

### Section III Notices of Changes, Corrections and Withdrawals

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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
40B-21	Water Shortage Plan
RULE NOS.:	RULE TITLES:
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**NOTICE OF CHANGE**

Notice is hereby given that proposed Rule 40B-21, F.A.C., published in the Florida Administrative Weekly, Volume 31, Number 25, on June 24, 2005, has been changed to reflect comments received from the Joint Administrative Procedures Committee and the Department of Environmental Protection. When changed, Chapter 40B-21, F.A.C., shall read as follows:

40B-21.001 Purpose and Policy.

(1) Chapter 373, Florida Statutes (F.S.), provides for the conservation, protection, management, and control of the waters of the state by the water management districts. Section 373.246, F.S., specifies that each water management district shall formulate a plan for implementation during periods of water shortage. ~~As a part of this plan, the Governing Board shall adopt a system of classification according to the source of water supply, method of extraction, withdrawal, or diversion,~~

~~and use of water. A governing board of a water management district, by order, may declare that a water shortage exists within all or part of the District when insufficient water is available to meet the requirements of the users, or when conditions are such as to require a temporary reduction in total use within the area to protect the water resources from serious harm. Upon such declaration, temporary reductions in total use and restrictions on one or more classes of permits issued pursuant to Chapter 40B-2, Florida Administrative Code (F.A.C.), may be required in order to protect the water resources from serious harm and to restore them to their previous condition.~~

(4) These procedures apply to all water consumptive users, including those exempted from Chapter 40B-2, F.A.C., permitting requirements.

(5)(a) ~~Water consumptive~~ users and the general public will be supplied frequent and accurate information regarding the status of water resources, methods of water conservation, and means for efficient water consumptive use.

(c) Artificial water shortages will not be created by the over-allocation of available supplies in the administration and implementation of Chapter 40B-2, F.A.C., Permitting of Water Consumptive Uses of Water.

(d) The specific means and methods for water consumptive use reduction that are found in Part V of this chapter will recognize the relative efficiency of similarly classified users.

(e) The specific means and methods for water consumptive use reduction that are found in Part V of this chapter will represent a guideline for specific restrictions to be imposed on users who transfer water across basin boundaries – interbasin transfers. ~~However, additional or more stringent restrictions may shall be applied at the discretion of the Governing Board to users who make interbasin transfers during times of declared water shortage.~~

(h) Use of reclaimed water (wastewater or stormwater) will not be restricted in this chapter in order to promote the use of reclaimed water as an alternative source. The District shall evaluate this policy no later than five years following the effective date of this chapter and make appropriate modifications as necessary.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246, 373.603 FS. History–New \_\_\_\_\_.

40B-21.031 Elements of the Plan.

(5) Part V. Specific Means and Methods for Water Use Reduction. Part V presents water consumptive use reduction methods and means for a water shortage by water use class. Various combinations of these reduction methods and means will be employed by the District to achieve the target reduction in user demands during a water shortage. The ultimate

combination of reduction methods and means chosen will be described within the water shortage order(s) published by the District as described in Part II.D.

#### 40B-21.051 Definitions.

When used in this Chapter:

(1) “Even numbered address” means the house address or rural route ending in the numbers 0, 2, 4, 6, 8, or the letters A-M. Post office box numbers are not included. “Water shortage” means that situation within all or part of the District when insufficient water is available to meet the existing reasonable beneficial needs of water users and to protect water resources from serious harm. A water shortage may be the result of a drought or the result of human influences on water resources.

(2) “Even numbered days” means the days whose dates end in the numbers 0, 2, 4, 6, or 8. For purposes of this chapter, the date shall be determined by the day during which irrigation begins. “Water shortage emergency” means a situation when the powers which can be exercised under a water shortage declaration are not sufficient to adequately protect the public health, safety, or welfare, the health of animals, fish, or aquatic life.

(3) “Hand watering” means the low volume irrigation of plants or crops with one hose, fitted with a self-canceling or automatic shutoff nozzle, attended by one person. “User” means any person or entity which directly or indirectly takes water from the water resource, including but not limited to uses from private or public utility systems, uses under consumptive use permits issued pursuant to Chapter 40B-2, F.A.C., or uses from individual wells or pumps for domestic or individual home use.

(4) “High Pressure/High Volume Irrigation System” shall mean any sprinkler-type irrigation system with an SER greater than 1.2 and will typically include higher pressure (greater than 30 psi) pivots, traveling or walking systems, or in-ground, overhead sprinkler systems. “Water resource” means any and all water on or beneath the surface of the ground, including natural or artificial water courses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground, and any related natural systems. However, it does not refer to treated wastewater effluent or seawater.

(5) “Irrigation System Efficiency Ratio (SER)” shall mean the ratio of the water withdrawn to the water requirement of the plant(s) irrigated and shall be determined by comparing volume of water which needs to be pumped for delivery by a particular irrigation system to the net irrigation requirement of a crop. For example, if a particular irrigation system requires 1.2 inches of water in order to apply 1 inch to a crop, the SER is 1.2:1 or simply 1.2. Generally, the excess water is lost to system leakage, evaporation, and wind drift. “Source class”

means the specified water resource from which a user is obtaining water either directly or indirectly. Source classes within the District are identified in Rule 40B-21.531, F.A.C.

(6) “Low Pressure/Low Volume Irrigation System” shall mean any irrigation system with a SER of 1.2 or less and will typically include trickle, drip, micro jet, and low pressure (less than 30 pounds per square inch [psi]) overhead irrigation systems. “Use class” means the category describing the purpose for which the user is using water. Use classes within the District are specified in Rule 40B-21.541, F.A.C.

(7) “Low-volume mobile equipment washing” means the washing of mobile equipment with a bucket and sponge or a hose with a self-canceling or automatic shutoff nozzle or both. “Method of withdrawal class” means the type of facility or means of extraction or diversion of water employed by the user. Method of withdrawal classes within the District are specified in Rule 40B-21.571, F.A.C.

(8) “Low-volume pressure cleaning” means pressure cleaning by means of equipment which is specifically designed to reduce the inflow volume as accepted by industry standards. “Plan” means the water shortage plan authorized in Section 373.246, F.S., and contained in this chapter.

(9) “Method of withdrawal class” means the type of facility or means of extraction or diversion of water employed by the user. Method of withdrawal classes within the District are specified in Rule 40B-21.571, F.A.C. “Overhead irrigation” means the use of equipment and devices which deliver water under pressure, through the air, above the level of the plant being irrigated.

(10) “Mobile equipment” means any public, private, or commercial automobile, truck, trailer, railroad car, camper, boat, or any other type of similar equipment. The term shall not include sanitation and sludge vehicles or food vending and transporting vehicles. “Low volume hand watering” means the low volume irrigation of plants or crops with one hose, fitted with a self-canceling or automatic shutoff nozzle, attended by one person.

(11) “Odd numbered address” means the house address or rural route ending in the numbers 1, 3, 5, 7, 9 or the letters N-Z. Post office box numbers are not included. “Low volume mobile equipment washing” means the washing of mobile equipment with a bucket and sponge or a hose with a self-canceling or automatic shutoff nozzle or both.

(12) “Odd numbered days” means the days whose dates end in the numbers 1, 3, 5, 7, or 9. For purposes of this chapter, the date shall be determined by the day during which irrigation begins. “Low volume pressure cleaning” means pressure cleaning by means of equipment which is specifically designed to reduce the inflow volume as accepted by industry standards.

(13) “Overhead irrigation” means the use of equipment and devices which deliver water under pressure, through the air, above the level of the plant being irrigated. “Mobile equipment” means any public, private, or commercial

automobile, truck, trailer, railroad car, camper, boat, or any other type of similar equipment. The term shall not include sanitation and sludge vehicles or food vending and transporting vehicles.

(14) “Plan” means the water shortage plan authorized in Section 373.246, F.S., and contained in this chapter. “Even numbered address” means the house address or rural route ending in the numbers 0, 2, 4, 6, 8, or the letters A-M. Post office box numbers are not included.

(15) “Seawater” shall mean any ground or surface water with an average total chloride concentration equal to or greater than 15,000 milligrams per liter. “Odd numbered address” means the house address or rural route ending in the numbers 1, 3, 5, 7, 9 or the letters N-Z. Post office box numbers are not included.

(16) “Source class” means the specified water resource from which a user is obtaining water either directly or indirectly. Source classes within the District are identified in Rule 40B-21.531, F.A.C. “Even numbered days” means the days whose dates end in the numbers 0, 2, 4, 6, or 8. For purposes of this chapter, the date shall be determined by the day during which irrigation begins.

(17) “Use class” means the category describing the purpose for which the user is using water. Use classes within the District are specified in Rule 40B-21.541, F.A.C. “Odd numbered days” means the days whose dates end in the numbers 1, 3, 5, 7, or 9. For purposes of this chapter, the date shall be determined by the day during which irrigation begins.

(18) “User” means any person or entity which directly or indirectly takes water from the water resource, including but not limited to uses from private or public utility systems, uses under water use permits issued pursuant to Chapter 40B-2, F.A.C., or uses from individual wells or pumps for domestic or individual home use. “Consumptive Use Permit” means a permit issued pursuant to Chapter 40B-2, F.A.C., authorizing the withdrawal and use of water.

(19) “Water resource” means any and all water on or beneath the surface of the ground, including natural or artificial water courses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground, and any related natural systems. However, it does not refer to treated wastewater effluent or seawater. “Irrigation System Efficiency Ratio (SER)” shall mean the ratio of the water withdrawn to the water requirement of the plant(s) irrigated and shall be determined by comparing volume of water which needs to be pumped for delivery by a particular irrigation system to the net irrigation requirement of a crop. For example, if a particular irrigation system requires 1.2 inches of water in order to apply 1 inch to a crop, the SER is 1.2:1 or simply 1.2. Generally, the excess water is lost to system leakage, evaporation, and wind drift.

(20) “Water shortage” means that situation within all or part of the District when insufficient water is available to meet the existing reasonable-beneficial needs of water users and to protect water resources from serious harm. A water shortage may be the result of a drought or the result of human influences on water resources. “Low Pressure/Low Volume Irrigation System” shall mean any irrigation system with a SER of 1.2 or less and will typically include trickle, drip, micro jet, and low pressure (less than 30 pounds per square inch [psi]) overhead irrigation systems.

(21) “Water shortage emergency” means a situation when the powers which can be exercised under a water shortage declaration are not sufficient to adequately protect the public health, safety, or welfare, the health of animals, fish, or aquatic life. “High Pressure/High Volume Irrigation System” shall mean any sprinkler type irrigation system with an SER greater than 1.2 and will typically include higher pressure (greater than 30 psi) pivots, traveling or walking systems, or in ground, overhead sprinkler systems.

(22) “Water Use Permit” means a permit issued pursuant to Chapter 40B-2, F.A.C., authorizing the withdrawal and use of water. “Seawater” shall mean any ground or surface water with an average total chloride concentration equal to or greater than 15,000 milligrams per liter.

PART II, DECLARING AND IMPLEMENTING A WATER SHORTAGE

40B-21.211 Monitoring Conditions.

(1) Purpose – This part of the plan generally describes the data collection and analysis activities of analyses the District may undertake in anticipation of and during a declared water shortage or water shortage emergency. Monitoring data may shall be used to determine:

(c) Whether the restrictions in effect are being adequately complied with by water consumptive users.

(2) Data Sources – Data shall may be obtained from the following any sources available, including, but not limited to:

(3) Resource Monitoring – The District shall may collect and analyze water resource any data concerning any aspect of the water resource. Data which shall may be collected include, but are not limited to:

(4) Demand Monitoring – The District may shall collect and analyze data concerning any aspect of user demand upon the water resources. Data which shall may be collected include, but are not limited to:

40B-21.231 Declaring a Water Shortage.

(1) In order to protect the water resource from serious harm, the Governing Board shall declare a water shortage for the affected source class, if the District determines there is a possibility that insufficient water will be available within a source class to meet the estimated present user demands from that source and to protect the water resource from serious harm, the Governing Board may declare a water shortage for

~~the affected source class. In declaring a water shortage, the~~ Governing Board shall specify the geographic area or areas of water shortage within ~~may declare that a water shortage exists within all or parts of the District. The restricted area or areas shall may~~ include all or part of a county, municipality, surfacewater basin or utility service area which impacts a source class for which a water shortage is declared. When the affected source extends beyond the District's boundaries, the District shall coordinate water shortage declarations with the appropriate water management district(s).

(2) A water shortage shall may also be declared for those source classes not presently experiencing a water shortage if usage from such sources can be reasonably expected to impact the present and anticipated available water supply in those source classes currently experiencing a shortage.

#### 40B-21.251 Water Shortage Response.

(1) This plan establishes the means and methods to achieve the reduction in overall demand estimated to be necessary to protect water resources from serious harm. The specific reduction means and methods are intended to reduce demand during times of water shortages by increasing reduction methods and means on water consumptive use as a function of the severity of the water shortage. For a water shortage, reduction methods and means are specified which, alone or in combination, are intended to achieve this reduction.

(2) If the District determines that, within any area of the District, the provisions of a water shortage are not sufficient to protect the public health, safety, or welfare, the health of animals, fish, or aquatic life, the Executive Director, with the concurrence of the Governing Board, shall may declare a Water Shortage Emergency.

~~(3) In order to prevent serious harm to the water resources, the District shall evaluate water shortage conditions and shall implement the restrictions found in Part V of this Chapter. The District Governing Board may impose water shortage restrictions other than those specified in this plan and may establish demand reduction goals for such restrictions. A combination of the restrictions specified in Part III of this Chapter and any other restrictions deemed appropriate and necessary by the Governing Board may shall be imposed for any water shortage, in order to prevent serious harm to the resource.~~

#### 40B-21.275 Implementing a Water Shortage Declaration.

(1)(b) The relative impact of the various categories of water consumptive users on the water body for which the shortage is declared;

(d) The relative economic impacts that the restrictions are likely to have on each category of user. To the degree practical, the Governing Board shall impose water use restrictions in a manner that distributes the burden of the restrictions equitably among water consumptive users, relative to their impact on the sources experiencing the shortage;

(h) The effectiveness of the restriction imposed in terms of reducing water consumptive use and protecting the relevant water supply source; and

(i) The impact of the water consumptive use reduction methods and means on the public health, safety and welfare.

(4) The District shall notify each affected permittee within the affected source class of any change in permit conditions, any permit suspension or any other restriction on water consumptive use. Notice shall be by regular mail.

(5) At least one public hearing shall be scheduled, which will be noticed according to the provisions in subsection (2). The public and water consumptive use permit holders shall be afforded an opportunity to participate during water shortage public hearing(s) and present testimony on water shortage effects and the impacts of the proposed reduction methods and means. Substantive evidence submitted by the public at or prior to the hearing shall be made a part of the record at the hearing.

### PART III, COMPLIANCE

#### 40B-21.421 Compliance.

(5) Compliance action shall may be initiated by the District as provided in Section 373.603, F.S., against violators of a water shortage order issued pursuant to this plan.

(6) The Executive Director shall may assign District personnel for the purpose of initiating compliance action pursuant to Section 373.603, F.S.

(7) The Executive Director shall may take appropriate action pursuant to Sections 373.119, 373.175(4), 373.246(7), and 120.69, F.S., and to seek compliance with the provisions of this Plan or any order issued pursuant thereto, or to alleviate any emergency conditions which might occur.

### PART IV, THE CLASSIFICATION SYSTEM

#### 40B-21.511 General.

This part of the Chapter establishes the basis for distinguishing among different users of the water resource according to major classes. Under this system, each water consumptive user may shall be classified according to source, use, and method of withdrawal. Each of these classes is described herein.

#### 40B-21.531 Source Classifications.

~~(1)~~ Each water consumptive user shall may be classified according to one or more of the following sources of water:

~~(1)(a)~~ Surfacewater sources:

~~a.1.~~ Name of specific surfacewater source.

~~b.2.~~ Basin.

~~c.3.~~ Sub-basin.

~~(2)(b)~~ Groundwater Sources.

~~a.1.~~ Floridan aquifer.

~~b.2.~~ Secondary artesian aquifer.

~~c.3.~~ Water table aquifer.

~~(2) The Governing Board may shall further define source classifications as it deems appropriate and necessary for purposes of clarifying additional sources. This section shall not limit the ability of the Governing Board to further define source classifications not specifically named in this section.~~

(3) Reclaimed Water.

(a) Wastewater.

(b) Stormwater.

40B-21.541 Use Classifications.

(1) Each water consumptive user ~~shall may~~ be classified according to one or more of the following use classes and subclasses of water:

~~(c)4. Low volume hand watering~~

~~4.5. Soil flooding.~~

~~5.6. Freeze protection.~~

~~6.7. Livestock care.~~

~~7.8. Aquaculture.~~

~~(3) The District may shall expand upon or further subdivide the use classifications in paragraphs (a) through (g) above for purposes of issuing restrictions on specific uses as deemed necessary, for purposes of clarifying additional classifications. This section shall not limit the ability of the Governing Board to issue restrictions on water uses not specifically named in this section.~~

40B-21.571 Method of Withdrawal Classifications.

Each water consumptive user ~~shall may~~ be identified by one or more of the following method of withdrawal classes:

PART V. SPECIFIC MEANS & METHODS FOR WATER USE REDUCTION

40B-21.601 General.

(1) Upon declaration of a water shortage or water shortage emergency, the ~~specific~~ restrictions presented within this part can be implemented to achieve the desired overall reductions in user demand. The target reduction ultimately chosen during a water shortage will be dependent upon the severity of the particular shortage. The District shall evaluate hydrologic conditions and implement the restrictions found in this Part. The restrictions specified within this plan may shall be modified as needed by the Governing Board to achieve the target reduction ultimately determined to be necessary for purposes of clarification. The appropriate combination of restrictions shall be decided by the Governing Board upon recommendation of District staff. The combination of restrictions shall be included in the notice(s) of the shortage, as specified above in Rule 40B-21.275, F.A.C.

(2) Restrictions are presented for each use class and various subclasses. It shall be the responsibility of each water consumptive user to keep informed as to the restrictions in effect.

(3) In addition to the restrictions specified in this part, all wasteful and unnecessary water consumptive use is prohibited regardless of the severity of water shortage. This subsection is not intended to prohibit legal uses of water whether permitted or exempted by rule or statute. Such wasteful and unnecessary water consumptive use shall include, but not be limited to:

(a) Allowing water to be dispersed without any practical purpose to the user, regardless of the type of water consumptive use;

(b) Allowing water to be dispersed in a grossly inefficient manner, regardless of the type of water consumptive use;

(c) Allowing water to be dispersed to accomplish a purpose for which water consumptive use is unnecessary or which can be easily accomplished through alternative methods without water consumptive use; and

(4) Incidental wetting of non-production areas for agricultural water users shall not be considered wasteful and unnecessary water use. Agricultural water users are encouraged to reduce incidental wetting of non-production areas to the maximum extent practicable.

40B-21.621 Water Shortage Advisory, Phase I.

A Water Shortage Advisory refers to a notice from the District that hydrologic conditions are abnormally low, or low for the season, and that further reductions in supply or increased use may result in the declaration of a water shortage and water use restrictions. Although no mandatory restrictions are included in a Water Shortage Advisory, all users are encouraged to initiate conservation and eliminate wasteful or inefficient water consumptive use. Water consumptive users planning to implement long-range conservation measures are encouraged to speed implementation to the greatest extent practical.

40B-21.631 Water Shortage, Phase II.

A Phase II Water Shortage refers to a severe water shortage. The Governing Board shall may, upon recommendation by District staff, choose a combination of these and any other appropriate and necessary restrictions to achieve the required reduction in overall demand.

(3)(c) Overhead irrigation by high pressure/high volume systems shall be prohibited between the hours of 10:00 a.m. ~~and to~~ 4:00 p.m. Systems that have been certified by an independent irrigation laboratory within the past two years prior to the effective date of a water shortage order to be as efficient as practicable shall not be restricted, except in accordance with subsection 40B-21.601(1), F.A.C.

(e) ~~Low volume h~~and watering shall not be restricted.

(f) The District shall request that livestock water consumptive users ~~shall be~~ voluntarily reduced their water usage.

(g) Water consumptive use for freeze protection shall be restricted to situations in which official weather forecasting services predict temperatures likely to cause permanent damage to crops.

(i) The District shall request that aquaculture water consumptive users shall be voluntarily reduced their water usage.

(4)(a)4. Cleaning requiring water consumptive use shall be reduced to the minimum required to protect the efficiency of the operation, prevent damage to equipment, or maintain the health and safety of workers.

6. Nonessential uses, plant cleaning, water-cooled air conditioning, and lawn irrigation shall be reduced or eliminated to the greatest extent possible. Restriction of other uses within the mine site may also apply.

(b)4. Nonessential uses, plant cleaning, water-cooled air conditioning, and lawn irrigation shall be reduced or eliminated to the greatest extent possible. Restriction of other uses may also apply.

(h)2. Non-essential uses of water, plant cleaning, water-cooled air conditioning, and lawn irrigation shall be reduced or eliminated to the greatest extent possible. Restrictions of other uses may apply.

(i)2. Replace use of fresh water with reclaimed or recycled water to the maximum extent practicable wherever appropriate and feasible.

4. Additional restrictions may apply.

(6)(a)1.d. Low volume hand watering, as described in Part I, shall not be restricted.

(6)(b)3. Irrigation of fairways, roughs, and non-play areas on the front nine holes of the course shall be prohibited, except between the hours of 9:00 p.m. and 7:00 a.m. on even numbered days.

4. Irrigation of fairways, roughs, and non-play areas on the back nine holes of the course shall be prohibited, except between the hours of 9:00 p.m. and 7:00 a.m. on odd numbered days.

8. Irrigation for purposes of watering-in of insecticides, fungicides, herbicides, and fertilizer where such watering-in is required by the manufacturer or by federal, state or local law, shall not be restricted; such watering-in shall be limited to the minimum necessary and should be accomplished during the hours allowed for normal irrigation.

40B-21.641 Water Shortage, Phase III.

A Phase III Water Shortage refers to an extreme water shortage. The Governing Board shall choose a combination of these and any other appropriate and necessary restrictions to achieve the required reduction in overall demand.

(1) Indoor uses shall reduce use by employing water conservation measures and by installing water conserving devices.

(2) Essential uses may voluntarily reduce water use by limiting flushing and other system cleaning activities to a level required to maintain the health, safety, and welfare of the public.

(3) Agricultural uses shall be restricted as follows:

(a) Treated wastewater irrigation shall not be restricted.

(b) Low pressure/low volume irrigation systems shall not be restricted except in accordance with subsection 40B-21.601(1), F.A.C.

(c) Overhead irrigation by high pressure/high volume systems shall be prohibited between the hours of 9:00 a.m. and 6:00 p.m. Systems that have been certified by an independent irrigation laboratory within the past two years prior to the effective date of a water shortage order to be as efficient as practicable shall not be restricted, except in accordance with subsection 40B-21.601(1), F.A.C.

(d) Flood/seepage irrigation systems shall be operated in a manner that will capture all runoff that is practicable for reuse.

(e) Hand watering shall be prohibited between the hours of 10:00 a.m. and 4:00 p.m.

(f) The District shall request that livestock water users voluntarily reduce their water usage.

(g) Water use for freeze protection shall be restricted to situations in which official weather forecasting services predict temperatures likely to cause permanent damage to crops.

(h) Soil flooding for pest control or soil preservation shall be prohibited. Soil flooding to permit harvesting of sod shall be prohibited.

(i) The District shall request that Aquaculture aquaculture water users shall be voluntarily reduce their water usage.

(j) All irrigation systems shall be operated in a manner that will efficiently use the water withdrawn.

(k) All agricultural enterprises should suspend those activities which stimulate the need for increased irrigation, as feasible and appropriate.

(l) No unnecessary off-site discharge from irrigation shall be allowed.

(m) Users having access to more than one source class shall maximize the use of the lesser or least restricted source class.

(n) For those agricultural enterprises that have best management practices approved by the Department of Agriculture and Consumer Services, irrigation for purposes of watering-in of insecticides, fungicides, herbicides, and fertilizers shall not be restricted. Such watering-in shall be limited to the minimum necessary and shall be accomplished during the hours allowed for normal irrigation.

(4) Commercial and industrial uses.

(a) Phosphate mining and beneficiation operations:

1. Recycled water within the mine site shall be used as much as possible to reduce freshwater withdrawals.

2. Water within noncontiguous mine cuts and other impoundments shall be used to the greatest extent practicable to augment the mine's circulation system.

3. Off-site discharges of water shall be reduced or eliminated to the greatest extent possible.

4. Cleaning requiring water use shall be reduced to the minimum required to protect the efficiency of the operation, prevent damage to equipment, or maintain the health and safety of workers.

5. Suspend the washing of vehicles except for health and safety needs.

6. Nonessential uses, plant cleaning, water-cooled air conditioning, and lawn irrigation shall be reduced or eliminated to the greatest extent possible. Restriction of other uses within the mine site may also apply.

(b) Chemical products processing or manufacturing facilities:

1. The use of fresh water shall be reduced to the greatest extent possible.

2. Off-site discharge shall be reduced or eliminated to the greatest extent possible.

3. Recycled water shall be used to replace fresh water to the greatest extent possible.

4. Nonessential uses, plant cleaning, water-cooled air conditioning, and lawn irrigation shall be reduced or eliminated to the greatest extent possible. Restriction of other uses may also apply.

(c) Limestone, sand, gravel, or other minerals mining operations:

1. On-site impounded surface waters shall be used to replace fresh water withdrawals to the greatest extent possible.

2. Reduce spraying for dust control in quarry area except for health and safety standards.

3. Reduce general housekeeping that requires the use of water to the greatest extent possible.

4. Off-site discharge shall be reduced or eliminated wherever possible.

(d) Cement, concrete, and concrete products manufacturing facilities:

1. Reuse runoff to the greatest extent possible.

2. Reduce spray drift to the greatest extent possible and increase the efficiency of spray application to the greatest extent possible.

3. Reduce the unnecessary water content of products shipped to the greatest extent possible.

(e) Perishable foods processing operations:

1. Off-site discharge shall be reduced or eliminated wherever feasible.

2. Water losses from released steam shall be minimized to the greatest extent possible.

3. Effluent shall be recycled to the greatest extent possible.

(f) Perishable foods packing operations:

1. Restrict washing of fruit and plant area to minimum level necessary for health and safety standards.

2. Equipment washing apparatus with automatic shut-off devices should be used to the greatest extent possible.

(g) Bottled water and other beverage products operations:

1. Restrict equipment washing operations to the minimum level necessary for health and safety standards.

2. Implement routine process inspections to find and reduce water waste to the greatest extent possible.

(h) Power generation:

1. Maximize production from generating facilities which are least dependent upon withdrawals from the source experiencing the shortage, and minimize production from generating facilities which are most dependent upon withdrawals from the source experiencing the shortage, to the greatest extent practicable.

2. Non-essential uses of water, plant cleaning, water-cooled air conditioning, and lawn irrigation shall be reduced or eliminated to the greatest extent possible. Restrictions of other uses may apply.

3. Power companies should encourage customers to reduce power consumption to the greatest extent possible, so that they may reduce power generation and in turn, reduce water consumption.

(i) Other industrial and commercial uses:

1. Reduce use by employing water conserving measures and by installing water conserving devices.

2. Replace use of fresh water with reclaimed or recycled water wherever appropriate and feasible to the maximum extent practicable.

3. Users having access to more than one source class shall maximize the use of the lesser or least restricted source class.

4. Additional restrictions may apply.

(5) Water utility uses.

(a) To the greatest extent possible, utilities shall institute conservation measures such as improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

(b) New water line flushing and disinfection shall be limited to minimum requirements.

(6) Landscape irrigation uses.

(a) Lawns and landscaping.

1. Established lawns and landscaping.

a. Treated wastewater irrigation shall not be restricted.

b. The irrigation of established lawns and landscaping is prohibited, except between the hours of 10:00 p.m. and 6:00 a.m.

c. The use of water as described in b. above shall be further restricted as follows:

i. Established lawns and landscaping at locations with street addresses ending in an even number, or in the letters A-M, may water only on even numbered days.

ii. Established lawns and landscaping at locations with street addresses ending in an odd number, or in the letters N-Z, or with no addresses, may water only on odd numbered days.

d. Hand watering, as described in Part I, shall be prohibited between the hours of 10:00 a.m. and 4:00 p.m.

e. Irrigation for purposes of watering-in of insecticides, fungicides and herbicides, where such watering-in is required by the manufacturer, or by federal, state or local law, shall not be restricted; such watering-in shall be limited to the minimum necessary and should be accomplished during the hours allowed for normal irrigation.

f. The operation of irrigation systems for cleaning and maintenance purposes shall not be restricted, except to be limited to the minimum necessary to maintain efficient operation of the system. Each irrigation zone may be tested a maximum of once per week.

2. New lawns and landscaping.

a. Treated wastewater irrigation shall not be restricted.

b. Irrigation of new lawns and landscaping shall occur between the hours of 4:00 p.m. and 10:00 a.m. and limited to the minimum amount required for the establishment of the lawn.

c. Irrigation for purposes of watering-in of insecticides, fungicides and herbicides, where such watering-in is required by the manufacturer, or by federal, state or local law, shall not be restricted; such watering-in shall be limited to the minimum necessary and should be accomplished during the hours allowed for normal irrigation.

d. The operation of irrigation systems for cleaning and maintenance purposes shall not be restricted, except to be limited to the minimum necessary to maintain efficient operation of the system. Each irrigation zone may be tested a maximum of once per week.

(b) Golf courses.

1. Treated wastewater irrigation shall not be restricted.

2. Irrigation of greens and tees shall occur between the hours of 10:00 p.m. and 6:00 a.m.

3. Irrigation of fairways, roughs, and non-play areas on the front nine holes of the course shall be prohibited, except between the hours of 10:00 p.m. and 6:00 a.m. on odd numbered days.

4. Irrigation of fairways, roughs, and non-play areas on the back nine holes of the course shall be prohibited, except between the hours of 10:00 p.m. and 6:00 a.m. on even numbered days.

5. Reduce or suspend to the greatest extent possible those horticultural practices which stimulate the need for increased irrigation.

6. Users having access to more than one source class shall maximize the use of the lesser or least restricted source class.

7. The operation of irrigation systems for cleaning and maintenance purposes shall be restricted to the minimum necessary to maintain efficient operation of the system. Each irrigation zone may be tested a maximum of once per week.

8. Irrigation for purposes of watering-in of insecticides, fungicides, herbicides, and fertilizer where such watering-in is required by the manufacturer or by federal, state or local law, shall not be restricted; such watering-in shall be limited to the minimum necessary and should be accomplished during the hours allowed for normal irrigation.

(c) Cemeteries.

1. Irrigation of cemeteries shall be prohibited, except between the hours of 10:00 p.m. and 6:00 a.m.

2. Irrigation of cemeteries shall be further restricted as follows:

a. One half of the cemetery property may be irrigated on Monday and Wednesday.

b. The remaining one half of the cemetery property may be irrigated on Tuesday and Thursday.

(7) Miscellaneous uses.

(a) Recreation area use of water shall be reduced to the greatest extent possible.

(b) Washing or cleaning streets, driveways, sidewalks, or other impervious areas with water shall be prohibited except to meet federal, state, or local health or safety standards.

(c) Mobile equipment washing shall be accomplished using only low-volume methods (excluding commercial car washes).

(d) Outside pressure cleaning shall be restricted to only low-volume methods.

(e) Augmentation shall be limited to the minimum necessary to maintain and preserve the long-term integrity of the surfacewater body and associated habitat for fish and wildlife. Where minimum levels have been established by the District, no augmentation shall occur when water levels are above the applicable minimum water level.

(f) The use of water for cooling and air conditioning shall be restricted to that amount of water necessary to maintain a minimum temperature of 78 degrees Fahrenheit. Discharge of water from cooling and air conditioning systems shall be to pervious surfaces and shall not be accomplished through irrigation systems, where feasible and appropriate.

(g) Aesthetic uses.

1. Outside aesthetic uses of water shall be prohibited.

2. Inside aesthetic uses of water shall be prohibited.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.175, 373.246 FS. History—New \_\_\_\_\_.

40B-21.6541 Water Shortage Emergency.

(1)(a) Such orders shall identify all methods and means for water ~~consumptive~~ use reduction deemed necessary by the Executive Director, with the concurrence of the Governing Board at the next regularly-scheduled meeting, to meet the emergency.



(2) The District shall inform all users to whom an emergency order is directed of the existence of such order and all associated methods and means for water ~~consumptive~~ use reduction by the best practicable means available under the circumstance. Particular attention shall be given to presenting this information in a form which is easily understood and applied by the citizens of the affected areas.

(3) The District shall notify local elected officials of any water shortage emergency declaration and remedial action required. Notice shall be by the best practicable means under the circumstances. In addition, local law enforcement officials shall be notified as soon as possible of any water shortage emergency declaration or change of water ~~consumptive~~ use reduction methods and means affecting their areas of responsibility.

(4) A combination of water ~~consumptive~~ use reduction means and methods, both voluntary and mandatory, may be implemented by the District. Other means and methods that are deemed necessary to successfully accomplish the necessary water ~~consumptive~~ use reductions may also be required. These means and methods will be targeted at those uses in which demand reduction is essential and where the probability of further water savings is high.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Jon Dinges, Director, Resource Management, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060, (386)362-1001.

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Suwannee River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 14, 2005

DATE NOTICE OF PROPOSED RULE PUBLISHED IN FAW: June 24, 2005

DATE PROPOSED CHANGES APPROVED: May 11, 2006

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-1.021	Definitions
40E-1.5095	Publication of Notice of Agency Decision or Intended Agency Decision
40E-1.511	Point of Entry Into Proceedings
40E-1.603	Application Procedures for Conceptual Approval, Individual and General Permits

40E-1.6058	Publication and Requests for Notification of Permit Applications or Notices of Intent
40E-1.6065	Consideration of Intended Agency Decision on Permit Applications
40E-1.6105	Notification of Transfer of Interest in Real Property
40E-1.6107	Transfer of Environmental Resource, Surface Water Management or Water Use Permit
40E-1.615	Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern

**NOTICE OF CORRECTION**

NOTICE IS HEREBY GIVEN that the correct location of the hearing on the adoption of the above rule amendments to allow for noticing, delivery and receipt of documents through electronic media is: BROWARD COUNTY CONVENTION CENTER, 1950 Eisenhower Blvd., Fort Lauderdale, Florida 33316. The time and date of the hearing, June 14, 2006 beginning at 9:00 a.m., remains the same.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLE:
40E-4.021	Definitions
40E-4.091	Publications, Rules and Interagency Agreements Incorporated by Reference
40E-4.101	Content of Permit Applications
40E-4.321	Duration of Permits
40E-4.381	General Conditions

**NOTICE OF CORRECTION**

NOTICE IS HEREBY GIVEN that the correct location of the hearing on the adoption of the above rule amendments to allow for noticing, delivery and receipt of documents through electronic media is: BROWARD COUNTY CONVENTION CENTER, 1950 Eisenhower Blvd., Fort Lauderdale, Florida 33316. The time and date of the hearing, June 14, 2006 beginning at 9:00 a.m., remains the same.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-7.520	Scope and Applicability
40E-7.527	Hunting; Possession and Use of Firearms or Hunting Devices
40E-7.538	Special Provisions for Management Areas of the District Open to the Public
40E-7.5381	Special Provisions for Right of Way of the District

- 40E-7.5382 Special Provisions for Vacant Undesignated District Lands
- 40E-7.5383 Special Provisions for Stormwater Treatment Areas (STA'S)
- 40E-7.5384 Special Provisions for Impoundment Areas of the District

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rules in accordance with subparagraph 120.54(3)(d)1., F.S., published in Volume 32, No. 8, February 24, 2006, issue of the Florida Administrative Weekly. Changes are made on the basis of comments and recommendations received from the Joint Administrative Procedures Committee:

40E-7.520 Scope and Applicability.

(7) The following District lands are exempt from the provisions of Chapter 40E-7, Part V, F.A.C.: Exemptions.

- (a) District office buildings, service centers, field stations, water control structures and other facilities.
- (b) District lands that are under a land management lease or agreement with city, county, state, federal agencies, or private entities, including without limitations Water Conservation Areas 1, 2 and 3.
- (c) District lands that are commercially leased lands will not be governed by these rules unless the lease specifically permits public access.
- (d) District lands on Tribal Reservations.
- (e) Lands in which the District has a less than fee interest where the underlying fee owner has restricted or prohibited public access.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.056, 373.1391, 373.1395, 373.1401, 373.59 FS. History—New 5-24-94, Amended 11-12-95, 1-7-97, 11-13-97, 1-1-99, 1-5-03, \_\_\_\_\_.

40E-7.527 Hunting; Possession and Use of Firearms or Hunting Devices.

(1) Consistent with applicable provisions of local, state and federal law, concerning hunting or the possession and use of firearms or other types of hunting devices, such as the rules of the Florida Fish and Wildlife Conservation Commission and the United States Department of Interior, Fish and Wildlife Service, hunting, unlawful possession, discharge, and use of firearms; or other types of hunting devices or trapping devices and the releasing of free-running hunting dogs are prohibited on District lands unless the land is opened as a public hunting area and these uses are authorized in the specific public hunting area regulations. Nothing contained in Chapter 40E-7, Part V, F.A.C., shall be construed to prohibit the lawful possession of concealed weapons by persons properly licensed by the State of Florida to carry concealed weapons. The prohibition on the possession and discharge of firearms or other types of hunting devices shall not apply on land approved by the District for use as a small arms shooting range.

(2) through (3) No change.

(4) No person shall hunt or possess a firearm or other type of hunting device except during regulated hunting seasons established and managed by the Florida Fish and Wildlife Conservation Commission.

(5) through (9) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.1401, 373.59, 790, 810.09 FS. History—New 5-24-94, Amended 1-1-01, 1-5-03, \_\_\_\_\_.

40E-7.538 Special Provisions for Management Areas of the District Open to the Public.

(1) through (2) No change.

(3) Gardner-Cobb Marsh Management Unit in Osceola County

(a) Persons may enter and exit the management area from Lake Cypress, Lake Hatchineha, Lake Kissimmee, and Canal 36.

(b) Airboating is prohibited beyond the restricted area signs, on or across improved roadways or within hammock areas, except that airboats may cross the main grade at the designated crossing points.

(c) Hunting in Ike Hammock is prohibited.

(d) Possession of a firearm or other types of hunting devices in Ike Hammock is prohibited.

(4) Lower Kissimmee River Management Area located in Polk, Osceola, Highlands, Glades, and Okeechobee Counties.

(a) Camping is permitted only at designated campsites when in the possession of a Special Use License.

(b) The use or possession of saddle animals is permitted when in the possession of a Special Use License.

(c) The use or possession of saddle animals and camping at designated campsites is permitted for both uses when in possession of a Special Use License permitting both uses.

(d) Safety Zones within the Public Use Area in Okeechobee, Highlands, Osceola, and Polk Counties.

1. All firearms and other types of hunting devices shall be unloaded.

2. A person in possession of a Special Use License to camp within the Safety Zone at the Oak Creek Campsite during a hunting season shall have firearms and other types of hunting devices unloaded and secured in a locked firearm or other type of hunting device case while in camp and while in direct travel to and from the campsite.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.59 FS. History—New 1-1-01, Amended 1-5-03, \_\_\_\_\_.

40E-7.5381 Special Provisions for Right of Way of the District.

The following shall be prohibited on all Right of Way of the District; which include rights-of-way, canals, levees, maintenance berms, and spoil mounds:

- (1) No change.
- (2) Discharge of firearms or other types of hunting devices.
- (3) through (4) No change.
- (5) Operating any all terrain vehicles or off highway vehicles, or amphibious vehicles ~~on roads, levees, maintenance berms, or other District land unless authorized by the District. When authorized the District may specify the roads, trails, times of use and other restrictions.~~
- (6) through (12) No change.
- ~~(13) The removal of any spoil, rock or mineral formations by any person or entity without written authorization from the District.~~

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.59 FS. History—New \_\_\_\_\_.

40E-7.5382 Special Provisions for Vacant Undesignated District lands Open to the Public.

The following shall be prohibited on vacant undesignated lands, as that term is defined in subsection 40E-7.521(30), F.A.C.

- (1) Possession of a firearm or other types of hunting devices.
- (2) Hunting is only authorized in those vacant undesignated lands which have been opened for public hunting as provided in Rule 40E-7.525, F.A.C., if any. Hunting, unless otherwise authorized by the Governing Board and administered by the Florida Fish and Wildlife Conservation Commission.

(3) through (6) No change.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.59 FS. History—New \_\_\_\_\_.

40E-7.5383 Special Provisions for Stormwater Treatment Areas (STA's) of the District Open to the Public.

Persons may only enter and exit Stormwater Treatment Areas at designated public access points during the hours and days as designated by posted signs.

- (1) The following are prohibited in all Stormwater Treatment Areas ~~unless otherwise authorized:~~
  - (a) Pets, with the exception of service animals.
  - ~~(b) Hunting, unless otherwise authorized by the Governing Board and administered by the Florida Fish and Wildlife Conservation Commission.~~
  - ~~(b)(e) Frogging.~~
  - ~~(c)(d) Fishing in areas closed to fishing within the STA's as posted by sign.~~
  - ~~(d)(e) Motorized and non-motorized vessels and boat trailers in interior waters.~~
  - ~~(e)(f) Entering interior waters.~~

(2) Hunting is only authorized in those STA's which have been opened for public hunting in accordance with Rule 40E-7.525, F.A.C.

~~(3)(2)~~ Vessels and vessel operation is permitted only on STA exterior canals under the following limitations:

- (a) Vessel and vessel operation limitations shall be posted by sign.
- (b) Vessel and vessel operation limitations ~~shall~~ may be made specific to each Stormwater Treatment Area exterior canal for: resource protection; protection of District structures, equipment, and levees; and operations; and maintenance of the STA; or as necessary to accomplish the District missions.
- (c) Vessels shall be limited as motorized or non-motorized, and by engine horsepower, engine type, and vessel type.

(d) Vessel operation shall be limited by area, water depth, by distance from District structures, equipment, or levees, and by speed.

~~(4)(3)~~ The following vessel and vessel operations are prohibited in Stormwater Treatment Area exterior canals:

- (a) Personal watercraft.
- (b) Airboats.
- (c) Vessel operation greater than Idle Speed within 300 feet of any District, structure or equipment.
- (d) Vessel operation which causes damage to plants, injures animals or fish, or other environmental resources.
- (e) Vessel operation within an area delineated by vessel barriers.
- (f) Anchoring or tying a vessel or watercraft to a road, levee, maintenance- berm, structure, fence, tree, post, sign, gauge, data recorder, weed barrier, or vessel barrier.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.59, 373.4592(4)(a) FS. History—New \_\_\_\_\_.

40E-7.5384 Special Provisions for Impoundment Areas of the District Open to the Public.

Persons may only enter and exit Impoundment Areas at designated public access points during the hours and days as designated by posted signs.

- (1) The following are prohibited in all Impoundment Areas; ~~unless otherwise authorized:~~
  - (a) Pets with the exception of service animals, leashed animals, and animals otherwise under the effective control of the owner.
  - ~~(b) Hunting, unless otherwise authorized by the Governing Board and administered by the Florida Fish and Wildlife Conservation Commission.~~
  - ~~(b)(e) Frogging.~~
  - ~~(c)(d) Fishing in areas closed to fishing within the Impoundment Areas as posted by sign.~~
  - ~~(d)(e) Swimming, surfing, snorkeling, scuba diving or use of other underwater breathing apparatus.~~

(e)(f) Water skiing, tubing, wake boarding or similar in water sports.

(2) Hunting is only authorized in those Impoundment Areas which have been opened for public hunting in accordance with Rule 40E-7.525, F.A.C., if any.

(3)(2) Vessels and vessel operation is permitted on Impoundment Areas under the following limitations:

(a) Vessel and vessel operation limitations shall be posted by sign.

(b) Vessel and vessel operation limitations shall ~~may~~ be made specific to each Impoundment Area for: resource protection; protection of District structures, equipment, and levees; and operation; and maintenance of the Impoundment Area; or as necessary to accomplish the District's mission.

(c) Vessels shall be limited as motorized or non-motorized, and by engine horsepower, engine type, and vessel type.

(d) Airboat operation shall be limited to designated areas.

(e) Vessel operation shall be limited by area, water depth, by distance from District structures, equipment, or levees, and by speed.

(4)(3) The following vessels and vessel operations are prohibited in Impoundments:

(a) Personal watercraft.

(b) Vessel operation greater than Idle Speed within 300 feet of any District, structure or equipment.

(c) Vessel operation which causes damage to plants, injures animals or fish, or other environmental resources.

(d) Vessel operation within an area delineated by vessel barriers.

(e) Anchoring or tying a vessel or watercraft to a road, levee, maintenance berm, structure, fence, tree, post, sign, gauge, data recorder, weed barrier or vessel barrier.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.1391, 373.59 FS. History--New \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-61.020	Scope of Part I Lake Okeechobee Drainage Basin
40E-61.031	Implementation
40E-61.042	General Permits for Use of Works of the District Within the Lake Okeechobee Basin
40E-61.321	Duration of Permits
40E-61.381	Limiting Conditions

**NOTICE OF CORRECTION**

NOTICE IS HEREBY GIVEN that the correct location of the hearing on the adoption of the above rule amendments to allow for noticing, delivery and receipt of documents through electronic media is: BROWARD COUNTY CONVENTION

CENTER, 1950 Eisenhower Blvd., Fort Lauderdale, Florida 33316. The time and date of the hearing, June 14, 2006 beginning at 9:00 a.m., remains the same.

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-400.211	Processing Procedures for Noticed General Permits
40E-400.475	General Permit for Minor Activities

**NOTICE OF CORRECTION**

NOTICE IS HEREBY GIVEN that the correct location of the hearing on the adoption of the above rule amendments to allow for noticing, delivery and receipt of documents through electronic media is: BROWARD COUNTY CONVENTION CENTER, 1950 Eisenhower Blvd., Fort Lauderdale, Florida 33316. The time and date of the hearing, June 14, 2006 beginning at 9:00 a.m., remains the same.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF HEALTH**

**Division of Medical Quality Assurance Boards**

RULE NO.:	RULE TITLE:
64B-5.003	Electronic Forms to be Used to Submit Data to the Continuing Education Tracking System

**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. 31, No. 21, of the May 27, 2005, issue of the Florida Administrative Weekly. The changes are in response to written comments and a meeting with staff of the Joint Administrative Procedures Committee with regard to how to incorporate electronic forms by reference in the rule. The rule as amended to address JAPC concerns shall read as follows:

Approved providers submitting required continuing education information and licensees who go on line to self submit continuing education information pursuant to Rule 64B-5.002, F.A.C., shall use the following forms effective May 2006, which are adopted and incorporated herein by reference, found at [www.cebroke.com](http://www.cebroke.com) or may be obtained from the Division of Medical Quality Assurance at 4052 Bald Cypress Way, Bin C01, Tallahassee, Florida 32399:

- (1) Apply to be CE Provider – form DH-MQA-CEB-1, May 2006
- (2) Add Course – form DH-MQA-CEB-2, May 2006

- (3) Publish Course – form DH-MQA-CEB-3, May 2006
- (4) Add Location – form DH-MQA-CEB-4, May 2006
- (5) Submit Course Completion Outline – form DH-MQA-CEB-5, May 2006
- (6) Upload Course Completion – form DH-MQA-CEB-6, May 2006
- (7) Generate Scan Cards – form DH-MQA-CEB-7, May 2006
- (8) Renew CE Providership – form DH-MQA-CEB-8, May 2006
- (9) Licensee Self-Submit – form DH-MQA-CEB-9, May 2006
- (10) Add Instructor – form DH-MQA-CEB-10, May 2006.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Knepton, Program Operations Administrator, Division of Medical Quality Assurance, Department of Health, 4052 Bald Cypress Way, Bin C-01, Tallahassee, Florida 32399-3251.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-14.001                      RULE TITLE: Request for Retired Status

**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. 32, No. 10, of the March 10, 2006, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The change is as follows: The rule shall now read:

A licensee with an active or inactive license may choose retired status by submitting a written request to the Board and remitting the retired status fee set out in Rule 64B19-12.013, F.A.C. and, if applicable, the change of status fee set out in Rule 64B19-12.006, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-14.003                      RULE TITLE: Reactivation of Retired Status Licenses

**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. 32, No. 10, of the March 10, 2006, issue of the Florida Administrative Weekly. The

changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

- 1. Subsection (1)(b) shall now read: “Paying the reactivation fee set out in Rule 64B19-12.006, F.A.C.,”
- 2. Subsection (1)(d) shall now read: “Paying any owed delinquency fee set out in Rule 64B19-12.0085, F.A.C.; and”
- 3. Subsection (1)(e) shall now read: “Paying any owed change of status fee set out in Rule 64B19-12.006, F.A.C.”
- 4. Subsection (2)(d) shall now read: “Paying any owed delinquency fee set out in Rule 64B19-12.0085, F.A.C.,”
- 5. Subsection (2)(e) shall now read: “Paying any owed change of status fee set out in Rule 64B19-12.006, F.A.C.; and”

6. In addition the following citations shall be added to the Specific Authority 490.004(4), 490.007(2) FS.

7. In addition the following citation shall be added to the Law Implemented 490.007(2) FS.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan K. Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3255.

**Section IV  
Emergency Rules**

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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

**STATE BOARD OF ADMINISTRATION**

RULE NO.: 19ER06-1 (19-8.010)                      RULE TITLE: Reimbursement Contract

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC, HEALTH, SAFETY OR WELFARE: The 2006 Legislature passed CS/CS for SB 1980 on Friday, May 5, 2006. This legislation affects the Reimbursement Contract as a whole and specifically impacts options available in the Contract. The Contract (and selected options) must be signed and returned to the Florida Hurricane Catastrophe Fund (FHCF) prior to the June 1, 2006, commencement of the hurricane season. Given the short time frame in which these documents must be reviewed, options chosen and returned to the FHCF and the imminent onset of the 2006 hurricane season, emergency rulemaking is necessary.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: Prior to the passage of the law, the FHCF brought the proposed