, and any other duly constituted law enforcement officers.

(6) Except as provided in subsection (7), any person failing to comply with the provision of this emergency rule shall be guilty of a noncriminal infraction, punishable as provided in Section 327.73, F.S.

(7) No person shall at any time willfully or wantonly operate any vessel at a speed or in a manner so as to cause a wake that endangers or is likely to endanger life or limb, or damage the property of, any person. Section 327.33(1), F.S., provides that any person who willfully or wantonly operates any vessel at a speed or in a manner as to endanger, or likely to endanger, life or limb, or damage the property of, any person, commits the offense of reckless operation, a misdemeanor of the first degree, punishable as provided in Section 775.082 or Section 775.083, F.S.

(8) This emergency rule takes effect immediately upon being filed with the Department of State and will continue in effect for 90 days or until the Executive Director of the Agency finds that the flooding conditions have sufficiently abated so that the restrictions are no longer justified.

(9) This emergency rule does not affect existing state boating restricted areas described in Rules 68C-22.012 and 68D-24.018, F.A.C. that are outside the areas regulated in this emergency rule.

Specific Authority 327.04, 327.46 FS. Law Implemented 327.33, 327.46 FS. History–New 8-29-08.

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

EFFECTIVE DATE: August 29, 2008

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

### DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on September 2, 2008, the Criminal Justice Standards and Training Commission, received a petition for a temporary waiver of subsection 11B-27.002(4), F.A.C., by the City of St. Petersburg Police Department on behalf of Christopher Dixon. This rule requires a candidate to complete basic recruit training, pass the State Officer Certification Examination, and obtain employment within four years of beginning basic recruit training.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489, (850)410-7676.

### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

### PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN THAT the Florida Public Service Commission has received a petition from Florida Division of Chesapeake Utilities Corporation, filed August 15, 2008, in Docket No.: 080547-EI, seeking a permanent waiver of the requirements of subsections 25-7.084(2) and 25-7.085(4), Florida Administrative Code. The rules require monthly meter readings taken from the meter at the customers’ premises. The company is currently installing automatic meter-reading equipment throughout its system, which alleviates the need for meter readings on the customers’ premises. Comments on the petition should be filed with the Florida Public Service Commission, Office of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice. A copy of the petition may be obtained by contacting: Florida Public Service Commission,