

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF REVENUE

RULE NO.: 12-24.023 **RULE TITLE:** Recordkeeping Requirements – General
PURPOSE AND EFFECT: The purpose of the proposed amendments to Rule 12-24.023, F.A.C. (Recordkeeping Requirements – General), is to remove obsolete provisions regarding the tax return previously used for reporting the communications services tax on substitute communications systems, which was repealed by Chapter 2005-187, L.O.F.
SUBJECT AREA TO BE ADDRESSED: The subject of the rule workshop is the removal of an obsolete provision regarding the substitute communications systems tax return required prior to the repeal of the tax on substitute communications systems by Chapter 2005-187, L.O.F.
RULEMAKING AUTHORITY: 202.26(3)(a), 213.06(1), 443.1317 FS.
LAW IMPLEMENTED: 202.30, 213.34, 213.35, 443.1317, 443.163 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: September 5, 2013, 10:00 a.m.
PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1820, Tallahassee, Florida
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-4387. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7610

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

PART II TAXPAYER RECORDKEEPING AND RETENTION REQUIREMENTS

12-24.023 Recordkeeping Requirements – General.
 (1) through (4) No change.
 (5) Pursuant to Section 202.28(1), F.S., taxpayers who fail to properly initiate a communications services tax return ~~or a substitute communications systems tax return~~ by electronic data interchange (~~EDI~~) as required in Section 202.30(2), F.S., are not authorized to claim the collection allowance authorized by Section 202.28, F.S., for the proper filing of tax returns.
 Rulemaking Authority 202.26(3)(a), 213.06(1), 443.1317 FS. Law Implemented 202.30, 213.34, 213.35, 443.1317, 443.163 FS. History–New 10-24-96, Amended 4-30-02, 10-5-03,_____.

DEPARTMENT OF REVENUE

Sales and Use Tax

RULE NO.: 12A-19.022 **RULE TITLE:** Prepaid Calling Arrangements
PURPOSE AND EFFECT: The Department is developing new Rule 12A-19.022, F.A.C. (Prepaid Calling Arrangements), to provide guidance to taxpayers on the application of Florida taxes to the retail sale of prepaid communications plans and services.
SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed are the application of the definitions of a “prepaid calling arrangement” and “sales price,” as those terms are defined in subsections 202.11(9) and (13), F.S., to the retail sale of prepaid communications plans and services.
RULEMAKING AUTHORITY: 202.26(3)(c) FS.
LAW IMPLEMENTED: 202.11(9), (13), 202.12, 202.19 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
DATE AND TIME: October 15, 2013, 9:00 a.m.
PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1220, Tallahassee, Florida
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Tammy Miller at (850)617-8347. If you are hearing or speech impaired, please contact the agency using

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ellen Wolfgang, Deputy Director, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)617-8346
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-17.004 Citations

PURPOSE AND EFFECT: The rule amendment reduces the reasons for citations

SUBJECT AREA TO BE ADDRESSED: Reasons for citations

RULEMAKING AUTHORITY: 456.077 FS.

LAW IMPLEMENTED: 456.072(4), 456.077 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: Allen Hall, Executive Director, Department of Health, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.: RULE TITLES:

65C-41.001 Definitions

65C-41.002 Youth Program Participation Requirements

65C-41.003 Application Procedures for Initial Participation and Re-entry

65C-41.004 Case Management Services For Young Adults in Extended Foster Care

65C-41.005 Judicial Interaction

65C-41.006 Discharge from Program

65C-41.007 Appeals

65C-41.008 Fiscal Management Requirements

PURPOSE AND EFFECT: The purpose of this rule development is to conform to new provisions of Sections: 39.013, 39.6013, 39.701, 409.145, 409.1451, 409.175, and 409.903 and created Sections 39.6035 and 39.6251, Florida Statutes, which were amended and created during the 2013 Legislative Session. The effect will be to create a new system of care for young adults age 18-21 who wish to remain or reenter care.

SUBJECT AREA TO BE ADDRESSED: The creation of this chapter will address continuing jurisdiction over young adults 18-21 years old who wish to remain in care, the services to which these young adults are entitled, and the manner in which those services must be provided, including an appeal procedure for program applicants.

RULEMAKING AUTHORITY: 39.012, 39.0121, 409.1451(10) FS.

LAW IMPLEMENTED: 39.013, 39.6013, 39.701, 409.145, 409.1451, 409.175, 409.903 FS., and created sections 39.6035, 39.6251. S. as amended and created by 2013 SB 1036.

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

DATE AND TIME: September 3, 2013, 10:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Children and Families, 1317 Winewood Blvd., Building 4, Tallahassee, FL 32399

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: Carrie Toy, Office of Child Welfare, 1317 Winewood Blvd., Tallahassee, FL 32399, Email: Carrie_Toy@dcf.state.fl.us, Telephone: (850)717-4491. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Carrie Toy, Office of Child Welfare, 1317 Winewood Blvd., Tallahassee, FL 32399, Email: Carrie_Toy@dcf.state.fl.us, Telephone: (850)717-4491

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-3.035: Agreements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to incorporate by reference the amended water well permitting delegation agreement between St. Johns River Water Management District and the Florida Department of Health in Orange County.

SUMMARY: The proposed rule would incorporate by reference the District’s water well permitting delegation agreement with the Florida Department of Health in Orange County allowing for local regulation of the construction, repair, and abandonment of water wells less than six inches in diameter, unless these wells are in a Chapter 62-524, F.A.C., delineated area or part of a closed-loop geothermal system.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The SERC is available to the public upon request.

The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District in preparing and completing those documents, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.046, 373.083, 373.308, 373.309 FS.

A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Following the regularly scheduled Governing Board Meeting on September 10, 2013 which begins immediately following the Regulatory Committee Meeting that begins at 10:00 a.m.

PLACE: St. Johns River Water Management District Headquarters, Executive Building, 4049 Reid Street, Palatka, Florida 32177

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: Sandy Betram, District Clerk, at (386)329-4127 or sbertram@sjrwmd.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wendy Gaylord, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026, email wgaylord@sjrwmd.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-3.035 Agreements.

The Governing Board hereby incorporates by reference the following documents:

(1) through (16) No change.

(17) An agreement between Florida Department of Health in Orange County and St. Johns River Water Management District entitled Water Well Permitting Delegation Agreement dated (effective date).

~~(18)~~(17) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.046, 373.083, 373.109, 373.308, 373.309 FS. History—New 10-14-84, Amended 12-5-85, Formerly 40C-3.035, 40C-3.0035, Amended 1-8-96, 4-21-96, 7-21-96, 12-22-96, 3-10-97, 1-3-00, 9-6-01, 6-25-02, 7-25-02, 1-11-06, 5-18-06, 5-24-07, 5-20-08, 1-5-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Karen Ferguson, Assistant General Counsel, St Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)326-3026

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the St Johns River Water Management District
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 10, 2013

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
 65A-1.712 SSI-Related Medicaid Resource Eligibility Criteria

PURPOSE AND EFFECT: This SSI-Related Medicaid rule primarily updates the fair hearing language in the Medicaid Transfer Disposition Notice, CF-ES 2358, and incorporates it by reference. Included in this proposed rule amendment are wording and technical changes to improve the overall content of the rule.

SUMMARY: The proposed rule amends the Medicaid Transfer Disposition Notice, CF-ES 2358.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: 409.919 FS.

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

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

DATE AND TIME: September 10, 2013, 10:00 a.m.

PLACE: 1317 Winewood Boulevard, Building 3, Room 439, Tallahassee, Florida 32399-0700

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.712 SSI-Related Medicaid Resource Eligibility Criteria.

(1) through (2) No change.

(3) Transfer of Resources and Income. According to 42 U.S.C. § 1396p(c), if an individual, the spouse, or their legal representative, disposes of resources or income for less than fair market value on or after the look back date, the Department must presume that the disposal of resources or income was to become Medicaid eligible and impose a period of ineligibility for ICP, Institutional Hospice or HCBS Waiver Programs. The Department will mail a Notice of Determination of Assets (or Income) Transfer, CF-ES 2264, 02/2007, incorporated by reference, to individuals who report a transfer for less than fair market value (~~Form CF-ES 2264, 02/2007, Notice of Determination of Assets (Or Income) Transfer, incorporated herein by reference~~), advising of the opportunity to rebut the presumption and of the opportunity to request and support a claim of undue hardship per subparagraph (c)5. below. If the Department determines the individual is eligible for Medicaid on all other factors of eligibility except the transfer, the individual will be approved for general Medicaid (not ICP, Institutional Hospice or HCBS

Waiver Programs) and advised of their penalty period using the (Form 2358, 02/2007, Medicaid Transfer Disposition Notice, CF-ES 2358, 07/2013, incorporated herein by reference). Transfers of resources or income made prior to January 1, 2010 are subject to a 36 month look back period, except in the case of a trust treated as a transfer in which case the look back period is 60 months. Transfers of resources or income made on or after January 1, 2010 are subject to a 60 month look back period.

(a) through (6) No change.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.906, 409.919 FS. History—New 10-8-97, Amended 1-27-99, 4-1-03, 9-28-04, 8-10-06 (1)(a), (f), 8-10-06 (1)(f), 8-10-06 (3)(g)1., 11-1-07, 12-24-09, 9-10-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Lawayne E. Salter

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Esther Jacobo

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 2, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 22, 2013

Section III

Notice of Changes, Corrections and Withdrawals

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

RULE NO.: RULE TITLE:
29F-21.001 Strategic Regional Policy Plan
 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. 130, July 5, 2013 issue of the Florida Administrative Register.

Rule 29F-21.001 has been modified to read as follows:

There is hereby adopted, for the east Central Florida region, the Amended Strategic Regional Policy Plan, (2060 Plan)(November 11, 2011) which is incorporated herein by reference. Copies are available at the offices of the East Central Florida Regional Planning Council at 309 Cranes Roost Blvd., Suite 2000, Altamonte Springs, Florida 32701 between the hours of 8:30 a.m. and 5:00 p.m. Monday through Friday.

Under the provisions of Section 186.508, F.S., the attached material(s) take effect upon filing with the Department of State.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-330.010	Purpose and Implementation
62-330.020	Regulated Activities
62-330.050	Procedures for Review and Agency Action on Exemption Requests
62-330.051	Exempt Activities
62-330.0511	No-fee Noticed Exemptions for Construction, Operation, Maintenance, Alteration, Abandonment or Removal of Minor Silvicultural Surface Water Management Systems
62-330.052	General Permits – General
62-330.054	Individual Permits
62-330.055	Conceptual Approval Permits for Urban Infill or Redevelopment
62-330.056	Other Conceptual Approval Permits
62-330.060	Content of Applications for Individual and Conceptual Approval Permits
62-330.062	Water Quality Certification and Costal Zone Consistency Concurrence
62-330.071	Fees
62-330.090	Processing of Individual and Conceptual Approval Permit Applications
62-330.201	Formal Determinations of the Landward Extent of Wetlands and Other Surface Waters
62-330.301	Conditions for Issuance of Individual and Conceptual Approval Permits
62-330.302	Additional Conditions for Issuance of Individual and Conceptual Approval Permits
62-330.310	Operation and Maintenance
62-330.340	Transfer of Permit Upon Change in Ownership or Control
62-330.350	General Conditions for Individual Permits
62-330.360	Emergency Authorizations and Actions
62-330.395	Variances
62-330.401	Policy and Purpose
62-330.402	Submittal and Processing of General Permits
62-330.405	General Conditions for All Noticed General Permits
62-330.410	Noticed General Permit for Dredging by the West Coast Inland Navigation District
62-330.412	Noticed General Permit for Public Navigation Channel and Canal Infrastructure by the West Coast Inland Navigation District within Lee County
62-330.417	General Permit for Construction, Alteration, Operation, and Maintenance of Boat Ramp Facilities
62-330.427	General Permit for Certain Piers and Associated Structures
62-330.428	General Permit for Floating Vessel Platforms and Floating Boat Lifts
62-330.431	General Permit for Installation of Riprap
62-330.437	General Permit for the Installation of Fences

62-330.443 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation

62-330.447 General Permit to the Florida Department of Transportation, Counties, and Municipalities for Minor Activities Within Existing Rights-of-Way or Easements

62-330.450 General Permit for Construction, Alteration, and Operation of Urban Infill and Redevelopment Activities in Conformance with the Conceptual Approval Permit in Rule 62-330.056, F.A.C.

62-330.451 General Permit to Counties, Municipalities, and other Agencies to Conduct Stormwater Retrofit Activities

62-330.453 General Permit for Installation, Maintenance, Repair, and Removal of Underground Cable, Conduit, or Pipeline

62-330.455 General Permit for the Construction of Aerial Pipeline, Cable, and Conduit Crossings of Certain Waters

62-330.458 General Permit for the Construction and Maintenance of Electric Power Lines by Electric Utilities

62-330.459 General Permit for Relocation of Aerial Electric and Communication Lines Associated with Road Improvement Projects

62-330.463 General Permit for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control Impoundments by Governmental Mosquito Control Agencies

62-330.475 General Permit for Minor Activities

62-330.483 General Permit to the Department and Water Management Districts to Conduct Minor Activities

62-330.485 General Permit to the Department and Water Management Districts for Environmental Restoration or Enhancement

62-330.487 General Permit to the Department and Water Management Districts to Change Operating Schedules for Water Control Structures

62-330.488 General Permit to Governmental Entities for Certain Public Use Facilities at Public Natural Areas

62-330.490 General Permit for the Reclamation of Eligible Phosphate Lands Mined Before July 1, 1975

62-330.492 Noticed General Permit for Prospecting

62-330.493 General Permit to Perform Prospecting Activities for Phosphate Minerals

62-330.494 General Permit for Temporary Dragline Crossings of Waterways

62-330.495 General Permit for Low Water Crossings

62-330.496 General Permit for Dry Borrow Pits of Less than Five Acres

62-330.501 General Permit for Temporary Agricultural Activities within the South Florida Water Management District

62-330.505 General Permit to the U.S. Forest Service for Minor Works within National Forests

62-330.600 General Permit for the Construction of Artificial Reefs

62-330.602 General Permit for Installation and Maintenance of Intake and Discharge Pipes Associated with Marine Bivalve Facilities

62-330.630 General Permit to U.S. Army Corps of Engineers for Environmental Restoration or Enhancement Activities

62-330.631 General Permit to Governmental Entities for Limited Environmental Restoration or Enhancement Activities

62-330.632 General Permit for the Restoration, Establishment and Enhancement of low profile Oyster Habitat

62-330.635 General Permit for Soil Remediation

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. 72, April 12, 2013 issue of the Florida Administrative Register.

Changes were made to address written comments received before the end of the public hearing process and to address comments from JAPC.

62-330.010 Purpose and Implementation.

(1) No change.

(2) The ERP program governs the following: construction, alteration, operation, maintenance, repair, abandonment, and removal (~~all of the former collectively referred to throughout this chapter as “activities”~~) of stormwater management systems, dams, impoundments, reservoirs, appurtenant works, and works (including docks, piers, structures, dredging, and filling located in, on or over wetlands or other surface waters, as defined and delineated in Chapter 62-340, F.A.C.) (any one or a combination of these may be all of the latter collectively referred to throughout this chapter as “projects” or “systems”).

(3) The responsibilities for implementing this chapter are described in Operating and Delegation Agreements between

the Department of Environmental Protection (“Department”), the water management districts (“Districts”) ~~created under Section 373.069, F.S., and local governments delegated under Section 373.441, F.S., (“delegated local governments”). The Agreements are incorporated by reference in Rule 62-113.100, F.A.C.~~ The term “Agency” applies to the Department, a District, or a delegated local government, as applicable, throughout this chapter. ~~The Agreements are incorporated by reference in Chapter 62-113, F.A.C., accessible at www.dep.state.fl.us/legal/Operating_Agreement/operating_agreements.htm, or by contacting the applicable Agency.~~

(4) No change.

(a) Applicant’s Handbook Volume I, “General and Environmental” (hereinafter “Volume I”) applies statewide to all activities regulated under Chapter 62-330, F.A.C. It includes explanations, procedures, guidance, standards, and criteria on what is regulated by this chapter, the types of permits available, how to submit an application or notice for a regulated activity to the Agencies, how applications and notices are reviewed, the standards and criteria for issuance, and permit duration and modification. ~~Volume I, including all the appendices except A, B, D and E, are with Appendix C, but excluding the other appendices, is incorporated by reference herein by the Department, [effective date] (insert DOS URL) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02522>).~~ Also incorporated by reference in this Volume are:

1. ~~Guidelines for Determining Flood Flow Frequency, USGS Bulletin 17B of the Hydrology Subcommittee Revised September 1981; Editorial Corrections March 1982,” http://water.usgs.gov/osw/bulletin17b/dl_flow.pdf, as referenced in section 2.0(a)59;~~

2. ~~The “Florida Wildlife Conservation Guide” (2011) [add URL for the guide found at myfwc.com/conservation/value/fwec/], referenced in section 40.2.2.; and~~

3. ~~Rule 68A 4.009, F.A.C., Florida Black Bear Conservation, (August 23, 2012) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02520>), referenced in section 40.2.7.~~

(b) An Applicant’s Handbook Volume II (hereinafter, “Volume II”), has been adopted for use within each District. Each District’s Volume II is incorporated by reference herein and in the rules listed below, which also are incorporated by reference herein. These rules and Handbook Volumes are available as provided in subsection (5), below.

1. Northwest Florida Water Management District – “Department of Environmental Protection and Northwest Florida Water Management District Environmental Resource Permit Applicant’s Handbook – Volume II (Design and Performance Standards Including Basin Design and Criteria),” including all appendices Appendices A through D, is incorporated by reference herein [effective date] and available at: (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02521>) or from the Agency as provided in subsection (5). ~~Also incorporated by reference in this Volume are:~~

a. ~~Chapter 5 of the Florida Land Development Manual (June 1988) available at (URL), referenced in section 4.5.2 and Appendix B-2 of Volume II; and~~

b. ~~Section 3.10 of Chapter 6 of the Florida Land Development Manual (June 1988); available at (URL), referenced in section 6.1 and Appendix B-2 of Volume II.~~

2. Suwannee River Water Management District, Applicant’s Handbook Volume II, is incorporated by reference herein, [effective date] (insert DOS URL), and in subsection ~~40B-400.091(3)~~ ~~40B-400.091(4)~~, F.A.C., [effective date] (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02523>).

3. St. Johns River Water Management District, Applicants Handbook Volume II, is incorporated by reference herein, [effective date] (insert DOS URL), and in subsections ~~40C-4.091(1)~~ [effective date] (insert DOS URL) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02524>), ~~40C-42.091(1)~~ [effective date] (insert DOS URL) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02525>), and ~~40C-44.091(1)~~, F.A.C., [effective date] (insert DOS URL) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02526>).

4. through 5. No change.

A copy of the incorporated material identified above may be obtained from the Agency internet site, <http://www.dep.state.fl.us/water/wetlands/erp/rules/guide.htm>, or as described in subsection 62-330.010(5), F.A.C. <http://www.dep.state.fl.us/water/wetlands/erp/rules/guide.htm>, or as described in subsection 62-330.010(5), F.A.C.

(5) through (6) No change.

~~(7) All notices to or filings with the Department shall be made in accordance with Title 28, F.A.C., or subsections 62-110.106, F.A.C., as appropriate. All notices to or filings with a District shall be made in accordance with Title 28, F.A.C., and subsections 40A-1.1003, 40A-1.1010, 40C-1.1007, 40D-1.1010, 40E-0.109 and 40E-1.6058, F.A.C., as appropriate.~~

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.418, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.409, 373.413, 373.4131, 373.414(9), 373.4141, 373.4142, 373.4145, 373.416, 373.423, 373.426, 373.428, 373.429, 373.441 FS. History—New _____.

62-330.020 Regulated Activities.

(1) through (2) No change.

(3) The following types of permits are available:

(a) A general permit, as provided in Rule 62-330.052, F.A.C., and Rules 62-330.407 ~~62-330.404~~ through 62-330.635, F.A.C.

(b) through (c) No change.

62-330.050 Procedures for Review and Agency Action on Exemption Requests.

(1) No change.

(2) If a person desires Agency verification of qualification to conduct an exempt activity, and a self-certification is not available or the person chooses not to use a self-certification, they may submit a written or electronic Form 62-330.050(1) – “Request for Verification of an Exemption,” (effective date), incorporated by reference herein (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02468>), or a letter that clearly requests an exemption verification. A copy of the form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. Such request must include:

(a) through (f) No change.

(3) Additional information on completing and submitting a request for verification of an exemption is contained in Rule 62-330.061, F.A.C., and sections 3.2, 4.2, and 4.2.1 of Volume I.

(3) through (8) renumber (4) through (9) No change.

Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.4145, 403.805(1) FS. Law Implemented 373.109, 373.406, 373.4131, 373.4145, 403.813(1), 668.003, 668.004, 668.50 FS. History—New _____.

62-330.051 Exempt Activities.

The activities meeting the limitations and restrictions below are exempt from permitting. However, if located in, on, or over state-owned submerged lands, they are subject to a separate authorization under Chapters 253 and 258, F.S., and Chapters 18-18, 18-20, and 18-21, F.A.C., as applicable.

(1) through (2) No change.

(3) Aquatic Plant and Organic Detrital Control and Removal –

(a) through (b) No change.

(c) Aquatic plant control where the activity qualifies for an exemption authorized under Section 369.20, F.S., ~~or Rule 68F-20.0035, F.A.C., or in is authorized under~~ a permit from the Florida Fish and Wildlife Conservation Commission under Section 369.20 or 369.22, F.S.; and the harvested plant ~~planted~~ material is not disposed of in wetlands or other surface waters, or in a manner that adversely affects water quality or flood control.

(4) Bridges, Driveways, and Roadways –

(a) No change.

(b) Construction, alteration, or maintenance, and operation, of culverted driveway or roadway crossings and bridges of wholly artificial, non-navigable drainage conveyances, provided:

1. through 7. No change.

8. All work shall comply with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.

(c) Minor roadway safety construction, alteration, or maintenance, and operation, provided:

1. through 2. No change.

3. All work is conducted in compliance with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.; and

4. No change.

(d) Resurfacing of existing paved roads, and grading of existing unpaved roads, provided:

1. through 2. No change.

3. All work is conducted in compliance with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.

(e) Repair, stabilization, or paving of existing unpaved roads, and the repair or replacement of vehicular bridges that are part of the unpaved road, where:

1. They were in existence on or before January 1, 2002, and have:

a. Been publicly-used and under county or municipal ~~municipally~~ ownership and maintenance thereafter, including when they have been presumed to be dedicated in accordance with Section 95.361, F.S.;

b. through c. No change.

2. through 7. No change.

8. All work is conducted in compliance with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.

(5) Dock, Pier, Boat Ramp and Other Boating-related Work –

(a) No change.

(b) Installation of private docks, piers, and recreational docking facilities, and installation of local governmental piers

and recreational docking facilities, in accordance with Section 403.813(1)(b), F.S. This includes associated structures such as boat shelters, boat lifts, and roofs, provided:

1. No change.
2. No structure is enclosed on more than three sides with walls and doors; ~~and~~
3. through 4. No change.
- (c) through (g) No change.

(6) Construction, alteration, maintenance, operation, and removal of freshwater fish attractors by the Florida Fish and Wildlife Conservation Commission, U.S. Forest Service, and county and municipal governments, provided:

1. through 7. No change.
8. The provisions of paragraph 62-330.050(9)(d) ~~62-330.050(8)(d)~~, F.A.C., also shall apply to protect listed species during the work.

(7) Maintenance and Restoration –
(a) through (b) No change.

(c) The restoration of existing insect control impoundment dikes, and the connection of such impoundments to tidally influenced waters under ~~in accordance with~~ Section 403.813(1)(p), F.S., provided:

1. through 4. No change.
- (d) Alteration and maintenance of treatment or disposal systems under ~~in accordance with~~ Rule 62-340.700, F.A.C.

(e) Construction and maintenance of swales under ~~in accordance with~~ Section 403.813(1)(j), F.S.

~~(f) The operation and maintenance of stormwater management systems constructed or altered in conformance with Section 403.814(12), F.S.~~

- (g) renumber (f) No change.
- (g) Port dredging under Section 403.813(3), F.S.
- (8) No change.
- (9) Pipes or Culverts –
(a) No change.

(b) Construction, alteration, operation, maintenance, and removal of outfall pipes, together with associated headwalls, and energy dissipation baffles, rocks, and other scour-reduction devices at the outfall locations, provided:

1. through 6. No change.
7. All work is conducted in compliance with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.

(c) The extension of existing culverts and crossing approaches when done to accommodate an activity that does not require a permit under this chapter, when:

1. No change.
2. All work is conducted in compliance with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.

(10) The construction, alteration, maintenance, removal or abandonment of recreational paths for pedestrians, bicycles, and golf carts, provided the paths:

- (a) through (c) No change.
- (d) Comply with the limitations and restrictions in paragraph 62-330.050(9)(a) ~~62-330.050(8)(a)~~, F.A.C.

(11) Sampling and Testing –

(a) Collection of seagrass, macroalgae, and macrobenthos in accordance with the terms and conditions of a permit or license ~~Marine Special Activity License~~ issued by the Florida Fish and Wildlife Conservation Commission under Chapter 68B-8, F.A.C., (November 19, 2009), incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref 02532>). ~~A copy may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.~~

(b) Construction, operation, maintenance, and removal of scientific sampling, measurement, and monitoring devices, provided:

1. through 3. No change.
4. All work is conducted in compliance with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.

(c) No change.

(12) Construction, Restoration, Enhancement, and Repair of Seawall, Riprap, and Other Shoreline Stabilization –

(a) Construction replacement, and repair of seawalls or riprap in artificial waters and residential canal systems under ~~in accordance with~~ Section 403.813(1)(i), F.S., including only that backfilling needed to level the land behind seawalls or riprap;

(b) The restoration of a seawall or riprap under ~~in accordance with~~ Section 403.813(1)(e), F.S., where:

1. The seawall or riprap is still functional or has been damaged or destroyed rendered non-functional within the last year by a discrete event, such as a storm, flood, accident, or fire or where the seawall or rip rap restoration or repair involves only minimal backfilling to level the land directly associated with the restoration or repair and does not involve land reclamation as the primary project purpose, as further explained in section 3.2.4 of Volume I;

2. through 3. No change.
- (c) through (d) No change.
- (e) Restoration of an eroding shoreline with native wetland vegetative enhancement plantings, provided:

1. through 5. No change.
6. No fill is placed other than that needed to support the vegetative plantings, except that a “breakwater” is authorized to be established concurrent with the planting if permanent

wave attenuation is required to maintain the shoreline vegetation, provided:

- a. through e. No change.
- f. All work is conducted in compliance with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.

(13) Single-Family Residences and Associated Residential Improvements –

(a) The construction, alteration, maintenance, removal, and abandonment of one, individual single-family dwelling unit, duplex, triplex, or quadruplex, and associated residential improvements, that:

- 1. through 2. No change.
- 3. Comply with the limitations and restrictions in paragraph 62-330.050(9)(a) ~~62-330.050(8)(a)~~, F.A.C.

(b) No change.

1. Within the boundaries of a valid permit issued under ~~Part~~ Part IV of ~~Chapter~~ Chapter 373, F.S., and it was accounted for under the permit, or

2. No change.

(c) No change.

(14) Utilities –

(a) through (c) No change.

(d) Activities necessary to preserve, restore, repair, remove, or replace an existing communication or utility pole or aerial transmission or distribution line, provided there is no dredging or filling in wetlands or other surface waters except to remove poles and replace them with new poles, and temporary mats needed to access the site in accordance with paragraph 62-330.051(7)(f) ~~62-330.051(7)(e)~~, F.A.C. The activity must not increase the voltage of existing power lines or relocate existing poles or lines more than 10 feet in any direction from their original location.

(e) Installation, removal, and replacement of utility poles that support telecommunication lines or cables, or electric distribution lines of 35kV or less, together with the bases and anchoring devices to support those poles. “Anchoring device” shall mean steel guy wires fastened to the ground, without the need for dredging, and “base” shall mean a concrete or steel foundation not exceeding four feet in radius, used to support a utility pole. Work must comply with the following:

1. through 10. No change.

11. Work is conducted in compliance with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.

(f) No change.

1. through 2. No change.

3. Work is conducted in compliance with subsection 62-330.050(9) ~~62-330.050(8)~~, F.A.C.

(15) through (16) No change.

62-330.0511 No-fee Noticed Exemptions for Construction, Operation, Maintenance, Alteration, Abandonment, or Removal of Minor Silvicultural Surface Water Management Systems.

(1) No change.

(2) The construction, operation, maintenance, alteration, abandonment, or removal of the minor silvicultural surface water management system described below shall be initiated only after a completed Notice of Intent to Construct a Minor Silvicultural System, Form 62-330.0511(1), [Effective Date], incorporated by reference herein (insert DOS URL) (~~http://www.flrules.org/Gateway/reference.asp?No=Ref-02510~~), is received by the Agency, or is properly addressed and stamped and deposited in the United States mail, in which case the postmark date shall be the date of receipt. Persons may also submit annual schedules of proposed silvicultural surface water management systems that meet the requirements of this section, including completed notices for each activity. A copy of the above form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.

(3) No change.

(4) The systems identified in subsection (3), above, must meet the following performance standards:

(a) through (h) No change.

(i) If climatic or flow conditions prevent the removal of a temporary crossing within the time frame specified in this section, the applicant may re-submit the ~~submit another~~ application identified in subsection (2) to extend the time period for removal and restoration of the temporary crossing. The person must provide a written explanation and evidence supporting the need to reauthorize the crossing and must specify the additional time needed to remove the crossing, which may not exceed one year.

(5) No change.

62-330.052 General Permits – General.

Rules 62-330.401 through 62-330.635, F.A.C., contain the procedures to submit a notice to use a general permit, the procedures for their review, the general conditions that apply to them, and the terms and specific conditions of each general permit. Those provisions do not apply to activities that qualify for the general permit in Section 403.814(12), F.S. ~~(2012)~~.

62-330.054 Individual Permits.

(1) through (3) No change.

(4) An individual permit required solely pursuant to both paragraph 62-330.020(2)(i), F.A.C., and Chapter 40C-44, F.A.C., shall be reviewed and acted upon in accordance with

Chapter 40C-44, F.A.C., ~~(effective date)~~,—incorporated by reference herein ~~(effective date)~~ (insert DOS URL) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02533>) and application for such permit shall be made in accordance with that chapter. A copy of Chapter 40C-44, F.A.C., may be obtained as provided in subsection 62-330.010(5), F.A.C.

62-330.055 Conceptual Approval Permits for Urban Infill or Redevelopment.

A county or municipality may request a conceptual approval permit for activities occurring within urban infill and redevelopment ~~areas or activities occurring within a community redevelopment areas area created under Part III of Chapter 163, F.S., or an urban infill and redevelopment area designated under Section 163.2517, F.S.~~ Following approval of the conceptual permit, any construction, alteration, operation, maintenance or removal consistent with the conceptual permit may be authorized under a notice of intent to use the general permit in Rule 62-330.450, F.A.C.

(1) No change.

(2) An application for a A conceptual approval permit application for urban redevelopment and infill activities shall also include:

(a) A demonstration that the redevelopment will achieve a net improvement of the quality of stormwater in accordance with Section 373.4131(1)(b)2, F.S. ~~through a reduction in pollutant loading discharged after development, as compared to the predevelopment condition existing on the date of application for the conceptual permit. If constructed activities within the designated area have been demolished to reduce blighted conditions, the predevelopment condition will be considered to be that of the land use immediately preceding such demolition subsequent to designation of the urban infill and redevelopment area.~~

(b) Documentation of Controls that limit the rate and volume of stormwater discharges to that existing as of the date of the application, and information sufficient to estimate the maximum rate and volume of stormwater discharges that will exist as of the date of issuance of the conceptual approval permit predevelopment condition.

(c) through (i) No change.

(3) Consistent with the approved stormwater management master plan, the conceptual approval permit will:

(a) through (c) No change.

(d) Allow the rate and volume of stormwater discharges for stormwater management systems within the urban infill or

redevelopment area to continue up to the maximum rate and volume of stormwater discharges allowed under Section 373.4131(1)(b)4, F.S. ~~as of the date the application for the conceptual approval permit is complete or, for areas that already have been demolished to reduce blighted conditions, the land use immediately preceding such demolition subsequent to designation of the urban redevelopment and infill area.~~

(4) No change.

(5) Issuance of the conceptual approval permit and activities undertaken under the general permit in Rule 62-330.450, F.A.C., must comply with the provisions of Section 373.4131(1)(b)1, F.S.

(5) renumber (6) No change.

62-330.056 Other Conceptual Approval Permits.

(1) through (12) No change.

(13) Conceptual approvals for ports are available and shall be reviewed in accordance with Section 373.4133, F.S.

62-330.060 Content of Applications for Individual and Conceptual Approval Permits.

(1) An application for an individual permit or conceptual approval permit shall be made on Form 62-330.060(1), “Joint Application for Individual And Conceptual Environmental Resource Permit/Authorization to Use State-Owned Submerged Lands/Federal Dredge and Fill Permit,” including the information required in the applicable Sections A through H [effective date], incorporated by reference herein (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02511>) , a copy of which may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., or by use of the equivalent e-application form of the applicable Agency.

(2) No change.

(3) The applicant must certify that it has sufficient real property interest over the land upon which the activities subject to the application will be conducted, as required in Section A of Form 62-330.060(1) and Section 4.2.3(d) of the Applicant’s Handbook Volume 1. ~~The applicant owner or the applicant’s owner authorized agent must sign Part 4.A. of the application, and the applicant must sign Part 4.B. If the applicant’s authorized agent signs Part 4.A, the applicant also must sign Part 4.C and include authorization for Agency staff to access the site of the proposed activity. Applications signed by agents must contain a letter of authorization that is signed by the owner.~~

(4) No change.

62-330.062 Water Quality Certification and Coastal Zone Consistency Concurrence.

(1) ~~A State Water Quality Certification under In accordance with~~ Section 401 of the Clean Water Act, 33 U.S.C. Section 1341, shall be provided as described below.:

(a) through (c) No change.

(2) A complete application for an individual or conceptual approval permit for activities located in or seaward of coastal counties, and, in whole or in part, in, on, or over wetlands or other surface waters, shall also constitute a request for the State's concurrence that the activities are consistent with the enforceable policies included in the Florida Coastal Management Program (FCMP) under the "Coastal Zone Management Act", (CZMA), 16 U.S.C. Sections 1451-1466 ~~1451-65~~, and its implementing regulations, 15 C.F.R. Part 930. In accordance with Section 380.23, F.S.:

(a) No change.

(b) Applications for federally permitted or licensed activities that qualify for an exemption under Section 373.406 or 403.813(1), F.S., and this chapter, or the "10/2" general permit under Section 403.814(12), F.S., are not eligible to be reviewed for federal consistency with Part IV of Chapter 373, F.S. The U.S. Army Corps of Engineers (Corps) or any designated Federal, State or local agency administering general permits on behalf of the Corps under 33 C.F.R. Section 325.2(b)(2) may presume such exempt activities are consistent with the permitting Agency's authorities within the FCMP, provided the activity receives any applicable authorization to use and occupy state-owned submerged lands under Chapter 253, F.S., ~~and Chapter 18-21, F.A.C.~~, and, as applicable, Chapter 258, F.S., ~~and Chapter 18-18 or 18-20, F.A.C.~~

62-330.071 Fees.

(1) A processing fee is required to be submitted with an application, notice, or petition under this chapter. The amount of the fee is specified in the following rules of the applicable Agency where the application, notice, or petition is submitted. The rules in paragraphs (b) through (e), are incorporated by reference herein. A copy of the incorporated material may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.

(a) Department or Northwest Florida Water Management District – Rule 62-4.050, F.A.C.

(b) Suwannee River Water Management District – Rule 40B-1.706, F.A.C., [effective date], (insert DOS URL) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02534>).

(c) St. Johns River Water Management District – Rule 40C-1.603, F.A.C., [effective date], (insert DOS URL) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02535>).

(d) Southwest Florida Water Management District – Rule 40D-1.607, F.A.C., [effective date], (insert DOS URL) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02536>).

(e) South Florida Water Management District Rule – Rule 40E-1.607, F.A.C., [effective date], (insert DOS URL) (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02537>).

(f) No change.

(2) through (4) No change.

62-330.090 Processing of Individual and Conceptual Approval Permit Applications.

(1) through (5) No change.

(6) A permit shall only be issued to an entity ~~the record title holder of the lands on which the application is proposed, the holder of a recorded easement conveying the right to use the property for a purpose consistent with the authorization requested in the permit application, or those having the right to exercise the power of eminent domain or having a contract to purchase the real property on which the application is proposed~~ meeting the requirements of section 4.2.3(d) of Volume I.

(7) The Agency shall cause a "Recorded Notice of Environmental Resource Permit" Form No. 62-330.090(1), [effective date], incorporated by reference herein (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02519>), a copy of which may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C., to be recorded in the public records of the county where the property is located unless otherwise noted in the permit. This notice shall not be considered an encumbrance upon the property. Such notice need not be recorded when the entire activity:

(a) through (b) No change.

~~(c) Is located on state owned submerged lands;~~

(d) through (g) renumber (c) through (f) No change.

62-330.201 Formal Determinations of the Landward Extent of Wetlands and Other Surface Waters.

(1) through (2) No change.

~~(3) If a law is enacted that provides for the extension of permits issued pursuant to Part IV of Chapter 373, F.S., during specified dates and without payment of a fee, then a petition for a new formal determination for a property for which a formal determination already exists and that has an expiration date between such specified dates may be submitted without payment of a fee and shall be granted for the same duration as allowed for the no fee extension of permits, provided:~~

~~(a) The petitioner certifies that the physical conditions on the property have not changed, other than changes which have been authorized by a permit pursuant to Part IV of Chapter 373, F.S.; and~~

~~(b) The petition is received prior to December 31 of the year in which the law extending permits without fee became effective or within 60 days prior to the expiration of the existing determination, whichever is earlier.~~

Rulemaking Authority 373.026(7), 373.043, 373.4131, 373.421(2), 403.0877 FS. Law Implemented 120.54(5)(a), 373.026, 373.4131, 373.421(2), 373.441 FS. History—New 7-4-95, Amended 8-14-96, 8-16-98, 2-19-03, Formerly 62-343.040, Amended _____.

62-330.301 Conditions for Issuance of Individual and Conceptual Approval Permits.

(1) To obtain an individual or conceptual approval permit, an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal, or abandonment of the projects regulated under this chapter:

(a) through (d) No change.

(e) Will not adversely affect the quality of receiving waters such that the state water quality standards set forth in Chapters 62-4, 62-302, 62-520, and 62-550, F.A.C., including the antidegradation provisions of paragraphs 62-4.242(1)(a) and (b), F.A.C., subsections 62-4.242(2) and (3), F.A.C., and Rule 62-302.300, F.A.C., and any special standards for Outstanding Florida Waters and Outstanding National Resource Waters set forth in subsections 62-4.242(2) and (3), F.A.C., will be violated;

(f) through (k) No change.

(2) through (4) No change.

(5) Forms for demonstrating that an applicant has met the financial responsibility requirements of sections 10.3.7 through 10.3.7.9 of Volume I shall be in substantial conformance with the forms incorporated by reference below, a copy of which may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.

(a) Form 62-330.301(1), “Performance Bond To Demonstrate Financial Assurance for Mitigation,” [effective date] (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref 02472>).

(b) Form 62-330.301(2), “Irrevocable Letter of Credit To Demonstrate Financial Assurance for Mitigation,” [effective date] (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref 02473>).

(c) Form 62-330.301(3), “Standby Trust Fund Agreement to Demonstrate Financial Assurance for Mitigation,” [effective date] (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref 02474>).

(d) Form 62-330.301(4), “Trust Fund Agreement to Demonstrate Financial Assurance for Mitigation,” [effective date] (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref 02477>).

(e) Form 62-330.301(5), “Escrow Agreement,” [effective date] (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref 02476>).

(f) Form 62-330.301(6), “Guarantee Bond To Demonstrate Financial Assurance for Mitigation,” [effective date] (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref 02488>).

(6) Forms for recording of a conservation easement in the public records in favor of the Agency shall be in substantial conformance with the forms incorporated by reference below, a copy of which may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. The use of these forms shall constitute consistency with Section 704.06, F.S. Where the applicant demonstrates that project specific conditions necessitate deviation from language of the accepted forms, alternative language shall be accepted provided that the intent of Section 704.06, F.S., and section 10.3.8 of Volume I continue to be met:

(a) through (e) No change.

(f) Form 62-330.301(13), “Deed of Conservation Easement with Third Party Beneficiary Rights to the U.S. Army Corps of Engineers,” [effective date] (insert DOS URL) (<http://www.flrules.org/Gateway/reference.asp?No=Ref 02494>).

(g) through (j) No change.

(7) An overwater pier, dock, or similar structure located in a deepwater port listed in Section 311.09, F.S., does not require treatment of stormwater runoff from its impervious surfaces subject to the requirements of Section 373.406(12), F.S.

62-330.302 Additional Conditions for Issuance of Individual and Conceptual Approval Permits.

(1) In addition to the conditions in Rule 62-330.301, F.A.C., to obtain an individual or conceptual approval permit under this chapter, an applicant must provide reasonable

assurance that the construction, alteration, operation, maintenance, repair, removal, and abandonment of a project:

(a) through (b) No change.

(c) Located in, adjacent to or in close proximity to Class II waters or located in Class II waters or Class III waters classified by the Department of Agriculture and Consumer Services as approved, restricted, conditionally approved, or conditionally restricted for shellfish harvesting ~~as found in Chapter 5L-1, F.A.C.,~~ will comply with the additional criteria in section 10.2.5 of Volume I. ~~A copy of these materials may be obtained from the Agency,~~ as described in subsection 62-330.010(5), F.A.C.

(d) No change.

(2) No change.

62-330.310 Operation and Maintenance.

(1) through (3) No change.

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

(c) Copies of the above forms may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.:

(5) through (7) No change.

62-330.340 Transfer of Permit Upon Change in Ownership or Control.

(1) No change.

(2) Except as provided in subsection (1) or as otherwise required in an individual or conceptual approval permit, a permittee shall notify the Agency in writing within 30 days of any change in ownership or control of any portion of the real property upon which an activity is permitted under this chapter or Chapter 62-342., F.A.C. A person who obtains an interest in or control of such real property shall:

(a) Request transfer of the permit and desires to become the new permittee or a co-permittee; or, shall request transfer of the permit.

(b) Provide written documentation of the following:

1. Certification in accordance with subsection 62-330.060(3), F.A.C., that the permittee continues to retain sufficient real property interest over the land upon which the activities subject to the permit will be conducted; and

2. Authorization for Agency staff with proper identification to enter, inspect, sample and test the project or activities to ensure conformity with the plans and specifications authorized in the permit.

(3) through (6) No change.

62-330.350 General Conditions for Individual Permits.

(1) The following general conditions are binding on all individual permits issued under this chapter, except where the conditions are not applicable to the authorized activity, or where the conditions must be modified to accommodate, project-specific conditions.

(a) All activities shall be implemented following the plans, specifications and performance criteria approved by this permit. Any deviations must be authorized in a permit modification in accordance with Rule 62-330.315, F.A.C.; Any deviations that are not so authorized may subject or the permit may be revoked and the permittee may be subject to enforcement action and revocation of the permit under Chapter 373, F.S.

(b) No change.

(c) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be installed immediately prior to, and be maintained during and after construction as needed, to prevent adverse impacts to the water resources and adjacent lands. Such practices shall be in accordance with the *State of Florida Erosion and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007)*, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, which are both incorporated by reference in subparagraph 62-330.050(9)(b)5. ~~62-330.050(8)(b)5.~~, F.A.C., unless a project-specific erosion and sediment control plan is approved or other water quality control measures are required as part of the permit.

(d) through (m) No change.

(n) If any prehistoric or historic artifacts, such as pottery or ceramics, stone tools or metal implements, dugout canoes, or any other physical remains that could be associated with Native American cultures, or early colonial or American settlement are encountered at any time within the project site area, work involving subsurface disturbance in the immediate vicinity of such discoveries shall cease. The permittee or other designee shall contact 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. Such subsurface work

shall not resume without verbal or written authorization from the Division of Historical Resources. If unmarked human remains are encountered, all work shall stop immediately and notification shall be provided in accordance with Section 872.05, F.S. ~~(2012)~~.

- (o) through (r) No change.
- (2) No change.

62-330.360 Emergency Authorizations and Actions.

When the Agency has determined that immediate action is necessary to abate an emergency condition, the Agency shall use one of the following measures below to authorize the work. "Emergency conditions" are defined as those that pose an imminent or existing serious threat or danger and require immediate action to protect the public health, safety or welfare, or the water resources of the Agency, including the health of aquatic and wetland-dependent species; a public water supply; or recreational, commercial, industrial, agricultural or other reasonable uses. ~~Carelessness~~ ~~Mere carelessness~~ or the lack of planning on the part of an applicant for an emergency authorization shall not be sufficient grounds to warrant the granting of an emergency authorization.

- (1) through (2) No change.

(3) Issuance of an emergency field authorization when an application is not currently under consideration by the Agency. The entity requesting the emergency field authorization shall complete an "Agency Emergency Field Authorization" Form 62-330.360(1), which is incorporated by reference herein [effective date] (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02506>). A copy of this form may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. ~~If available, an Agency website that fulfills this notification requirement may be used in lieu of the form.~~ The activity authorized by the emergency field authorization may commence upon approval by the Agency's field representative. The recipient of an emergency field authorization is responsible for compliance with all the terms and conditions of the authorization. Within 90 days of issuance of an emergency field authorization, the recipient shall either restore the site to the conditions existing before the emergency, or apply for an application to perform the work in accordance with the requirements for obtaining verification of an exemption or permit, as applicable, under this chapter.

62-330.395 Variances.

(1) In addition to a variance available under Section 120.542, F.S., the Agencies are authorized to grant a variance

from the provisions of Section 373.414, F.S., paragraph 62-330.301(1)(e), F.A.C., and Rule 62-330.302, F.A.C., pursuant to Section 373.414(17), F.S. ~~(2012)~~. A person seeking a variance under Section 373.414(17), F.S., must demonstrate that any hardship asserted as a basis of the need for a variance is peculiar to the affected property and not self-imposed, and that the grant of a variance will be consistent with the general intent and purpose of this chapter.

(a) Any person seeking a variance under this subsection shall file a petition for a variance containing the following information:

1. through 5. No change.

6. The steps or measures the petitioner is taking to meet the requirement from which the variance is sought. If the request is pursuant to Section 403.201(1)(b), F.S. ~~(2012)~~, the petitioner shall include a schedule when compliance will be achieved.

7. No change.

(b) No change.

(c) The Agency shall prepare a notice of intended agency action regarding the petition for a variance, and shall publish it one time in the *Florida Administrative Register*. For variance petitions processed by the Department, the petitioner shall also publish notice of intended agency action one time, at its expense, in a newspaper of ~~general paid~~ general circulation, as defined in Section 50.031, F.S. ~~(2012)~~, in the county in which the property for which the variance is sought is located. For variance petitions processed by the District, the District will cause the notice of intended agency action to be published, one time, in a newspaper of general circulation, as defined in Section 50.031, F.S., in the county in which the property for which the variance is sought is located.

(2) No change.

62-330.401 Policy and Purpose of General Permits.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Amended 2-19-03, 10-1-07, Formerly 62-341.201, Amended_____.

62-330.402 Submittal and Processing of General Permits.

(1) A person wishing to construct, operate, maintain, alter, abandon, or remove projects under a general permit shall provide notice using Form 62-330.402(1), "Notice of Intent to Use an Environmental Resource General Permit," [effective date], incorporated by reference herein (insert DOS URL)

(~~http://www.flrules.org/Gateway/reference.asp?No=Ref-02507~~), a copy of which may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. The notice must be received by the applicable Agency at least 30 days prior to initiating the activities authorized by the general permit, or at such other time as specified in the general permit.

(2) through (5) No change.

(6) At their discretion, persons qualifying for a general permit may publish a notice of qualification to use a general permit, in a newspaper of ~~general paid circulation under Chapter 50, F.S.~~, in the affected area. The Agency will not publish, or require the person to publish, such notice.

Rulemaking Authority 373.044, 373.113, 373.118, 373.413, 373.4131 FS. Law Implemented 373.116(2), 373.118(3), 373.413, 373.4131, 373.416, 373.426, 403.814, 668.003, 668.004, 668.50 FS. History—New _____.

62-330.405 General Conditions for All General Permits.

The following general permit conditions are binding upon the permittee and are enforceable under ~~Part IV of Chapter 373, F.S.~~ These conditions do not apply to the general permit in Section 403.814(12), F.S.

(1) The general permit is valid only for the specific activity indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit. ~~A violation of the permit is a violation of Part IV of Chapter 373, F.S., and may subject the permittee to enforcement action and revocation of the permit under Chapter 373, F.S. result in suspension or revocation of the permittee's right to conduct such activity under the general permit. The Agency also may begin legal proceedings seeking penalties or other remedies as provided by law for any violation of these conditions.~~

(2) through (9) No change.

(10) The permittee shall maintain any permitted project or ~~activity system~~ in accordance with the plans submitted to the Agency and authorized in this general permit.

(11) Activities shall be conducted in a manner that does not cause or contribute to violations of state water quality standards. Performance-based erosion and sediment control best management practices shall be implemented and maintained immediately prior to, during, and after construction as needed to stabilize all disturbed areas, including other measures specified in the permit to prevent adverse impacts to the water resources and adjacent lands. Erosion and sediment control measures shall be installed and maintained in accordance with the *State of Florida Erosion*

and Sediment Control Designer and Reviewer Manual (Florida Department of Environmental Protection and Florida Department of Transportation June 2007), available at www.dep.state.fl.us/water/wetlands/docs/erp/FLerosionSedimentManual_6_07.pdf, and the *Florida Stormwater Erosion and Sedimentation Control Inspector's Manual (Florida Department of Environmental Protection, Nonpoint Source Management Section, Tallahassee, Florida, July 2008)*, available

at www.dep.state.fl.us/water/nonpoint/docs/erosion/erosion-inspectors-manual.pdf, ~~which are both incorporated by reference in subparagraph 62-330.050(8)(b)5, F.A.C.~~

(12) Unless otherwise specified in the general permit, temporary vehicular access within wetlands during construction shall be performed using vehicles generating minimum ground pressure to minimize rutting and other environmental impacts. Within forested wetlands, the permittee shall choose alignments that minimize the destruction of mature wetland trees to the greatest extent practicable. When needed to prevent rutting or soil compaction, access vehicles shall be operated on wooden, composite, metal, or other non-earthen construction mats. In all cases, access in wetlands shall comply with the following:

a. through d. renumber (a) through (d) No change.

(13) through (14) No change.

(15) Except where specifically authorized in a general permit, activities must not:

1. through 2. renumber (a) through (b) No change.

(16) through (17) No change.

(18) The permittee shall comply with the following when performing work within waters accessible to federally- or state-listed aquatic species, such as manatees, marine turtles, smalltooth sawfish, and Gulf sturgeon:

1. through 4. renumber (a) through (d) No change.

(e) Whenever there is a spill or frac-out of drilling fluid into waters accessible to the above species during a directional drilling operation, the FWC shall be notified at imperiledspecies@myfwc.com with details of the event within 24 hours following detection of the spill or frac-out.

(19) through (20) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.044, 373.118(1), 373.129, 373.136, 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.422, 373.423, 373.429, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.215, Amended _____.

62-330.410 General Permit for Dredging by the West Coast Inland Navigation District in Sarasota and Manatee Counties.

(1) A general permit is granted to the West Coast Inland Navigation District (“WCIND”) to dredge public navigation channels and canals within the trafficsheds listed in Table 1 “Trafficsheds, Dredge Depth Limits, and Trafficshed Report Identification Numbers for Use in Noticed General Permit 62-330.410” effective [effective date] [insert DOS URL] and Figure 1 “Trafficshed Locations” effective August 4, 2002 [insert DOS URL], and as described in the following reports identified in paragraphs (1)(a) through (d), below. Table 1, Figure 1, and the reports, which are incorporated by reference herein; a copy of each may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.:

(a) Antonini, Gustavo A., and Paul Box, September 1996, A Regional Waterway Systems Management Strategy for Southwest Florida, TP-83, Florida Sea Grant College Program, Gainesville, Florida, (insert DOS URL);

(b) Swett, Robert A., Gustavo A. Antonini and Sharon Schulte, July 1999, Regional Waterway Management System for North Manatee County, TD-2, Florida Sea Grant College Program, Gainesville, Florida, (insert DOS URL);

(c) Antonini, Gustavo A., David Fann, and Robert A. Swett, November 7, 2000, Miguel Bay, Florida: Inventory of Boats, Depths and Signs; and a Waterway Restriction Analysis, TP-2A, Florida Sea Grant College Program, Gainesville, Florida, (insert DOS URL);

(d) Antonini, Gustavo A., Robert Swett, Sharon Schulte and David Fann, July 1998, Regional Waterway Management System for South Sarasota County, TD-1, Florida Sea Grant College Program, Gainesville, Florida, (insert DOS URL).

(2) No change.

(3) All work under this general permit shall be conducted in conformance with the following specific conditions:

(a) through (f) No change.

(g) After dredging, the trafficshed shall be marked with appropriate aids to navigation in order to prevent damage to seagrass beds and to minimize turbidity. The permittee is advised that Chapter 327, F.S., governs shall govern the placement and marking of such aids to navigation.

(h) In addition to the conditions in subsection 62-330.405(18), F.A.C., the following additional manatee conditions shall apply:

1. The permittee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel shall be responsible for observing water-related activities for the presence of manatees.

2. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act of 1978. If the dredging activity results in any manatee being harmed, harassed, or killed as a result of construction activities, the Department will refer the matter to the Florida Fish and Wildlife Conservation Commission for appropriate action.

3. Temporary signs concerning manatees shall be posted prior to and during dredging activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign that reads “Caution: Boaters” must be posted. A second sign measuring at least 8 1/2 inches by 11 inches explaining the requirements for “Idle Speed/No Wake” and the shut-down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at www.MyFWC.com/manatee. Questions concerning these signs can be sent to ImperiledSpecies@myfwc.com.

(h) renumber (i) No change.

(4) through (5) No change.

~~Table 1, Trafficsheds, Dredge Depth Limits, and Trafficshed Report Identification Numbers for Use in Noticed General Permit 62-341.490~~

~~Figure 1, Trafficshed Locations~~

62-330.412 General Permit for Public Navigation Channel and Canal Infrastructure by the West Coast Inland Navigation District within Lee County.

(1) A general permit is granted to the West Coast Inland Navigation District (“WCIND”) to dredge public navigation channels and canals within the trafficsheds and secondary channel systems listed in Table 1 “Trafficsheds, Secondary Channel Systems, Dredge Depth Limits, and Trafficshed Report Identification Numbers” effective 18 February 2010, incorporated by reference herein [insert DOS hyperlink] and shown in Figures 1 through 48 of Antonini, Gustavo A., Robert A. Swett, and David Fann, 2008, Maps of Lee County Noticed General Permit Trafficshed Channels and Secondary Channels, SGEF-173, Florida Sea Grant College Program, Gainesville, Florida (30 October 2008), incorporated by reference herein [insert DOS hyperlink]. Copies of Table 1 and SGEF-173 may be obtained from the Department as

described in subsection 62-330.010(5), F.A.C. Additional information on the background, methodology, and data used in identifying the trafficsheds and secondary channel systems that are the subject of this general permit is described in the following reports:

- (a) through (d) No change.
- (2) This general permit is further limited as follows:
 - (a) through (c) No change.

(d)1. The “No Internal Combustion Motor Zones” (NICMZs) shown and described in Exhibit A, effective February 18, 2010, incorporated by reference herein [insert DOS hyperlink], which reflect the boundaries approved in Resolution 07-09-49 of the Lee County Board of County Commissioners on September 25, 2007, are hereby established by this general permit. A copy of Exhibit A may be obtained from the Department as described in subsection 62-330.010(5), F.A.C. Within these NICMZs, the use of electric motors is permitted, but operators of all vessels equipped with internal combustion motors (e.g.: gasoline or diesel motors) for propulsion must turn off the internal combustion motor and, if possible to do so, tilt or raise the internal combustion motor out of the water.

- 2. through 3. No change.
- (e) through (h) No change.
- (3) All work under this general permit shall be conducted in conformance with the general conditions of Rule 62-330.405, F.A.C., and the following specific conditions.
 - (a) through (f) No change.

(g) The permittee shall be responsible for ensuring that all contractors and other entities implementing this general permit comply with the following standard manatee and marine turtle conditions.

1. The permittee shall instruct all personnel associated with the project of the potential presence of manatees and the need to avoid collisions with manatees. All construction personnel shall be responsible for observing water-related activities for the presence of manatees.

2. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing manatees, which are protected under the Marine Mammal Protection Act of 1972, the Endangered Species Act of 1973, and the Florida Manatee Sanctuary Act of 1978. If the dredging activity results in any manatee being harmed, harassed, or killed as a result of construction activities, the Department will refer the matter to the Florida Fish and Wildlife Conservation Commission (FWC) for appropriate action.

- 1. renumber 3. No change.
- 4. Temporary signs concerning manatees shall be posted prior to and during dredging activities. All signs are to be removed by the permittee upon completion of the project. Temporary signs that have already been approved for this use by the FWC must be used. One sign that reads “Caution: Boaters” must be posted. A second sign measuring at least 8 1/2 inches by 11 inches explaining the requirements for “Idle Speed/No Wake” and the shut-down of in-water operations must be posted in a location prominently visible to all personnel engaged in water-related activities. These signs can be viewed at www.MyFWC.com/manatee. Questions concerning these signs can be sent to ImperiledSpecies@myfwc.com.

- 2. through 5. renumber 5. through 8. No change.
- (h) through (m) No change.

~~(4)(5) A Letter of Consent is granted in accordance with subparagraphs 18-21.005(1)(e)10., 15. and 16., F.A.C., by the Board of Trustees of the Internal Improvement Trust Fund (BOT), for the West Coast Inland Navigation District to enter upon and use state-owned submerged lands to the extent necessary to complete the permitted activities., A Letter of Consent also is granted in accordance with subparagraphs 18-21.005(1)(e)15. and 16., F.A.C., from the BOT to Lee County and the West Coast Inland Navigation District to establish, mark, and enforce the NICMZs depicted in Exhibit A.~~

- (6) renumber (5) No change.
- ~~Table 1, Trafficsheds, Secondary Channel Systems, Dredge Depth Limits, and Trafficshed Report Identification Numbers— See existing Rule 62-330.412, F.A.C.~~
- ~~Exhibit A, Legal Description and map of the Central Estero Bay No Combustion Motor Zone— See existing Rule 62-330.412, F.A.C.~~
- ~~Exhibit A, Legal Description and map of the Big Carlos No Combustion Motor Zone— See existing Rule 62-330.412, F.A.C.~~
- ~~Exhibit A, Legal Description and map of the Jug Creek Shoals No Combustion Motor Zone— See existing Rule 62-330.412, F.A.C.~~
- ~~Exhibit A, Legal Description and map of the Matlacha Pass No Combustion Motor Zone— See existing Rule 62-330.412, F.A.C.~~

- 62-330.417 General Permit for Construction, Alteration, Operation, and Maintenance of Boat Ramp Facilities.
 - (1) through (2) No change.
 - (3) Construction of the boat ramp is limited as follows:

(a) through (b) No change.

(c) Construction or expansion of a multi-family, commercial, or governmental boat ramp under paragraph (1)(b), (c), or (d) in waters that are accessible to manatees must meet the following criteria:

1. No change.

2. The proposed boat ramp facility must have a kiosk or permanent information display board providing information on manatee protection and applicable manatee zones as adopted in Chapter 68C-22, F.A.C., (June 13, 2012) [insert DOS URL], which is incorporated by reference herein and available as provided in subsection 62-330.010(5), F.A.C., for that county.

(d) No change.

(4) No change.

(5) Commercial or governmental entities proposing to construct a boat ramp under paragraph (1)(c) or (d) shall execute and record in the public land records of the county in which the boat ramp is located a fully executed binding agreement. Commercial entities shall execute and record the Agreement to Maintain Public Access, incorporated herein as Form 62-330.417(1) [effective date] (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02508>), ensuring the facility will remain open to the general public for the life of the facility. Governmental entities shall execute and record the Agreement to Maintain Public Access and Operate Stormwater System Systems, incorporated herein as Form 62-330.417(2) [effective date] (<http://www.flrules.org/Gateway/reference.asp?No=Ref-02509>), ensuring the facility will remain open to the general public for the life of the facility and to ensure that the stormwater management system associated with the boat ramp will be operated and maintained for the life of the system. Copies of incorporated materials may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), (5), 373.406(5), 373.413, 373.4131, 373.414(1), (9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Amended 12-9-09, Formerly 62-341.417, Amended _____.

62-330.427 General Permit for Certain Piers and Associated Structures.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.427, Amended _____.

62-330.428 General Permit for Floating Vessel Platforms and Floating Boat Lifts.

A general permit is granted to the owner of an individual, detached, private single-family residence to construct, alter, operate, maintain, and remove floating vessel platforms or floating boat lifts (“platforms or lifts”) at their residence, under the following conditions:

(1) No change.

(2) The dock or seawall must meet one of the following:

(a) No change.

(b) ~~(e)~~ It complies with a permit issued under Chapter 403, F.S., or Part IV of Chapter 373, F.S.; or

(d) renumber (c) No change.

(3) No change.

(4) If located within submerged lands owned by the Board of Trustees of the Internal Improvement Trust Fund, the following additional conditions must also be met to qualify for consent to use and occupy such lands under Chapter 253, F.S.:

(a) The platforms and lifts must be installed, operated and maintained in conformance with all the applicable terms and conditions of subsections 18-21.004(3) and (7), F.A.C., (March 12, 2012) and Rule 18-21.0041, F.A.C. (March 12, 2012).

(b) through (c) No change.

62-330.431 General Permit for Installation of Riprap.

(1) No change.

(2) This general permit shall be subject to the specific conditions:

(a) through (d) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.431, Amended _____.

62-330.437 General Permit for Installation of Fences.

(1) through (3) No change.

(4) The fence shall be constructed of wire attached to posts rising at least two feet above the mean high water, ~~the mean annual flood~~, or the ordinary high water elevation of the waterway; and

(5) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.437, Amended _____.

62-330.443 General Permit to the Florida Department of Transportation, Counties, and Municipalities for Minor Bridge Alteration, Placement, Replacement, Removal, Maintenance, and Operation.

(1) No change.

(2) This general permit shall be subject to the following specific conditions:

(a) through (b) No change.

(c) All fill placed in wetlands, other than fill on which a bridge or approach is constructed, shall be regraded to the original wetland elevations and revegetated with native wetland species endemic to adjoining, undisturbed wetlands, within seven days of completion of construction. Within “clear zones,” revegetation shall be with native herbaceous species endemic to adjoining, undisturbed wetlands. During the five-year period following the initial planting or restoration of the site, these areas shall be maintained to ensure planted or naturally recruited native wetland species are surviving and growing, and that the areal coverage of exotic and invasive species constitutes less than 10% areal coverage;

(d) through (e) No change.

(f) Replacement or modification of a bridge that includes changes in the configuration of the bridge and fill areas due to changes in materials, construction techniques, or meeting current construction codes or safety standards are authorized under this permit. Any connecting road expansion or alteration associated with such replacement or modification must be authorized by a separate general or individual permit under Chapter 62-330, F.A.C., as applicable, before the start of construction; and

(g) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.419, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.443, Amended_____.

62-330.447 General Permit to the Florida Department of Transportation, Counties, and Municipalities for Minor Activities within Existing Rights-of-Way or Easements.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.419, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.447, Amended_____.

62-330.450 General Permit for Construction, Alteration, and Operation of Urban Infill and Redevelopment Activities in Conformance with the Conceptual Approval Permit in Rule 62-330.056, F.A.C.

(1) The activities must be within a community redevelopment area ~~created under Part III of Chapter 163, F.S.,~~ or an urban infill and redevelopment area designated under Chapter 163 Section 163.2517, F.S., that is the subject of a conceptual approval permit issued under Rule 62-330.055, F.A.C.

(2) through (7) No change.

62-330.451 General Permit to Counties, Municipalities, and other Agencies to Conduct Stormwater Retrofit Activities.

(1) through (4) No change.

(5) A stormwater quality retrofit activity must result in at least one of the following:

(a) No change.

(b) Addition of treatment or attenuation capability to an existing developed area when either the existing stormwater management system or the developed area has substandard stormwater treatment or ~~and~~ attenuation capabilities, compared to what would be required for a new system requiring a permit under Part IV of Chapter 373, F.S.; or

(c) No change.

(6) through (10) No change.

62-330.453 General Permit for Installation, Maintenance, Repair, and Removal of Underground Utility Lines.

(1) through (2) No change.

(3) This general permit is limited as follows:

(a) through (g) No change.

(h) Installation, maintenance, repair, and removal conducted using directional drilling or jack-and-bore methods are subject to the following special conditions:

1. through 3. No change.

4. The use of drilling fluids shall not cause or contribute to a violation of state ground water quality criteria or standards, as defined in Chapter 62-520, F.A.C.

5. through 8. No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.453, Amended_____.

62-330.455 General Permit for the Construction of Aerial Pipeline, Cable, and Conduit Crossings of Certain Waters.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.455, Amended_____.

62-330.458 General Permit for the Construction and Maintenance of Electric Power Lines by Electric Utilities.

(1) No change.

(2) Activities conducted under this general permit shall comply with subsection 403.814(6), F.S., and the following additional conditions.

(a) No change.

(b) Any mechanized equipment that is used to cut or remove vegetation shall be of a type and be operated so as to minimize soil compaction. Except for Brazilian pepper (*Schinus terebinthifolius*), Australian pine (*Casuarina spp.*), and punk tree (*Melaleuca quinquinerva*), clearing in the remainder of the project right-of-way within wetlands shall be limited to selective clearing of vegetation which has an expected mature height of 14 feet or more. During construction and while conducting normal maintenance activities, the permittee shall eradicate Brazilian pepper, Australian pine, and *Melaleuca* from the wetland portion of the right-of-way. During the initial clearing event, and during subsequent maintenance cycles, EPA approved herbicides may be used on the following:

1. through 2. No change.

3. ~~Exotic Nuisance and exotic~~ Exotic vegetation within the right-of-way.

(c) through (d) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1), 403.814(6), 403.814(7) FS. History–New 10-3-95, Formerly 62-341.620, Amended_____.

62-330.459 General Permit for Relocation of Aerial Electric and Communication Lines Associated with Road Improvement Projects.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.4137, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History–New 10-3-95, Formerly 62-341.621, Amended_____.

62-330.463 General Permit for Breaching Mosquito Control Impoundments and for the Construction and Operation of Culverts and Associated Water Control Structures in Mosquito Control Impoundments by Governmental Mosquito Control Agencies.

(1) A general permit is granted to any governmental mosquito control agency to construct and operate culverts and associated water control structures for the control of water levels in mosquito control impoundments, and to breach mosquito control impoundments, provided:

(a) through (g) No change.

~~(h)(g)~~ Spoil material excavated during construction of the breaches shall be handled and deposited so as to prevent violations of state water quality standards for turbidity, and shall be contained in a self-contained upland disposal site; and

(i) No change.

(2) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 403.814(1) FS. History–New 10-3-95, Formerly 62-341.463, Amended_____.

62-330.475 General Permit for Minor Activities and Single-family Residential Activities in Isolated Wetlands.

(1) through (2) No change.

(3) -The Agency will provide written notification to the person proposing to use this general permit whether the proposed activity qualifies for this general permit within 30 days of submittal of the written notice. The proposed activity shall not be commenced until the Agency has provided written notice that the applicant qualifies for the general permit.

(4) through (6) No change.

62-330.483 General Permit to the Department and Water Management Districts to Conduct Minor Activities.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.418, 403.814(1) FS. History–New 10-3-95, Amended 10-1-07, Formerly 62-341.483, Amended_____.

62-330.485 General Permit to the Department and Water Management Districts for Environmental Restoration or Enhancement.

(1) through (2) No change.

(3) When the activity is to be conducted by the Department, the Department shall provide the notice and any processing fee required by Rule 62-330.071, F.A.C., to the appropriate District.

(4) When the activity is to be conducted by a District, the District shall provide the notice and any required fee to the appropriate Department office.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.4145, 373.416, 373.418, 373.426, 403.814(1) FS. History–New 10-3-95, Amended 10-1-07, Formerly 62-341.485, Amended_____.

62-330.487 General Permit to the Department and Water Management Districts to Change Operating Schedules for Water Control Structures.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.416, 373.418, 403.814(1) FS. History—New 10-3-95, Amended 10-1-07, Formerly 62-341.487, Amended_____.

62-330.488 General Permit to Governmental Entities for Certain Public Use Facilities at Public Natural Areas.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.416, 373.418, 403.814(1) FS. History—New_____.

62-330.490 General Permit for the Reclamation of Eligible Phosphate Lands Mined Before July 1, 1975.

(1) A general permit is granted to all owners of lands mined or disturbed by the severance of phosphate before July 1, 1975, whose reclamation program application has been approved by the Department under Chapter 378, Part I, F.S., Department's Office of Mining and Minerals Regulation, providing the reclamation program:

(a) through (b) No change.

(2) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.4145, 373.416, 373.418, 378.034, 378.035, 403.814(1) FS. History—New_____.

62-330.492 General Permit for Prospecting for Limestone Sand, and Peat.

(1) through (2) No change.

(3) No change.

(a) No activities shall be conducted in Outstanding Florida Waters, Aquatic Preserves, Class I waters, Class II waters, waters which are classified by the Florida Department of Agriculture and Consumer Services as approved, restricted, conditionally approved or conditionally restricted for shellfish harvesting in Rule 5L 1.003, F.A.C., or wetlands used by endangered or threatened species designated in Rule 68A-27.003, F.A.C. (September 19, 2012), which is incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02572>), or 50 Code of Federal Regulations, Section 17.12, (October 1, 2011), which is incorporated by reference herein

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-02575>). Copies of incorporated material may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C. For purposes of this permit, a wetland is used by endangered or threatened species if reasonable scientific judgment indicates that the wetland provides habitat in which endangered or threatened species engage in activities such as resting, feeding, breeding, nesting or denning.

(b) through (g) No change.

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118, 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 9-4-05, Formerly 62-341.492, Amended_____.

62-330.493 General Permit to Perform Prospecting Activities for Phosphate Minerals.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.610, Amended_____.

62-330.494 General Permit for Temporary Dragline Crossings of Waterways for Mining Activities.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.611, Amended_____.

62-330.495 General Permit for Low Water Crossings for Mining Activities.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.426, 403.814(1) FS. History—New 10-3-95, Formerly 62-341.612, Amended_____.

62-330.496 General Permit for Dry Borrow Pits of Less than Five Acres.

A general permit is granted for the construction, operation, maintenance, reclamation, or abandonment of a minor borrow pit for excavation of sand and other soil materials provided that all of the following conditions are met:

(1) through (3) No change.

(4) Borrow pits authorized under this permit must meet the following conditions:

(a) through (f) No change.

(g) Applicants are advised that a borrow pit that is operated as a mine, as defined in section 2 of Volume I, will be subject to the mine reclamation requirements under Part III of Chapter 378, F.S. ~~(2012)~~.

62-330.501 General Permit for Temporary Agricultural Activities within the South Florida Water Management District.

(1) A general permit is granted to any property owner for temporary agricultural activities within the South Florida Water Management District, provided all the following criteria are met.

(a) through (d) No change.

(e) No works or farming activities shall occur within 50 feet of a wetland as defined in Section 373.019 (27), F.S. ~~(2012)~~. If wetlands are located within the project area, a minimum 50-foot undisturbed buffer must be maintained around the wetland;

(g) through (q) No change.

(2) through (3) No change.

62-330.505 General Permit to the U.S. Forest Service for Minor Works within National Forests.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 403.814(1) FS. History–New 10-3-95, Formerly 62-341.495, Amended _____.

62-330.600 General Permit for the Construction of Artificial Reefs.

(1) No change.

(a) No change.

(b) The material shall be free of soils, oils and greases, debris, litter, putrescible substances or other pollutants;

(b) through (c) renumber (c) through (d) No change.

(2) No change.

(a) through (f) No change.

(g) The permittee shall notify the National Ocean Service, National Oceanic and Atmospheric Administration ~~Association~~, U.S. Department of Commerce, Rockville, Maryland, and the Florida Fish and Wildlife Conservation Commission (FWC), Division of Marine Fisheries Management, via e-mail at artificialreefdeployments@myfwc.com of the precise location of the reef within 30 days of placement of the reef material.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 403.814(1) FS. History–New 10-3-95, Formerly 62-341.600, Amended _____.

62-330.602 General Permit for Installation and Maintenance of Intake and Discharge Pipes Associated with Marine Bivalve Facilities.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.416, 373.418, 403.814(1) FS. History–New 10-3-95, Formerly 62-341.602, Amended _____.

62-330.630 General Permit to U.S. Army Corps of Engineers for Environmental Restoration or Enhancement Activities.

(1) No change.

(2) The following shall not be eligible for this general permit; copies of the materials incorporated by reference below may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.:

(a) through (c) No change.

(d) Activities that adversely affect animal species that are listed as endangered, threatened or of special concern ~~in Rule 68A 27.003, or Rule 68A 27.005, F.A.C., (September 19, 2012), which is incorporated by reference herein (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02601>), or 50 Code of Federal Regulations, Section 17.12, (October 1, 2011), and endangered or threatened plant species listed in 50 Code of Federal Regulation 17.12, when such plants are located in a wetland or other surface water;~~

(e) through (h) No change.

(3) No change.

(4) Activities under this general permit are subject to the following additional provisions and limitations. The activities:

(a) Shall not be available for use as future mitigation credit for a separate activity that requires a permit under Part IV of Chapter 373, F.S. ~~(2012)~~, a water quality certification, or a coastal zone consistency concurrence;

(b) No change.

(c) Must not cause adverse flooding to on-site or off-site property, adverse impacts to existing surface water storage or conveyance capabilities, adverse secondary impacts to the water resources, adverse impacts to the maintenance of surface or ground water levels or surface water flows established

pursuant to Section 373.042, F.S. (2012), adverse impacts to a Works of the District established pursuant to Section 373.086, F.S. (2012), or adverse effects to properties outside the area to be enhanced or restored;

(d) Must be capable, based on generally accepted engineering and scientific principles, of being performed and of functioning as proposed, and must comply with any applicable special basin and geographic area criteria established in Chapters 40C-41 or 40E-41, F.A.C., both of which are incorporated by reference in paragraph 62-330.302(1)(k), F.A.C.

(e) Must not be for the primary purpose of providing or enhancing recreation or other public uses of the lands that are enhanced or restored under this general permit, although such are not prohibited from being made available for compatible public recreation activities. However, the construction, alteration, operation, removal, maintenance, or abandonment of public recreational facilities, such as parking lots, roads, trails, boardwalks, docks, piers, observation decks, kiosks, and visitor’s centers, or any project serving those facilities, are not authorized under this general permit, and must be authorized in accordance with Part IV of Chapter 373, and Chapters 253 and 258, F.S. (2012), prior to their construction and use.

(5)(a) No change.

1. through 3. No change.

4. Should the Corps' contractors propose to use flocculating agents ~~agent~~ such as polymers or alum to consolidate sediments ~~in situ~~ or to otherwise prevent potential water quality violations associated with the project design, the Corps shall coordinate with the Agency ~~agency~~ in advance of submittal of the notice to use this general permit, and shall submit with the notice reasonable assurance that use of such flocculating agents is not likely to cause chronic or acute toxicity in violation of Chapter 62-302, F.A.C., as tested using, at a minimum, elutriate analysis on the specific sediments dredged from or deposited at the project site that require treatment.

5. No change.

(b) No change.

Rulemaking Authority 373.026, 373.043, 373.044, 373.118, 373.406, 373.4131, 373.414(9) FS. Law Implemented 373.026, 373.043, 373.046, 373.118, 373.403, 373.413, 373.4131, 373.414(9), 373.416, 373.418, 373.419, 373.422, 373.423, 373.426, 403.814(1) FS. History—New 12-5-06, Formerly 62-341.486, Amended _____.

62-330.631 General Permit to Governmental Entities for Limited Environmental Restoration or Enhancement Activities.

(1) No change.

(2) To qualify for this general permit, the activity must comply with all the following:

(a) through (b) No change.

(c) The project shall not include fill, placement of riprap, placement of any type of “breakwaters” over or within three feet of an area of greater than one percent coverage by emergent or submerged natural resources, or placement of fill material within smalltooth sawfish critical habitat, as designated by the U.S. National Marine Fisheries Service. [50 CFR section 226.218 (October 1, 2012) incorporated by reference herein; copies of incorporated material may be obtained from the Agency, as described in subsection 62-330.010(5), F.A.C.] (URL). For purposes of this general permit, the term “emergent or submerged natural resources” includes freshwater and marine herbaceous and forested wetland vegetation, seagrass, coral, sponge, oyster beds, and other submerged aquatic vegetation.

(d) through (e) No change.

(3) This general permit shall be subject to the following specific conditions.

(a) through (c) No change.

~~(d) All disturbed areas above mean low water, including intertidal slopes shall be stabilized and re vegetated with appropriate native vegetation within 72 hours after completion of construction. The areas shall be maintained and planted as necessary to ensure at least a 33 percent cover of planted or naturally re-established native wetland or upland plant species within 18 months of completion of authorized activities. The areas shall be maintained free of exotic invasive and nuisance species such as *Casuarina* spp., *Ludwigia peruviana*, *Lygodium* spp., *Melaleuca quinquenervia*, *Sapium sebiferum*, *Schinus terebinthifolius*, and nuisance amounts of *Typha* spp.~~

(e) renumber (d) No change.

62-330.632 General Permit for the Restoration, Establishment and Enhancement of Low Profile Oyster Habitat.

(1) A general permit is hereby provided for the construction, restoration, and enhancement of low profile oyster habitat (LPOH), subject to the following:

(a) through (b) No change.

(c) The LPOH will not be inconsistent with a management plan approved by a federal, state, regional and/or local agency, that already addresses oyster habitat, wetland vegetation, submerged resources, water quality, navigation, or fishing and recreational values of the waterbody, including any adopted aquatic preserve management plan ~~that may exist~~ under Chapter 18-20, F.A.C.;

(d)- The LPOH shall not be part of a mitigation proposal or be used as mitigation to offset impacts from other projects;

(e) through (f) No change.

(2) The notice required in Rule 62-330.402, F.A.C., shall include documentation, statements, or demonstrations that the above limitations will be met, together with the following:

(a) through (b) No change.

(c) No change.

1. through 2. No change.

3. The LPOH will not have any work conducted ~~in~~ within 100 meters of actively nesting wading bird colonies or within 180 meters of actively nesting mixed tern/skimmer colonies;

4. No change.

(d) No change.

(3) All work under this general permit shall be conducted in conformance with the general conditions of Rule 62-330.405 F.A.C., and the following specific conditions:

(a) The LPOH shall be installed, restored, or enhanced using only clean, sediment free culture materials (cultch) that does not contain deleterious substances that have the potential to leach into surface waters. Cultch shall consist of:

1. through 3. No change.

4. Concrete material in which at least 90 percent of the concrete material is no more than 6 inches in diameter. Concrete shall not be used for a LPOH located in an aquatic preserve designated under Chapter 18-20, F.A.C. (~~March 8, 2012~~).

(b) through (f) No change.

(4) No change.

(5) Within 45 days but no less than 30 days prior to the submittal of the notice required in subsection (2) the person proposing to use this general permit shall:

(a) through (b) No change.

(c) Provide written notice of the proposed LPOH to the Florida Fish and Wildlife Conservation Commission’s Boating and Waterways ~~Section Management Division~~. A copy of the notice shall be included with the notice required in subsection (2) above;

(d) No change.

(6) No change.

62-330.635 General Permit for Soil Remediation.

Rulemaking Authority 373.026(7), 373.043, 373.118(1), 373.406(5), 373.4131, 373.414(9), 373.418, 403.805(1) FS. Law Implemented 373.118(1), 373.406(5), 373.413, 373.4131, 373.414(9), 373.418, 376.3071, 403.814(1) FS. History—New_____.

ⁱAdditional changes have been made to several forms and other documents incorporated by reference, including Applicant’s Handbook Volume I (applicable statewide), Volume II (within each WMD), and to various rules of the

water management districts. Most of the changes are technical or were made to address comments from the Joint Administrative Commission; a summary of the non-technical changes is below. These changes were made to address written comments received before the end of the public hearing and to address comments from JAPC. All of the proposed changes to Volume I and the Department/Northwest Florida Water Management District Volume II are shown as highlighted text. Strike through and underlining in Volume II that is not highlighted in yellow represent changes made to the existing NFWMD Volume II (adopted in Chapter 62-346, F.A.C.) when this document was incorporated by reference in the Notice of Proposed Rule, and are not additional changes proposed through this Notice of Change.

Form Number	Summary of Changes
62-330.050(1)	Technical corrections made to 1) recognize the Section 403.813(3), F.S. exemption for maintenance dredging at a seaport; 2) inform persons of the potential need for a submerged lands authorization for exempt activities located on state-owned submerged lands; and 3) clarification of materials to include in a letter request for verification of an exemption if the form is not used (in accordance with Rule 62-330.050, F.A.C.).
62-330.0511(1)	Amended to correct text to conform with the relocation of the authorized activities from being originally proposed as a general permit in Rule 62-330.500, F.A.C., to a no-fee noticed exemption in 62-330.0511, F.A.C.
62-330.060(1), Sections A, B, C, E, and F	1) Changes made to referential language to address JAPC comments 2) address staff recommendations approved during the hearing to relocate the order of materials requested; 3) enable applicants to provide multiple pre-application meeting information; 4) clarify whether the application involves a modification to an existing activity; 5) delete certain references to the term “engineering” to address written comments received; 6) technical corrections to clarify the signature section to avoid

	confusion between the terms “applicant” and “owner” and to comport with rule and Applicant’s Handbook, Vol. I; and 7) amend information required for an authorization to use state-owned submerged lands in Section F.
62-330.301(1) through (6)	Amended forms for providing financial assurance for mitigation activities.
62-330.301(13)	Amended to refer directly to the conservation easement area instead of the area described in an exhibit. Added to the prohibited uses section, an exception for activities authorized in the permit or an approved management plan.
62-330.402(1)	Amended to: correct nomenclature; conform with the requirements of Rule 62-330.402, F.A.C.; and provide information on where persons can find the applicable fee for the notice of a general permit submitted to the Department or a WMD.

	to assist readers in locating where they may access copies of the Operating Agreements between the Agencies.
1.3.1.1	Added reference to inclusion of Operating Agreement as “Appendix E” to assist the public in obtaining a copy of it.
1.5.3	Revised second paragraph to address JAPC comments.
2.0(a)	Deleted definition of “Mean Annual Flood” in 60. The term is used only one place in the rule and Handbook, and it is being removed from that location (Rule 62-330.437, F.A.C.), because it is unnecessary. Renumbering of sections of 2.0 that follow to reflect this deletion. Revised the definition of “Ordinary High Water Line” in 69; revised definition of “state-owned submerged lands” in 94 to address “referential language” comments from JAPC; non-substantive, technical revision of “surface water management system” in 106 to simplify understanding of terms defined and described in subsection 62-330.010(2), F.A.C., and paragraph 2.0(a)74 of Volume I.
3.1.2	Added a reference where a copy of historic statutory grandfathering language applicable to dredge and fill (wetland resource) management and storage of surface waters (MSSW) applications and permits and formal jurisdictional determinations may be obtained and viewed in the Design Aids for Volume I.
3.2.3(a)	Technical correction to remove (a), which too-narrowly interpreted statute; renumbering of following paragraphs to reflect this deletion.
3.2.4(new)	Added narrative text explaining the applicability of seawall exemptions under applicable statutes and rules; renumbering of following section to reflect this addition.
3.2.6(new)	Added narrative text explaining the

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Section	Summary of Changes
Cover page	Corrected listing of appendices incorporated by reference and provided a more specific citation to subsection (4) of Rule 62-330.010, F.A.C., where the documents are incorporated by reference.
Multiple sections	Technical, non-substantive changes made to correct grammar, punctuation, formatting, and renumbering due to changes within Chapter 62-330, F.A.C., and other Handbook sections.
Multiple sections	Technical revisions to refer, as much as possible, to their terms “project” or “system,” instead of “surface water management systems,” to simplify understanding of terms defined and described in subsection 62-330.010(2), F.A.C., and paragraphs 2.0(a)74 and 106 of Volume I.
1.2	Rule reference made more specific

	applicability of dock exemptions under applicable statutes and rules; renumbering of following section to reflect this addition.
4.2.3	Removed improper reference to only Section A of Joint Application form, and made a technical correction in (e) that the application must be signed by an entity having sufficient real property interest as described in (d), instead of limiting it to the owner or two specific circumstances so that (d) and (e) will not be conflicting.
5.4	Technical revision to citation to provide more specificity for users.
5.5.2.2	Clarified timeframes for transmitting information and requesting comments from agencies with commenting authorities under Florida’s Coastal Zone Management Program.
5.5.2.3	Technical revision to citation to provide more specificity for users.
5.5.3.7	Struck vague reference to “substantially the same” in response to written comments.
5.5.3.8	Technical correction to delete unnecessary description of administrative procedures to request a hearing; existing statutes and rules of the agencies adequately address these provisions.
5.5.5.3	Technical revision to citation to provide more specificity for users.
6.1.2.2	Reworded language regarding permit extensions in response to a JAPC comment.
6.1.2.3	Clarified circumstances under which a constructed system may be operated and occupied for its intended use.
6.2.1(d)5	Added reference to address other circumstance under which mitigation is not required.
7.1(a)	Clarified applicability of the two types of available formal determinations.
7.2.2(a) through (f)	Numerous changes to the formal determination language to clarify

	procedures for and circumstances under which professional surveying is required.
7.2.3	Eliminated provision for extension of formal determinations due to lack of statutory authority.
8.1	Correction to reflect that Conceptual Approval Permits are subject to the same criteria for review as are individual permits to conform to Rules 62-330.301 and .302, F.A.C.
8.2.1	Correction to reflect that activities must not be inconsistent with the overall objectives of the “Department” (in addition to not being inconsistent with the overall objectives of the District).
10.2.2(a)	Added references to special protections for the bald eagle in recognition that, while it is no longer a “listed species,” it is a protected species under the Bald and Golden Eagle Protection Act that is in need of additional protection; clarified the types of information and comments regarding fish and wildlife that will be considered by agency staff; removed reference to considering impacts to the Florida black bear.
10.2.7	Removed references regarding secondary impacts to the Florida black bear in response to written requests from the FWC; added reference to the bald eagle and also clarified types of information regarding fish and wildlife that shall be considered by reviewing staff; added reference that the text of the management plans for wood storks and bald eagles have been added to Appendices G and H of the Volume.
10.2.8	Corrected references to cumulative impact drainage basins.
10.3.1	Removed reference to the Florida black bear; clarified appropriateness of mitigation as it relates to inclusion of uplands as part of a mitigation proposal to reflect guidance sent by the Department on

	June 15, 2011.
10.3.1.1	Clarified that the term “historic condition” relates to ecological communities and hydrologic condition in response to comments received.
10.3.1.5	Removed references to the Florida black bear at the request of the FWC.
10.3.7.4	Clarified requirements for demonstration of financial responsibility.
10.3.8	Removed reference to the “intent” of Section 704.06, F.S.
11.1.2	Language related to how to obtain copies of documents was stricken that was no longer needed with the proposed addition of text that identifies that the documents are incorporated by reference in Chapter 62-330, F.A.C., which also informs readers how to obtain the material.
11.3.1(f)	Eliminated references to “qualified inspectors” to address a JAPC comment.
12.2(d)	Clarified circumstances and procedures under which a phase of a permitted project may be transferred to operation and occupied for its intended use.
12.2(g)	Deleted language that was unnecessary and confusing.
12.3.2	Corrected references to “permittee,” rather than “applicant.”
12.3.3	Corrected to refer to specific types of association documents.
12.4(c)	Technical amendment involving elimination of references to inspection schedules that originally were going to be contained in each WMD’s Volume II; as adopted, the Volume IIs of each District do not contain those schedules, which will be established in the permit for each system.
Appendices E through H	Appendices added to avoid referential complications and provide users with easy access to the materials.

DEP/NWFWMD Applicant’s Handbook, Volume II

Section	Summary of Changes
Cover page	Revised listing of appendices incorporated by reference and provided a more specific citation to subsection (4) of Rule 62-330.010, F.A.C., where the documents are incorporated by reference.
Multiple sections	Technical, non-substantive changes made to correct grammar, punctuation, formatting, and re-numbering due to changes within Chapter 62-330, F.A.C., and other Handbook sections.
Multiple sections	Technical revisions to refer, as much as possible, to their terms “project” or “system,” instead of “surface water management systems,” to simplify understanding of terms defined and described in subsection 62-330.010(2), F.A.C., and paragraphs 2.0(a)74 and 106 of Volume I.
2.1(a)4.	Added definition of “floodway” to address comments received from the Office of Fiscal Accountability and Regulatory Reform.
2.3	Deleted text defining a “registered professional” that conflicts with the definition for this term in section 2.0(a)82 in Volume I.
2.8(b) & (d)	Clarified the stormwater pollutants that will be considered in (b) for purposes of net improvement. Replaced “implement” with “maintain” in (d) to better reflect the types of activities that are regulated under the ERP program.
2.12	Clarification of intent for operation and maintenance inspections generally to be performed by the same registered professional that designed the system.
4.5.2	Added a restriction on the maximum allowable drainage area to comport with the current methodology of the Florida Department of Transportation.
Appendix E	Added the text of the Modified Rational Hydrographic Method

	contained in Chapter 5 of the Florida Development Manual: A Guide to Sound Land and Water Management (June 1988) (previously proposed to be numbered Appendix E-1).
Appendix F	Added the text of section 3.10 of Chapter 6 of the <i>Florida Development Manual: A Guide to Sound Land and Water Management (June 1988)</i> (previously proposed to be numbered Appendix E-2).

South Florida Water Management District

Rule/Chapter	FAR Notice
40E-4.091(1)(a)	Notice of Change Published 6/17/13, Vol. 39/117; Notice of Correction published 6/19/13, Vol. 39/119
40E-41	Notice of Correction published 6/18/2013, Vol. 39/118, and Notice of Change published 6/17/2013, Vol. 39/117

Rules and Handbook Volume II of the Water Management Districts incorporated by reference in Chapter 62-330--The following sections have been amended to address mainly typographical errors and comments from the Joint Administrative Procedures Committee primarily involving incorporative language and rule authorities, as reflected in the notices of change published on the identified dates in the *Florida Administrative Register*.

Suwannee River Water Management District

Rule/Chapter	FAR Notice
40B-1.706	Notice of Change published in the FAR 6/19/2013, Vol. 39/119
40B-400.091(1)	Notice of Change published in the FAR 6/19/2013, Vol. 39/119

St. Johns River Water Management District

Rule/Chapter	FAR Notice
40C-4.091(1)	Notice of Change published in the FAR 6-13-2013, Vol. 39/115
40C-41	Notice of Change published in the FAR 6/13/2013, Vol. 39/115
40C-44	Notice of Change published in the FAR 6/13/2013, Vol. 39/115

Southwest Florida Water Management District

Rule/Chapter	FAR Notice
40D-1.607	Notice of Correction published in the FAR 6/4/2013, Vol. 39/108
40D-4.091	Notice of Change published in the FAR 5/30/2013, Vol. 39/105

Section IV
Emergency Rules

DEPARTMENT OF REVENUE

Corporate, Estate and Intangible Tax

RULE NO.: RULE TITLE:

12CER13-6 Adjustments for Excess Section 179 Expense and Special Bonus Depreciation

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2013-46, Laws of Florida (L.O.F.), authorizes the Department of Revenue to promulgate an emergency rule, and to renew such rule, to implement the provisions of the law. The law provides that conditions necessary for an emergency rule and its renewal have been met. Chapter 2013-46, L.O.F., retroactively makes changes related to bonus depreciation and Section 179 expense of the Internal Revenue Code (IRC). As a result of these changes, contained in Section 220.13(1)(e), F.S., taxpayers may need to file amended returns. This emergency rule establishes procedures for reporting the additions and claiming the subtractions required by Section 220.13(1)(e), F.S., and provides procedures for filing amended Florida corporate income tax return(s).

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of an emergency rule, and the renewal of such rule, to implement Chapter 2013-46, L.O.F., and determined that all conditions necessary for this emergency rule have been met. The law is retroactive, and as a result, some taxpayers need to amend their Florida corporate income tax return(s) if a return(s) affected by these changes was previously filed. This emergency rule establishes

procedures for reporting additions and claiming the subtractions required by Section 220.13(1)(e), F.S., so that taxpayers may timely file the required amended returns.

SUMMARY: Emergency Rule 12CER13-06, F.A.C. (Adjustments for Excess Section 179 Expense and Special Bonus Depreciation), provides procedures for taxpayers subject to the adjustments contained in Section 220.13(1)(e), F.S., for IRC Section 179 expense in excess of: \$128,000 (for tax years beginning in 2013) and bonus depreciation under IRC Sections 167 and 168(k), for assets purchased in 2013. This emergency rule: (1) provides the additions that taxpayers are required to add back to the amount of the federal deduction claimed under IRC Sections 167 and 168(k) for bonus depreciation (for assets placed in service in 2013) and under IRC Section 179 that exceeds: \$128,000 (for tax years beginning in 2013); (2) provides the subtractions that are available in each of seven tax years beginning with the year an addition is made under Section 220.13(1)(e), F.S.; (3) requires taxpayers to maintain a schedule reflecting all adjustments made under Section 220.13(1)(e), F.S.; (4) provides that these adjustments do not affect the basis of the property; and (5) provides when the subtractions under Section 220.13(1)(e), F.S., are allowed.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Affan Qureshi, Senior Attorney, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7602.

THE FULL TEXT OF THE EMERGENCY RULE IS:

12CER13-06 Adjustments for Excess Section 179 Expense and Special Bonus Depreciation.

(1) Scope. This rule only applies to taxpayers subject to the adjustments contained in Section 220.13(1)(e), F.S., for Section 179 of the Internal Revenue Code ("IRC") expense in excess of \$128,000 (for tax years beginning in 2013) and bonus depreciation under IRC Sections 167 and 168(k) for assets placed in service in 2013.

(2) Additions Required:

(a) For tax years that begin in 2013, taxpayers are required to add back the amount of the federal deduction claimed under IRC Section 179 that exceeds \$128,000. All amounts in excess of \$128,000 are required to be added back, including amounts carried over from previous tax years under IRC Section 179(b)(3)(B). The increased overall investment limitation contained in IRC Section 179(b)(2) is the same for Florida as it is for federal income tax purposes.

(b) Taxpayers are required to add back the amount of the federal deduction claimed as bonus depreciation under IRC Sections 167 and 168(k) for assets placed in service after December 31, 2012, and before January 1, 2014.

(3) Subtractions Allowed:

(a) In each of the seven tax years commencing with the year the addition is made under Section 220.13(1)(e), F.S., taxpayers may subtract one-seventh of the amount of excess IRC Section 179 expense and one-seventh of the amount of bonus depreciation that is added back under Section 220.13(1)(e), F.S.

(b) The total amount that may be subtracted over the seven-year period should equal, but may not exceed, the amounts of IRC Section 179 expense and bonus depreciation that have been added back to Florida taxable income under Section 220.13(1)(e), F.S.

(c) Subtractions under Section 220.13(1)(e), F.S., may create or increase a net operating loss.

(d) Subtractions may be transferred to the surviving company in a merger or acquisition. Otherwise, if a taxpayer ceases to do business during the seven-year period, it may not accelerate, transfer or otherwise utilize a subtraction.

(4) A schedule reflecting all of the adjustments made under Section 220.13(1)(e), F.S., must be created and maintained. Taxpayers must also report any additions on Schedule I, Additions and/or Adjustments to Federal Taxable Income, of the Florida Corporate Income/Franchise and Emergency Tax Return (Form F-1120, incorporated by reference in Rule 12C-1.051, F.A.C.) and any subtractions on Schedule II, Subtractions from Federal Taxable Income, of the return for the applicable tax year. Partnerships filing a Florida Partnership Information Return (Form F-1065, incorporated by reference in Rule 12C-1.051, F.A.C.) are required to make the adjustments required by Section 220.13(1)(e), F.S., on Part I of Form F-1065.

(5) Basis of Property: The adjustments required by Section 220.13(1)(e)1. and 2., F.S., (relating to excess IRC Section 179 expense and bonus depreciation), do not affect the basis of the underlying property. The basis of the property for Florida corporate income tax purposes is the same as the basis of the property for federal income tax purposes. If the property is sold or otherwise disposed of, the gain or loss for Florida corporate income tax purposes is the same as the gain or loss for federal income tax purposes and is included in federal taxable income apportioned to Florida. Differences in the apportionment fraction from one year to the next are disregarded. The applicable depreciation conventions, methods, and recovery periods are computed in the same manner as they are computed in determining federal taxable income.

(6) Amended Returns and Section 220.13(1)(e), F.S. Taxpayers that filed their Florida corporate income tax returns in a manner inconsistent with these changes in law are required to amend their Florida corporate income tax return(s) to conform to the new law. To the extent that any tax is due and paid on an amended return(s) as a result of these changes in law for the differences between the additions and subtractions required by Section 220.13(1)(e), F.S., and the adjustments required by Section 220.13(1)(e), F.S., reasonable cause exists under Rule 12-13.007, F.A.C., for a waiver of the resulting penalty. The provisions of this rule do not relieve a taxpayer of its obligation to file a Florida corporate income tax return and report the adjustments required by Section 220.13(1)(e), F.S.

(7) The subtractions allowed by Section 220.13(1)(e), F.S., are the means by which the additions required by Section 220.13(1)(e), F.S., are reconciled and recovered. If a taxpayer does not claim a deduction for bonus depreciation (for assets placed in service in 2013) or a deduction for IRC Section 179 expense in excess of \$128,000 (for tax years beginning in 2013), no add-back is required or subtraction allowed for Florida corporate income tax purposes. Similarly, if a taxpayer did not add back bonus depreciation or excess IRC Section 179 expense because, for example, it was not subject to the Florida corporate income tax in that year, no subtraction is allowed for Florida corporate income tax purposes.

(8) No subtraction is allowed for bonus depreciation or IRC Section 179 expense unless it has been added back in computing Florida taxable income under Section 220.13(1)(e), F.S.

Rulemaking Authority s. 3, Ch. 2013-46, L.O.F. Law Implemented Ch. 2013-46, L.O.F. History—New 8-14-13.

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 14, 2013

Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT
Criminal Justice Standards and Training Commission
RULE NO.: RULE TITLE:
11B-27.013: Canine Team Certification
The Criminal Justice Standards and Training Commission hereby gives notice: the Criminal Justice Standards and Training Commission has issued an order on August 14, 2013.

On April 15, 2013, the Criminal Justice Standards and Training Commission, received a petition for a waiver of subsections 11B-27.013(2) and (5), F.A.C., by Bradford county Sheriff’s Office on behalf of Sergeant Lee Gartno and K-9 Bara. The rule requires canine teams to complete 400 hours of instruction prior to certification and to successfully complete an additional 40 hours recertification course. The Petition supported the waiver by asserting that the K-9 team did, indeed, complete all course work required for certification on December 6, 2011, and completed all course work for recertification on December 13, 2012. The Petition stated that a form CJSTC 70 was filed in both instances. However, a review of the forms revealed that they were not signed by the evaluator, as required. During all times pertinent to this rule waiver request, the K-9 team was actively deployed. Notice of receipt of the petition was published in the Florida Administrative Weekly Volume 39, Number 76 on April 18, 2013. The petition was originally denied by the Commission on May 9, 2013, at its regularly scheduled business agenda meeting held in Sarasota, Florida. However, new information was obtained concerning the training of the canine team. The issue was brought before the Commission again at its regularly scheduled business agenda meeting held August 8, 2013, at Ponte Vedra Beach, Florida. The Commission considered the new evidence and found that Petitioner’s situation is unique. The Petitioner demonstrated that the strict application of the Commission’s rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, which is to ensure that canine teams have sufficient training, will be met by granting this waiver request. The Commission granted the Petitioner’s request for a waiver.

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

WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District
RULE NO.: RULE TITLE:
40D-22.201: Year-Round Water Conservation Measures
NOTICE IS HEREBY GIVEN that on August 12, 2013, the Southwest Florida Water Management District received a petition for a variance or waiver.
Petitioner’s Name: South Fork Village (CDD-East)
Rule No.: 40D-22.201
Nature of the rule for which variance or waiver is sought: lawn and landscape irrigation
The Petition has been assigned tracking No. 13-4174.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

Any interested person or other agency may submit written comments within 14 days after the publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida State Fair Authority Board, Executive Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2013, 10:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Sonia Velez at (813)627-4221.

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: Sonia Velez at (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Sonia Velez at (813)627-4221.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida State Fair Authority, Finance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2013, 11:00 a.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Sonia Velez at (813)627-4221.

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: Sonia Velez at (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Sonia Velez at (813)627-4221.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida State Fair Authority, Long Range Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: August 28, 2013, 1:00 p.m.

PLACE: Florida State Fairgrounds, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: Sonia Velez at (813)627-4221.

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: Sonia Velez at (813)627-4221. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Sonia Velez at (813)627-4221.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

The Department of Agriculture and Consumer Services, Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: September 3, 2013, 1:30 p.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Boulevard, Players Room B & C, Ponte Vedra Beach, Florida 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Forest Service Programs.

A copy of the agenda may be obtained by contacting: Jim Karels, Director, Florida Forest Service, 3125 Conner Boulevard, Tallahassee, FL 32399-1650, telephone (850)488-4274.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jim Karels, Director, Florida Forest Service, 3125 Conner Boulevard, Tallahassee, FL 32399-1650, Telephone (850)488-4274. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Jim Karels, Director, Florida Forest Service, 3125 Conner Boulevard, Tallahassee, FL 32399-1650, telephone (850)488-4274.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

The Florida Department of Highway Safety and Motor Vehicles announces a public meeting to which all persons are invited.

DATE AND TIME: August 26, 2013, 2:00 p.m.
 PLACE: Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, FL 32399 - Room B130
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting of the evaluation committee in reference to RFQ 039-13, relating to the Analysis and Recommendation Report on Florida's Statewide Law Enforcement Radio System.

A copy of the agenda may be obtained by contacting: Alice Riley by email, AliceRiley@flhsmv.gov, or phone, (850)617-3203.

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: Alice Riley by email, AliceRiley@flhsmv.gov, or phone, (850)617-3203. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

FLORIDA PAROLE COMMISSION

The Florida Parole Commission announces public meetings to which all persons are invited.

DATES AND TIMES: Wednesday, September 11, 2013 and Thursday, September 12, 2013, 8:30 a.m.; Wednesday, September 18, 2013 and Thursday, September 19, 2013, 8:30 a.m.; Wednesday, September 25, 2013 and Thursday, September 26, 2013, 8:30 a.m.
 PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, (850)488-1293.

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: Florida Parole Commission at ada@fpc.state.fl.us. If you are hearing or speech impaired, please contact the

agency using the Florida Relay Service, (800)955-8771 (TDD) or (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 ELDER AFFAIRS

Division of Volunteer and Community Services
 The Department of Elder Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 18, 2013, 9:00 a.m. – 11:30 a.m.

PLACE: Live Oak Multipurpose Senior Center, 1171 Nobles Ferry Road, Live Oak, Florida 32064, EDT

GENERAL SUBJECT MATTER TO BE CONSIDERED: To increase community awareness, and provide participants with information and resources on preventing fraud.

A copy of the agenda may be obtained by contacting: Janine Harris, Community Relations Manager, Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; via email at harrisj@elderaffairs.org; or by phone at (850)414-2373.

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 72 hours before the workshop/meeting by contacting: Janine Harris, Community Relations Manager, Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; via email at harrisj@elderaffairs.org; or by phone at (850)414-2373. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Janine Harris, Community Relations Manager, Department of Elder Affairs, Communities for a Lifetime, 4040 Esplanade Way, Tallahassee, Florida 32399-7000; via email at harrisj@elderaffairs.org; or by phone at (850)414-2373.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers
 The Regulatory Council of Community Association Managers announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, August 23, 2013, 10:00 a.m.
 PLACE: Conference call (888)670-3525, code: 6493057517#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business, Rule 61E14-2.001, F.A.C.

A copy of the agenda may be obtained by contacting: Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)717-1981.

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: Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)717-1981. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Regulatory Council of Community Association Managers, (850)717-1981.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Auctioneers

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

DATE AND TIME: Tuesday, September 10, 2013, 9:00 a.m.

PLACE: Embassy Suites Hotel, 3705 Spectrum Blvd., Tampa, Florida 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)717-1981.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)717-1981. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Board of Auctioneers, (850)717-1981.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: August 23, 2013, 2:00 p.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 email 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, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: August 28, 2013, 2:00 p.m. – 4:00 p.m.

PLACE: Glades County Courthouse, Moore Haven, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wildlife Management Plan Update; MAG Report, Public Hearing report; Surplus Lands FWC analysis; Cowbone Marsh; update on hiking trail(s).

ROUTINE REPORT: Report of Enforcement Actions in the Wildlife Management Area, if any; visitors counts to date; prescribed burns, if any; exotic vegetation removal.

CORRESPONDENCE

NEW BUSINESS: SAAB members' new business; date and location for next meeting.

PUBLIC INPUT/ANNOUNCEMENTS/ADJOURNMENT

A copy of the agenda may be obtained by contacting: Marianne Gengenbach (marianne.gengenbach@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: Marianne Gengenbach (marianne.gengenbach@dep.state.fl.us).

dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Marianne Gengenbach (marianne.gengenbach@dep.state.fl.us).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-304.800: Caloosahatchee River Basin TMDLs.

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

DATE AND TIME: Thursday, August 29, 2013, 10:00 a.m.

PLACE: Dallas B. Townsend Agricultural Center, 1085 Pratt Boulevard, LaBelle, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The modeling and strategy related to developing the total maximum daily loads (TMDLs) for impaired waters in the Caloosahatchee Basin, to be adopted in rule 62-304.800. A Final Workshop will follow this workshop at a later date where the Draft TMDLs will be presented for comment. The TMDL materials to be discussed at this workshop will include modeling of the following impaired waters; the S-4 Basin (3246), Cypress Branch (3235G), Townsend Canal (3235L), Lake Hicpochee (3237C), Ninemile Canal (3237D), Deep Lagoon Canal (3240A4), Billy Creek (3240J), Caloosahatchee River between S-78 and S-79 (3235B), Jack's Branch (3235D), Long Hammock Creek (3237B), Popash Creek (3240Q), and Cape Coral (3240A2). Furthermore, upon paragraph 62-302.531(2)(a), F.A.C., becoming effective, any of these rules which establish nutrient TMDLs, if adopted, are intended to constitute site specific numeric interpretations of the narrative nutrient criterion set forth in paragraph 62-302.530(47)(b), F.A.C. that will supersede the otherwise applicable numeric nutrient criteria in paragraph 62-302.531(2)(c) for these particular surface water segments.

A copy of the agenda may be obtained by contacting: Ms. Pat Waters, Watershed Evaluation and TMDL Section, MS 3555, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, or by calling (850)245-8449.

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: Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Acupuncture

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

DATE AND TIME: September 13, 2013, at approximately 9:00 a.m. E.S.T.

PLACE: Residence Inn Tallahassee Universities at the Capitol, 600 W Gaines St., Tallahassee, FL 32304-4308

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This meeting notice is to replace notice ID# 12529992.

General business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

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 days before the workshop/meeting by contacting: Paula Mask at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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 CHILDREN AND FAMILY SERVICES

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

DATE AND TIME: Wednesday, August 21, 2013, 1:30 p.m.

PLACE: Pasco Sheriff's Child Protection 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, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF FINANCIAL SERVICES

The Medicaid and Public Assistance Fraud Strike Force announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2013, 2:00 p.m. – 4:00 p.m.

PLACE: Senate Office Building Room 401, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of M&PAF Strike Force.

A copy of the agenda may be obtained by contacting: Jade.Stern@myfloridacfo.com 2 days prior to meeting.

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: Jade Stern, (850)413-1770, Jade.Stern@myfloridacfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

GULF CONSORTIUM

The Gulf Consortium announces a public meeting to which all persons are invited.

DATE AND TIME: August 22, 2013, 9:00 a.m. – 12:00 Noon, EDT

PLACE: Gulf Room, Sheraton Sand Key Hotel, 1160 Gulf Boulevard, Clearwater Beach, Florida 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: Educational presentations on ecological challenges in the Gulf Coast Region, process for comments on federal rules, informational presentations by officials from state agencies and other matters.

A copy of the agenda may be obtained by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com; or, see, www.FACRestore.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Doug Darling at (850)922-4300 or ddarling@fl-counties.com; or, see www.FACRestore.com.

GULF CONSORTIUM

The Gulf Consortium announces a public meeting of its Committee of 15 Non-Disproportionately Affected Counties to which all persons are invited.

DATE AND TIME: August 22, 2013, 9:00 a.m. – 9:30 a.m., EDT.

PLACE: Gulf Room, Sheraton Sand Key Hotel, 1160 Gulf Boulevard, Clearwater Beach, Florida 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the minutes from the June 28, 2013 committee meeting and other matters.

A copy of the agenda may be obtained by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com; or, see, www.FACRestore.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Doug Darling at (850)922-4300 or ddarling@fl-counties.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Doug Darling at (850)922-4300 or ddarling@fl-counties.com; or, see www.FACRestore.com.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Construction Insurance Trust announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, September 26, 2013, 2:00 p.m.

PLACE: One Ocean Resort and Spa, One Ocean Blvd., Atlantic Beach, FL 32233

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Construction Insurance Trust general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at One Ocean Resort and Spa, One Ocean Blvd., Atlantic Beach, FL 32233, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Linda Bridges, email: lbridges@flcities.com or call: (850)222-9684. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Bridges, email: lbridges@flcities.com or call: (850)222-9684. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Linda Bridges, email: lbridges@flcities.com or call: (850)222-9684.

FLORIDA LEAGUE OF CITIES

The Florida Municipal Insurance Trust announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, September 27, 2013, 8:00 a.m.

PLACE: One Ocean Resort & Spa, One Ocean Blvd., Atlantic Beach, FL 32233

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Insurance Trust general meeting conducted through the use of communications media technology, as authorized by Section 163.01(18), Florida Statutes. Persons interested in attending may do so in person at One Ocean Resort & Spa, One Ocean Blvd., Atlantic Beach, FL 32233, where a communications media technology facility will be located.

A copy of the agenda may be obtained by contacting: Linda Bridges, email: lbridges@flcities.com or call: (850)222-9684. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Linda Bridges, email: lbridges@flcities.com or call: (850)222-9684. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Linda Bridges, email: lbridges@flcities.com or call: (850)222-9684.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:

33-103.011: Time Frames for Inmate Grievances

33-103.014: Reasons for Return of Grievance or Appeal Without Processing

33-103.015: Inmate Grievances – Miscellaneous Provisions

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has declined to rule on the petition for declaratory statement filed by inmate Jose Guilarte, DC# 099389 on July 31, 2013. The following is a summary of the agency's declination of the petition:

Notice of Petition for Declaratory Statement was published in Vol. 39, No. 151, of the August 5, 2013, Florida Administrative Register. Inmate Jose Guilarte, DC# 099389 sought a Declaratory Statement regarding the agency's interpretation of how the timeframes listed in Rules 33-103.011, 33-103.014, and 33-103.015, Florida Administrative Code, apply when an inmate transfers institutions. The Final Order, filed on August 14, 2013, denies the Petition for Declaratory Statement because pursuant to section 120.81(3), Florida Statutes, the Department lacks the jurisdiction to issue a declaratory statement for inmates. As an inmate of the Florida Department of Corrections, Jose Guilarte, DC# 099389 is limited to participation in administrative proceedings under Section 120.54(3)(c) or (7), Florida Statutes. See § 120.81(3)(a), Fla. Stat. (2012).

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Janet Holmes, 501 S. Calhoun Street, Tallahassee, Florida 32399 or by electronic mail - holmes.janet@mail.dc.state.fl.us.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that The Home Inspectors Licensing Unit, Department of Business and Professional Regulation has received the petition for declaratory statement from Steve Taylor. The petition seeks answers regarding the general interpretation and applicability of Chapters 468 and 489, Florida Statutes and for an interpretation of a declaratory statement of the Construction Industry Licensing Board that was filed in 2010.

Mr. Taylor's petition was filed with the agency clerk on August 5, 2013.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 1940 North

Monroe Street, Suite 92, Tallahassee, Florida 32399-2202. Telephone: (850)921-0342, email: AGC.Filing@myfloridalicense.com.

Please refer all comments to: John MacIver, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 42, Tallahassee, Florida 32399, (850)488-0062.

Except for good cause shown, motions for leave to intervene must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

NOTICE IS HEREBY GIVEN that on June 21, 2013, the Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, has received an amended petition for declaratory statement from Petitioner West Flagler Associates, LTD., in DBPR Case No. 2013008605 (DS 2013-012). The petition seeks the agency's opinion as to the applicability of Chapter 551, F.S., as it applies to the Petitioner, and notice of receipt of Petitioner's initial petition was published in Vol. 39, No. 45, March 6, 2013 issue of the Florida Administrative Register.

Petitioner seeks a determination by its amended petition as to whether Sections 551.102(4), 551.104(4)(c), & 551.114, F.S., or other provisions of Florida law require a licensed slot machine operator to conduct a full schedule of live pari-mutuel performances at the same location in which slot machine gaming will be conducted in order to receive or renew an annual slot machine license. All motions to intervene already filed in this cause need not be re-filed; they will be considered. However, any other person whose substantial interests may be affected by a declaratory statement on the subject matter of the Amended Petition may file a motion to intervene within 21 days of the publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, phone (850)921-0342.

DEPARTMENT OF HEALTH

Board of Medicine

NOTICE IS HEREBY GIVEN THAT on August 13, 2013, the Board of Medicine issued a Final Order on the petition for declaratory statement filed on behalf of Jack Daubert, M.D. The Notice of the Petition was published in Vol. 39, No. 89, of

the May 7, 2013, issue of the Florida Administrative Register. The Board reviewed the Petition at its meeting held on August 2, 2013. The Board's Final Order declines to issue a declaratory statement on the basis that the Board was not presented with sufficient information to make an informed determination. A copy of the Final Order may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Florida Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Don Meyler Inspections, Inc. on May 8, 2013. The following is a summary of the agency's disposition of the petition:

The Department's order, issued August 6, 2013, found that the questions presented did not apply to the petitioner's particular set of circumstances and were related to the conduct of others and not related to conduct of the petitioner. Thus, no response addressing the petitioner's questions could be rendered.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: L. Michael Billmeier, Jr., Assistant General Counsel, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399, telephone number (850)413-4242, email: michael.billmeier@myfloridacfo.com.

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

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council
 Central Florida Safe Routes Condition Analysis Continuing
 Services
 Request for Qualifications – (RFQ)
 RFQ Title: Central Florida Safe Routes Condition Analysis
 Continuing Services
 Opening Date: August 15, 2013
 Closing Date: September 1, 2013
 Contract Amount: Up to \$19,500

Section 1 – General Information

1 – Type of Service

The East Central Florida Regional Planning Council (ECFRPC) is requesting qualifications from qualified firms to provide professional services for the Central Florida Safe Routes program. Services for the program include but are not limited to: route condition data collection and verification, additional school data, health, and transportation data verification, validation of the routes condition model; marketing and outreach assistance, and applications development assistance upon availability of future program funding. The Request for Qualifications (RFQ) process will identify and select a qualified firm based on professional qualifications and selection criteria to provide the above described services.

2 – General Scope of Work

The selected firm shall provide the ECFRPC with a full range of as-needed services in the areas of planning, data collection and data analysis as it relates to the Central Florida Safe Routes portal and program.

This Request for Qualifications extends the development of the one stop location, www.CentralFloridaSafeRoutes.org, portal for dissemination of the most up to date information, best practices, policies, tools, videos, and the development of safe walking and biking programs, policies through programs such as Safe Routes to School.

This program equips parents and students with information to make sound decisions, encourages children to walk and bike to school and helps to creating healthy communities which foster healthy lifestyles. The portal tools also serve to educate stakeholders of the impacts and importance of the Safe Routes to School program, infrastructure and appropriate economic returns. Policy and decision makers and other staff will be able to utilize the tools on the website to evaluate data involved with school siting and transportation, evaluate economic impacts of SRTS, and more. Arming stakeholders with relevant data helps to advocate for safe biking and walking environments and education for children and families.

The portal is being developed in phases allowing components to be implemented upon funding availability and through the development of tools and data sharing for targeted audiences.

3 – Specific Tasks

The selected firm will provide all services for the proposal including data collection and verification, tool methodology validation, model output validation and outreach and marketing. Some of the duties outlined will become active when additional funding is secured.

The Route Condition Analysis Model: Understanding which routes are most suited to be safe and accessible enables parents and students to assess and determine the most appropriate route for walking or biking to school. Such understanding will also provide officials the ability to review data specific to a location to ensure that infrastructure projects are being targeted at locations which provide the best return on investment. The model will identify and analyze conditions, hazards, barriers and infrastructure within a 2 mile radius of 5 Eustis Elementary Schools (Lake County). Other Elementary schools within the same County may be used as part of the validation process as well. Depending upon results of field verification, additional development, data collection or reformatting may be necessary. The routes will be ranked according to various criteria. The selected firm will work with the Regional Planning Council team to identify data needs, conditions, methodology, criteria and provide the model validation.

4. – Schedule of Activities

Activities:	Due Dates:
i. Advertised Period	August 15 – September 1, 2013
ii. Deadline to Submit RFQ Questions	August 22, 2013
iii. Response to Written RFQ Questions	August 25, 2013
iv. RFQ Submittal Deadline	September 1, 2013
v. Evaluation of RFQ & Firms	September 2–September 4, 2013
vi. Final Selection of Firm(s)	September 5, 2013

5. – Inquiries

Questions regarding this RFQ must be submitted in writing by mail, fax or email to the Program Manager listed below. Written questions as to the intent or clarity of this RFQ can be submitted until close of business, 5:00 p.m. (East Time) on August 22, 2013. Written responses to written questions and any RFQ amendments will be published in the www.ecfrpc.org website. No further questions, in any form, will be entertained after August 22, 2013.

Program Manager: Tara McCue, Director of Planning and Community Design, East Central Florida Regional Planning Council, Email: tara@ecfrpc.org.

6 – Proposal Submittal Deadline

Proposals must be physically submitted to the following address by September 1, 2013, no later than 4:00 p.m. (East Time): East Central Florida Regional Planning Council, Attention: Tara McCue, 309 Cranes Roost Blvd, Suite #2000, Altamonte Springs, FL 32701.

Late, facsimiled or emailed proposals will not be accepted. These will be discarded and unrated. Firms responding in such fashion shall be considered non-responsive.

7 – Addendum to the RFQ: In the event it becomes necessary to revise any part of the RFQ, the East Central Florida Regional Planning Council shall issue a written addendum on the specifics of the change and inform all concerned by making the announcement available for download from the ECFRPC website www.ecfrpc.org.

8 – Rejection of Proposals: The East Central Florida Regional Planning Council reserves the right to reject any or all proposals and waive informalities in the proposals received whenever such rejection or waiver is in the best interest of the region and/or the Central Florida Safe Routes program.

9 – Proprietary Information: Any restriction on the use of data contained within any proposal must be clearly stated in the proposal. Each and every page that contains proprietary information must be stamped or imprinted “Proprietary”.

10 – Ownership of Proposals: All materials submitted with the RFQ shall become property of the East Central Florida Regional Planning Council and not returned to the firm. The ECFRPC has the right to use any or all the information presented in the RFQ subject to limitations outlined in the item #8 above described. Disqualification or non-selection of a firm or proposal does not eliminate this right.

11 – Cost Incurred: The East Central Florida Regional Planning Council is not liable for any cost incurred by the firm prior to issuance of a signed contract award for services.

12 – Contractual Obligations: The contents of the proposal may become part of contractual obligations of the contract award. Failure of the firm to accept these obligations may result in cancellation of the award for services.

13 – Evaluation Criteria: Proposals accepted for rating shall be evaluated based on the criteria and 100 point system set forth in section 5 – Rating System and Evaluation Criteria.

14 – Award of Contract: A contract will be awarded for the Route Condition Model and the East Central Florida Regional Planning Council will retain the services of the top-rated firm on an as-needed basis. Upon selection, the firm will be notified. However, additional tasks will not be included in the contract outside of the Route Condition Model until the East Central Florida Regional Planning Council is in need of such services. When a need is established by the ECFRPC, a Statement of Work (SOW) along with a detailed fee proposal shall be prepared by the selected firm according to the task order and approved billing rates. Upon ECFRPC acceptance of the scope of work and fee proposal provided by the firm, the contract will be amended. The contract shall be effective from the executed date of the contract between the ECFRPC and the firm.

15 – Disclaimer: The ECFRPC acceptance or review of any proposal shall not guarantee the execution of any contract, and the proposed contract shall be reviewed by all the appropriate interested parties for administrative and legal sufficiency, prior to execution, for improprieties in the procurement process or applicable local, state or Federal Laws or regulations, or for failure to submit all requested documents or information.

Section 2 – Proposal Requirements and Selection

A. Proposal Submission

1. Proposal must be submitted in a sealed envelope clearly marked:

a. “DO NOT OPEN – RFQ Central Florida Safe Routes Condition Analysis Continuing Services”

b. The name of the firm submitting the proposal shall be written legibly and shown on the outside of the sealed envelope. Please include the firm’s address.

2. Proposal Standards: The firm shall submit one (1) original and three (3) identical copies of their RFQ proposal for the evaluation committee members. Appearance of proposal is important and professionalism in proposal presentation should not be neglected. The proposal standards are as follows:

a. This RFQ proposal may not exceed 20 single-sided pages (maximum 8 ½” x 11”) with a minimum of 10 pt. type.

b. Pages that have photos, charts and graphs will be counted towards the maximum number of pages.

c. The following information is not included in the 20-page limit: cover letter on company letterhead and maximum 1-page resumes of each key team member.

d. RFQ submittals should be plastic or metal spiral-bound only. Please do not submit RFQ proposals in loose-leaf 3-ring binders; these will be considered non-responsive and disqualified.

e. Submissions exceeding the 20-page limit or any resumes exceeding the 1-page limit will be considered non-responsive and will be disqualified.

3. In a separate sealed envelope clearly marked as “FEE PROPOSAL”, the firm shall provide a proposed Contract Billing Rate schedule. The proposed Contract Billing Rates shall be an hourly rate fee schedule by position for work to be provided by each of the firms that comprise the “consultant team”, including the proposed total contract value, hourly rate fee, reimbursable expenses and rates that apply. The sealed envelope will not be opened by the East central Florida Regional Planning Council until after the RFQ proposals have been reviewed and ranked.

B. Proposal Review Process

Receipt of proposals will be verified on the due date specified. The ECFRPC will screen and evaluate proposals received in accordance to the following criteria. Proposals which fail this check will be considered non-responsive and disqualified.

1. Proposal is received by the required deadline date and time.
2. Proposal meets the proposal submission requirement set forth above under Section 2, A.

C. Proposal Evaluation

1. Proposals shall be evaluated and rated in accordance with the criteria outlined in Section 4 – Proposal Content and Evaluation Criteria.

2. The ECFRPC will rate the proposals based on total points awarded and the top three qualified firms with the highest ranking will be determined as most responsive.

The ECFRPC reserves the right to either interview the top three qualified firms or directly select the best qualified firm.

3. In a separate sealed envelope clearly marked as “FEE PROPOSAL”, the firm shall provide a proposed Contract Billing Rate schedule. The proposed Contract Billing Rates shall be an hourly rate fee schedule by position for work to be provided by each of the firms that comprise the “consultant team”, including the proposed total contract value, hourly rate fee, reimbursable expenses and rates that apply . The sealed envelope will not be opened by the ECFRPC until after the RFQ proposals have been reviewed and ranked; and it has been determined which firms the ECFRPC has selected for further evaluation and consideration.

D. Award of Contract

1. The East Central Florida Regional Planning Council will retain the services of the top rated and ranked firm for the Route Condition Model on an as-needed basis. Upon selection, the firm will be notified; however no contract will be entered into until the ECFRPC is in need of services. Questions regarding the submitted Contract Billing Rates will be addressed during this time. Failure to address any questions adequately by the firm shall result in cancellation of the offer. However, this cancellation will not negatively affect the other two qualified firms. The ECFRPC will offer the contract to the next highest rated and ranked firm on an as-needed basis.

2. When a need is established by the ECFRPC, a SOW shall be prepared by the East Central Florida Regional Planning Council and presented to the firm for negotiation. Once the fees are considered reasonable, an authorization of services contract with the firm can be executed.

3. The ECFRPC will issue a Notice to Proceed to the firm upon execution of the contract. No work shall be performed by the firm until such notice is given by the ECFRPC. The ECFRPC is not liable for any cost incurred by the firm prior to issuance of a signed contract award.

Section 3 – Scope of Work

A. Description of Work

The consultant firm shall provide professional services in support of the ECFRPC Safe Routes Portal development. The as-needed services for these on-call projects include but are not limited to: planning; data collection; research; methodology development; data formatting; field data collection and validation; outreach and marketing.

The consultant will support the development of the Route Condition Model which it also provides officials the ability to review data specific to a location to ensure that infrastructure projects are being targeted at locations which provide the best return on investment. This tool will allow for those areas within the two mile walking distance of a school to be analyzed, based on various conditions and data, to determine the existing paths meeting the highest criteria for potential safe route corridors and identify potential barrier locations. These barriers can be further analyzed to determine possible improvements such as sidewalks, crossing guard locations, or other features to improve pedestrian conditions and strengthen the safe routes to school network.

Tasks

Assist in creation of modeling parameters and assumptions

Assist in creation of services to represent data values
 Field verification for modeling validation.

Five Eustis Schools will serve to validate the model and methodology prior to inclusion of the entire Lake County Schools

Upon expansion, other schools may be used as part of the validation process.

Dependent upon results of field verification, additional development, reformatting and verification may be necessary.

Outreach and marketing.

Section 4 – Proposal Content and Evaluation Criteria

A. Qualification of the Firm. Proposals must specifically address and affirm the following:

1. Letter of Interest that indicates why your firm should be selected to provide professional services to the East Central Florida Regional Planning Council Safe Routes to School Portal development.
2. Evidence of insurance, such as Professional Liability Insurance.
3. Resume of personnel that will be involved in the task of completing projects, including professional qualifications and experiences. Include personnel of sub-consultants which will be utilized by the prime consultant.
4. Organizational Chart outlining the inter-relationship and line of communication between the firm and sub-consultants.
5. Capability to perform all or most aspects of the project and recent experience in providing services comparable to the proposed SOW as listed in Section 3. Key personnel’s professional qualifications, experience, availability for the proposed work, roles and responsibilities, and competence and their knowledge of Safe Routes to School program, the east central Florida region and State of Florida Safe Routes to School program regulations, policies and procedures.
6. Qualifications and experience of outside consultants regularly engaged by the consultant under consideration. Describe the roles and responsibilities of key personnel.
7. List and describe any civil or criminal claims, judgments or suits filed against your company within the past ten (10) years.
8. Capability of a branch office that will conduct the work to perform independently of the home office, conversely its capability to obtain necessary support from the home office. The use of geographic location may be selection criteria provided its application leaves an appropriate number of qualified firms, given the nature and size of the Route Condition Tool project, to complete the contract.

B. Minority Business Certified Firms

Additional consideration will be given to those firms who are utilizing Minority Business Certified firms in the task of

completing projects. Provide resume of firm personnel, including professional licenses, qualifications and experience. Consideration will be based on the actual number of personnel who will be utilized in the completion of the task; and not on the ownership, nor percent ownership, of the firm.

Evidence that the consultant has made a good faith effort to meet the Disadvantaged Business Enterprise (DBE) goals (49 CFR, 26.53) to accomplish the proposed SOW.

C. Experience

Interested firms shall provide evidence of experience and quality service rendered relative to similar projects (as listed under Section 3, B) in the state of Florida, and within the east central Florida region. Include three (3) references of providing Services that the firm has completed in the last five (5) years. Identify the year(s) of providing the services and the owner or sponsor’s contact person’s name and phone number. Services and Projects which are referred to as having been accomplished by your firm shall be services and projects which were managed by personnel who are currently on your firm’s staff. Similarly, do not list services, projects or experience for individuals who were employed by another firm. Interested firms and their sub-consultants shall also provide evidence of management capacity and scheduling, staff expertise, internal quality control and organization structure.

D. Project Understanding, Familiarity and Interest Shown

Describe your understanding of the project and approach to delivering Services for the work described under Section 3, B. Describe your interest in undertaking the Services and the firm’s familiarity with the East Central Florida Regional Planning Council Safe Routes to School program and state and national programs. Emphasis is placed on the firm’s ability to demonstrate considerable knowledge in the following aspects of the Safe Route to School and transportation:

Safe Routes to School State program

- Safe Routes to School National partnership
- Moving Ahead for Progress in the 21st Century Act
- Economic benefits of the Safe Routes program
- Regional and local Safe Routes to School initiatives
- Complete streets policies
- Roadway condition and characteristics analysis
- Pedestrian and bicycle facilities analysis
- Safe school access analysis
- Safe Routes to School funding and grant applications
- FHWA safety program
- Economic benefits of walkable communities
- Geographic Information Systems (GIS)

E. Record of Past Performance

Interested firms must demonstrate it has the administrative and technical capabilities to perform professional services (as listed under Section 3, B) on contracts with government agencies with respect to such factors as identifying and mitigating risk to control costs, quality of work, and ability to meet schedules. Include information regarding owner budgets, data collection estimates, bidding, and completed project cost including change order information. Indicate if firm has previous experience providing Safe Routes to School services. Section 5 – Rating System on Evaluation Criteria

Each proposal will be evaluated and rated as follows. Descriptions of the components are provided in Section 4 – Proposal Content and Evaluation Criteria.

- A. Qualifications: 20 points
- B. Utilization of DBE firms as part of the project team: 10 points
- C. Experience: 20 points
- D. Project Understanding, Familiarity and Interest Shown: 30 points
- E. Record of Past Performance: 20 points

Total Points: 100 points

It is the intent of the ECFRPC to rank the firms according to the responses submitted. The ECFRPC reserves the right to conduct detailed interviews, either by phone or in person, of at least three (3) top-ranked firms, if warranted.

End of Request for Qualifications

JACKSONVILLE PORT AUTHORITY
 INVITATION TO BID
 REPLACE HANJUNG CRANE HEAD BLOCK
 BLOUNT ISLAND MARINE TERMINAL
 JAXPORT PROJECT NO.: 003.2044.177
 JAXPORT CONTRACT NO.: MC-1428R

Sealed bids will be received by the Jacksonville Port Authority until 2:00 PM (EST), FRIDAY, AUGUST 30, 2013, at which time they shall be opened in the Public Meeting Room of the Port Central Office Building, 2831 Talleyrand Avenue, Jacksonville, Florida, for MC-1428R.

All bids must be submitted in accordance with specifications and drawings for Contract No. MC-1428R, which may be examined in the Procurement Department of the Jacksonville Port Authority, located on the second floor of the Port Central Office Building, 2831 Talleyrand Avenue, Jacksonville, Florida 32206. (Please telephone (904)357-3017 for information.)

A MANDATORY PRE-BID CONFERENCE AND SITE VISIT WILL BE HELD ON WEDNESDAY, AUGUST 21, 2013, AT 10:00 A.M. (EST), AT THE BLOUNT ISLAND MARINE TERMINAL, ACCESS CONTROL BUILDING, 2ND FLOOR, 9620 DAVE RAWLS BLVD, JACKSONVILLE, FL 32226.

IF YOU PLAN TO ATTEND, YOU MUST CALL (904)357-3017 TO HAVE YOUR NAME ADDED TO THE SHUTTLE BUS ROSTER. SHUTTLE BUS WILL TRANSPORT BIDDERS AFTER THE PRE-BID MEETING. PLEASE BRING SAFETY VEST AND HARD HAT.

IT IS MANDATORY THAT THE BIDDER SHALL ACKNOWLEDGE THE INCLUSION OF ALL ADDENDA ON THE BID FORM, FORM FB. ACKNOWLEDGEMENT SHALL BE MADE BY INITIALS AND DATE. FAILURE TO ACKNOWLEDGE ALL ADDENDA SHALL RESULT IN REJECTION OF THE BID.

PLEASE VISIT [HTTP://WWW.JAXPORT.COM/ABOUT/PROJECTS.CFM](http://WWW.JAXPORT.COM/ABOUT/PROJECTS.CFM) OR CALL THE PROCUREMENT DEPARTMENT AT (904)357-3017, PRIOR TO THE BID OPENING TO DETERMINE IF ANY ADDENDA HAVE BEEN RELEASED ON THIS CONTRACT.

Bid and contract bonding are required.

This project will be funded 100% with JAXPORT funds.

Section XII
 Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Office of the Secretary
 Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF FINANCIAL SERVICES
Division of Treasury
Notice of Qualified Public Depository Withdrawal
DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION

THE QUALIFIED PUBLIC DEPOSITORY LISTED
BELOW WITHDREW FROM THE FLORIDA PUBLIC
DEPOSITS PROGRAM AS OF THE DATE SHOWN.

FRIENDS BANK (NEW SMYRNA BEACH)
08/09/2011

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
FINAL ORDER NO. DEO-13-083
STATE OF FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY
In re: LAKE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
LAKE COUNTY ORDINANCE NO. 2013-25

FINAL ORDER
APPROVING LAKE COUNTY ORDINANCE NO. 2013-25
The Department of Economic Opportunity
("Department") hereby issues its Final Order, pursuant to §§
380.05(6) and (11), Fla. Stat., approving Lake County
Ordinance No. 2013-25 ("Ordinance") as it relates to the
Green Swamp Area of Critical State Concern.

FINDINGS OF FACT

- 1. The Green Swamp Area is a statutorily designated area
of critical state concern.
§ 380.0551, Fla. Stat. Lake County is a local government
within the Green Swamp Area.
2. The Ordinance was adopted by the Lake County Board
of County Commissioners on May 21, 2013, and was rendered
to the Department on June 18, 2013.
3. The Ordinance amends the definitions of
nonconforming uses and updates provisions related to
nonconforming uses and nonconforming development by
amending the Lake County Land Development Regulations,
Lake County Code, Appendix E, Chapter 1 "General
Provisions," Section 1.08.00 "Nonconforming Development";
Chapter 2 "Definitions"; Chapter III "Zoning District

Regulations," Section 3.02.00 "Bulk Regulations"; Section
3.07.00 "Adult Entertainment Establishments"; Chapter IX
"Development Design and Improvement Standards," Section
9.03.00 "Off-Street Parking Regulations"; and Chapter XI
"Signs," to repeal Section 11.03.00.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land
development regulations that are enacted, amended or
rescinded by any local government in the Green Swamp Area
of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.

5. Lake County is a local government within the Green
Swamp Area of Critical State Concern. § 380.0551, Fla. Stat.,
and Rule Chapter 28-26, Fla. Admin. Code.

6. "Land development regulations" include local zoning,
subdivision, building and other regulations controlling the
development of land. § 380.031(8), Fla. Stat. The regulations
adopted by the Ordinance are land development regulations.

7. All land development regulations enacted, amended or
rescinded within an area of critical state concern must be
consistent with the principles for guiding development for that
area. § 380.05(6), Fla. Stat.; see Rathkamp v. Department of
Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd,
740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for
guiding development for the Green Swamp Area of Critical
State Concern are set forth in Rule 28-26.003, Fla. Admin.
Code. ("Principles").

8. The Ordinance is consistent with the Principles in Rule
28-26.003, Fla. Admin. Code, as a whole.

9. The Ordinance is consistent with Future Land Use
Element Policies I-7.1.3 and I-7.1.4 in the Lake County
Comprehensive Plan.

WHEREFORE, IT IS ORDERED that the land
development regulations in Ordinance No. 2013-25 are
consistent with the Principles for Guiding Development for
the Green Swamp Area of Critical State Concern and are
hereby APPROVED.

This Order becomes effective 21 days after publication in
the Florida Administrative Register unless a petition is filed as
described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/
William B. Killingsworth, Director
Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS
ANY PERSON WHOSE SUBSTANTIAL INTERESTS
ARE AFFECTED BY THIS ORDER HAS THE

OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS AFTER PUBLICATION OF THIS

FINAL ORDER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON STREET, MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX (850)921-3230

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS AFTER PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the methods indicated this 14th day of August, 2013.

_____/s/_____
Miriam Snipes, Agency Clerk

By U.S. Mail:
The Honorable Leslie Campione, Chairman
Lake County Board of County Commissioners
P. O. Box 7800
Tavares, FL 32778-7800

Neil Kelly, Clerk
Lake County Board of County Commissioners
P. O. Box 7800
Tavares, FL 32778-7800

Amye King, Director
Lake County Department of Growth Management
P. O. Box 7800
Tavares, FL 32778-7800

By Hand Delivery or Interagency Mail:
Rebecca Jetton, Community Planning Administrator, DEO
Tallahassee

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
FINAL ORDER NO. DEO-13-081

STATE OF FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY
In re: LAKE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
LAKE COUNTY ORDINANCE NO. 2013-27

FINAL ORDER
APPROVING LAKE COUNTY ORDINANCE NO. 2013-27

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., approving Lake County Ordinance No. 2013-27 (“Ordinance”) as it relates to the Green Swamp Area of Critical State Concern.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern.

§ 380.0551, Fla. Stat. Lake County is a local government within the Green Swamp Area.

2. The Ordinance was adopted by the Lake County Board of County Commissioners on May 21, 2013, and was rendered to the Department on June 18, 2013.

3. The Ordinance amends the Lake County Land Development Regulations, Lake County Code, Appendix E, Chapter X “Accessory and Temporary Structures and Uses,” to update and reorganize the chapter and add two new sections; and adds Section 10.02.05 “Temporary Sales Office,” and Section 10.02.06 “Temporary Construction Office.” Generally, the Ordinance establishes standards for accessory dwelling units and requires that both dwellings remain in common ownership; further defines “Home Occupations” and provides for guidance/limits for that use; expands the use of temporary housing during construction to include recreational vehicles; provides standards and limitations for temporary sales offices to include landscaping, parking, and zoning clearances; adds a policy for temporary construction offices; establishes regulations for boat docks; and establishes regulations for temporary housing for the infirm or disabled.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.

5. Lake County is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat., and Rule Chapter 28-26, Fla. Admin. Code.

6. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. (“Principles”).

8. The Ordinance is consistent with the Principles in Rule 28-26.003, Fla. Admin. Code, as a whole.

9. The Ordinance is consistent with Policies I-7.2.3, V-1.5.1, and I-1.4.8 in the Lake County Comprehensive Plan. WHEREFORE, IT IS ORDERED that the land development regulations in Ordinance No. 2013-27 are consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and are hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ _____
William B. Killingsworth, Director
Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

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IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON STREET, MSC 110
TALLAHASSEE, FLORIDA 32399-4128
FAX (850)921-3230

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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CERTIFICATE OF FILING AND SERVICE

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_____/s/_____
Miriam Snipes, Agency Clerk

By U.S. Mail:
The Honorable Leslie Campione, Chairman
Lake County Board of County Commissioners
P. O. Box 7800
Tavares, FL 32778-7800

Neil Kelly, Clerk
Lake County Board of County Commissioners
P. O. Box 7800
Tavares, FL 32778-7800

Amye King, Director
Lake County Department of Growth Management
P. O. Box 7800
Tavares, FL 32778-7800

By Hand Delivery or Interagency Mail:
Rebecca Jetton, Community Planning Administrator, DEO
Tallahassee

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.
