

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-6.010 Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.010, F.A.C., is to incorporate by reference the Title XIX Long-Term Care Reimbursement Plan (the Plan), effective July 1, 2013. The rule will update the Plan to reflect changes authorized in Senate Bill 1500, 2013-14 General Appropriations Act, Specific Appropriation 239, which provides for a nursing home reimbursement rate buy back and elimination of the AIDS supplemental payment to nursing homes. Other potential changes to the Title XIX Long-Term Care Reimbursement Plan, but not part of the 2013-14 appropriations, include changes to the reasonable return on equity section, possible changes in the upcoming roll-out of Long-Term Care Managed Care, a correction to the nursing home staffing requirement, and editorial/technical clarifications.

SUBJECT AREA TO BE ADDRESSED: 2013-14 nursing home reimbursement rates including buy backs and supplemental payments. Potential changes to the Title XIX Long-Term Care Reimbursement Plan, but not part of the 2013-14 appropriations include changes to the reasonable return on equity section, possible changes in the upcoming roll-out of Long-Term Care Managed Care, a correction to the nursing home staffing requirement, and editorial/technical clarifications.

RULEMAKING AUTHORITY: 409.919, 409.9082 FS.

LAW IMPLEMENTED: 409.908, 409.9082, 409.913 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: August 7, 2013, 10:00 a.m. – 11:00 a.m.

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

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: Edwin Stephens, Medicaid Program Finance, (850)412-4077 or by e-mail at edwin.stephens@ahca.myflorida.com. If you are hearing or speech impaired, please

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Edwin Stephens, Medicaid Program Finance, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)412-4077 or by e-mail at edwin.stephens@ahca.myflorida.com

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
59G-6.090 Payment Methodologies for County Health Departments

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-6.090, F.A.C., is to incorporate by reference the Title XIX County Health Department Reimbursement Plan (the Plan), effective July 1, 2013. The rule will update the Plan to reflect changes authorized in Senate Bill 1500, 2013-14, General Appropriations Act, Specific Appropriation 232, which provides reimbursement rate buy back authority for County Health Departments and a recurring methodology to establish reimbursement rates.

SUBJECT AREA TO BE ADDRESSED: 2013-14 County Health Department reimbursement rate buy back authority and calculation methodology.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908, 409.913 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: August 7, 2013, 11:00 a.m. – 12:00 Noon

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

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: Edwin Stephens, Medicaid Program Finance, (850)412-4077 or by e-mail at edwin.stephens@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF

THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Edwin Stephens, Medicaid Program Finance, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)412-4077 or by e-mail at edwin.stephens@ahca.myflorida.com

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: RULE TITLE:

61G18-16.002 Continuing Education Requirements for Active Status License Renewal

PURPOSE AND EFFECT: Change wording to reflect wording of statute

SUBJECT AREA TO BE ADDRESSED: Wording reflecting statute wording.

RULEMAKING AUTHORITY: 474.206, 474.211 FS.

LAW IMPLEMENTED: 455.2123, 474.211 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: Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783

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

Refugee Services

RULE NOS.: RULE TITLES:

65F-1.001 Definitions

65F-1.002 Child Welfare Services Qualifications

PURPOSE AND EFFECT: The proposed rule will implement Section 402.86 of the Florida Statutes to clarify the criteria for services and benefits to unaccompanied refugee minors.

SUBJECT AREA TO BE ADDRESSED: Child welfare services to unaccompanied refugee minors.

RULEMAKING AUTHORITY: 402.86(2) FS.

LAW IMPLEMENTED: 402.86(1) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN

THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Yolanda Coto, Senior Attorney, 401 NW 2nd Avenue, Suite N-812, Miami, Florida 33128, (786)257-5168, Yolanda_coto@dcf.state.fl.us

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development

RULE NOS.: RULE TITLES:

73A-2.003 Certification for the Retention of Major League Baseball Spring Training Baseball Franchises

73A-2.004 Decertification and Decertification Review for the Retention of Major League Baseball Spring Training Baseball Franchises

PURPOSE AND EFFECT: These Rules are mandated pursuant to Section 288.11631, Florida Statutes, which becomes effective July 1, 2013. The Department of Economic Opportunity is mandated to adopt rules in order to implement the certification, decertification and decertification review process required by the statute. The Rules provide guidance to applicant's by providing necessary timelines and processes when applying for state funding under the statute.

SUBJECT AREA TO BE ADDRESSED: These Rules clarify deadlines and processes for applicants who apply for state funding pursuant to Section 288.11631, Florida Statutes, which becomes effective July 1, 2013.

RULEMAKING AUTHORITY: 288.11631(6) FS.

LAW IMPLEMENTED: 288.11621 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: Katherine Morrison, Division of Strategic Business Development, Department of Economic Opportunity, Suite 1902, The Capitol, Tallahassee, Florida 32399, (850)717-8973

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NOS.:	RULE TITLES:
73C-1.001	Definitions and Forms
73C-1.002	Application Process
73C-1.003	Certification Decision

PURPOSE AND EFFECT: The revision of this rule chapter will permit DEO to eliminate unnecessary forms, remove unnecessary language already defined by statute and more efficiently administer the Black Business Loan Program while ensuring compliance with the statutory intent of Section 288.7102, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Definitions for subject matter referenced within Section 288.7102, Florida Statutes but not specifically defined; Program application and certification processes; Removal of unnecessary forms and language already specifically defined by statute.

RULEMAKING AUTHORITY: 288.7102(7) FS.

LAW IMPLEMENTED: 288.7094(2), 288.7102 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: Stacy Bouie, Grants Specialist V, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, Tallahassee, Florida 32399, (850)717-8533

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

**Section II
Proposed Rules**

NONE

**Section III
Notice of Changes, Corrections and
Withdrawals**

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.:	RULE TITLE:
40B-1.901	General
	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. 57, March 22, 2013 issue of the Florida Administrative Register.

40B-1.901 General.

The District maintains a list of forms which is updated annually and is available upon request. All district forms and instructions may be obtained at the District headquarters or on the District’s website and are hereby incorporated by reference as follows:

- (1) Form number 40B-2.041A, Water Use Permit Status Form, is incorporated by reference in Rule 40B-2.041, F.A.C.;
- (2) Form number 40B-2.041B, Application for Water Use Permit Agricultural Use, is incorporated by reference in Rule 40B-2.041, F.A.C.;
- (3) Form number 40B-2.041C, Application for Water Use Permit Augmentation/Other Use, is incorporated by reference in Rule 40B-2.041, F.A.C.;
- (4) Form number 40B-2.041D, Application for Water Use Permit Commercial Use, is incorporated by reference in Rule 40B-2.041, F.A.C.;
- (5) Form number 40B-2.041E, Application for Water Use Permit Potable Water Supply Use, is incorporated by reference in Rule 40B-2.041, F.A.C.;
- (6) Form number 40B-2.351A, Water Use Permit Transfer Form, is incorporated by reference in Rule 40B-2.351, F.A.C.;
- ~~(7) Form number 40B-4.3020, Application for a Work of the District Permit for District Floodways, is incorporated by reference in Rule 40B-4.3020, F.A.C.;~~
- ~~(8) Form number 40B-1.901(A), As Built Certification by the Permittee, Effective January 29, 2001.~~
- ~~(9) Form number 40B-1.901(B), As Built Certification by the Operation and Maintenance Entity, Effective January 29, 2001.~~
- ~~(10) Form number 40B-1.901(C) As Built Certification by a Registered Professional, Effective January 29, 2001;~~
- ~~(11) Form number 40B-1.901(D), Transfer to Operation and Maintenance.~~

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History—New 9-15-81, Amended 3-17-88, 12-21-88, 10-8-89, 6-17-93, 10-3-95, 1-3-96, 6-22-99, 1-29-01, 5-15-05, 7-7-08, 4-1-10, [DATE].

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-4.1020	Definitions
40B-4.1030	Implementation
40B-4.1040	Permits Required
40B-4.1070	Exemptions
40B-4.1090	Publications and Agreements Incorporated by Reference
40B-4.1100	Duration of Permits
40B-4.1110	Modification of Permits
40B-4.1120	Revocation of Permits
40B-4.1130	Transfer of Permits
40B-4.1140	Limiting Conditions on Permits
40B-4.1150	Emergency Authorization
40B-4.1170	Inspections and Enforcement
40B-4.3010	General Works of the District Development Permits
40B-4.3020	Content of District Floodway Development Permit Applications
40B-4.3030	Conditions for Issuance of Works of the District Development Permits
40B-4.3035	Minimum Operation and Maintenance Standards

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. 57, March 22, 2013 issue of the Florida Administrative Register.

40B-4.1020 Definitions.

(1) through (12) No change.

(13) “Registered Professional” means a professional registered or licensed by and in the State of Florida and practicing under Chapter 471, 472, 481, or 492, F.S.

(14) “Structure” means anything constructed, installed, or portable, the use of which requires a location on a parcel of land. It includes a movable structure while it is located on the land which can be used for housing, business, commercial, agricultural, or office purposes either temporarily or permanently.

(15)(14) “Substantial Improvement” means any repair, reconstruction, rehabilitation or improvement of a structure, the cost of which exceeds, over a five year period a cumulative total of 50 percent of the market value of the structure either:

(a) and (b) No change.

(16)(15) “Surveyor” or “Professional Land Surveyor” means a person who is registered to engage in the practice of land surveying under Sections 472.001 through 472.039, F.S.

(17)(16) “Water Management District” means any flood control, resource management, or water management district operating under the authority of Chapter 373, F.S. Unless

otherwise stated, water management district or district shall refer to the Suwannee River Water Management District.

(18)(17) “Work” or “Works” means all artificial structures, including, but not limited to, ditches, canals, conduits, channels, culverts, pipes, and other construction that connects to, draws water from, drains water into, or is placed in or across the waters in the state and includes all types of dredging and filling to create, remove, or located in, on, or over wetlands or other surface waters.

(19)(18) “Work of the District” means those projects and works including, but not limited to, structures, impoundments, wells, streams, and other watercourses, together with the appurtenant facilities and accompanying lands, which have been officially adopted by the governing board as works of the district. Works of the district officially adopted by the board are adopted by rule in Rule 40B-4.3000, F.A.C., of this chapter.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.019, 373.403 FS. History—New 9-25-85, Amended 12-22-92, 10-3-95, 5-13-07, 2-28-12, [DATE].

40B-4.1030 Implementation.

The implementation dates of this chapter are as follows:

(1) April 1, 1986 for paragraph 40B-4.1040(1)(a) and Rule 40B-4.3040, F.A.C., which require persons to obtain a works of the district ~~development~~ permit if the proposed development is in one of the following areas adopted as a work of the district.

(a) through (d) No change.

(2) July 1, 1986 for paragraph 40B-4.1040(1)(a) or 40B-4.3040, F.A.C., which require persons to obtain a work of the district ~~development~~ permit if the proposed development is in one of the following areas adopted as a work of the district.

(a) and (b) No change.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086, 373.409, 373.413, 373.416, 373.426 FS. History—New 9-25-85, Amended [DATE].

40B-4.1040 Permits Required.

(1)(a) No change.

(b) When the need to obtain a works of the district permit is in conjunction with the requirements for obtaining an

environmental resource permit, application shall be made and shall be considered by the district as part of the request for an environmental resource permit application. In such cases the environmental resource permit shall include the requirements of this chapter. In instances when requirements of this chapter conflict with requirements to obtain an environmental resource permit, the more stringent requirement shall be followed. Otherwise, a separate works of the district permit must be obtained.

(2) and (3) No change.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086, 373.413, 373.416, 373.426 FS. History—New 9-25-85, Amended 12-22-92, 10-3-95, 10-18-04, [DATE].

40B-4.1070 Exemptions.

(1)(a) No change.

(b) Alterations to the topography of land which shall include, but not be limited to, plowing, bedding, or minor grading, harvesting or regeneration associated with the normal practices of agriculture, silviculture, or horticulture, whether private or commercial provided:

1. ~~no~~ ~~No~~ fill from outside the immediate area of such alterations is used.

2. ~~The erosion of disturbed soils can be controlled through the use of appropriate best management practices.~~

3. ~~The seasonal scheduling of such activities will avoid work during times of high flood hazard.~~

4. ~~The 75 feet immediately adjacent to and including the normally recognized bank of a water is left in its natural state.~~

(c) through (g) No change.

(h) ~~Decorative~~ ~~Decorative~~ landscaping gardens which are above the natural grade of the ground which are less than or equal to 25 square feet of the cross-sectional area of the floodway and ~~gardens of a reasonable size, which are less than or equal to 6 inches above the natural grade of the ground provided that the decorative landscape garden is located outside of the 75 foot setback.~~

(i) and (j) No change.

(k) The removal of non-native, invasive, dead or diseased vegetation.

(2) No change.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086, 373.406, 373.416, 373.426 FS. History—New 9-25-85, Amended 2-1-89, 12-22-92, 9-13-04, 8-11-10, [DATE].

40B-4.1090 Documents, Publications and Agreements Incorporated by Reference.

The Governing Board incorporates herein by reference all the documents found in this section. All documents except for Chapter 62-330, F.A.C., can be obtained from the District website at <http://www.mysuwanneeriver.com/Permitting> or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. Chapter 62-330, F.A.C., can be obtained from the District website at <http://www.mysuwanneeriver.com/Rules>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060.

(1) Chapter 62-330, F.A.C., (2013).

(2) The Applicant's Handbook Volume I, Effective August 1, 2013.

(3) The Applicant's Handbook Volume II, effective August 1, 2013.

(4) The documents below are used to establish the floodways, base flood elevations and flood zones used in the implementation of this chapter:

~~(a) The Governing Board hereby adopts by reference: Final Survey – Review Report Suwannee River Georgia and Florida, July 1989, U.S. Army Corps of Engineers, Jacksonville District. used to establish the floodway for the works of the district identified in Chapter 40B 4, Part III, F.A.C~~

(b)(2) The following Flood Insurance Studies and digital flood insurance rate maps are hereby incorporated by reference and supersede subsection 40B-4.1090(4)(a), F.A.C., for each county listed below:

(a) Alachua County, Florida and Incorporated Areas, effective June 16, 2006.

(b) Baker County, Florida and Incorporated Areas, effective June 17, 2008.

(c) Bradford County, Florida and Incorporated Areas, effective May 2, 2012.

(d) Columbia County, Florida and Incorporated Areas, effective February 4, 2009.

(e) Dixie County, Florida and Incorporated Areas, effective March 18, 2008.

(f) Gilchrist County, Florida and Incorporated Areas, Revised February 9, 2009.

(g) Hamilton County, Florida and Incorporated Areas, effective June 4, 2010.

(h) Jefferson County, Florida and Incorporated Areas, effective July 16, 1991.

~~(i) Lafayette County, Florida and Incorporated Areas, effective September 29, 2006.~~

~~(j) Levy County, Florida and incorporated Areas, effective November 2, 2012.~~

~~(k) Madison County, Florida and Incorporated Areas, effective May 3, 2010.~~

~~(l) Putnam County, Florida and Incorporated Areas, effective April 16, 2013.~~

~~(m) Suwannee County, Florida and Incorporated Areas, effective April 16, 2013.~~

~~(n) Taylor County, Florida and Incorporated Areas, effective May 4, 2009.~~

~~(o) Union County, Florida and Incorporated Areas, effective February 4, 2009.~~

~~(a) Alachua County, Florida and Incorporated Areas, Effective June 16, 2006;~~

~~(b) Columbia County, Florida and Incorporated Areas, Effective June 16, 2006;~~

~~(c) Dixie County Florida and Incorporated Areas, Effective September 29, 2006;~~

~~(e) Hamilton County, Florida and Incorporated Areas, Effective June 4, 2010;~~

~~(f) Lafayette County, Florida and Incorporated Areas, Effective September 29, 2006;~~

~~(g) Madison County, Florida and Incorporated Areas, Effective May 3, 2010;~~

~~(h) Suwannee County, Florida and Incorporated Areas, Effective September 28, 2007;~~

~~(i) Taylor County, Florida and Incorporated Areas, Effective May 4, 2009;~~

~~(j) Union County, Florida and Incorporated Areas, Effective February 4, 2009;~~

~~(k) Bradford County, Florida and Incorporated Areas, Effective May 2, 2012;~~

~~(l) Levy County, Florida and incorporated Areas, Effective November 2, 2012;~~

~~(m) Jefferson County, Florida and Incorporated Areas, Effective July 16, 1991.~~

~~(3) The Governing Board hereby adopts by reference the “Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual”, effective July 2008. This is available at District headquarters and on the District’s website.~~

~~(4) The Governing Board hereby adopts the Applicants’ Handbook Volume II effective March 1, 2013. This is available at district headquarters and on the District’s website.~~

~~(5) The Governing Board hereby adopts by reference the “Urban Hydrology for Small Watersheds”, U.S. Department of Agriculture, Soil Conservation Service, Engineering Division, Technical Release 55, June 1986; and, “Buffer Zone Study for Suwannee River Water Management District”,~~

~~Dames and Moore, September 8, 1988. This is available at district headquarters and on the District’s website.~~

~~(6) The Governing Board hereby adopts by reference the “Standard Methods for the Examination of Water and Wastewater” by the American Public Health Association or “Methods for Chemical Analysis of Water and Wastes” by the U.S. Environmental Protection Agency. This is available at district headquarters and on the District’s website.~~

~~(7) The Governing Board hereby adopts by reference the latest version of the “Florida Standard Specification for Road and Bridge Construction. This is available at district headquarters and on the District’s website.~~

~~This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.~~

~~Rulemaking Authority 373.044 FS. Law Implemented 373.083, 373.084, 373.085, 373.086, 373.413, 373.416 FS. History—New 11-21-02, Amended 5-13-07, 4-21-08, 4-30-09, 8-31-09, 3-14-11, [DATE].~~

~~40B-4.1100 Duration of Permits.~~

~~(1)(a) through (e) No change.~~

~~(2) Permits may be authorized with durations that are less than the standard durations found in subsection 40B-4.1100(1), F.A.C~~

~~(2)(3) Permits may not be authorized with durations that are greater than the standard durations found in subsection 40B-4.1100(1), F.A.C.~~

~~(3)(4) Permits shall not be extended.~~

~~This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.~~

~~Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.084, 373.085, 373.413, 373.416, 373.426 FS. History—New 9-25-85, Amended 12-22-92, 9-13-04, [DATE].~~

~~40B-4.1110 Modification of Permits.~~

~~(1) No change.~~

~~(2) The district has the authority to may modify a permit issued pursuant to this chapter at any time if it determines that work or development in a work of the district is in violation of any district rule, order or a condition of the permit and has or may become a danger to public health or safety or is in violation of any district rule or order or the conditions of the permit. Before any such modification, the district shall give affected persons notice of the proposed modification with the reasons for such modification and reference to applicable district rule, order, or permit conditions. The notice shall state~~

that affected persons may request an administrative hearing by filing a petition for such hearing with the district. In no event shall the time for filing said petitions be more than 14 days from the date the notice was sent or published, and no such modification shall be made without a hearing if requested.

(3) ~~When~~ ~~if~~ the executive director determines that the danger to the public is imminent or that violations to these rules will result in adverse impacts to adjacent landowners, he ~~shall~~ ~~may~~ order a temporary suspension of construction, alteration, repair, or operation of the work or development in a work of the district; or he ~~shall~~ ~~may~~ specify temporary conditions for continued operation, alteration, repair, or development until a hearing is complete or the district otherwise issues a final order; or the executive director may take appropriate action pursuant to Rule 40B-4.1170, F.A.C.

(4) Requests to modify permits for construction or operation may be made by application or by letter. Applications to modify permits shall may be made by permittees in the same manner as the original permit. Letter requests to modify permits shall be used if the proposed modification does not:

(a) and (b) No change.

~~(5) Requests to modify permits for construction or operation may be made by , applications may be filed by letter request provided the modification does not:~~

~~(a) Request a substantial change in the permit authorization; or~~

~~(b) Increase calculated 100-year flood/one percent chance elevations.~~

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 120.57, 120.60, 373.084, 373.085, 373.429, 373.439 FS. History–New 9-25-85, Amended 12-22-92, [DATE].

40B-4.1120 Revocation of Permits.

(1) The district ~~shall~~ ~~may~~ revoke a permit if it determines that a work or development in a work of the district is in violation of any district rule, order or condition of the permit and has become a danger to the public health or safety ~~or is in violation of any district rule or order or the conditions of the permit.~~

(2) No change.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 120.57, 120.60, 373.084, 373.085, 373.429 FS. History–New 9-25-85, Amended [DATE].

40B-4.1130 Transfer of Permits.

(1) Noticed General, General, and Conceptual works of the district permits shall automatically transfer to the operation and maintenance entity upon completion of the permitted work or development or to the new owner upon his taking title to the lands involved in such a permit. No notice to the district shall be required for such transfers unless specifically required as a limiting condition on the permit.

(2) Individual, and abandonment permits shall not be automatically transferred. Individual permits shall be transferred following the criteria in the Applicant’s Handbook Volume II and Chapter 62-330, F.A.C. Abandonment permits will not become effective until the owner or his authorized agent certifies that all facilities have been removed in accordance with the permit. Within 30 days after the completion of the removal of the work or development in a work of the district, the owner or his authorized agent shall complete an As-Built Certification Form 40B-1.901A, Effective August 1, 2013. This document is incorporated herein by reference and may be obtained from the District website at <http://www.mysuwanneeriver.com/Permitting>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. When the completed removal of the work or development in a work of the district differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed As-Built Certification form shall serve to notify the District that the removal of the work or development in a work of the district is complete and ready for inspection. After completion of ~~the construction or~~ removal of the work or development in a work of the district, ~~and any required approvals by the district,~~ the district will transfer the operational and maintenance phase of the permit to the ~~accepted~~ operation and maintenance operational entity identified in the permit. When a new entity becomes the owner of the system, the permittee and new owner shall notify the District of the sale and new entity responsibilities. The District shall transfer the permit to the new operation and maintenance entity.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.413, 373.416 FS. History–New 9-25-85, Amended 12-22-92, 9-13-04, [DATE].

40B-4.1140 Limiting Conditions on Permits.

(1) No change.

(2) The following standard limiting conditions shall be a part of all permits issued pursuant to this chapter unless waived or modified by the District.:

(a) No change.

(b) Immediately prior to, during construction, and for the period of time after construction to allow for stabilization of all disturbed areas, the permittee shall implement and maintain performance based erosion and sediment control best management practices. All best management practices shall be in accordance with the guidelines and specifications described in the State of Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual. This document is incorporated herein by reference and may be obtained from the District website at <http://www.mysuwanneeriver.com/Permitting>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. If project-specific conditions require additional measures beyond those specified in the erosion and sediment control plan, if approved as part of the permit, the permittee shall implement the additional best management practices as necessary. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources or adjacent properties.

~~(c) Water quality data representative of the water discharged from the permitted work or development in a work of the district, including, but not limited to, the parameters in Chapter 62-302, F.A.C., shall be submitted to the district as required. If water quality data is required, the permittee shall provide data as required on the volume and rate of discharge including the total volume discharged during the sampling period. All water quality data shall be in accordance with and reference the specific method of analysis in "Standard Methods for the Examination of Water and Wastewater" by the American Public Health Association or "Methods for Chemical Analysis of Water and Wastes" by the U.S. Environmental Protection Agency.~~

~~(c)(d)~~ Noticed General and General permits shall be transferred to the operational and maintenance phase automatically upon the completion of the work or development in a work of the district. The operational and maintenance phase of individual permits shall be transfered following the criteria in the Applicant's Handbook Volume II and Chapter 62-330, F.A.C. and Abandonment permits will not become effective until the owner or his authorized agent certifies that all facilities have been removed ~~constructed~~ in accordance with the permit design permitted by the district. ~~Such as-built certification shall be made by a registered licensed professional.~~ Within 30 days after the completion of the removal ~~construction or independent portion~~ of the work or development in a work of the district, the owner or his

authorized agent shall complete an As-Built Certification Form 40B-1.901~~A~~ (8). ~~The permitted Operation and Maintenance Entity Shall complete As-built Certification Form 40B-1.901(9). The registered professional shall submit a written statement of completion and certification, using As-Built Certification Form No. 40B-1.901(10).~~ When the completed removal of the work or development in a work of the district differs substantially from the permitted plans, any substantial deviations shall be noted and explained and two copies of as-built drawings submitted to the District. Submittal of the completed As-Built Certification form shall serve to notify the District that the removal ~~construction~~ of the work or development in a work of the district is complete and ready for inspection. ~~The statement of completion and certification shall be based on on site observations conducted by the registered licenced professional, or under his or her direct supervision or review of as built drawings for the purpose of determining if the work was completed in compliance with approved plans and specifications. As built drawings shall be the permitted drawings revised to reflect any changes made during construction. Both the original and any revised specifications must be clearly shown.~~ The plans must be clearly labeled as "as-built" or "record" drawing. All surveyed dimensions and elevations shall be certified by a registered surveyor.

~~(d)(e)~~ The operation phase of individual and abandonment permits shall not become effective until the permittee has complied with the requirements of the condition in the paragraph above, ~~the District determines the work or development in a work of the district to be in compliance with the permitted plans, and the approved by the District accepts responsibility for operation and maintenance of the system. The permit may not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the approved responsible operation and maintenance operating entity if different from the permittee.~~ Until the permit is transferred pursuant to Rule 40B-4.1130, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

~~(e)(f)~~ Off-site discharges during and after construction shall be made only through the facilities authorized by the permit. Water discharged from the project shall be through structures suitable for regulating upstream stage if so required by the district. Such discharges may be subject to operating schedules established by the district.

~~(f)(g)~~ The permittee shall hold and save the district harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, operation, maintenance, alteration, abandonment, work, or development in a work of the district which is authorized by the permit.

~~(g)(h)~~ The permit is issued based on the information submitted by the applicant which reasonably demonstrates that adverse off-site water resource impacts will not be caused by the permitted activity. It is the responsibility of the permittee to insure that such adverse impacts do not in fact occur either during or after construction.

~~(h)(i)~~ This permit does not eliminate the necessity to obtain any required federal, state, local and special District authorizations prior to the start of any activity approved by this permit. It is the responsibility of the permittee to obtain all other clearances, permits, or authorizations required by any unit of federal, state, or local government or special district. Should any other regulatory agency require changes to the permitted system, the permittee shall provide written notification to the District of the changes prior to implementation so that a determination can be made whether a permit modification is required.

~~(i)(j)~~ This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and in Chapter 40B-4, F.A.C.

~~(j)(k)~~ All activities shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit.

~~(k)(l)~~ Each phase or independent portion of the permitted work or ~~development development~~ in a work of the district must be completed in accordance with the ~~permitted plans and~~ permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the work or development. Each phase or independent portion of the work or development must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of that phase or portion of the work or development to an approved entity.

~~(l)(m)~~ This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications, shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.

~~(m)(n)~~ ~~Activities approved by this permit shall be conducted in a manner which do not cause violations of state water quality standards.~~

~~(n)(o)~~ At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to

the District a Construction Commencement Notice Form No. 40B-1.901(19) indicating the actual start date and the expected completion date. This document is incorporated herein by reference and may be obtained from the District website at <http://www.mysuwanneeriver.com/Permitting>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060.

~~(p)~~ ~~When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an Annual Status Report Form No. 40B-1.901(20). These forms shall be submitted during June of each following year.~~

~~(n)(q)~~ For those works or developments which will be operated or maintained by an entity requiring an easement or deed restriction in order to provide that entity with the authority necessary to operate or maintain the work or development, such easement or deed restriction, together with any other final operation or maintenance documents as are required by paragraph Part VI of the Applicants Handbook Volume II, must be submitted to the District for approval. Documents meeting the requirements set forth in these subsections of District rules will be approved. Deed restrictions, easements and other operation and maintenance documents which require recordation either with the Secretary of State or Clerk of the Circuit Court must be so recorded prior to lot or unit sales within the project served by the work or development, or upon completion of construction of the work or development, whichever occurs first. For those works or developments which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the work or development is accepted by the local governmental entity. Failure to submit the appropriate final documents referenced in this paragraph will result in the permittee remaining liable for carrying out maintenance and operation of the permitted work or development.

~~(o)(r)~~ The permittee is hereby advised that Section 253.77, F.S., states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.

~~(p)(s)~~ ~~The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the permitted work, development, or the real property at which the work or development is located.~~

All transfers of ownership or transfers of a permit are subject to the requirements of Rule 40B-4.1130, F.A.C. The permittee transferring the permit shall remain liable for any corrective actions that may be required as a result of any permit violations prior to such sale, conveyance or other transfer.

(q)(+) Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the work or development to insure conformity with the plans and specifications approved by the permit.

(r)(+) If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the District. If evidence of the existence of historic resources is discovered or observed at permitted project sites or during permitted activities after a permit is issued, the applicant, owner, contractor, or agent thereof shall notify the District and the Division of Historical Resources, Compliance and Review Section within two working days. Examples of such evidence include whole or fragmentary stone tools, shell tools, aboriginal or historic pottery, historic glass, historic bottles, bone tools, historic building foundations, shell mounds, shell middens, or sand mounds.

(s)(+) The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

(3) No change.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.117, 373.171 FS. Law Implemented 373.084, 373.085, 373.117, 373.409, 373.413, 373.416, 373.419, 373.423, 373.426 FS. History—New 9-25-85, Amended 2-1-89, 12-22-92, 9-13-04, 11-3-08, [DATE].

40B-4.1150 Emergency Authorization.

(1) Permission to begin the construction of the work or development in a work of the district prior to the issuance of a permit may be requested in writing when emergency conditions exist which justify the request. However, no such permission shall be granted unless the requested work or development in a work of the district is part of a work of the district application which is already under consideration for a permit under this chapter. A serious set of unforeseeable circumstances must exist to create an emergency. Mere carelessness, financial hardship, or lack of planning on the part of the applicant shall not be sufficient grounds to warrant the granting of an emergency authorization.

(2) When the applicant has complied with the conditions for emergency authorization as found in paragraph (1) above, the executive director shall may grant emergency authorization before the next regularly scheduled governing board meeting at his discretion. The emergency authorization shall be presented to the board at its next regularly scheduled meeting. Failure to receive the board's concurrence shall immediately invalidate the emergency authorization.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086, 373.413, 373.416, 373.426, 373.439 FS. History—New 9-25-85, Amended [DATE].

40B-4.1170 Inspections and Enforcement.

(1) Inspections will be in accordance with Section 373.423, F.S., and Section 6.4 of the Applicants' Handbook Volume II.

(2) Enforcement will be in accordance with Chapter 373, F.S., and Section 6.6 of the Applicants' Handbook Volume II. This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.083, 373.084, 373.085, 373.086, 373.119, 373.136, 373.429, 373.439, 373.603, 373.613, 373.614 FS. History—New 9-25-85, Amended [DATE].

40B-4.3010 Works of the District Permits.

(1) A noticed general works of the district permit shall may be granted pursuant to the procedures in Rule 40B-1.703, F.A.C., to any person for a single family work or development in a work of the district described below:

(a) through (c) No change.

(d) Driveways ~~Silviculture roads, driveways,~~ sidewalks and paths which are, at the driving or walking surface, less than or equal to 1 foot above the adjacent natural ground elevation and are located outside of the 75 foot setback.

(e) Decorative ~~Decorative~~ landscaping gardens ~~gradens~~ which are above the natural grade of the ground which are less than or equal to 50 square feet of the cross-sectional area of the floodway and of a reasonable size, which is less than or equal to 1 foot above the natural grade of the ground provided the decorative landscape is located outside of the 75 foot setback.

(f) No change.

(2) A noticed general works of the district permit ~~shall~~ may be granted pursuant to the procedures in Rule 40B-1.703, F.A.C., to any governmental agency for projects which are solely for the restoration of natural resources.

(3) A general works of the district permit ~~shall~~ may be granted pursuant to the procedures in Rule 40B-1.703, F.A.C., to any person for a single family work or development in a work of the district described below:

(a) through (i) No change.

(4) An individual work of the district permit ~~shall~~ may be granted pursuant to the procedures in Rule 40B-1.703, F.A.C., to any person for work or development in a work of the district described below. Individual work of the district permits shall adhere to the requirements in Parts II, II and IV of the Applicants Handbook Volume II and Chapter 62-330, F.A.C., in addition to the requirements of this chapter.

(a) through (b) No change.

(5) No change.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086 FS. History—New 9-25-85, Amended 3-19-86, 12-22-92, 10-18-04, [DATE].

40B-4.3020 Content of Works of the District Permit Applications.

(1) no change

(a) Form 40B-4.3020, “Application for a Work of the District Permit for District Floodways,” effective August 1, 2013. This document is incorporated herein by reference and may be obtained from the District website at <http://www.mysuwanneeriver.com/Permitting>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. The application form contains the following: ~~This form is available at District headquarters and on the District’s website at www.mysuwanneeriver.com.~~

1. through 3. No change.

(b) No change.

(c) For noticed general work of the district permits, a site plan to scale showing all improvements, works, or development prepared by the applicant or his agent. For general work of the district permits, a site plan to scale showing all improvements, works or development with any conditions or limitations placed thereon prepared by a registered ~~licensed~~ professional including plan and profile views with relevant elevations noted such as the elevation of

the lowest structural member and benchmark shown. For both noticed general and general work of the district permits, the site plan shall show the location of all trees to be removed which are greater than six inches diameter as measured at four feet, six inches above the natural ground;

(d) For noticed general work of the district permits a building plan prepared by the applicant or his agent. For general work of the district permits, a building plan prepared or submitted by a registered ~~licensed~~ professional showing profile and detail views of the pilings, the elevation of the lowest structural member, and any building components within the area below the 100-year flood/one percent annual chance of flood elevation; and

(e) Calculations ~~Any supporting calculations~~, designs, surveys, ~~and~~ ~~or~~ applicable documents, which ~~may~~ support the application.

(f) through (h) No change.

(2) No change.

(a) Form 40B-4.3020, “Application for a Work of the District Permit for District Floodways,” ~~This form is available at District headquarters and on the District’s website at www.mysuwanneeriver.com.~~ The application form contains the following:

1. through 4. No change.

(b) No change.

(c) A site plan to scale showing all improvements, work, or works with any conditions or limitations placed thereon prepared or submitted by a registered ~~licensed~~ professional.

(d) Calculations ~~Any supporting calculations~~, designs, ~~and~~ ~~or~~ surveys, prepared ~~or submitted~~ by a registered ~~licensed~~ professional ~~and~~ ~~or~~ applicable legal documents, which support the application.

(e) through (h) No change.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171, 373.413 FS. Law Implemented 373.084, 373.085, 373.086 FS. History—New 9-25-85, Amended 3-19-86, 9-13-04, 8-8-07, 7-6-08, 4-1-10, [DATE].

40B-4.3030 Conditions for Issuance of Works of the District ~~Development~~ Permits.

(1)(a) No change.

(b) Any proposed ~~Proposed~~ project that requires an environmental resource permit pursuant to Chapter 62-330, F.A.C. For such projects, works or development in a work of the district ~~shall~~ may be authorized as part of the environmental resource permit issued. In such cases, the works or development in a works of the district ~~environmental~~

resource permit shall meet the conditions of issuance found in Chapter 62-330, F.A.C., and this chapter.

(c) through (f) No change.

(2) through (13) No change.

(14) Upon the request of the permittee, the governing board has the authority to shall, in cases of extreme hardship, authorize a variance and issue a works of the district permit for exceptions to the conditions listed in paragraphs 40B-4.3030(2)–through (13), F.A.C., in accordance with Section 120.542, F.S. (2013) or Section 373.414(17), F.A.C. (2013). These documents are incorporated herein by reference and may be obtained from the District website at <http://www.mysuwanneeriver.com/Rules>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060;

(15) The 75-foot setback shall be considered a minimum depth for an undisturbed buffer. The limitations on disturbance and clearing within the buffer as set out in paragraphs (11) through (13) above shall apply, and any runoff through the buffer shall be maintained as unchanneled sheet flow. The actual depth of the setback and buffer for any land use other than single-family residential development, agriculture, or forestry shall be calculated in accordance with the methodology in: “Urban Hydrology for Small Watersheds”, U.S. Department of Agriculture, Soil Conservation Service, Engineering Division, Technical Release 55, June 1986; and, “Buffer Zone Study for Suwannee River Water Management District”, Dames and Moore, September 8, 1988.; This document is incorporated herein by reference and may be obtained from the District website at <http://www.mysuwanneeriver.com/Permitting>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. When calculating the setback, such that the post-development composite curve number for any one-acre area within the encroachment line does not exceed:

1. through 4. No change.

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.084, 373.085, 373.086 FS. History–New 9-25-85, Amended 2-12-87, 2-1-89, 12-22-92, 10-18-04, 5-13-07, 8-8-07, 8-11-10, 2-28-12, [DATE].

40B-4.3035 Minimum Operation and Maintenance Standards.

(1) The permittee or operation and maintenance entity shall ~~regularly~~ inspect and maintain ~~maintain~~ the work or development to insure that:

(a) through (b) No change.

(c) All structures within the work or development shall remain in an operable condition and shall be, free of obstruction and sediment, ~~and, where appropriate, secure from vandalism or unauthorized operation.~~

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.016, 373.042, 373.084, 373.085, 373.086, 373.117, 373.409, 373.416, 373.426 FS. History–New 2-1-89, Amended 9-13-04, [DATE].

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: RULE TITLE:

40B-400.091 Publications and Agreements Incorporated by Reference

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. 57, March 22, 2013 issue of the Florida Administrative Register.

40B-400.091 Publications and Agreements Incorporated by Reference.

The Governing Board incorporates herein by reference all the documents found in this section. All documents except for Chapter 62-330, F.A.C. and Chapter 373, F.S. can be obtained from the District website at <http://www.mysuwanneeriver.com/Permitting> or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. Chapter 62-330, F.A.C. and Chapter 373, F.S. can be obtained from the District website at <http://www.mysuwanneeriver.com/Rules>, or by writing to the Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060.

(1) This rule is used in conjunction with Rule 62-330, F.A.C. (2013), to implement the District’s responsibility under part IV of Chapter 373, F.S., (2013)

(2) The Applicant’s Handbook Volume I, effective August 1, 2013.

(3) ~~The Governing Board hereby adopts the Applicant’s Handbook Volume II, effective August 1, 2013 January 31, 2013. This document is available at District headquarters and on the District’s website.~~

(4) ~~The Governing Board hereby adopts the Operating Agreement Concerning Regulation Under Part IV, Chapter 373, F.S., between the Suwannee River Water Management District and the Florida Department of Environmental~~

Protection, effective July 1, 2007. ~~This document is available at District headquarters and on the District's website.~~

(5) ~~The Governing Board hereby adopts by reference the "Florida Stormwater, Erosion and Sedimentation Control Inspectors Manual", effective July 2008. This document is available at District headquarters and on the District's website.~~

(6) ~~The Governing Board hereby adopts by reference the Final Survey – Review Report Suwannee River Georgia and Florida, July 1989, U.S. Army Corps of Engineers, Jacksonville District used to establish floodways the floodway within the District for the works of the district identified in Chapter 40B-4, F.A.C. This document is available at District headquarters and on the District's website.~~

(7) ~~The Governing Board hereby adopts by reference the following Flood Insurance Studies and digital flood insurance rate maps which supersede subsection 40B-400.091(6), F.A.C., for each of county listed below for each county listed below. Each of the documents are available at the District headquarters and on the District's website:~~

(a) ~~Alachua County, Florida and Incorporated Areas, Effective June 16, 2006,~~

(b) ~~Baker County, Florida and Incorporated Areas, effective June 17, 2008,~~

(c) ~~Bradford County, Florida and Incorporated Areas, effective May 2, 2012,~~

(d)~~(e)~~ ~~Columbia County, Florida and Incorporated Areas, effective February 4, 2009,~~

(e)~~(d)~~ ~~Dixie County, Florida and Incorporated Areas, effective March 18, 2008, September 29, 2006.~~

(f)~~(e)~~ ~~Gilchrist County, Florida and Incorporated Areas, Revised February 9, 2009, September 29, 2006.~~

(g)~~(f)~~ ~~Hamilton County, Florida and Incorporated Areas, effective June 4, 2010,~~

(h)~~(g)~~ ~~Jefferson County, Florida and Incorporated Areas, effective July 16, 1991,~~

(i)~~(h)~~ ~~Lafayette County, Florida and Incorporated Areas, effective September 29, 2006,~~

(j)~~(i)~~ ~~Levy County, Florida and incorporated Areas, effective November 2, 2012,~~

(k)~~(j)~~ ~~Madison County, Florida and Incorporated Areas, effective May 3, 2010,~~

(l) ~~Putnam County, Florida and Incorporated Areas, effective April 16, 2013, September 28, 2007.~~

(m)~~(k)~~ ~~Suwannee County, Florida and Incorporated Areas, effective April 16, 2013, September 28, 2007.~~

(n)~~(l)~~ ~~Taylor County, Florida and Incorporated Areas, effective May 4, 2009,~~

(o)~~(m)~~ ~~Union County, Florida and Incorporated Areas, effective February 4, 2009.~~

This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012), take effect, whichever is later.

Rulemaking Specific Authority 373.044, 373.046(4), 373.113, 373.118, 373.171, 373.415, 373.421(2), 373.461(3) FS. Law Implemented 373.046, 373.118, 373.413, 373.4135, 373.415, 373.416, 373.421(2)-(6), 373.426, 373.461(3) FS. History—New 10-3-95, Amended 12-3-98, 3-7-02, 5-15-02, 7-1-07, [DATE].

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-4.091
 RULE TITLE: Publications, Rules and Interagency Agreements Incorporated by Reference
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 117, June 17, 2013 issue of the Florida Administrative Register.

PROPOSED EFFECTIVE DATE: This rule will become effective on August 1, 2013, or upon the date that amendments to Chapter 62-330, F.A.C., proposed by the Department of Environmental Protection to implement the statutory mandate in Section 373.4131, F.S. (2012) take effect, whichever is later.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: 59C-1.008
 RULE TITLE: Certificate of Need Application Procedures
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 118, June 18, 2013 issue of the Florida Administrative Register.

Notice is hereby given that the following correction has been made to the proposed rule that was published in Vol. 39/No. 106, May 31, 2013 issue of the Florida Administrative Register.

The Notice of Proposed Rule, as advertised on May 31, 2013, did not properly cite the published rule development date for Rule 59C-1.008, F.A.C.

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 5, 2013 (Vol. 39/No. 44).

**Section IV
 Emergency Rules**

NONE

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-18.005 Establishment of Regional Training Councils
 NOTICE IS HEREBY GIVEN that on June 14, 2013, the Criminal Justice Standards and Training, received a petition for a permanent waiver of paragraphs 11B-18.005(5)(b), (d), F.A.C., by Linda Wood, Broward College, and Region XIII Training Council. The rule requires training councils to be comprised of a specific number and type of members with limitations on how many voting members an agency may have on the council. The Petitioner wishes to waive that portion of the rule requiring a certain composition of the council and limiting the number of voting members an agency may have on the council. The Petitioner states that Broward Sheriff’s Office conducts most of the duties associated with the council members for the council area. Broward Sheriff’s Office, therefore, must be permitted to have more than two voting members on the council because it performs nearly all of the functions required of members of the council.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tina Culbertson, Research and Training Specialist, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-8647.

DEPARTMENT OF LAW ENFORCEMENT
 Criminal Justice Standards and Training Commission
 RULE NO.: RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

NOTICE IS HEREBY GIVEN that on June 14, 2013, the Criminal Justice Standards and Training Commission received a petition for a permanent waiver of subsection 11B-27.002(4), F.A.C., by Jose Jimenez. The rule requires candidates to become employed within four years of beginning a basic recruit training course. The Petitioner wishes to add enough time to the four years for Hialeah Gardens Police Department to process his application for employment as a law enforcement officer. Petitioner is currently employed as a certified correctional officer. The Petitioner began law enforcement basic recruit training on February 23, 2009, and his four years to gain employment in law enforcement expired February 23, 2013. The Petitioner asserts that he has finally begun processing to become

employed as a reserve law enforcement officer with Hialeah Gardens Police Department and he wishes to have additional time to complete the process to become employed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Tina Culbertson, Research and Training Specialist, Florida Department of Law Enforcement, P.O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-8647.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on June 17, 2013, the Department issued a Final Order that was in response to a Petition for Variance from Cedar Bay Generating Plant, filed May 21, 2013, and advertised on May 28, 2013 in Vol. 39, No.103, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.2.2.5 and 2.27.4.2, ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code to allow the installation of a sump without a pump and phase I emergency recall operation by fire alarm initiating devices because the Petitioner has not demonstrated that the purpose of the rule will be met or that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-163).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on June 17, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Quality Inn, filed May 9, 2013, and advertised on May 16, 2013 in Vol. 39, No. 96, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that

requires upgrading the elevators with firefighters' emergency operations because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-142).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on June 17, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Embry Riddle Aeronautical University, filed May 24, 2013, and advertised on June 3, 2013 in Vol. 39, No. 107, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.18.5.1, and 8.11.2.1.3(cc)(1) and (2) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-171).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on June 17, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Rogers Hall, filed May 24, 2013, and advertised on June 3, 2013 in Vol. 39, No. 107, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-

5.001(1)(a) Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-170).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on June 17, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Six/Ten Corp-199 Building, filed May 30, 2013, and advertised on June 3, 2013 in Vol. 39, No. 107, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.1 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a) Florida Administrative Code that requires upgrading the elevators machine rooms and machinery space enclosures because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-173).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 12, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Avalon Park TC3. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this

notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-189).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 14, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Carriage Club (1). Petitioner seeks a variance of the requirements of ASME A17.1A, Section 101.5b, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators ventilation for machinery and control equipment operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-194).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 14, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Carriage Club (2). Petitioner seeks a variance of the requirements of ASME A17.1A, Section 101.5b, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators ventilation for machinery and control equipment operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-195).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator

Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-6.013 Construction Materials and Standards for Treatment Receptacles

NOTICE IS HEREBY GIVEN that on June 17, 2013, the Florida Department of Health, received a petition for emergency waiver from Bruce Stowe, representing Roth Global Plastics, Inc. Specifically, the petitioner seeks a waiver from paragraph 64E-6.013(2)(a), Florida Administrative Code, which requires all receptacle stiffening members such as ribs to be a homogenous integral part of the structure. Interested persons or other agencies may submit written comments on the petition for emergency variance or waiver within 5 days of the publication of this notice. Comments may be sent to: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

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

DATE AND TIME: Wednesday, July 3, 2013, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call Number 1(888)808-6959; 7923533220

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Executive Committee - General Business.

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

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

For more information, you may contact: Roy Cosgrove, (850)245-3317 or at roy.cosgrove@vr.fldoe.org.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The Central Florida Water Initiative (CFWI), Steering Committee consists of a Governing Board member from the St. Johns River Water Management District, South Florida Water Management District, and Southwest Florida Water Management District each, and a representative from each of the following: The Florida Department of Environmental Protection, Florida Department of Agricultural and Consumer Services, Tohopekaliga (Toho) Water Authority. Toho's representative also represents other water supply utilities within the Central Florida Coordination Area. The CFWI Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 28, 2013, 9:30 a.m.

PLACE: TOHO Water Authority, 951 Martin Luther King Blvd., Kissimmee, FL 34741

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFWI Steering Committee is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Coordination Area. The CFWI Steering Committee will consider matters appearing on the agenda for the meeting or matters added to the agenda as determined by the Chair of the Committee. Additional information about this effort may be found at <http://cfwiwater.com>. Note: One or more additional Governing Board members from each of the three districts named above may attend and participate in the meeting of the CFWI Steering committee.

A copy of the agenda may be obtained by contacting: John Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com or <http://cfwiwater.com> seven days before the 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 48 days before the workshop/meeting by contacting: Nilsa Diaz, Executive Assistant to the Executive Director, Tohopekaliga Water Authority, (407)944-5000. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Woody Boynton Jr., Assistant Executive Director, St. Johns River Water Management District, P.O. Box 1429, Palatka, FL 32178-1429, (386)329-4101, email: wboynton@sjrwmd.com; Dean Powell, Chief of Water Supply Bureau, South Florida Water Management District, 3301 Gun Club Road, West Palm

Beach, FL 33406, (561)682-6787, email: dpowell@sfwmd.gov; Rand Frahm, Planning Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, email: rand.frahm@watermatters.org; John Shearer, Shearer Consulting Inc., 1917 Wingfield Drive, Longwood, FL 32779, (321)297-7372, email: johnshearer@cfl.rr.com.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

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

DATE AND TIME: June 21, 2013, 1:00 p.m.

PLACE: Hillsborough County Health Department, Room 200, 1105 East Kennedy Blvd; Tampa, FL 33602. This meeting is also available via conference call by dialing (888)387-8686, passcode 2062357.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Florida Trauma Registry Ad Hoc Committee created by the State Surgeon General, pursuant to Section 20.43(6), F.S. The purpose of this meeting is to discuss issues related to implementation of the Next Generation Trauma Registry.

A copy of the agenda may be obtained by contacting: Patricia Stadler at (850)245-4054 or via email at patricia_stadler@doh.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 24 hours before the workshop/meeting by contacting: Patricia Stadler at (850)245-4054. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES Substance Abuse Program

The Substance Abuse and Mental Health Program_ announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, July 10, 2013, 10:00 a.m. – 1:00 p.m.

PLACE: Drug Abuse Foundation of Palm Beach County, 400 S. Swinton Avenue, Delray Beach, Florida 33444

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department's Office of Substance Abuse and Mental Health will discuss the strategy to implement the FY 2013-14 General Appropriations Act proviso language relating to sober houses, and to receive preliminary public input. Individuals who are unable to attend the meeting in person, may call

1(888)670-3535 and when prompted for the participant code, enter 9592874884

A copy of the agenda may be obtained by contacting: Elizabeth Hockensmith at Elizabeth_Hockensmith@dcf.state.fl.us.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The Florida Film and Entertainment Advisory Council announces a telephone conference call to which all persons are invited.

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

PLACE: Call-in Number: 1(888)670-3525, Conference Code: 4091758923

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues concerning the film and entertainment industry, general administrative matters of the Advisory Council and hear public input and advisement.

A copy of the agenda may be obtained by contacting: Florida Office of Film and Entertainment, (850)717-8990.

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: Florida Office of Film and Entertainment, (850)717-8990. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Florida Office of Film and Entertainment, (850)717-8990.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: June 25, 2013, 5:00 p.m.

PLACE: 720 N Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Tina Johnson, (407)623-1070, ext. 115 or tjohnson@cilorlando.org.

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

For more information, you may contact: Tina Johnson.

SOUTHWOOD SHARED RESOURCE CENTER

The Southwood Shared Resource Center announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 27, 2013, 10:00 a.m.

PLACE: SSRC Administrative Offices, Conference Room 103, 2002 Old St. Augustine Road, Building C, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SSRC Executive Director Search Committee Meeting.

If any person decides to appeal any decision made by the Board (or Committee) 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.

A copy of the agenda may be obtained by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

For more information, you may contact: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

Section VI

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

NOTICE IS HEREBY GIVEN that the Department of Agriculture and Consumer Services has received the petition for declaratory statement from Paymaxx Pro, LLC and Leedom Capital Corp. on June 4, 2013. The petition seeks the agency's opinion as to the applicability of Section 501.0117, Florida Statutes, as it applies to the petitioner.

Petitioners ask whether charging a "convenience fee" for telephonic or internet based card payments is tantamount to imposing a surcharge as prohibited by Section 501.0117, Florida Statutes; whether petitioner Paymaxx Pro, LLC, who processes card payments for merchant dealers is a "seller or lessor" as contemplated by Section 501.0117, Florida Statutes; and whether if allowed to charge the "convenience fee," may petitioner Paymaxx Pro, LLC share the fee with petitioner Leedom Capital Corp. and/or other merchant dealers.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Amy Topol, Assistant Director, Division of Consumer Services, Department of Agriculture and Consumer Services, 2005 Apalachee Parkway, Tallahassee, FL 32399-6500, (850)410-3662, amy.topol@freshfromflorida.com.

Please refer all comments to: Amy Topol, Assistant Director, Division of Consumer Services, Department of Agriculture and Consumer Services, 2005 Apalachee Parkway, Tallahassee, FL 32399-6500, (850)410-3662, amy.topol@freshfromflorida.com.

Motions to intervene or petitions for administrative hearing by substantially affected persons must be filed within 21 days of this notice.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

NOTICE IS HEREBY GIVEN that the Office of Insurance Regulation has received the petition for declaratory statement from the Honorable Richard Clark. The petition seeks the agency's opinion as to the applicability of paragraphs 627.404(2)(b), (8), Florida Statutes, as it applies to the petitioner.

The Petitioner seeks a Declaratory Statement as to whether the City of Jacksonville, or the individual Pension Plans, has an "insurable interest" in the life of any participant enrolled in such Pension Plan with the written consent of the prospective insured pursuant to paragraphs 627.402(2)(b), (8), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Catharine Schoenecker at catharine.schoenecker@flair.com.

Please refer all comments to: Catharine Schoenecker at catharine.schoenecker@flair.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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Building Construction

MSFM-13003210

NOTICE TO PROFESSIONAL CONSULTANTS

STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT

PUBLIC ANNOUNCEMENT FOR ARCHITECTURAL – ENGINEERING SERVICES

The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that professional services are required for the project listed below.

PROJECT NUMBER: MSFM-13003210

PROJECT NAME: Plaza Waterproofing Gray Building

PROJECT LOCATION: Tallahassee, Florida

ESTIMATED CONSTRUCTION BUDGET: \$2,400,000.00 (Funding contingent upon appropriation by the Legislature).

Please visit the Department's website http://www.myflorida.com/apps/vbs/vbs_www.main_menu and click on "Search Advertisements" – "Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Building Construction

MSFM-13001010

NOTICE TO PROFESSIONAL CONSULTANTS

STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES

DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT

PUBLIC ANNOUNCEMENT FOR ARCHITECTURAL – ENGINEERING SERVICES

The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that professional services are required for the project listed below.

PROJECT NUMBER: MSFM-13001010

PROJECT NAME: ADA Upgrades, The Capitol Complex
 PROJECT LOCATION: Tallahassee, Florida
 ESTIMATED CONSTRUCTION BUDGET: \$3,000,000.00
 (Current funding is approximately \$2,400,000.00 with additional funding contingent upon appropriation by the Legislature.)
 Please visit the Department's website http://www.myflorida.com/apps/vbs/vbs_www.main_menu and click on "Search Advertisements" – "Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

DEPARTMENT OF MANAGEMENT SERVICES
 Division of Building Construction
 MSFM-13003190
 NOTICE TO PROFESSIONAL CONSULTANTS
 STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES
 DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT
 PUBLIC ANNOUNCEMENT FOR ARCHITECTURAL – ENGINEERING SERVICES

The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that professional services are required for the project listed below.
 PROJECT NUMBER: MSFM-13003190
 PROJECT NAME: Exterior Precast Repairs, Pressure Washing and Seal Building, Trammell Building
 PROJECT LOCATION: Tampa, Florida
 ESTIMATED CONSTRUCTION BUDGET: \$2,200,000.00 (Funding contingent upon appropriation by the Legislature).
 Please visit the Department's website http://www.myflorida.com/apps/vbs/vbs_www.main_menu and click on "Search Advertisements" – "Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

DEPARTMENT OF MANAGEMENT SERVICES
 Division of Building Construction
 MSFM-13003200
 NOTICE TO PROFESSIONAL CONSULTANTS
 STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES
 DIVISION OF REAL ESTATE DEVELOPMENT AND MANAGEMENT
 PUBLIC ANNOUNCEMENT FOR ARCHITECTURAL – ENGINEERING SERVICES

The Department of Management Services (DMS), Division of Real Estate Development and Management, announces that professional services are required for the project listed below.
 PROJECT NUMBER: MSFM-13003200
 PROJECT NAME: HVAC Renovations (Phase 1 of 4), Trammell Building
 PROJECT LOCATION: Tampa, Florida
 ESTIMATED CONSTRUCTION BUDGET: \$3,500,000.00 (Current funding is approximately \$800,000.00 with additional funding contingent upon appropriation by the Legislature.)
 Please visit the Department's website http://www.myflorida.com/apps/vbs/vbs_www.main_menu and click on "Search Advertisements" – "Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

Section XII
 Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
 Division of Motor Vehicles
 M10 Motors, Inc., d/b/a Infiniti of Coral Gables for the establishment of INFI

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Nissan North America, Inc., Infiniti Division, intends to allow the establishment of M10 Motors, Inc., d/b/a Infiniti of Coral Gables as a dealership for the sale of Infiniti automobiles (line-make INFI) at 2701 Le Jeune Road, Coral Gables, (Miami-Dade County), Florida 33134, on or after July 19, 2013.

The name and address of the dealer operator(s) and principal investor(s) of M10 Motors, Inc., d/b/a Infiniti of Coral Gables are dealer operator(s): Bernardo F. Moreno c/o Collection Auto Group, 28450 Lorain Road North, Olmstead, Ohio 44070; principal investor(s): M Motors Group, Inc., Bernardo F. Moreno, 28450 Lorain Road North, Olmstead, Ohio 44070.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Sarah B. Kirkbride, Nissan North America, Inc., Infiniti Division, One Nissan Way, Franklin, Tennessee 37067.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Mad Beach Scooters, Inc. for the establishment of WNGY

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Mod Cycles, Corp., intends to allow the establishment of Mad Beach Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co., Ltd. (line-make WNGY) at 6239 Park Boulevard North, Pinellas Park, (Pinellas County), Florida 33781, on or after July 19, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Mad Beach Scooters, Inc., are dealer operator(s): Kristine M. Lawson, 11350 119th Terrace North, Seminole, Florida 33778; principal investor(s): Kristine M. Lawson, 11350 119th Terrace North, Seminole, Florida 33778.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Carlos Ponce, Mod Cycles, Corp., 7547 Northwest 52nd Street, Miami, Florida 33166.

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

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.