

Section I Notice of Development of Proposed Rules and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.: RULE TITLE:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to add a reference to the equivalent North American Vertical Datum of 1988 (NAVD) elevation for the minimum surface water levels listed in subsections 40C-8.031(4) and (5), F.A.C., to reference those water levels in both the existing National Geodetic Vertical Datum of 1929 (NGVD) elevation and in the new NAVD elevation.

SUBJECT AREA TO BE ADDRESSED: Adding a reference to the equivalent NAVD elevation for the minimum surface water levels in subsections 40C-8.031(4) and (5), F.A.C.

Members of the District’s Governing Board may attend the scheduled Rule Development Workshop.

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 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 IS: Wendy Gaylord, Rules Coordinator, St. Johns River Water Management District, Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026, or wgaylord@sjrwm.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) through (3) No change.

(4) The following minimum surface water levels are established:

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
Aphsawa North	Lake	Frequent High	85.0	<u>83.9</u>	Seasonally Flooded	–	–
		Average	83.3	<u>82.2</u>	Typically Saturated	–	–
		Frequent Low	81.3	<u>80.2</u>	Semipermanently Flooded	–	–
Aphsawa South	Lake	Frequent High	86.0	<u>85.7</u>	Seasonally Flooded	–	–
		Average	84.7	<u>83.6</u>	Typically Saturated	–	–
		Frequent Low	83.2	<u>82.1</u>	Semipermanently Flooded	–	–
Argenta	Putnam	Frequent High	50.1	<u>49.0</u>	Seasonally Flooded	–	–
		Average	47.7	<u>46.7</u>	Typically Saturated	–	–
		Frequent Low	46.3	<u>45.3</u>	Semipermanently Flooded	–	–
Ashby	Volusia	Frequent High	12.3	<u>11.3</u>	–	60	2
		Frequent Low	11.1	<u>10.2</u>	–	120	5
Banana	Putnam	Frequent	38.0	<u>37.1</u>	Seasonally	–	–

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
		High			Flooded		
		Average	36.2	<u>35.2</u>	Typically Saturated	–	–
		Frequent Low	34.4	<u>33.5</u>	Semipermanently Flooded	–	–
Bell	Putnam	Frequent High	42.5	<u>44.5</u>	Temporarily Flooded	–	–
		Average	40.5	<u>36.4</u>	Typically Saturated	–	–
		Frequent Low	38.7	<u>37.9</u>	Semipermanently Flooded	–	–
Big	Volusia	Frequent High	26.1	<u>25.1</u>	Seasonally Flooded	–	–
		Average	25.0	<u>24.1</u>	Typically Saturated	–	–
		Frequent Low	23.7	<u>22.7</u>	Semipermanently Flooded	–	–
Bird Pond	Putnam	Frequent High	41.8	<u>40.8</u>	Seasonally Flooded	–	–
		Average	39.5	<u>38.5</u>	Typically Saturated	–	–
		Frequent Low	38.1	<u>37.1</u>	Semipermanently Flooded	–	–
Blue Pond	Clay	Frequent High	174.1	<u>173.1</u>	Temporarily Flooded	–	–
		Average	173.3	<u>172.3</u>	Typically Saturated	–	–
		Frequent Low	171.7	<u>170.7</u>	Semipermanently Flooded	–	–
Boggy Marsh	Lake	Frequent High	117.3	<u>116.4</u>	Seasonally Flooded	–	–
		Average	115.9	<u>115.0</u>	Typically Saturated	–	–
		Frequent Low	114.5	<u>113.6</u>	Semipermanently Flooded	–	–
Bowers	Marion	Frequent High	57.1	<u>56.1</u>	Temporarily Flooded	–	–
		Average	54.0	<u>53.1</u>	Typically Saturated	–	–
		Frequent Low	52.7	<u>51.7</u>	Semipermanently Flooded	–	–
Brantley	Seminole	Frequent High	46.3	<u>45.3</u>	Seasonally Flooded	–	–
		Average	45.6	<u>44.6</u>	Typically Saturated	–	–
		Frequent Low	44.1	<u>43.1</u>	Semipermanently Flooded	–	–

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
Brooklyn	Clay	Frequent High	114.6	<u>113.5</u>	Temporarily Flooded	–	–
		Average	108.0	<u>106.9</u>	Typically Saturated	–	–
		Frequent Low	101.0	<u>99.9</u>	Semipermanently Flooded	–	–
Broward	Putnam	Frequent High	40.0	<u>39.1</u>	Temporarily Flooded	–	–
		Average	38.2	<u>35.8</u>	Typically Saturated	–	–
		Frequent Low	36.5	<u>35.6</u>	Semipermanently Flooded	–	–
Burkett	Orange	Frequent High	53.5	<u>52.5</u>	Seasonally Flooded	–	–
		Average	52.6	<u>51.6</u>	Typically Saturated	–	–
		Frequent Low	51.2	<u>50.2</u>	Semipermanently Flooded	–	–
Charles	Marion	Frequent High	40.2	<u>39.3</u>	Seasonally Flooded	–	–
		Average	39.3	<u>38.4</u>	Typically Saturated	–	–
		Frequent Low	37.9	<u>36.9</u>	Semipermanently Flooded	–	–
Cherry	Lake	Frequent High	96.0	<u>94.9</u>	Seasonally Flooded	–	–
		Average	94.9	<u>93.8</u>	Typically Saturated	–	–
		Frequent Low	93.4	<u>92.4</u>	Semipermanently Flooded	–	–
Clear	Putnam	Frequent High	37.4	<u>36.4</u>	Temporarily Flooded	–	–
		Average	36.4	<u>35.4</u>	Typically Saturated	–	–
		Frequent Low	34.9	<u>34.0</u>	Semipermanently Flooded	–	–
Colby	Volusia	Frequent High	27.6	<u>26.6</u>	–	30	3
		Frequent Low	22.9	<u>21.8</u>	–	120	3
Como	Putnam	Frequent High	38.0	<u>37.0</u>	Seasonally Flooded	–	–
		Average	36.2	<u>35.2</u>	Typically Saturated	–	–
		Frequent Low	34.4	<u>33.4</u>	Semipermanently Flooded	–	–
Como, Little	Putnam	Frequent	38.0	<u>37.0</u>	Seasonally	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
Lake		High			Flooded		
		Average	36.6	<u>35.6</u>	Typically Saturated	–	–
		Frequent Low	35.2	<u>34.2</u>	Semipermanently Flooded	–	–
Coon Pond	Volusia	Frequent High	35.7	<u>34.8</u>	Seasonally Flooded	–	–
		Average	34.6	<u>33.6</u>	Typically Saturated	–	–
		Frequent Low	33.1	<u>32.2</u>	Semipermanently Flooded	–	–
Cowpen	Putnam	Frequent High	89.1	<u>88.1</u>	Temporarily Flooded	–	–
		Average	85.7	<u>84.7</u>	Typically Saturated	–	–
		Frequent Low	84.2	<u>83.2</u>	Semipermanently Flooded	–	–
Cow Pond	Volusia	Frequent High	40.5	<u>39.5</u>	Seasonally Flooded	–	–
		Average	39.8	<u>38.8</u>	Typically Saturated	–	–
		Frequent Low	37.6	<u>36.6</u>	Semipermanently Flooded	–	–
Crystal/Baker	Putnam	Frequent High	35.5	<u>34.6</u>	Seasonally Flooded	–	–
		Average	33.9	<u>33.0</u>	Typically Saturated	–	–
		Frequent Low	33.0	<u>32.1</u>	Semipermanently Flooded	–	–
Daugharty	Volusia	Frequent High	44.8	<u>43.8</u>	Temporarily Flooded	–	–
		Average	42.6	<u>41.6</u>	Typically Saturated	–	–
		Frequent Low	41.2	<u>40.1</u>	Semipermanently Flooded	–	–
Davis	Volusia	Frequent High	36.2	<u>35.2</u>	Seasonally Flooded	–	–
		Average	35.4	<u>34.4</u>	Typically Saturated	–	–
		Frequent Low	34.0	<u>33.0</u>	Semipermanently Flooded	–	–
Deep	Putnam	Frequent High	35.0	<u>34.1</u>	Seasonally Flooded	–	–
		Average	33.1	<u>32.2</u>	Typically Saturated	–	–
		Frequent Low	32.2	<u>31.3</u>	Semipermanently Flooded	–	–

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
Dias	Volusia	Frequent High	34.6	<u>33.5</u>	Seasonally Flooded	–	–
		Average	33.5	<u>33.0</u>	Typically Saturated	–	–
		Frequent Low	32.2	<u>31.6</u>	Semipermanently Flooded	–	–
Disston	Flagler	Frequent High	13.8	<u>12.8</u>	Seasonally Flooded	–	–
		Average	13.2	<u>12.3</u>	Typically Saturated	–	–
		Frequent Low	12.5	<u>11.5</u>	Semipermanently Flooded	–	–
Dorr	Lake	Frequent High	43.5	<u>42.5</u>	Seasonally Flooded	–	–
		Average	43.1	<u>42.1</u>	Typically Saturated	–	–
		Frequent Low	42.1	<u>41.0</u>	Semipermanently Flooded	–	–
Dream Pond	Putnam	Frequent High	49.0	<u>48.0</u>	Seasonally Flooded	–	–
		Average	47.5	<u>46.5</u>	Typically Saturated	–	–
		Frequent Low	46.0	<u>45.1</u>	Semipermanently Flooded	–	–
Drudy	Volusia	Frequent High	42.1	<u>41.0</u>	Seasonally Flooded	–	–
		Average	40.6	<u>39.5</u>	Typically Saturated	–	–
		Frequent Low	39.1	<u>38.1</u>	Semipermanently Flooded	–	–
Echo	Putnam	Frequent High	38.8	<u>37.9</u>	Seasonally Flooded	–	–
		Average	36.7	<u>35.7</u>	Typically Saturated	–	–
		Frequent Low	35.2	<u>34.3</u>	Semipermanently Flooded	–	–
Emma	Lake	Frequent High	94.1	<u>93.0</u>	Seasonally Flooded	–	–
		Average	92.5	<u>91.4</u>	Typically Saturated	–	–
		Frequent Low	91.1	<u>90.0</u>	Semipermanently Flooded	–	–
Emporia	Volusia	Frequent High	38.9	<u>37.8</u>	Seasonally Flooded	–	–
		Average	35.8	<u>34.7</u>	Typically Saturated	–	–
		Frequent Low	34.3	<u>31.6</u>	Semipermanently Flooded	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Low			Flooded		
Estella	Putnam	Frequent High	38.6	<u>37.7</u>	Seasonally Flooded	–	–
		Average	37.2	<u>36.3</u>	Typically Saturated	–	–
		Frequent Low	36.5	<u>35.5</u>	Semipermanently Flooded	–	–
Fox	Brevard	Frequent High	16.7	<u>15.4</u>	Temporarily Flooded	–	–
		Average	15.3	<u>14.0</u>	Typically Saturated	–	–
		Frequent Low	13.8	<u>12.6</u>	Semipermanently Flooded	–	–
Geneva	Clay	Frequent High	103.0	<u>101.9</u>	Seasonally Flooded	–	–
		Average	101.0	<u>99.9</u>	Typically Saturated	–	–
		Frequent Low	98.5	<u>97.4</u>	Semipermanently Flooded	–	–
Georges Lake	Putnam	Frequent High	98.4	<u>97.4</u>	Seasonally Flooded	–	–
		Average	97.8	<u>96.9</u>	Typically Saturated	–	–
		Frequent Low	97.0	<u>96.1</u>	Semipermanently Flooded	–	–
Gertie	Volusia	Frequent High	27.5	<u>26.5</u>	Temporarily Flooded	–	–
		Average	25.6	<u>24.6</u>	Typically Saturated	–	–
		Frequent Low	23.3	<u>22.4</u>	Semipermanently Flooded	–	–
Gore	Flagler	Frequent High	21.1	<u>20.0</u>	–	30	3
		Average	20.6	<u>19.6</u>	–	180	1.5
		Frequent Low	19.2	<u>18.2</u>	–	120	5
Grandin	Putnam	Frequent High	81.5	<u>80.7</u>	–	30	2
		Frequent Low	78.6	<u>77.8</u>	–	120	5
Halfmoon	Marion	Frequent High	49.7	<u>48.6</u>	Seasonally Flooded	–	–
		Average	47.9	<u>46.7</u>	Typically Saturated	–	–
		Frequent Low	46.5	<u>45.3</u>	Semipermanently Flooded	–	–
Helen	Volusia	Frequent	46.1	<u>45.0</u>	Temporarily	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		High			Flooded		
		Average	44.2	<u>43.2</u>	Typically Saturated	–	–
		Frequent Low	43.6	<u>42.6</u>	Semipermanently Flooded	–	–
Hires	Volusia	Frequent High	41.0	<u>40.0</u>	Seasonally Flooded	–	–
		Average	39.5	<u>38.4</u>	Typically Saturated	–	–
		Frequent Low	38.0	<u>37.0</u>	Semipermanently Flooded	–	–
Hokey	Volusia	Frequent High	35.4	<u>34.4</u>	Seasonally Flooded	–	–
		Average	33.7	<u>32.7</u>	Typically Saturated	–	–
		Frequent Low	32.3	<u>31.3</u>	Semipermanently Flooded	–	–
Hopkins Prairie	Marion	Frequent High	25.8	<u>24.5</u>	Seasonally Flooded	–	–
		Average	23.4	<u>22.1</u>	Typically Saturated	–	–
		Frequent Low	22.0	<u>20.7</u>	Semipermanently Flooded	–	–
Howell	Putnam	Frequent High	34.5	<u>33.5</u>	Seasonally Flooded	–	–
		Average	33.6	<u>32.7</u>	Typically Saturated	–	–
		Frequent Low	31.8	<u>30.9</u>	Semipermanently Flooded	–	–
Howell	Seminole	Frequent High	53.7	<u>52.7</u>	Seasonally Flooded		
		Average	52.9	<u>51.9</u>	Typically Saturated		
		Frequent Low	51.5	<u>50.5</u>	Semipermanently Flooded		
Indian	Volusia	Frequent High	36.2	<u>35.2</u>		30	3
		Average	35.0	<u>34.0</u>		180	1.7
		Frequent Low	32.8	<u>31.8</u>		120	5
Irma	Orange	Frequent High	55.1	<u>54.1</u>	Seasonally Flooded	–	–
		Average	54.8	<u>53.8</u>	Typically Saturated	–	–
		Frequent Low	53.4	<u>52.4</u>	Semipermanently Flooded	–	–
Kerr	Marion	Frequent	24.4	<u>23.3</u>	Seasonally	–	–

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
		High			Flooded		
		Average	22.9	<u>21.9</u>	Typically Saturated	–	–
		Frequent Low	21.5	<u>20.5</u>	Semipermanently Flooded	–	–
Lizzie	Putnam	Frequent High	43.9	<u>43.0</u>	Seasonally Flooded	–	–
		Average	42.7	<u>41.8</u>	Typically Saturated	–	–
		Frequent Low	41.7	<u>40.8</u>	Semipermanently Flooded	–	–
Louisa	Lake	Frequent High	96.5	<u>95.6</u>	Seasonally Flooded	–	–
		Average	95.4	<u>94.5</u>	Typically Saturated	–	–
		Frequent Low	94.0	<u>93.0</u>	Semipermanently Flooded	–	–
Lower Lake Louise	Volusia	Frequent High	31.8	<u>30.8</u>	Seasonally Flooded	–	–
		Average	31.2	<u>30.1</u>	Typically Saturated	–	–
		Frequent Low	29.7	<u>28.7</u>	Semipermanently Flooded	–	–
Lucy	Lake	Frequent High	94.1	<u>93.0</u>	Seasonally Flooded	–	–
		Average	92.5	<u>91.4</u>	Typically Saturated	–	–
		Frequent Low	91.1	<u>90.0</u>	Semipermanently Flooded	–	–
Magnolia	Clay	Frequent High	124.7	<u>123.6</u>	Seasonally Flooded	–	–
		Average	124.2	<u>123.1</u>	Typically Saturated	–	–
		Frequent Low	121.4	<u>120.3</u>	Semipermanently Flooded	–	–
Mall, Little Lake	Putnam	Frequent High	38.7	<u>37.7</u>	Seasonally Flooded	–	–
		Average	36.8	<u>35.8</u>	Typically Saturated	–	–
		Frequent Low	35.2	<u>34.2</u>	Semipermanently Flooded	–	–
Margaret	Putnam	Frequent High	35.2	<u>34.3</u>	Seasonally Flooded	–	–
		Average	34.5	<u>33.5</u>	Typically Saturated	–	–
		Frequent Low	32.5	<u>31.5</u>	Semipermanently Flooded	–	–

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
Martha	Orange	Frequent High	53.5	<u>52.5</u>	Seasonally Flooded	–	–
		Average	52.6	<u>51.6</u>	Typically Saturated	–	–
		Frequent Low	51.2	<u>50.2</u>	Semipermanently Flooded	–	–
Marvin	Putnam	Frequent High	38.6	<u>37.6</u>	Seasonally Flooded	–	–
		Average	37.3	<u>36.4</u>	Typically Saturated	–	–
		Frequent Low	36.3	<u>35.3</u>	Semipermanently Flooded	–	–
McGrady	Putnam	Frequent High	41.5	<u>40.6</u>	Seasonally Flooded	–	–
		Average	39.9	<u>38.9</u>	Typically Saturated	–	–
		Frequent Low	37.8	<u>36.8</u>	Semipermanently Flooded	–	–
McKasel	Putnam	Frequent High	36.7	<u>35.7</u>	Seasonally Flooded	–	–
		Average	35.5	<u>34.6</u>	Typically Saturated	–	–
		Frequent Low	34.1	<u>33.1</u>	Semipermanently Flooded	–	–
Melrose	Putnam	Frequent High	105.2	<u>104.1</u>	Seasonally Flooded	–	–
		Average	104.2	<u>103.1</u>	Typically Saturated	–	–
		Frequent Low	102.8	<u>101.7</u>	Semipermanently Flooded	–	–
Mills	Seminole	Frequent High	42.5	<u>41.1</u>	Seasonally Flooded	–	–
		Average	41.4	<u>40.3</u>	Typically Saturated	–	–
		Frequent Low	39.9	<u>38.9</u>	Semipermanently Flooded	–	–
Minneola	Lake	Frequent High	96.0	<u>95.1</u>	Seasonally Flooded	–	–
		Average	95.3	<u>94.4</u>	Typically Saturated	–	–
		Frequent Low	93.9	<u>93.0</u>	Semipermanently Flooded	–	–
Monroe	Seminole and Volusia	Frequent High	2.8	<u>1.9</u>	–	30	2
		Average	1.2	<u>0.3</u>	–	180	1.5
		Frequent Low	0.5	<u>-0.4</u>	–	120	5

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
Nettles / English	Putnam	Frequent High	44.3	<u>43.3</u>	Seasonally Flooded	–	–
		Average	42.7	<u>41.9</u>	Typically Saturated	–	–
		Frequent Low	41.7	<u>40.7</u>	Semipermanently Flooded	–	–
Nicotoon	Marion	Frequent High	54.7	<u>53.7</u>	Seasonally Flooded	–	–
		Average	53.3	<u>52.3</u>	Typically Saturated	–	–
		Frequent Low	51.9	<u>50.9</u>	Semipermanently Flooded	–	–
Norris	Lake	Frequent High	30.5	<u>29.4</u>	Seasonally Flooded	–	–
		Average	29.7	<u>28.7</u>	Typically Saturated	–	–
		Frequent Low	29.1	<u>28.1</u>	Semipermanently Flooded	–	–
North Como Park	Putnam	Frequent High	41.3	<u>40.4</u>	Seasonally Flooded	–	–
		Average	39.7	<u>38.8</u>	Typically Saturated	–	–
		Frequent Low	38.5	<u>37.6</u>	Semipermanently Flooded	–	–
North Talmadge	Volusia	Frequent High	55.6	<u>54.5</u>	Seasonally Flooded	–	–
		Average	54.4	<u>53.3</u>	Typically Saturated	–	–
		Frequent Low	52.9	<u>51.9</u>	Semipermanently Flooded	–	–
Omega	Putnam	Frequent High	57.4	<u>56.3</u>	Temporarily Flooded	–	–
		Average	56.1	<u>55.0</u>	Typically Saturated	–	–
		Frequent Low	54.0	<u>52.9</u>	Semipermanently Flooded	–	–
Orio	Putnam	Frequent High	37.1	<u>35.5</u>	Seasonally Flooded	–	–
		Average	35.6	<u>34.6</u>	Typically Saturated	–	–
		Frequent Low	34.7	<u>33.7</u>	Semipermanently Flooded	–	–
Pam	Putnam	Frequent High	39.3	<u>38.2</u>	Seasonally Flooded	–	–
		Average	37.5	<u>36.4</u>	Typically Saturated	–	–
		Frequent Low	36.1	<u>35.0</u>	Semipermanently Flooded	–	–

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
		Low			Flooded		
Pearl	Orange	Frequent High	53.5	<u>52.5</u>	Seasonally Flooded	–	–
		Average	52.6	<u>51.6</u>	Typically Saturated	–	–
		Frequent Low	51.2	<u>50.2</u>	Semipermanently Flooded	–	–
Pierson	Volusia	Frequent High	34.4	<u>33.3</u>	Seasonally Flooded	–	–
		Average	33.8	<u>32.8</u>	Typically Saturated	–	–
		Frequent Low	32.4	<u>31.3</u>	Semipermanently Flooded	–	–
Pine Island	Lake	Frequent High	107.7	<u>106.6</u>	Seasonally Flooded	–	–
		Average	106.8	<u>105.7</u>	Typically Saturated	–	–
		Frequent Low	105.4	<u>104.3</u>	Semipermanently Flooded	–	–
Prevatt	Orange	Frequent High	56.0	<u>54.9</u>	Seasonally Flooded	–	–
		Average	53.0	<u>52.0</u>	Typically Saturated	–	–
		Frequent Low	50.9	<u>49.9</u>	Semipermanently Flooded	–	–
Prior	Putnam	Frequent High	42.3	<u>41.3</u>	Seasonally Flooded	–	–
		Average	40.0	<u>39.0</u>	Typically Saturated	–	–
		Frequent Low	39.0	<u>38.0</u>	Semipermanently Flooded	–	–
Purdom	Volusia	Frequent High	37.0	<u>35.9</u>	Seasonally Flooded	–	–
		Average	36.4	<u>35.3</u>	Typically Saturated	–	–
		Frequent Low	35.0	<u>33.9</u>	Semipermanently Flooded	–	–
Sand	Putnam	Frequent High	40.9	<u>39.4</u>	Seasonally Flooded	–	–
		Average	39.0	<u>38.0</u>	Typically Saturated	–	–
		Frequent Low	36.6	<u>35.7</u>	Semipermanently Flooded	–	–
Sand Hill / Lowry	Clay	Frequent High	132.0	<u>130.9</u>	Seasonally Flooded	–	–
		Average	131.6	<u>130.6</u>	Typically Saturated	–	–

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
		Frequent Low	129.5	<u>128.4</u>	Semipermanently Flooded	–	–
Savannah	Volusia	Frequent High	31.1	<u>30.2</u>	Seasonally Flooded	–	–
		Average	29.5	<u>28.4</u>	Typically Saturated	–	–
		Frequent Low	28.0	<u>27.0</u>	Semipermanently Flooded	–	–
Scoggin	Volusia	Frequent High	35.0	<u>34.0</u>	Seasonally Flooded	–	–
		Average	34.1	<u>33.1</u>	Typically Saturated	–	–
		Frequent Low	32.7	<u>31.7</u>	Semipermanently Flooded	–	–
Shaw	Volusia	Frequent High	36.7	<u>35.7</u>	–	30	3
		Average	35.4	<u>34.4</u>	–	180	1.7
		Frequent Low	33.7	<u>32.7</u>	–	120	3
Silver	Putnam	Frequent High	36.8	<u>35.8</u>	Seasonally Flooded	–	–
		Average	35.1	<u>34.1</u>	Typically Saturated	–	–
		Frequent Low	33.7	<u>32.7</u>	Semipermanently Flooded	–	–
Smith	Marion	Frequent High	54.6	<u>53.6</u>	Temporarily Flooded	–	–
		Average	51.4	<u>50.4</u>	Typically Saturated	–	–
		Frequent Low	50.0	<u>49.0</u>	Semipermanently Flooded	–	–
South	Brevard	Frequent High	16.7	<u>15.5</u>	Temporarily Flooded	–	–
		Average	15.3	<u>14.0</u>	Typically Saturated	–	–
		Frequent Low	13.8	<u>12.6</u>	Semipermanently Flooded	–	–
South Como Park	Putnam	Frequent High	38.1	<u>37.2</u>	Seasonally Flooded	–	–
		Average	36.7	<u>35.8</u>	Typically Saturated	–	–
		Frequent Low	35.3	<u>34.4</u>	Semipermanently Flooded	–	–
Star	Putnam	Frequent High	77.5	<u>76.5</u>	Seasonally Flooded	–	–
		Average	75.4	<u>74.4</u>	Typically Saturated	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Frequent Low	74.0	<u>73.0</u>	Semipermanently Flooded	–	–
Stella	Putnam	Frequent High	39.4	<u>38.4</u>	Seasonally Flooded	–	–
		Average	38.6	<u>37.6</u>	Typically Saturated	–	–
		Frequent Low	37.2	<u>36.1</u>	Semipermanently Flooded	–	–
Sunset	Lake	Frequent High	85.9	<u>84.9</u>	Temporarily Flooded	–	–
		Average	83.5	<u>82.4</u>	Typically Saturated	–	–
		Frequent Low	81.0	<u>79.9</u>	Semipermanently Flooded	–	–
Swan	Putnam	Frequent High	93.0	<u>91.9</u>	Temporarily Flooded	–	–
		Average	90.3	<u>89.2</u>	Typically Saturated	–	–
Sylvan	Seminole	Frequent High	40.4	<u>39.5</u>	Seasonally Flooded	–	–
		Average	38.9	<u>38.0</u>	Typically Saturated	–	–
		Frequent Low	37.5	<u>36.5</u>	Semipermanently Flooded	–	–
Tarhoe	Putnam	Frequent High	37.0	<u>36.0</u>	Seasonally Flooded	–	–
		Average	36.0	<u>35.1</u>	Typically Saturated	–	–
		Frequent Low	35.2	<u>34.3</u>	Semipermanently Flooded	–	–
Three Island Lakes	Volusia	Frequent High	23.7	<u>22.7</u>	–	30	5
		Frequent Low	19.4	<u>18.4</u>	–	120	10
Trone	Putnam	Frequent High	37.5	<u>36.6</u>	Seasonally Flooded	–	–
		Average	35.7	<u>34.8</u>	Typically Saturated	–	–
		Frequent Low	34.3	<u>33.4</u>	Semipermanently Flooded	–	–
Trout	Volusia	Frequent High	23.3	<u>22.3</u>	Seasonally Flooded	–	–
		Average	20.9	<u>20.0</u>	Typically Saturated	–	–
		Frequent Low	17.7	<u>16.8</u>	Semipermanently Flooded	–	–
Tusawilla	Alachua	Frequent	77.6	<u>76.4</u>	Seasonally	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		High			Flooded		
		Average	74.6	<u>73.4</u>	Typically Saturated	–	–
		Frequent Low	73.2	<u>72.0</u>	Semipermanently Flooded	–	–
Upper Lake Louise	Volusia	Frequent High	35.3	<u>34.4</u>	Seasonally Flooded	–	–
		Average	34.6	<u>33.6</u>	Typically Saturated	–	–
		Frequent Low	33.2	<u>32.2</u>	Semipermanently Flooded	–	–
Washington	Brevard	Frequent High	15.6	<u>14.2</u>	Seasonally Flooded	–	–
		Average	14.2	<u>12.8</u>	Typically Saturated	–	–
		Frequent Low	12.8	<u>11.4</u>	Semipermanently Flooded	–	–
Wauberg	Alachua	Frequent High	67.4	<u>66.4</u>	Seasonally Flooded	–	–
		Average	67.1	<u>66.1</u>	Typically Saturated	–	–
		Frequent Low	65.6	<u>64.7</u>	Semipermanently Flooded	–	–
Weir	Marion	Frequent High	57.2	<u>56.2</u>	Seasonally Flooded	–	–
		Average	56.4	<u>55.4</u>	Typically Saturated	–	–
		Frequent Low	54.9	<u>53.9</u>	Semipermanently Flooded	–	–
Winnemisett	Volusia	Frequent High	59.5	<u>58.5</u>	Seasonally Flooded	–	–
		Average	57.8	<u>56.8</u>	Typically Saturated	–	–
		Frequent Low	56.0	<u>55.0</u>	Semipermanently Flooded	–	–
Winona	Volusia	Frequent High	36.1	<u>35.1</u>	Seasonally Flooded	–	–
		Average	33.5	<u>32.5</u>	Typically Saturated	–	–
		Frequent Low	32.0	<u>31.0</u>	Semipermanently Flooded	–	–

(5) The following minimum levels are established for Blue Cypress Water Management Area (BCWMA):

(a) The minimum average level, calculated as the long term mean of BCWMA water levels, is 24.0 feet NGVD (22.5 feet NAVD). Water levels shall be at or above this level at least 75% of time over the long term.

(b) The minimum frequent low is 23.0 feet NGVD (21.5 ft NAVD). The daily BCWMA water level shall not fall to this level or below more often than once every 2.5 years over the long term.

(c) The minimum infrequent low is 22.5 feet NGVD (21.0 feet NAVD). The BCWMA water level shall not fall to this level or below for 60 continuous days more frequently than once every 10 years over the long term.

(6) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01, 3-19-02, 5-12-03, 11-10-03, 1-12-04, 2-1-06, 12-3-06, 5-10-07, 5-24-07, 1-11-10, 8-22-13,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-1.007 List of Approved Forms; Incorporation

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address changes in the anesthesia assistant application form.

SUBJECT AREA TO BE ADDRESSED: The incorporation of the revised anesthesia assistant application form.

RULEMAKING AUTHORITY: 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 4456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-31.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address changes in the anesthesia assistant application form.

SUBJECT AREA TO BE ADDRESSED: The incorporation of the revised anesthesia assistant application form.

RULEMAKING AUTHORITY: 458.309, 458.3475 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 458.3475 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: Allison M. Dudley, J.D., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-7.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to address changes in the anesthesia assistant application form.

SUBJECT AREA TO BE ADDRESSED: The incorporation of the revised anesthesia assistant application form.

RULEMAKING AUTHORITY: 459.005, 459.023 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 459.023 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: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NO.: 64D-3.029 RULE TITLE: Diseases or Conditions to be Reported
 PURPOSE AND EFFECT: The Department is updating its list of notifiable diseases.

SUBJECT AREA TO BE ADDRESSED: Disease reporting to the Florida Department of Health.

RULEMAKING AUTHORITY: 381.0011(2), 381.003(2), 381.0031(8), 384.33, 392.53(2), 392.66 FS.

LAW IMPLEMENTED: 381.0011(3), (4), (7), 381.003(1), 381.0031(1), (2), (4), (5), (6), (8), 383.06, 384.23, 384.25, 385.202, 392.53 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: December 27, 2013, 9:00 a.m.
 PLACE: 4025 Bald Cypress Way, Room 301, Tallahassee, FL 32399
 CONFERENCE CALL NUMBER: 1(888)670-3525, CODE: 785-849-7184

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: Dr. Carina Blackmore at Carina.Blackmore@flhealth.gov 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: Dr. Carina Blackmore at Carina.Blackmore@flhealth.gov
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
 Proposed Rules**

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.310 RULE TITLE: Targeted Case Management for Children at Risk of Abuse and Neglect

PURPOSE AND EFFECT: The purpose of new Rule 59G-4.310, F.A.C., is to implement the Florida Medicaid Targeted Case Management Services for Children at Risk of Abuse and Neglect Coverage and Limitations Handbook, _____. This handbook will cover a set of interrelated activities under which a case manager locates, coordinates, and monitors appropriate services for a recipient. Services may be provided only in the following Florida counties: Broward, Duval, Hillsborough, Martin, Miami-Dade, Palm Beach, and Pinellas. Matching Medicaid funds are provided by a children's services council or local governmental entities in these counties.

SUMMARY: The new handbook pertains to all targeted case management for children at risk of abuse and neglect providers enrolled in the Florida Medicaid program. Enrolled practitioners listed above must be in compliance with all provisions of the handbook. This handbook will allow case managers to assist recipients in the target group to gain access to medical, social, educational, and other services.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to section 120.541, Florida Statutes, the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.
 LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS.

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

DATE AND TIME: Friday, January 3, 2014, 3:00 p.m. – 4:00 p.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 48 hours before the workshop/meeting by contacting: Melissa Eddleman at the Bureau of Medicaid Services, (850)412-4192. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melissa Eddleman, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4192, e-mail: melissa.eddleman@ahca.myflorida.com

Please note that a preliminary draft of the reference material, if available, will be posted prior to the public hearing at <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

Comments will be received until 5:00 p.m. on Friday, January 10, 2014.

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.310 Targeted Case Management for Children at Risk of Abuse and Neglect.

(1) This rule applies to all providers of targeted case management for children at risk of abuse and neglect who are enrolled in the Florida Medicaid program.

(2) All providers of targeted case management for children at risk of abuse and neglect must be in compliance with the provisions of the Florida Medicaid Targeted Case Management Services for Children at Risk of Abuse and Neglect Coverage and Limitations Handbook, , incorporated by reference. The handbook is available from the Medicaid fiscal agent’s Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Services Contact Center at 1-800-289-7799 and selecting Option 7.

(3) The following forms, included in the Florida Medicaid Targeted Case Management Services for Children at Risk of Abuse and Neglect Coverage and Limitations Handbook, are incorporated by reference: Contractor Certification for Children’s Services Council, AHCA Form 5000-3535, revised; Case Manager Supervisor Certification, AHCA Form 5000-3536, revised; Case Manager Certification, AHCA Form 5000-3537, revised; Child Certification, AHCA Form 5000-3538, revised; Provider Agency Certification for Children’s Services Council, AHCA Form 5000-3539; Certification of Funds, AHCA Form 5000-3532, revised. These forms are available by photocopying them from the Florida Medicaid Targeted Case Management Services for Children at Risk of Abuse and Neglect Coverage and Limitations Handbook. The handbook is available from the Medicaid fiscal agent.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.9081, 409.912, 409.913 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Melissa Eddlemen

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 17, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 9, 2012

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: RULE TITLE:

60FF1-5.002 Rural County Grants

PURPOSE AND EFFECT: This modification is an update to the existing Rural County Grants rule and application.

SUMMARY: Required update

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule

at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 365.172(6)(a)11. FS.

LAW IMPLEMENTED: 365.172(9)(a), (b), (c), 365.173(2)(g) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Wink Infinger, Statewide 911 Coordinator, Florida Department of Management Services, Division of Telecommunications, 4030 Esplanade Way, Suite 135C, Tallahassee, Florida 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60FF1-5.002 Rural County Grants.

The E911 Rural County Grant program is a semi-annual grant program provided for the purpose of assisting rural counties, as defined by Section 365.172(3)(y), F.S., with the installation and maintenance of an Enhanced 911 (E911) system.

(1) through (2) No change.

(3) General conditions.

(a) Each rural county applying for rural county grant funds shall complete and submit W Form 1A, "Application for the E911 Rural County Grant Program," effective 1/1/2014 ~~1/1/2012~~, which is incorporated herein by reference and which may be obtained from the E911 Board office at the following address:

<http://www.flrules.org/Gateway/reference.asp?No=Ref-01255> or

State of Florida E911 Board
 ATTN: Administrative Assistant
 4050 Esplanade Way
 Building 4030 – Suite ~~135160~~
 Tallahassee, Florida 32399-0950

The applicant must provide one original of the pages for Application Form items 1 through 14 and the associated quotes. The grant application package must be postmarked or delivered on or before April 1 or October 1 of each year, dependent on the spring or fall application period.

(b) through (n) No change.

(o) Grantee counties must submit quarterly reports to the E911 Board, summarizing the expenditures and activities of the grant funds. The reports are due 30 days after the end of the reporting period, which ends March 31, June 30, September 30, and December 31. Updated Grant Budget/Expenditure, Quarter Report Forms, Request for Change Forms, and Final Report Forms and associated information should be e-mailed to E911 Board-ElectronicGrantReports@dms.myflorida.com. The quarterly and final reports will be considered late if not received by the Board Staff prior to the next scheduled Board Meeting after the due date. Quarterly reports, change requests, and final reports shall be signed by the county 911 coordinator. E-mail reports from the county 911 coordinator shall be considered as meeting this signature requirement.

(p) No change.

(q) The ~~county's~~ ~~County's~~ Board of County Commission Chairperson shall be notified when overdue quarterly reports or, final ~~document and final~~ reports are not received before the next E911 Board meeting following the month after the end of the quarter in which they are due.

(r) through (u) No change.

Rulemaking Authority 365.172(6)(a)11 FS. Law implemented 365.173(2)(g), 365.172(9)(a), (b), (c) FS. History–New 12-7-08, Amended 10-19-09, 4-15-10, 10-27-10, Formerly 60FF-5.002, Amended 7-17-11, 2-7-12, 9-2-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: E911 Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: E911 Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 15, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: November 21, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NO.: 61B-15.0012
 RULE TITLE: Forms

PURPOSE AND EFFECT: This rulemaking is for the purpose of repealing Rule 61B-15.0012, F.A.C. All the forms listed in this rule have been incorporated in other rules under Chapter 61B-17, F.A.C., and this rule is no longer necessary.

SUMMARY: This rule amendment repeals a rule that is no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 718.501(1)(f), 718.502(1)(c), 718.621 FS.

LAW IMPLEMENTED: 718.403, 718.502, 718.503, 718.504, 718.618(8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-15.0012 Forms.

Specific Authority 718.501(1)(f), 718.502(1)(c), 718.621 FS. Law Implemented 718.403, 718.502, 718.503, 718.504, 718.618(8) FS. History—New 12-23-02, Amended 8-26-04, 8-15-05, 10-16-13, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ronnie Whitaker, Director, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 26, 2013

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.450
RULE TITLE: Centralized Prescription Filling, Delivering and Returning

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. 186, September 24, 2013 issue of the Florida Administrative Register.

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

1. Subsection (1) shall now read:

(1) As used herein:

(a) The term “originating pharmacy” means a pharmacy wherein the prescription which will be filled by the central fill pharmacy is initially presented; and

(b) The term “central fill pharmacy” means a pharmacy which performs centralized prescription filling, delivering, and returning for one or more originating pharmacies.

2. In subsection (3)(b), the word “subsections” shall be changed to now read “paragraphs”.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tammy Collins, Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development

RULE NO.: 73A-5.001
RULE TITLE: Applicability and Limitations

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 215, November 4, 2013 issue of the Florida Administrative Register.

RULE NO.: 73A-5.001~~.008~~
RULE TITLE: Applicability and Limitations

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052: Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on July 15, 2013, by Cassandra Donovan. The Notice of Petition for Waiver or Variance was published in Vol. 39, No. 145, of the July 26, 2013, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-28.0052(1)(b), F.A.C., entitled "Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules," that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. The Board considered the instant Petition at a duly-noticed public meeting, held October 4, 2013, in Tampa, Florida.

The Board's Order, filed on November 27, 2013, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.306, Florida Statutes, would be met by granting a variance from paragraph 61H1-28.0052(1)(b), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052 Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

The Board of Accountancy hereby gives notice of the issuance of an Order regarding the Petition for Variance, filed on July 18, 2013, by Justin Sumrall. The Notice of Petition for Waiver or Variance was published in Vol. 39, No. 145, of the July 26, 2013, Florida Administrative Register. Petitioner sought a waiver or variance of paragraph 61H1-27.002(4)(a), F.A.C., entitled "Concentrations in Accounting and Business," which defines upper division courses as used in Rule 61H1-27.002, F.A.C., as courses offered at the junior level or higher. By definition, any course taken at a community college is not upper division. Courses offered at the freshman and sophomore level at senior institutions are not upper division, regardless of the title or content of the course (e.g., Cost, Intermediate, Tax, etc.). The Board considered the instant Petition at a duly-noticed public meeting, held October 4, 2013, in Tampa, Florida.

The Board's Order, filed on November 27, 2013, granted the petition finding that Petitioner had established that the purpose of the underlying statute, Section 473.308(3), Florida Statutes, would be met by granting a variance from paragraph 61H1-27.002(4)(a), F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

The Division of Hotels and Restaurants announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2014, 9:00 a.m. – 11:00 a.m.

PLACE: Professions Board Room, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 N. Monroe St., Tallahassee, FL or by conference call to 1(888)670-3525, conference code 9003077628#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Hotels and Restaurants Advisory Council meeting.

A copy of the agenda may be obtained by contacting: Suzanne Keele, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1274.

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: Suzanne Keele, Department of Business and Professional Regulation, Division of Hotels and Restaurants, 1940 N. Monroe St., Tallahassee, FL 32399, (850)717-1274. 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: Suzanne Keele, Division of Hotels and Restaurants, (850)717-1274.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

The Florida Board of Professional Engineers Authorized Representative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 15, 2014, 10:30 a.m. (EST) or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the committee. This meeting may be accessed by conference call also. If you would like to participate in the call, please contact Rebecca Sammons at (850)521-0500, ext. 114, at least 48 hours prior to the date of the meeting.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

MARION SOIL AND WATER CONSERVATION DISTRICT

The Marion Soil and Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: 2014, 2nd Tuesday monthly, 9:00 a.m.

PLACE: USDA Ocala Service Center, 2441 NE 3rd St., Suite 204-2, Ocala, FL 34470

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: (352)622-3971, ext. 3.

Section VII

Notice of Petitions and Dispositions Regarding Declaratory Statements

NONE

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

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

NONE

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

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

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

NONE

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION
University of Central Florida
Engineering I Renovation

**NOTICE TO ARCHITECTS AND CONSTRUCTION
MANAGERS**

The University of Central Florida, on behalf of its Board of Trustees, announces that services in the disciplines of mechanical engineering services will be required for the project listed below:

Project No. UCF-553 Engineering Building I MEP Renovation

Project and Location: Engineering Building I, University of Central Florida, Main Campus, Orlando, Florida.

The project consists of the MEP renovation of the existing Engineering Building I, which is twenty-eight years old. The building comprises five stories and 103,885 gross square feet. The renovation will include modifications to the major building systems to meet current occupancy and life safety codes.

The total project cost will be approximately \$3,600,000. The state has currently appropriated .This project is subject to the availability of funding.

There will be two separate contracts for this project, one for the architect and one for the construction manager (CM).

FORM OF PROPOSALS

The selected engineering firm will provide program verification, design, construction documents, and administration for the project. Blanket professional liability insurance for the architect will be required for this project in the amount of \$2,000,000 and will be provided as a part of Basic Services.

The selection committee members have elected not to meet with proposed firms prior to the shortlist meeting. Please do not contact the selection committee.

**INSTRUCTIONS FOR ARCHITECT AND
CONSTRUCTION MANAGEMENT FIRMS**

Engineering firms desiring to apply for consideration must include a letter of application and attach:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.
2. A copy of the firm's current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Application materials will not be returned.

Selection of finalists for interviews will be made on the basis of the engineers' qualifications. Selection criteria include: experience and ability; past experience; cost estimating; qualifications of the firm's personnel, staff and consultants; and ability to include minority business enterprise participation and SDVOSB, as well as these specified criteria listed in the Project Fact Sheet. Proposals should address all of the selection criteria.

The Selection Committee may reject all proposals and stop the selection process at any time.

The plans and specifications for Florida Board of Education projects are subject to reuse. As required by University of Central Florida Regulation 7.102.22, a contractor may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Firms should carefully review the relevant UCF Architect/Engineer contract or Construction Management Contract and the General Conditions documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

BADGING and Identification

Criminal background checks, E-verification, and drug testing verification will be provided for all employees and sub-contractors. Picture ID cards will be worn at all times workers are on the job.

The Project Fact Sheet, Professional Qualifications Supplement forms and descriptive project information, may be obtained by contacting: Ms. Gina Seabrook, University of Central Florida, phone: (407)823-2166, fax: (407)823-5141, email: gina.seabrook@ucf.edu or on the Facilities Planning Website: www.fp.ucf.edu, under the heading, "Advertisements".

Five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, Facilities and Safety Building (#16), University of Central Florida, Office of Facilities Planning, 4000 Central Florida Boulevard, P.O. Box 163020, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time, on January 24th, 2014. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

DEPARTMENT OF EDUCATION

University of Central Florida

Parking Garage - Global UCF

NOTICE TO ARCHITECT AND CONSTRUCTION MANAGERS

The University of Central Florida, on behalf of its Board of Trustees, announces that services in the disciplines of architecture and construction management will be required for the project listed below:

Project No.: UCF-572

Project and Location: Parking Garage- Global UCF building, University of Central Florida, Main Campus, Orlando, Florida. The project consists of a Parking Garage with an associated Global UCF building. The size and final location are to be determined. The Global UCF building may be linked to the parking garage. The "draft" building program will only be made available to the shortlisted firms. The project budget will be determined at the completion of "draft" building program. There will be two separate contracts for this project, one for the Architect (A/E) and one for the Construction Manager (CM).

Major building systems including mechanical and building envelope, will be commissioned by an independent consultant, with whom the architect shall plan and coordinate its efforts. Silver LEED accreditation by the US Green Building Council is a mandatory minimum. The proposed team shall include at least one LEED-certified design professional and one LEED-certified field construction professional that will work with the university's LEED administration.

FORM OF PROPOSALS

It is the University's intention to have professionals in the disciplines of architecture and construction management to submit proposals as teams consisting of one architect and one construction manager. These teams must be exclusive. The University will accept only one proposal from each exclusive team (Architect and CM). Architects and CMs must not be on more than one team. Any firm appearing on more than one team will not be considered.

The proposal must be divided into one Architect section and one CM Section not to exceed 40 total pages including one letter of application and qualification statements for the Architect and CM as described below. Each proposal must

include a Letter of Intent between the Architect and CM reflecting the formation of a partnership or other legal entity for the project in order to be considered. Pages must be numbered consecutively.

The selected architect and construction manager will provide program verification, design, construction documents, and construction administration services for the project with a two (2) year warranty. Blanket professional liability insurance for the Architect will be required for this project in the amount of \$2,000,000 and will be provided as a part of Basic Services.

The selection committee members have elected not to meet with proposed firms prior to the shortlist meeting. Please do not contact the selection committee.

INSTRUCTIONS FOR ARCHITECT AND CONSTRUCTION MANAGERS

Architects and Construction Management firms desiring to apply for consideration must include a letter of application and attach:

A. For Architects

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.
2. A copy of the firm's current Professional Registration Certificates from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

B. For Construction Managers

1. The most recent version of the Florida Board of Education "Construction Manager Qualifications Supplement" (CMQS) dated 2/02. Do not alter the CMQS form.
2. All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. Applications that do not comply with all instructions may be disqualified. Application materials will not be returned.

Selection of finalists for interviews will be made on the basis of the architect and construction manager qualifications. Firms will be evaluated in the following areas: past performance; experience and ability; qualifications of the firm's personnel, staff and consultants; design and construction ability; references; bonding capacity; location; cost estimating; and ability to include minority business enterprise participation and SDVOSB, as well as the specified criteria listed in the

Project Fact Sheet. Proposals should address all of the selection criteria.

The Selection Committee may reject all proposals and stop the selection process at any time.

The plans and specifications for Florida Board of Education projects are subject to reuse. As required by University of Central Florida Regulations 7.102.22, a contractor may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of placement on the convicted vendor list.

Firms should carefully review the relevant UCF Architect/Engineer, Construction Management Contract, and the General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

BADGING and Identification

Criminal background checks, E-verification, and drug testing verification will be provided for all employees and sub-contractors. Picture ID cards will be worn at all times workers are on the job.

CONSTRUCTION MANAGERS CONTRACT

The contract for construction management services will consist of two phases. Phase one is pre-construction services, for which the construction manager will be compensated. Phase one services include value engineering, constructability analyses, development of a cost model, estimating, and the development of a Guaranteed Maximum Price (GMP) at 100% Construction Documents. If the GMP is accepted, phase two, the construction phase will be implemented. In phase two of the contract, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable GMP within the time provided in the agreement may result in the termination of the construction manager's contract.

The Project Fact Sheet contains the selection criteria which is the primary basis for determining the shortlist. The Project Fact Sheet, Professional Qualifications Supplement forms, Construction Manager Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Ms. Gina Seabrook, University of

Central Florida, phone: (407)823-2166, fax: (407)823-5141, email: gina.seabrook@ucf.edu or on the Facilities Planning Website: www.fp.ucf.edu, under the heading, "Advertisements".

Five (5) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, University of Central Florida, Office of Facilities Planning, 3528 North Perseus Loop, Orlando, FL 32816-3020. Submittals must be received by 5:00 p.m. local time, on January 24th, 2014. Facsimile (FAX) submittals are not acceptable and will not be considered. Late submissions will not be accepted.

Section XII Miscellaneous

EXECUTIVE OFFICE OF THE GOVERNOR

Division of Emergency Management

Subject: Hazard Mitigation Grant Program Funding Summary
Program Summary

The Florida Division of Emergency Management (the Division) is pleased to announce the availability of Hazard Mitigation Grant Program (HMGP) funds as a result of the recent Presidential Disaster Declaration for the Florida Severe Storms and Flooding (FEMA 4138-DR-FL).

HMGP funding is authorized by Section 404 of the Robert T. Stafford Disaster Relief Act. This funding helps communities implement measures to reduce or eliminate long-term risk to people and property from natural hazards and their effects. The Division encourages all potential applicants to submit applications for projects that address eligible mitigation activities. The amount of HMGP funding available to the state is based on the total federal disaster assistance for the Presidential Disaster Declaration.

Application Timeline

Applications are currently being accepted. The application period will close March 28, 2014. Applications mailed to the Division must be postmarked on or before March 28, 2014. Hand-delivered applications must be stamped in at the Division no later than 5:00 p.m. EDT on March 28, 2014. The Division encourages potential applicants to submit complete applications before the close of the application period.

Applications will only be accepted from eligible applicants as defined in the Minimum Program Eligibility section of this notice.

Please provide four completed copies of the State of Florida Hazard Mitigation Grant Program Application and all

appropriate attachments. The application and all other pertinent forms may be obtained at the Division's website located at <http://www.floridadisaster.org/Mitigation/Hazard/forms.htm>. You may also contact the Division directly at (850)487-2053.

Completed applications must be sent to the following address:
 ATTN: Kathleen Marshall, Hazard Mitigation Grant Program

Florida Division of Emergency Management
 Mitigation Section
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

Minimum Program Eligibility

Eligible Applicants: According to the Code of Federal Regulations (CFR) 44 §206.434(a), the following parties are eligible to apply for Hazard Mitigation Grant Program funds:

- State and local governments who have an approved Local Mitigation Strategy (LMS) in accordance with 44 CFR 201.6, prior to receipt of HMGP subgrant funding for projects;
- Private non-profit organizations or institutions that own or operate a private non-profit facility as defined in §206.221(e); and
- Indian tribes or authorized tribal organizations.

Eligible Activities: Activities include mitigation projects that will result in protection of public or private property from natural hazards. Activities for which implementation has already been initiated or completed are not eligible for funding. Eligible projects include, but are not limited to, the following:

- Acquisition or relocation of hazard-prone structures
- Retrofitting of existing buildings and facilities that will result in increased protection from hazards
- Elevation of flood-prone structures
- Infrastructure protection measures
- Stormwater management improvements
- Minor structure flood control projects
- Residential and community safe room construction

Ineligible Activities: The state will not consider funding requests for:

- Generators (unless for a critical facility provided they are cost-effective, contribute to a long-term solution to the problem that they are intended to address, and meet other project eligibility criteria as required by 44 CFR § 206.434(c); or unless they are an integral part of a larger eligible project);
- Construction of new facilities (Nevertheless, the cost associated with above-code upgrades to new facilities may be considered);

- Equipment such as emergency pumps, vehicles, and communication devices;
- Tree removal, debris removal, and other forms of maintenance; or
- Projects already in progress (Construction may not begin until the contract between the State and subgrantee is executed and the project has met requirements of the National Environmental Policy Act).

Eligibility Criteria: All projects submitted must meet minimum criteria to be considered for funding. An eligible project must:

- Conform to the Florida State Hazard Mitigation Plan and the respective community's LMS;
- Conform to the funding priorities for the disaster, as established in the appropriate LMS;
- Demonstrate cost-effectiveness;
- Be technically feasible;
- Benefit the designated disaster area;
- Conform to all applicable environmental laws and regulations, as well as Executive Orders;
- Solve a problem independently or constitute a functional part of a solution;
- Benefit a National Flood Insurance Program (NFIP) participating community that is not on probation or suspended from the NFIP; and
- Meet all applicable State and local codes and standards.

Cost-Share Requirements

Under the HMGP, FEMA will contribute up to 75 percent of the total amount approved under the grant award to implement eligible, cost-effective mitigation measures. The applicant must provide the remaining 25-percent non-federal share. Contributions, cash, and in-kind services are acceptable as part of the non-federal share. Requirements for in-kind contributions can be found in 44 CFR §13.24. In-kind contributions must be directly related to the eligible project cost and are those personnel, materials, equipment and supplies owned, controlled, and operated by the applicant or a third party contributor.

Applicants may use the Global Match concept as part of the 25-percent non-federal share. Global Match permits a potential applicant to meet the non-federal share match by receiving credit for state and/or local government funds that were committed to similar type project(s). These similar, non-federally funded projects must meet all of the HMGP eligibility requirements. This means that if Global Match is

approved, the applicant may receive up to 100-percent federal share.

Pre-Award Costs

Prior to receiving a grant award, pre-award costs may be requested. Pre-award costs include items such as engineering, environmental study, permitting, and other "soft" costs associated with a construction project. Construction activities are not considered pre-award costs. Pre-award costs must be requested in writing. Guidelines for pre-award costs are included in Attachment A.

County Funding Allocation

To ensure funds are distributed equitably, designated counties have been assigned a portion of the total HMGP grant. The amount is based on a calculation of the proportional share of the total federal assistance under the Public Assistance (PA), Individual Assistance (IA), and Small Business Administration (SBA) programs as of November 2013. Commitment of project funds by the Division is contingent upon receipt of appropriate Legislative Budget Authority.

These figures are shown in Attachment B and represent the estimated amount of HMGP funds currently available. HMGP funding is available only to those counties that have a current FEMA-approved LMS. Project applications will be considered only if:

- (1) The application is accompanied by an endorsement by the LMS Chairperson or Vice-Chairperson stating that the project is included in the current LMS; and,
- (2) If more than one project is submitted, the endorsement indicates the prioritization. A sample project submission letter is shown in Attachment C.

The Division will attempt to fund each submitted project in priority order until the county's allocation has been exhausted. In accordance with Florida Administrative Code (F.A.C.) 27P-22.006, the Division uses the following tiered allocation system up until the State application deadline with FEMA:

Tier 1 The available HMGP funds are allocated to counties included in the relevant Presidential Disaster Declaration in proportion to each county's share of federal disaster funding from the Public Assistance (PA), Individual Assistance (IA), and Small Business

Administration (SBA) Disaster Loan Program as of 90 days after a Disaster Declaration as reported by FEMA. Eligible projects submitted by each county included in the relevant Presidential Disaster Declaration will be funded in order of priority as outlined in the LMS until the allocated funds are exhausted or all eligible projects are funded.

Tier 2 Any allocation remaining after all eligible projects in any declared county are funded, shall be re-allocated to those counties included in the relevant Presidential Disaster Declaration whose allocation was not sufficient to fund all submitted eligible projects. The order of priority for re-allocating funds is detailed in Attachment D.

Tier 3 In the event funds remain after the Tier 1 and Tier 2 process, any remaining funds will be offered on a statewide basis as described in Attachment D.

Please see Attachment D for a detailed explanation of funding tiers.

Funding Availability and Notification

FEMA notifies the State of HMGP funding availability at the following milestones:

1. Initial 90-Day Estimate

This is an early estimate only and not an actual commitment of funding by FEMA. Funding may increase or decrease based on actual disaster claims during the declaration period. These estimates are provided for planning purposes and to jump-start the HMGP application process.

2. 12 Months from the Date of Declaration

FEMA will establish the HMGP funding ceiling for each disaster at 12 months after the disaster declaration. This amount is the maximum that FEMA can obligate for eligible HMGP activities, according to FEMA's May 2013 modification to its Hazard Mitigation Assistance Unified Guidance.

It is important for potential applicants to recognize that HMGP funds are contingent upon FEMA's reexamination of the disaster figures at the given time intervals. A county's funding allocation can increase or decrease after it has submitted an application.

Technical Assistance

The Division is in the process of scheduling HMGP application development workshops. Please check the Division's website

<http://www.floridadisaster.org/Mitigation/Hazard> for date, time, location and a short overview of the workshops. The Division will provide technical assistance throughout the application process. This includes assistance with the application process, Benefit Cost Analysis, Engineering Feasibility and Environmental/Historical Preservation Compliance. If there are any questions regarding the allocation of funds or the project review and selection criteria, please call

Bureau staff at one of the following numbers:

(850)922-5944 (Program Eligibility)

(407)856-5019 (Environmental)

(407)856-5010 (Engineering and Technical Feasibility)

For additional information and technical assistance, please refer to FEMA’s Hazard Mitigation Assistance Unified Guidance document available at <http://www.fema.gov/library/viewRecord.do?id=4225>.

To assist you in submitting qualified project applications, the following attachments are located on the Division website <http://www.floridadisaster.org/Mitigation/Hazard> including the Hazard Mitigation Grant Program Application:

Attachment A: HMGP Program Policy on Pre-award Cost and Form

Attachment B: Initial Estimate of Available HMGP Funding

Attachment C: Sample Project Submission Letter

Attachment D: Florida Administrative Code 27P-22 BWK/km

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On December 11, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Raeann M. Butler, C.N.A., Certificate number CNA 156567. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Nursing

Emergency Action

On December 11, 2013, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dwayne L. Johnson, Jr., DR, license number DR 130999. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2011). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

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.
