

**Section I**  
**Notice of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF STATE**

**Division of Elections**

**RULE NO.:**       **RULE TITLE:**  
1S-2.043        Electronic File Reporting Relating to  
                  Absentee Ballot Request Information,  
                  Voting Activity, and Election Results

**PURPOSE AND EFFECT:** The rule needs to be amended to provide for expanded data fields in absentee ballot request reports and changed timing of early voting periods for reporting statistics on early voting activity. These changes are prompted by Chapter 2013-57, Laws of Florida, which affected some reporting and file upload requirements relating to early voting and absentee ballot request information, and which became effective January 1, 2014. Further, some of the data fields are being removed from this rule and being put into Rule 1S-2.053, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** Elections; electronic file reporting.

**RULEMAKING AUTHORITY:** 20.10(3), 97.012(1), 98.0981(5), 101.62(3), 101.657(2) FS.

**LAW IMPLEMENTED:** 98.0981, 101.62, 101.657, 102.141 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:** March 19, 2014, 10:00 a.m.

**PLACE:** Room 307, R.A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Brandy Hedges at (850)245-6536, or Brandy.Hedges@dos.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:** Jordan Jones, Assistant General Counsel at (850)245-6536 or Jordan.Jones@dos.myflorida.com

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

**DEPARTMENT OF STATE**

**Division of Elections**

**RULE NO.:**       **RULE TITLE:**  
1S-2.053        Election Results and Precinct-Level  
                  Reporting

**PURPOSE AND EFFECT:** Rule 1S-2.043, F.A.C., is being amended to delete language relating to post-election electronic reporting requirements. New Rule 1S-2.053 will include the post-election requirements which would otherwise have been included (and amended) in Rule 1S-2.043, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** Elections; electronic file reporting.

**RULEMAKING AUTHORITY:** 20.10(3), 97.012(1), 98.0981(5), 101.141(4), (10) FS.

**LAW IMPLEMENTED:** 98.0981, 102.141 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:** March 19, 2014, 11:00 a.m.

**PLACE:** Room 307, R.A. Gray Building, 500 S. Bronough St., Tallahassee, FL 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Brandy Hedges at (850)245-6536, or Brandy.Hedges@dos.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:** Jordan Jones, Assistant General Counsel at (850)245-6536 or Jordan.Jones@dos.myflorida.com

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

**RULE NO.:**       **RULE TITLE:**  
61G4-16.001    Written Certification Examination  
                  Requirements

**PURPOSE AND EFFECT:** To update and add exam questions; to add examinations for Marine Specialty and Irrigation Specialty Contractors.

**SUBJECT AREA TO BE ADDRESSED:** Examinations.

RULEMAKING AUTHORITY: 455.217, 489.108 FS.  
 LAW IMPLEMENTED: 455.217, 489.113 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: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**Section II**  
**Proposed Rules**

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: RULE TITLE:  
 68A-13.001 Open Season for Taking Game; Bag and Possession Limits

PURPOSE AND EFFECT: The purpose of the proposed new rule is, in conjunction with a rule amendment being proposed at the same time, to relocate zonal hunting boundary descriptions from Rule 68A-13.004, F.A.C., to a new definitions section (68A-13.0001) and include new language establishing deer management units (DMUs) for Zone D. The effect of the proposed rule will be to enable the agency to better manage white-tailed deer based on recent biological and public preference information.

SUMMARY: The proposed new rule would create a definitions section for Chapter 68A-13, F.A.C., that contains the hunt zone boundaries for zones A-D, defines deer management units (DMUs) for the purpose of managing white-tailed deer at a smaller geographic scale than is currently possible using larger zones, and establishes DMU D1 as that portion of Zone D located south of Interstate 10 and DMU D2 as that portion of Zone D located north of Interstate 10.

**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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

DATES AND TIMES: April 15, 2014, 1:00 p.m. – 5:00 p.m.; April 16-17, 2014, 8:30 a.m. – 5:00 p.m., each day during the Commission’s regular meeting

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-13.001 Definitions.

When used in this rule chapter, the terms and phrases listed below have the meaning provided:

(1) Deer management unit (DMU) – The following geographical portions of the state, less any lands established by the Commission pursuant to Rule 68A-14.001, F.A.C.:

(a) DMU D1 – That portion of Zone D located south of Interstate 10.

(b) DMU D2 – That portion of Zone D located north of Interstate 10.

(2) Zone – the following geographical portions of the state:

(a) Zone A – The counties of Broward, Charlotte (east of the Peace River and east Charlotte Harbor), Collier, Dade, DeSoto (south of State Road 70 and east of the Peace River),

Glades, Hendry, Highlands (south of State Road 70), Lee, Martin (west of U.S. Highway 441), Monroe, Okeechobee (south of State Road 70 and west of U.S. Highway 441) and Palm Beach (except that portion lying east of U.S. Highway 441, east of State Road 80 north of County Road 880, north of County Road 880, and north of U.S. Highway 98/U.S. Highway 441/State Road 80/Southern Boulevard).

(b) Zone B – The counties of Hernando (south of State Road 50), Hillsborough (north of State Road 60), Lake (south of State Road 50), Orange (south of State Road 50 and west of U.S. Highway 17), Osceola (west of U.S. Highway 17, south and west of County Road 525, west of the western shoreline of Lake Tohopekaliga, west of C-35 canal, west of the western shoreline of Cypress Lake, west of C-36 canal and west of the eastern shoreline of Lake Hatchineha), Pasco, Pinellas (north of State Road 60), Polk (north of State Road 60) and Sumter (south of State Road 50).

(c) Zone C – The counties of Alachua, Baker, Bradford, Brevard, Citrus, Clay, Charlotte (except east of the Peace River and east Charlotte Harbor), Columbia, DeSoto (north of State Road 70, and west of the Peace River south of State Road 70), Dixie, Duval, Flagler, Gadsden (east of U.S. Highway 27), Gilchrist, Hamilton, Hardee, Hernando (north of State Road 50), Highlands (north of State Road 70), Hillsborough (south of State Road 60), Indian River, Jefferson, Lafayette, Lake, Leon (east of U.S. Highway 27, east of State Road 61 and east of U.S. Highway 319), Levy, Madison, Manatee, Marion, Martin (east of U.S. Highway 441), Nassau, Okeechobee (except that portion lying south of State Road 70 and west of U.S. Highway 441), Orange (north of State Road 50 and east of U.S. Highway 17), Osceola (east of U.S. Highway 17, north and east of County Road 525, east of the western shoreline of Lake Tohopekaliga, east of C-35 canal, east of the western shoreline of Cypress Lake, east of C-36 canal and east of the eastern shoreline of Lake Hatchineha), Palm Beach (east of U.S. Highway 441, east of State Road 80 north of County Road 880, north of County Road 880, and north of U.S. Highway 98/U.S. Highway 441/State Road 80/Southern Boulevard), Pinellas (south of State Road 60), Polk (south of State Road 60), Putnam, St. Johns, St. Lucie, Sarasota, Seminole, Sumter (north of State Road 50), Suwannee, Taylor, Union, Volusia and Wakulla (east of U.S. Highway 319, north and east of U.S. Highway 98 and east of the Wakulla and St. Marks Rivers).

(d) Zone D – The counties of Bay, Calhoun, Escambia, Franklin, Gadsden (west of U.S. Highway 27), Gulf, Holmes, Jackson, Leon (west of U.S. Highway 27, west of State Road 61 and west of U.S. Highway 319), Liberty, Okaloosa, Santa Rosa, Wakulla (west of U.S. Highway 319, south of U.S. Highway 98 and west of the Wakulla and St. Marks Rivers), Walton and Washington.

PROPOSED EFFECTIVE DATE: July 2, 2014.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-2-14.

**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.**

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2014

## **FISH AND WILDLIFE CONSERVATION COMMISSION**

### **Freshwater Fish and Wildlife**

RULE NO.: RULE TITLE:

68A-13.004 Open Season for Taking and Bag Limits for Non-Migratory Game, Issuance of Antlerless Deer Permits and Private Lands Deer Management Permits

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to relocate zonal hunting boundary descriptions from Rule 68A-13.004, F.A.C., to a new definitions section (68A-13.0001), prohibit the taking of antlered deer unless it has at least one antler with two or more points in deer management unit (DMU) D1, prohibit the taking of antlered deer unless it has at least one antler with 3 or more points or one antler with a main beam of ten inches or more in length in DMU D2. Youth under 16 years of age would be exempt from these new antler regulations. The proposal would also change the length and timing of the antlerless deer season to include more weekend days to improve the chances of hunters participating in one or more days. The effect of the proposed rule amendment will be to enable the agency to better manage white-tailed deer based on recent biological and public preference information.

SUMMARY: The proposed rule amendment would prohibit the taking of antlered deer unless it has at least one antler with two or more points in DMU D1, prohibit the taking of antlered deer unless it has at least one antler with 3 or more points or one antler with a main beam of ten inches or more in length in DMU D2. Youth under 16 years of age would be exempt from these

new antler regulations and would be able to harvest antlered deer with at least one antler 5 inches above the hairline.

The proposed rule amendment would also change the length and timing of the antlerless deer season as follows:

DMU D1: From seven consecutive days (December 26 – January 1) to four days occurring on the first weekend (Saturday and Sunday) of the antlered deer season in Zone D and the first consecutive Saturday and Sunday following December 25.

DMU D2: From seven consecutive days (December 26 – January 1) to eight days occurring on the first and third weekends (Saturdays and Sundays) of the antlered deer season in Zone D, the first consecutive Saturday and Sunday following December 25, and the first weekend (Saturday and Sunday) of muzzleloading gun season in Zone D.

#### 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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

DATES AND TIMES: April 15, 2014, 1:00 p.m. – 5:00 p.m.; and April 16-17, 2014, 8:30 a.m. – 5:00 p.m., each day during the Commission's regular meeting

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: the ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-13.004 Hunting Regulations Open Season for Taking and Bag Limits for Non-Migratory Game and Issuance of Antlerless Deer Permits.

The hunting regulations open season and bag limits for non-migratory game shall be as follows unless otherwise amended by the Commission, provided that regulations for hunting on wildlife management areas shall be as established by specific rule.

(1) Bag and possession limits:

(a) Deer: Possession limit, four; daily bag as follows:

1. through 3. No change.

4. Antlerless deer taken under the authority of an antlerless deer permit issued under subsection (4)(3) of this rule shall be included in the daily bag, but the aggregate daily bag of antlerless and antlered deer shall not exceed 2.

5. Antlerless and antlered deer taken under the authority of a permit issued under subsection (5)(4) of this rule shall not be subjected to daily bag or possession limits.

(b) through (c) No change.

(2) Regulations specific to deer management units:

(a) The take of antlered deer within the listed deer management unit not meeting the prescribed criteria shall be prohibited, except for antlered deer taken pursuant to Rules 68A-9.002, 68A-9.012, 68A-12.010, or 68A-12.011, F.A.C., and antlered deer taken by persons under 16 years of age.

1. DMU D1: Taking of antlered deer not having at least one antler with two or more points is prohibited.

2. DMU D2: Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited.

(b) The take of deer in the Florida Keys; of antlered deer in that portion of Collier County lying south of State Road 84, west of State Road 29, north of U.S. Highway 41 and east of the western boundary of the Fakahatchee Strand State Preserve; and of antlerless deer in those portions of the eastern Everglades south of the Tamiami Trail (U.S. 41) and east of Everglades National Park, or in Collier County south of Alligator Alley (State Road 84) is prohibited, except for deer taken pursuant to Rules 68A-9.002, 68A-9.012, 68A-12.010, or 68A-12.011, F.A.C.

(3)(2) Open seasons:

(a) Antlered deer:

1. Zone A comprised of the counties of Broward, Charlotte, Collier (except that portion lying south of State Road 84, west of State Road 29, north of U.S. Highway 41 and east of the western boundary of the Fakahatchee Strand State Preserve where there will be no open season), Dade, DeSoto (south of State Road 70), Glades, Hendry, Highlands (south of State Road 70), Lee, Martin, Manatee (south of State Road 70), Monroe (except in the Florida Keys where there will be no open season), Okeechobee (south of State Road 70), Palm Beach, St. Lucie (south of State Road 70) and Sarasota: Opening the third Saturday in September and closing 29 days thereafter and reopening the Saturday before the fourth Thursday in November and closing the first Sunday in January.

2. Zone B comprised of the counties of Hernando (south of State Road 50), Hillsborough (north of State Road 60), Lake (south of State Road 50), Orange (south of State Road 50 and west of U.S. Highway 17), Osceola (west of U.S. Highway 17, south and west of County Road 525, west of the western shoreline of Lake Tohopekaliga, west of C 35 canal, west of the western shoreline of Cypress Lake, west of C 36 canal and west of the eastern shoreline of Lake Hatchineha), Pasco, Pinellas (north of State Road 60), Polk (north of State Road 60) and Sumter (south of State Road 50): Opening 9 days after the fourth Thursday in November and closing 78 days thereafter.

3. Zone C comprised of the counties of Alachua, Baker, Bradford, Brevard, Citrus, Clay, Columbia, DeSoto (north of State Road 70), Dixie, Duval, Flagler, Gadsden (east of U.S. Highway 27), Gilchrist, Hamilton, Hardee, Hernando (north of State Road 50), Highlands (north of State Road 70), Hillsborough (south of State Road 60), Indian River, Jefferson, Lafayette, Lake, Leon (east of U.S. Highway 27, east of State Road 61 and east of U.S. Highway 319), Levy, Madison, Manatee (north of State Road 70), Marion, Nassau, Okeechobee (north of State Road 70), Orange (north of State Road 50 and east of U.S. Highway 17), Osceola (east of U.S. Highway 17, north and east of County Road 525, east of the western shoreline of Lake Tohopekaliga, east of C 35 canal, east of the western shoreline of Cypress Lake, east of C 36 canal and east of the eastern shoreline of Lake Hatchineha), Pinellas (south of State Road 60), Polk (south of State Road 60), Putnam, St. Johns, St. Lucie (north of State Road 70), Seminole, Sumter (north of State Road 50), Suwannee, Taylor, Union, Volusia and Wakulla (east of U.S. Highway 319, north and east of U.S. Highway 98 and east of the Wakulla and St. Marks Rivers): Opening the first Saturday in November closing 78 days thereafter.

4. Zone D comprised of the counties of Bay, Calhoun, Escambia, Franklin, Gadsden (west of U.S. Highway 27), Gulf, Holmes, Jackson, Leon (west of U.S. Highway 27, west of State Road 61 and west of U.S. Highway 319), Liberty, Okaloosa, Santa Rosa, Wakulla (west of U.S. Highway 319, south of U.S. Highway 98 and west of the Wakulla and St. Marks Rivers),

Walton and Washington: Opening the fourth Thursday in November and closing 3 days thereafter and reopening the second Saturday in December and closing 71 days thereafter.

(b) Antlerless deer:

1. Zone A: Opening the Saturday before the fourth Thursday in November and closing 6 days thereafter, ~~except those portions of the eastern Everglades south of the Tamiami Trail (U.S. 41) and east of Everglades National Park, or in Collier County south of Alligator Alley (State Road 84).~~

2. Zone B: Opening December 26 and closing January 1.

3. Zone C: Opening the Saturday before the fourth Thursday in November and closing 6 days thereafter.

4. Zone D: ~~Opening December 26 and closing January 1.~~

a. DMU D1: Open during the first weekend (Saturday and Sunday) of the antlered deer season in Zone D and the first consecutive Saturday and Sunday following December 25.

b. DMU D2: Open during the first and third weekends (Saturdays and Sundays) of the antlered deer season in Zone D, the first consecutive Saturday and Sunday following December 25, and the first weekend (Saturday and Sunday) of muzzleloading gun season in Zone D.

(c) through (f) No change.

(g) Notwithstanding the provisions of paragraphs (3)(2)(a)-(e) deer of either sex, gobblers or bearded turkeys, gray squirrel and quail may be taken:

1. through 2. No change.

(h) Notwithstanding the provisions of paragraphs (3)(2)(a), (b), (c), (d), (e), and (g), antlered deer, gobblers or bearded turkeys, gray squirrel and quail may be taken:

1. through 2. No change.

(3) through (4) renumbered (4) through (5) No change.

**PROPOSED EFFECTIVE DATE: July 2, 2014.**

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-13.04, Amended 6-1-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-1-92, 7-1-93, 3-1-94, 7-1-94, 7-1-96, 10-28-97, 4-27-98, 12-28-98, Formerly 39-13.004, Amended 7-1-01, 5-13-02, 10-16-02, 7-1-05, 7-1-06, 7-1-08, 7-1-10, 1-1-11, 7-26-12, 7-1-13, 7-2-14.

**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.**

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2014

## FISH AND WILDLIFE CONSERVATION COMMISSION

### Freshwater Fish and Wildlife

RULE NO.: 68A-15.063  
 RULE TITLE: Specific Regulations for Wildlife Management Areas – Northwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule amendment would revise specific area regulations for legal to take antlered deer on those Wildlife Management Areas (WMAs) in Zone D of the Northwest Region as follows:

Apalachee WMA – Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age.

Apalachicola WMA – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

Apalachicola WMA, Bradwell Unit – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

Beaverdam Creek WMA – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

Blackwater WMA – Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age.

Blackwater WMA, Hutton Unit – Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age.

Box-R WMA – Allow persons less than 16 years of age to harvest antlered deer without antler point restrictions.

Chipola River WMA – In that portion of the area south of I-10, taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of

antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age. Choctawhatchee River WMA – In that portion of the area south of I-10, taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age.

Econfina Creek WMA – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

Eglin AFB WMA – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age in areas specified by the Installation Commander. The Installation Commander may specify areas and days where taking of antlered deer not having at least one antler with three or more points is prohibited and where persons less than 16 years of age may harvest antlered deer not meeting antler point criteria.

Escambia River WMA – Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age.

Joe Budd WMA – Allow persons less than 16 years of age to harvest antlered deer without antler point restrictions.

Juniper Creek WMA – Taking of antlered deer not having at least one antler with two or more points is prohibited.

Lafayette Creek WMA – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

Ochlockonee River WMA – In that portion of the area south of I-10, taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age.

Perdido River WMA – In that portion of the area south of I-10, taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age.

Pine Log WMA – Allow persons less than 16 years of age to harvest antlered deer without antler point restrictions.

Point Washington WMA – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

Talquin WMA – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

Tate's Hell WMA – Allow persons less than 16 years of age to harvest antlered deer without antler point restrictions.

Tate's Hell WMA, Womack Creek Unit – Allow persons less than 16 years of age to harvest antlered deer without antler point restrictions.

Tyndall AFB WMA – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age in areas specified by the Installation Commander. The Installation Commander may specify areas and days where taking of antlered deer not having at least one antler with three or more points is prohibited and where persons less than 16 years of age may harvest antlered deer not meeting antler point criteria.

Yellow River WMA – In that portion of the area south of I-10, taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age. Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

#### 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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

**DATES AND TIMES:** During the Commission's regular meeting April 15, 2014, 1:00 p.m. – 5:00 p.m.; April 16-17, 2014, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: The ADA Coordinator at (850)488-6411. 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:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-15.063 Specific Regulations for Wildlife Management Areas – Northwest Region.

(1) Apalachee Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age, one inch or more in length, is prohibited in Zone A. Quail may be taken in Zone A only during the archery, muzzleloading gun, and quail seasons.

(c) through (d) No change.

(2) Apalachicola Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. Bearded turkeys or gobblers may be taken during the muzzleloading gun season, and during the periods of November 27-30 and December 13-24. Killing quail is prohibited on the quail enhancement area (that portion of the area lying north of Oak Ridge Road, east of State Road 61 and U.S. Highway 319, south of State Road 263 and west of State Road 363) except by quail permit during the quail season. The bag limit for quail on the quail enhancement area is six (6) per quota permit.

(c) through (d) No change.

(3) Apalachicola Wildlife Management Area – Bradwell Unit.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. The bag limit for antlered deer shall be one per quota permit during the archery season and one per person, but no more than two per quota permit during muzzleloading gun and general gun seasons. During the family hunt, the bag limit shall be one antlered and one antlerless deer per quota permit. During spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per person, but not more than two per quota permit. During the wild hog seasons, only wild hog may be taken.

(c) through (d) No change.

(4) Blackwater Wildlife Management Area.

(a) through (c) No change.

(d) Legal to take: All legal game, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age. The bag limit for deer during the muzzleloading gun and archery season on the field trial portion of the area shall be one antlered and one antlerless deer per day. During the family still hunt, antlered or antlerless ~~any~~ deer (bag limit of three per quota permit) may be taken ~~except spotted fawns~~. Taking quail is prohibited on the field trial area and the quail enhancement area (that portion of the area lying north of Bryant Bridge Road, east of Sandy Forest Road, east of County Road 191 between Sandy Forest Road and State Road 4, south of State Road 4 and west of Old Martin Road and Norman Riley Road) except by quail permit during the quail seasons. The bag limit for quail on the field trial area is 12 per hunting group each day. A group for the purpose of quail hunting on the field trial area shall include up to 2 persons. Taking quail after 3 p.m. Central Time is prohibited during the quail season on the field trial area. The bag limit for quail on the quail enhancement area is six (6) per quota permit. During the fox, raccoon, opossum and bobcat season, rabbit may be chased by the use of free-running dogs but may not be harvested except as allowed during other open seasons. During the wild hog-dog season, only wild hog may be taken.

(e) through (f) No change.

(5) Blackwater Wildlife Management Area – Hutton Unit.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers except that only quail may be taken during the quail season. Taking quail is prohibited except during the quail season. Taking antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or

more in length is prohibited, except by persons less than 16 years of age, one inch or more in length, is prohibited. The bag limit for antlered deer shall be one per quota permit during the archery season and one per person, but no more than two per quota permit during muzzleloading gun and general gun seasons. Two deer (antlered or antlerless ~~except spotted fawns~~) may be taken per mobility-impaired quota permit. During the general gun for mobility-impaired season, only mobility-impaired hunters may take antlerless deer. During spring turkey season, the bag limit shall be one gobbler or bearded turkey per person, but not more than two per quota permit. During the wild hog-dog season, only wild hog may be taken.

(c) through (d) No change.

(6) No change.

(7) Joe Budd Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, turkey of either sex, fish, frogs and furbearers. During small game season, dove (Saturdays only, during phases established by Rule 68A-13.008, F.A.C.), quail and squirrel may be taken. Antlerless deer is any deer, except a spotted fawn, that is without antlers or whose antlers are less than one inch in length visible above the hairline. Taking of antlered deer not having at least one antler with three or more points, ~~one inch or more in length,~~ is prohibited, except by persons less than 16 years of age. During the last two 3-day hunts of archery season, the take of antlerless deer is prohibited.

(c) through (d) No change.

(8) Point Washington Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

(c) through (d) No change.

(9) Talquin Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish and furbearers. Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit.

(c) through (d) No change.

(10) Ochlockonee River Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. In that portion of the area south of I-10, taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of antlered deer not having at least one antler with three or more points or one antler



with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age. Gobblers or bearded turkeys may be taken during the archery/muzzleloading gun season. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit.

(c) through (d) No change.

(11) Tate's Hell Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

Taking of antlered deer not having at least one ~~forked~~ antler with two or more points is prohibited, except by persons less than 16 years of age and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length.

(c) through (d) No change.

(12) Tate's Hell Wildlife Management Area – Womack Creek Unit.

(a) No change.

(b) Legal to take: All legal game, fish, frogs, and furbearers. Taking of antlered deer not having at least one ~~forked~~ antler with two or more points is prohibited, except by persons less than 16 years of age and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit. The take of wild hog is prohibited during small game season.

(c) through (d) No change.

(13) through (14) No change.

(15) Pine Log Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

Taking antlered deer not having at least one antler with three or more points, ~~one inch or more in length~~, is prohibited, except by persons less than 16 years of age. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit.

(c) through (d) No change.

(16) Eglin AFB Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish (except as provided below), frogs and furbearers. Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age in areas specified by the Installation Commander. The Installation Commander may specify areas and days where taking of antlered deer not having at least one antler with three or more points is prohibited and where persons less than 16 years of age may harvest antlered deer not meeting antler point criteria. The taking of any deer not having at least one antler with three or more points (each point

~~one inch in length or more) is prohibited in areas specified by the Installation Commander.~~ Antlerless deer may be taken during established seasons only by permit from the Installation Commander. The take of wild hog is prohibited during small game season.

1. through 2. No change.

(c) through (d) No change.

(17) Escambia River Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

Taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age.

(c) through (d) No change.

(18) Tyndall AFB Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age in areas specified by the Installation Commander. The Installation Commander may specify areas and days where taking of antlered deer not having at least one antler with three or more points is prohibited and where persons less than 16 years of age may harvest antlered deer not meeting antler point criteria. The taking of any deer not having at least one antler with three or more points (each point one inch in length or more) is prohibited in areas specified by the Installation Commander. Antler restrictions shall not apply during the supervised youth hunt. Antlerless deer may be taken during established seasons only by permit from the Installation Commander.

(c) through (d) No change.

(19) Choctawhatchee River Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

In that portion of the area south of I-10, taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age. In that portion of the area north of the pipeline right-of-way, turkey may be taken only during the spring turkey season and the bag limit for turkey shall be one gobbler or bearded turkey per quota permit.

(c) through (d) No change.

(20) Chipola River Wildlife Management Area.

(a) through (b) No change.

(c) Legal to take: All legal game, fish, frogs and furbearers.

In that portion of the area south of I-10, taking of antlered deer

not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age. During the archery season in the Altha Tract, the bag limit for deer shall be one antlered or one antlerless deer per person, but not more than two per quota permit. During the family hunt, the bag limit shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun season in the Altha Tract, the bag limit shall be one antlered deer per person, but not more than two per quota permit. The bag limit for turkey in the Altha Tract shall be one gobbler or bearded turkey per quota permit during the youth turkey hunt and one gobbler or bearded turkey per person, but not more than two per quota permit during the spring turkey season.

(d) through (e) No change.

(21) Yellow River Wildlife Management Area.

(a) through (c) No change.

(d) Legal to Take: All legal game, fish, frogs and furbearers. In that portion of the area south of I-10, taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age. Antlerless deer may only be taken during the first 30 days of archery season in the Burnt Grocery Creek area. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit.

(e) through (f) No change.

(22) Econfina Creek Wildlife Management Area.

(a) through (c) No change.

(d) Legal to Take: All legal game, fish (except as provided below), frogs and furbearers. Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. Taking bobcat and otter is prohibited in the Fitzhugh Carter area. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit. In the mobility-impaired hunt area, antlerless deer (bag limit of two per three-day hunt) may be taken during general gun hunts only by persons possessing valid mobility-impaired certificates.

(e) through (f) No change.

(23) Box-R Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

The bag limit for deer shall be one antlered deer per person, but not more than two per quota permit. Antlerless deer may be

taken by antlerless deer permit only. Taking antlered deer not having at least one antler with three or more points, ~~one inch or more in length~~, is prohibited, except by persons less than 16 years of age. During spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per person, but not more than two per quota permit. During the wild hog-dog season, only wild hog may be taken. The take of wild hog is prohibited during small game season. The take of deer is prohibited during wild hog-still season.

(c) through (d) No change.

(24) Lafayette Creek Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

(c) through (d) No change.

(25) No change.

(26) Perdido River Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

In that portion of the area south of I-10, taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. In that portion of the area north of I-10, taking of antlered deer not having at least one antler with three or more points or one antler with a main beam of ten inches or more in length is prohibited, except by persons less than 16 years of age. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit.

(c) through (d) No change.

(27) Juniper Creek Wildlife Management Area.

(a) No change.

(b) Legal to take: Antlered deer with at least one antler with two or more points, antlerless deer and wild turkey (during the youth turkey hunt only). The bag limit for deer shall be one antlered or one antlerless deer per person. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per youth.

(c) through (d) No change.

(28) Beaverdam Creek Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, frogs and furbearers.

Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. During the family hunt, ~~antlered or antlerless any deer except spotted fawns~~ may be taken (limit one antlerless deer per person per day). During the muzzleloading gun season, ~~antlered or antlerless any deer except spotted fawns~~ may be taken (limit one antlerless deer per day). During the spring turkey season, the bag limit for turkey shall be one gobbler or

bearded turkey per person, but not more than two per quota permit. During the wild hog-dog season, only wild hog may be taken.

(c) through (d) No change.

**PROPOSED EFFECTIVE DATE:** July 2, 2014.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 7-5-84, 7-1-85, 5-7-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 9-1-91, 7-1-92, 7-2-92, 7-1-93, 3-1-94, 7-1-94, 7-1-95, 7-2-95, 8-15-95, 7-1-96, 7-2-96, 6-1-97, 12-3-97, 7-1-98, 7-2-98, 8-11-98, 7-1-99, Formerly 39-15.063, Amended 11-17-99, 7-1-00, 7-1-01, 7-22-01, 6-2-02, 5-1-03, 7-1-03, 7-1-04, 7-2-04, 8-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10, 7-1-11, 11-14-11, 7-1-12, 7-1-13, 7-2-14.

**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.**

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600  
**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission  
**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** February 12, 2014  
**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** January 8, 2014

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** 68A-17.005  
**RULE TITLE:** Specific Regulations for Wildlife and Environmental Areas

**PURPOSE AND EFFECT:** The purpose of the proposed rule amendment is to revise specific area regulations for legal to take antlered deer on Apalachicola River Wildlife and Environmental Area (WEA) in Zone D. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on this WEA.  
**SUMMARY:** The proposed rule amendment would revise specific area regulations for legal to take antlered deer on Apalachicola River Wildlife and Environmental Area (WEA) in the Northwest Region as follows:

Apalachicola River WEA – Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age.

**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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

**A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:**

**DATES AND TIMES:** During the Commission’s regular meeting April 15, 2014, 1:00 p.m. – 5:00 p.m.; April 16-17, 2014, 8:30 a.m. – 5:00 p.m., each day.

**PLACE:** Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: the ADA Coordinator at (850)488-6411. 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:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-17.005 Specific Regulations for Wildlife and Environmental Areas.

(1) through (2) No change.

(3) Northwest Region.

(a) No change.

(b) Apalachicola River – Gulf, Franklin, and Liberty counties.

1. No change.

2. Legal to take: All legal game, fish, frogs and furbearers.

Taking of antlered deer not having at least one antler with two or more points is prohibited, except by persons less than 16 years of age. Antlerless deer may only be taken during the archery season. Bearded turkey or gobblers may be taken during the spring turkey season and the first 41 days of the general gun season; turkey of either sex may be taken during the archery and muzzleloading gun seasons. During the first phase of dove season, taking dove in posted dove fields is prohibited except on Saturdays. Wild hog may only be taken during the archery, muzzleloading gun, general gun, archery/muzzleloading gun and wild hog-dog seasons and during the open season for quail established in Rule 68A-13.004, F.A.C.

3. through 4. No change.

(c) No change.

(4) No change.

PROPOSED EFFECTIVE DATE: July 2, 2014.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 7-1-83, Amended 11-30-83, 7-1-84, 8-21-85, Formerly 39-17.05, Amended 6-1-86, 8-13-87, 8-18-88, 8-17-89, 4-11-90, 7-1-91, 10-31-91, 4-14-92, 4-20-93, 7-1-94, 9-15-94, 3-30-95, 8-15-95, 7-1-96, 4-3-97, 10-28-97, 7-1-98, 8-11-98, 7-1-99, Formerly 39-17.005, Amended 7-1-00, 5-1-01, 6-2-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 1-6-09, 7-1-09, 10-29-09, 7-1-10, 7-1-11, 11-14-11, 7-1-12, 7-26-12, 7-1-13, 7-2-14.

**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.**

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2014

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.: RULE TITLE:

68B-14.0038 Recreational Snapper Seasons

PURPOSE AND EFFECT: The Commission is considering changes to state regulations that would set the recreational harvest season for red snapper in state waters of the Gulf of Mexico to be the Saturday before Memorial Day (May 24 for 2014) through July 14. The purpose of this rule is to increase recreational red snapper fishing opportunities in Gulf state waters.

The effect of this rule amendment is to balance the economic and social needs of Florida’s recreational anglers with the conservation needs of red snapper in the Gulf of Mexico. Federal season lengths have been decreasing since 2008, resulting in decreased fishing opportunities throughout the Gulf. The Saturday before Memorial Day state recreational season opening was proposed by the Commission at the November 2013 Commission meeting to increase fishing opportunities for anglers over the holiday weekend.

SUMMARY: The proposed final rule would modify the recreational harvest season for red snapper in all state waters of the Gulf of Mexico to be the Saturday before Memorial Day through July 14.

**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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the Commission's regular meeting April 16-17, 2013, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: The ADA Coordinator at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0038 Recreational Snapper Seasons.

Recreational Red Snapper Season. In all state waters of the Gulf of Mexico, the season for the recreational harvest and possession of red snapper shall be from the Saturday before Memorial Day June 1 through July 14, each year. Except for persons harvesting red snapper for commercial purposes pursuant to Rule 68B-14.0045, F.A.C., from July 15 through the Friday before Memorial Day May 31, no person shall harvest in or from state waters of the Gulf of Mexico, nor possess while in or on state waters of the Gulf of Mexico, any red snapper.

PROPOSED EFFECTIVE DATE: May 24, 2014.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-20-98, Formerly 46-14.0038, Amended 12-30-99, 3-12-09, 8-7-09, 10-16-09, 6-4-10, 10-8-10, 7-22-11, 7-6-12, 5-31-13, 10-31-13, 5-24-14.

**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.**

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2014

## **FISH AND WILDLIFE CONSERVATION COMMISSION**

### **Marine Fisheries**

RULE NO.:           RULE TITLE:

68B-42.006       Commercial Season, Harvest Limits

PURPOSE AND EFFECT: The purpose of this rule amendment is to establish commercial daily trip and vessel limits of 200 individual sea cucumbers. Currently, recreational harvesters are limited to five sea cucumbers per day per species, within the aggregate bag limit of 20 total marine life organisms. However, there are no trip or vessel limits associated with commercial sea cucumber harvest. Florida's commercial sea cucumber fishery has historically been small, targeting sea cucumbers solely for the aquarium trade. However, in 2013 the landings and catch-per-trip have increased several-fold in association with the development of an export market for sea cucumbers as food products. Similar markets that have developed in the absence of appropriate harvest restrictions elsewhere in the world have led to unsustainable harvest rates and population crashes in only a few years. The commercial trip and vessel limits will prevent this boom-and-bust pattern in Florida by ensuring sustainable harvest rates, thus sustaining the resource for future generations.

The effect of this rule amendment will be the conservation of sea cucumber populations, as well as the corresponding fisheries.

SUMMARY: The rule amendment would establish a daily commercial trip limit of 200 individual sea cucumbers and a daily vessel limit of 200 sea cucumbers, ensuring the sustainability of both the resource and the fishery.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the Commission’s regular meeting April 16-17, 2014, 8:30 a.m. – 5:00 p.m. each day

**PLACE:** Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

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: The ADA Coordinator at (850)488-6411. 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:** Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68B-42.006 Commercial Season, Harvest Limits.

(1) through (2) No change.

(3) Persons harvesting tropical ornamental marine life species or tropical ornamental marine plants for commercial purposes shall have a season that begins on October 1 of each year and continues through September 30 of the following year. These persons shall not harvest, possess, or land tropical ornamental marine life species in excess of the following limits:

(a) through (n) No change.

(o) A limit of 200 sea cucumbers (Class Holothuroidea) per person or per vessel per day, whichever is less.

**PROPOSED EFFECTIVE DATE:** April 1, 2014.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 1-1-91, Amended 7-1-92, 1-1-95, Formerly 46-42.006, Amended 6-1-99, 2-28-02, 7-1-09, 10-31-11, 11-1-12, 4-1-14.

**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.**

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** February 12, 2014

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:** JANUARY 8, 2014

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

#### **WATER MANAGEMENT DISTRICTS**

##### **Northwest Florida Water Management District**

RULE NOS.:	RULE TITLES:
40A-1.2025	Fees
40A-1.203	Permit Application Procedure
40A-1.205	Suspension, Revocation and Modification of District Permits
	NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with Section 120.54(3)(d)1., F.S., published in Vol. 39, No. 234, December 4, 2013, issue of the Florida Administrative Register.

40A-1.2025 Fees.

(1) No change.

(2) Any portion of the fees enumerated in any District rule in excess of \$100 shall be waived for any:

(a) city or county; government

(b) Municipality;

(c) Entity created by special act, local ordinance, or interlocal agreement of counties or municipalities eligible for fee waiver under the provisions of Section 218.075, F.S.; or

(d) Third party under contract with an entity specified in paragraph (a), (b) or (c) where the project for which the fee reduction or waiver is sought serves a public purpose.

The waiver shall be granted upon receipt of a certification from such ~~city or~~ county or municipality of hardship required in

accordance with the provisions of Section 218.075, F.S. The Governing Body of the municipality ~~city~~ or county requesting the fee waiver shall provide certification in the form of a written statement from the Florida Department of Revenue or using Form 165, effective \_\_\_\_\_, which is hereby incorporated by reference and can be obtained from the District’s website ([www.nwfwmd.state.fl.us](http://www.nwfwmd.state.fl.us)) or from District offices. Any such certification shall be presumed to be valid for the entire fiscal year of the municipality ~~city~~ or county during which certification is made unless the certification clearly indicates a duration to the contrary.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 218.075, 373.109 FS. History–New 5-7-95, Amended 3-2-00, \_\_\_\_\_.

40A-1.203 Permit Application Procedure.

(1) Procedures for permit applications shall be in accordance with Chapter 120, F.S., and Part II of this Chapter.

~~(2) A permit application shall be:~~

~~(a) Filed with the District on the appropriate form provided by the Board; and~~

~~(b) Accompanied by the appropriate fee in accordance with the schedule of fees established by the Board. The failure of any person to pay the required fee shall result in the denial of the application.~~

~~(2)(3) For No later than 30 days after receipt of an application for an agricultural or forestry surface water management permit pursuant to paragraph 40A-44.041(2)(b) or (c), F.A.C., or an Individual water use permit pursuant to Rule 40A-2.041, F.A.C., the District shall cause a notice thereof to be published in a newspaper having general circulation as defined in Chapter 50, F.S. or by any other manner allowed by Statute. In addition, the District shall provide a copy of the notice to any person who has filed a written request for notification of any pending applications affecting the particular designated area. Interested persons may object to or comment upon the proposed permit in writing by the date specified in the notice. The District will ~~may~~ request persons submitting objections or comments to furnish additional information if substantiation or clarification is required. ~~The District may consider objections or comments received after the designated time period if proposed agency action has not been taken on the application.~~ The District will provide the applicant with a copy of all objections and comments received.~~

(4) through (13) renumbered (3) through (12) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 120.60, 373.116, 373.146, 373.229 FS. History–New 10-1-84, Amended 1-5-86, 7-1-98, 3-2-00, 8-6-13, \_\_\_\_\_.

40A-1.205 Suspension, Revocation, Cancellation and Modification of District Permits.

(1) through (10) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.243, 373.246, 373.429 FS. History–New 10-1-84, Amended 8-6-13, \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.:  
59G-4.310

RULE TITLE:  
Targeted Case Management for Children at Risk of Abuse and Neglect  
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. 240, December 12, 2013 issue of the Florida Administrative Register.

The following changes have been made to the Florida Medicaid Targeted Case Management for Children at Risk of Abuse and Neglect Coverage and Limitations Handbook.

Page 1-3 Provider Agency Certification Criteria

This section will now read:

The CSC or LGE must ensure a provider agency:

- Is under contract to receive funding from the CSC or LGE for 100% of the cost of providing TCM to the target population.
- Is knowledgeable of and in compliance with state and federal statutes, rules, and policies that pertain to this service and the target population.
- Is able to administer case management services to the target population as evidenced by sufficient numbers of managerial staff and TCM supervisors and case managers for children at risk of abuse and neglect.
- Is a community-based provider agency with a demonstrated capability to serve this target population.
- Has the financial management capacity and system to provide documentation of costs.
- Has established linkages with the local network of human services providers, schools, and other resources in the service area.
- Has a quality improvement program with written policies and procedures, which include an active case management peer review process and ongoing recipient and family satisfaction surveys.
- Has established pre-service and in-service training programs that promote the knowledge, skills, and competency of all case managers.
- Has an established credentialing process that will assess and validate the qualifications of all case managers and supervisors of case managers.
- Has the capacity to provide supervision by a qualified practitioner.
- Maintains documentation and programmatic records that include clearly identified TCM for children at risk of abuse

and neglect certifications for eligibility, assessments, service plans, and service documentation.

- Cooperates with and participates in monitoring conducted by AHCA and the CSC or LGE.

Page 1-3 Supervisor Certification

In the first sentence, the word management is changed to manager.

Page 1-4 Supervisor Certification Criteria

This section will now read:

A TCM supervisor:

- Is employed by or under contract with a provider agency that has been certified by a CSC or LGE as qualified to provide case management services to the target population.
- Has a minimum of one of the following:
  - No change.
  - No change.
  - No change.
  - Has completed all required training and any other training, including periodic retraining.
- Has completed the mandated reporter training that addresses abuse and neglect as outlined in section 39.201, F.S.
- Is enrolled, prior to providing supervision, as a Medicaid-approved case manager.
- Has knowledge of the resources, specific to the identified service area, that are available for children who have been or are at risk of being abused, neglected, or abandoned.
- Is knowledgeable of and in compliance with state and federal statutes, and rules and policies that pertain to this service and target population.

Page 1-5 Case Manager Certification Criteria

This section will now read:

A case manager:

- Is employed by or under contract with a provider agency that has been certified by the CSC or LGE as qualified to provide case management services to the target population.
- Has a minimum of high school diploma or GED with at least one year of experience working with children who have been or are at risk of being abused, neglected, or abandoned.
- Has successfully completed the required CSC-approved training and any other required training, including periodic retraining within required timeframes.
- Has completed the mandated reporter training that addresses abuse and neglect as outlined in Section 39.201, F.S.
- Has knowledge of the resources, specific to the identified service area, that are available for children who have been or are at risk of being abused, neglected, or abandoned.

- Is knowledgeable of and complying with state and federal statutes, and rules and policies that pertain to this service and target population.
- Is certified by the certified provider agency as meeting these requirements.

Page 1-5 Process

In the last paragraph, the word management is changed to manager.

Page 1-6 Supervisor

The word Supervision in the name of the form is changed to Supervisor.

Page 1-6 CSC or LGE

The fifth bullet now reads:

- Having developed policies and procedures to monitor agencies and ensure compliance with regulations, policies, and standards in this handbook.

Page 1-7, the first label will now read:

CSC or LGE, continued

The third and fourth bullets now read:

- Cooperating with and participating in monitoring conducted by AHCA.

Reimbursing contracted provider agencies for the full cost of services and certifying these expenditures to Medicaid quarterly.

Page 1-7 Provider Agency

In the first bullet, the word management is changed to manager.

Page 1-8 Training

The first paragraph will now read:

Targeted case managers and case manager supervisors must participate in case management training approved by the CSC and LGE.

In the second paragraph, the word management is changed to manager.

Page 2-1 Medical Necessity

The fourth condition will now read:

4. Be reflective of the level of service that can be safely furnished, and for which no equally effective and more conservative or less costly treatment is available statewide.

Page 2-2 Who Can Receive Services

A second sentence is added after the second bullet and reads:

The eligibility criteria are on the Child Certification, found in the appendices.

Page 2-2 Recipient Certification

The first sentence will now read:

The provider must complete the Child Certification, found in the appendices, within 30 days of a recipient's initial receipt of a covered service.



Page 2-3 Who Must Provide

In the last paragraph, the word management is changed to manager.

Page 2-4 Supervision

In the first and second paragraphs, the word management is changed to manager.

Page 2-4 Timeframe for Development

The first paragraph will now read:

The assessment must be completed within 45 days from when the recipient receives a covered TCM service for children at risk of abuse and neglect.

Page 2-6 Requirements

The second bullet now reads:

- Be developed within 90 days from when the recipient receives a covered TCM service for children at risk of abuse and neglect.

Page 2-6 Frequency of Review

The first sentence will now read:

The service plan must be reviewed and revised no less frequently than every six months.

Page A-2 Procedure Codes and Fee Schedule

The Maximum Fee is changed to \$407.60.

Page B-2 Contractor Certification for Children’s Services Council

Number four will now read:

- (4) Agrees to enroll in Medicaid as a case management group provider, with contracted agencies’ case manager supervisors comprising the group membership.

Page C-2 Case Manager Supervisor Certification.

In the first line, the word management is changed to manager.

The last sentence in the first paragraph will now read:

This individual case manager supervisor:

The list is revised as follows:

- (1) Is employed by or under contract with a provider agency that has been certified by a children’s services council or local government entity as qualified to provide supervision for case management services to the target population.
- (2) Has a minimum of one of the following:
  - (a) through (c) No change.
  - (3) No change.
  - (4) Has completed mandated reporter training that addresses abuse and neglect.
  - (5) No change.
  - (6) Is knowledgeable of the resources, specific to the identified service area, that are available for children who are abused, neglected, or abandoned or are at risk for abuse, neglect, or abandonment.
  - (7) Is knowledgeable of and in compliance with the state and federal statutes, rules, and policies that pertain to this service and target population.

- (8) Is hereby certified by the certified provider agency as meeting these requirements.

Page D-2 Case Manager Certification

The last sentence in the first paragraph will now read:

This individual case manager:

The list is revised as follows:

- (1) Is employed by or under contract with a provider agency that has been certified by a children’s services council or local government entity as qualified to provide case management services to the target population.
- (2) Has a minimum of a high school degree, or equivalent, with a minimum of one year of experience working with children who have been abused, neglected, or abandoned, or are at risk of abuse, neglect, or abandonment.
- (3) No change.
- (4) Has completed the mandated reporter training that addresses abuse and neglect.
- (5) Is knowledgeable of the resources, specific to the identified service area, that are available for children who are abused, neglected, or abandoned or are at risk for abuse, neglect, or abandonment.
- (6) Is knowledgeable of and in compliance with the state and federal statutes, rules, and policies that pertain to this service and target population.
- (7) Is certified by the certified provider agency as meeting these requirements.

Page E-2 Child Certification

The last signature line will now read:

Case Manager Supervisor.

Page F-2 Provider Agency Certification for Children’s Services Council

The second paragraph and the numbered list will now read:

The agency provider:

- (1) Is under contract to receive funding from the CSC or LGE for 100 percent of the cost of providing targeted case management services to the target population.
- (2) Is knowledgeable of and in compliance with state and federal statutes, rules, and policies that pertain to this service and the target population.
- (3) Is able to administer case management services to the target population as evidenced by sufficient numbers of managerial staff and targeted case manager supervisors and case managers for children at risk of abuse and neglect.
- (4) Is a community-based provider agency with a demonstrated capability to serve this target population.
- (5) Has the financial management capacity and system to provide documentation of costs.
- (6) Has established linkages with the local network of human services providers, schools, and other resources in the service area.

- (7) Has a quality improvement program with written policies and procedures, which include an active case management peer review process and ongoing recipient and family satisfaction surveys.
- (8) Has established pre-service and in-service training programs that promote the knowledge, skills, and competency of all case managers.
- (9) Has an established credentialing process that will assess and validate the qualifications of all case managers and supervisors of case managers.
- (10) Has the capacity to provide supervision by a qualified practitioner.
- (11) Maintains documentation and programmatic records that include clearly identified targeted case management for children at risk of abuse and neglect certifications for eligibility, assessments, service plans and service documentation.
- (12) Cooperates with and participates in monitoring conducted by the Agency for Health Care Administration or its designee and the CSC or LGE.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Construction Industry Licensing Board**

RULE NO.: RULE TITLE:  
 61G4-15.039 Certification of Industrial Facilities  
 Specialty Contractors

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 40, No. 24, February 5, 2014 issue of the Florida Administrative Register has been withdrawn.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.: RULE TITLES:  
 62-503.200 Definitions  
 62-503.300 General Program Information  
 62-503.430 Loan Agreements  
 62-503.751 Environmental Review  
 62-503.800 Audits Required

**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. 192, October 2, 2013 issue of the Florida Administrative Register.

Note that the box for no legislative ratification should have been marked. The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein. The Department analyzed the potential impact of the proposed rule and determined that there will be no adverse economic impact or regulatory increases that would require

legislative ratification. For example, the requirement for the project specific audit has been removed because it is redundant with the single audit act requirement. Additionally, the formula underlined in subparagraph 62-503.300(1)(e)1. below is not new language it was erroneously omitted in the Notice of Proposed Rule.

62-503.200 Definitions.

For purposes of this rule chapter:

(1) "Act" means the Federal Water Pollution Control Act, 33 USC § 1251 et seq., as amended, November 2002 1987, also known as the amended Clean Water Act. Sections 212, 319, and 320 and Title VI of the Act pertain to the Clean Water State Revolving Fund, and are hereby adopted and incorporated by reference. This document is available from the Department's Clean Water State Revolving Fund Program, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, or at <http://www.flrules.org/Gateway/xxxxxx>.

(2) through (22) No change.

(23) renumbered (24) No change.

(24) renumbered (23) No change.

(25) through (29) No change.

(30) "Request for Inclusion" means completed Form RFI 1 62-503.900(1), Request for Inclusion on the CWSRF Priority List, effective (effective date of rule), which is hereby incorporated by reference. This form is available from the Department's Clean Water State Revolving Fund Program, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, or at <http://www.flrules.org/Gateway/xxxxxx>.

(31) through (37) No change.

62-503.300 General Program Information.

(1) Steps involved in obtaining a loan.

(a) through (d) No change.

(e) Priority system. Timely submitted projects shall be given priority according to the extent each project is intended to remove, mitigate, or prevent adverse effects on surface or ground water quality and public health. The final priority score for each project shall be determined as described in subparagraphs 1. though 4. below.

1. Base priority score. Each project shall receive a base priority score (BPS) based on the weighted average of its components or facilities. The BPS shall be determined based on the following formula where CPS means the component priority score and CCC means component construction cost or:

$$BPS = \frac{[CPS1 \times CCC1 + . . . + CPSn \times CCCn ]}{Total \text{ Construction Cost}}$$

Project components shall be assigned component priority scores according to the categories in Table 1.

Table 1 No change.

2. through 4. No change.

(f) No change.

(2) Allowable project costs. Costs incurred before execution of a loan agreement shall be ineligible for reimbursement upon execution of the agreement unless the project sponsor receives prior written authorization from the Department to incur such costs. Categories of allowable project costs include the following water pollution control activities subject to such limitations for leveraged loans as are necessary to maintain the tax-exempt status of bonds issued by the FWPCFC:

(a) Land ~~necessary for and integral to the treatment process and that will be used~~ for the ultimate disposal of wastewater or stormwater, including the zone of discharge. Funding shall be limited to the fair market value of the acreage, in fee simple, of ~~the qualifying land necessary for and integral to the treatment process, including the zone of discharge~~. If additional land is acquired, the eligible amount shall be the acreage of the qualifying land necessary for treatment divided by the total area purchased times the purchase price;

(b) through (g) No change.

(h) The purchase of a domestic wastewater facility excluding the value of land that does not meet the requirements of paragraph 62-503.300(2)(a), F.A.C. In addition, an appraisal is required to identify the land costs that must be excluded, being acquired if the Department has issued a notice of violation because the facility exceeds permit limits for nutrients and the non-compliance will be corrected as a result of the project,

(i) through (o) No change.

(3) through (6) No change.

62-503.430 Loan Applications and Agreements.

(1) General.

(a) A complete loan application, Form Application 1 62-503.900(2), State Revolving Fund Loan Program for Point Source Water Pollution Control Loan Application, effective (effective date of rule), or Form Application 2 62-503.900(3), State Revolving Fund Loan Program for Non-Point Source Water Pollution Control Loan Application, effective (effective date of rule), shall be submitted to the Department within 120 days after the project is listed on the fundable portion of the priority list. Both of these forms are hereby incorporated by reference. The project sponsor may incorporate into the loan application, by reference, any information previously submitted to the Department. These forms are available from the Department's Clean Water State Revolving Fund Program, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, or at <http://www.flrules.org/Gateway/xxxxxx>.

(b) through (f) No change.

(2) through (10) No change.

62-503.751 Environmental Review.

(1) No change.

(2) Florida Categorical Exclusion Notice (FCEN). A FCEN shall be used ~~The Department shall issue a FCEN for certain~~ projects that are not expected to generate controversy over potential environmental effects. A FCEN shall not be used when there are documented environmental objections to a project before the local governmental agency adopted the planning recommendations provided that such objections have a basis in statute, regulation, or ordinance.

(a) No change.

(b) Projects ~~potentially eligible~~ for which a categorical exclusion will be used are:

1. Rehabilitation of existing water pollution control system components or replacement of structures, materials or equipment;

2. Water pollution control systems that do not change the existing discharge point or permitted pollutant concentration limits and that do not involve acquisition of undisturbed land;

3. Water pollution control systems that serve less than 10,000 people in unsewered communities that involve self-contained individual or cluster systems providing both treatment and disposal of wastewater that will take place near the buildings from which the wastewater is to be discharged;

4. Water pollution control systems in areas where streets have been established, underground utilities installed, or building sites excavated; and

5. Treatment plant upgrades that are solely to enable public access reuse.

(3) through (7) No change.

62-503.800 Audits Required.

(1) Federal or State Audit Required.

(a) No change.

(b) Section 215.97, F.S., ~~and the rules adopted pursuant to that section by the Department of Financial Services or Auditor General~~ imposes audit requirements on the project sponsor and sub-recipients based on designated thresholds for expenditures. Each agreement entered into pursuant to this rule chapter shall include the audit requirements applicable to the project at the time the agreement is executed.

(2) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Banks at (850)245-8360 or email at [timothy.banks@dep.state.fl.us](mailto:timothy.banks@dep.state.fl.us)

Section IV  
Emergency Rules

NONE

Section V  
Petitions and Dispositions Regarding Rule  
Variance or Waiver

DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on February 12, 2014, the Construction Industry Licensing Board, received a petition for variance or waiver filed by Sigurd Persaud. The petitioner appears to be seeking a permanent variance or waiver of Rule 61G4-16.005, F.A.C., which requires for the purpose of certification, a passing grade shall be valid only for a period of four (4) years from the date the list of successful candidates is approved by the Board.

Comments on this petition should be filed with Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, at the above address or telephone: (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

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

NOTICE IS HEREBY GIVEN that on February 24, 2014, the Board of Accountancy, received a petition for variance or waiver filed by Andrew Huggins, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, 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.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607.

Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.004 Selection Procedures for Developments

NOTICE IS HEREBY GIVEN that on February 27, 2014, the Florida Housing Finance Corporation, received a petition for waiver from Brickell View Terrace Apartments, LTD. requesting a waiver from paragraphs 67-48.004(14)(i) and (j), F.A.C., in which the petitioner seeks an increase in the total number of units from 154 to 176 and a decrease in the Total Set-Aside Percentage from approximately 65% to approximately 56.82%.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ashley Marie Black, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

Section VI

Notice of Meetings, Workshops and Public  
Hearings

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Gulf Coast State College District Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: March 13, 2014, 10:00 a.m.

PLACE: William C. Cramer, Jr. Seminar Room, Gulf Coast State College, 5230 West Highway 98, Panama City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting.

A copy of the agenda may be obtained by contacting: Dr. Jim Kerley, President, Gulf Coast State College.

DEPARTMENT OF TRANSPORTATION

The Commercial Motor Vehicle Review Board announces a public meeting to which all persons are invited.

DATE AND TIME: March 13, 2014, 8:30 a.m.

PLACE: Embassy Suites, 8250 Jamaican Court, Orlando, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Heather Nelson, Executive Assistant, Commercial Motor Vehicle Review Board, 605 Suwannee Street, MS 90, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Heather Nelson. 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).

**FLORIDA PAROLE COMMISSION**

The Florida Parole Commission announces a workshop to which all persons are invited.

**DATE AND TIME:** March 10, 2014, 10:00 a.m.

**PLACE:** 4070 Esplanade Way, Tallahassee, FL 32399-2450

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Objective Parole Guidelines.

A copy of the agenda may be obtained by contacting: Sarah J. Rumph, (850)488-4460.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Sarah J. Rumph. 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: Sarah J. Rumph, (850)488-4460.

**REGIONAL PLANNING COUNCILS**

**Tampa Bay Regional Planning Council**

The Tampa Bay Regional Planning Council's Clearinghouse Review Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** March 10, 2014, 10:00 a.m.

**PLACE:** 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Clearinghouse Review Committee.

A copy of the agenda may be obtained by contacting: [www.tbrpc.org](http://www.tbrpc.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 4 days before the workshop/meeting by contacting: Wren Krahl, [wren@tbrpc.org](mailto:wren@tbrpc.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).

**REGIONAL PLANNING COUNCILS**

**Treasure Coast Regional Planning Council**

The Treasure Coast Regional Planning Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** March 12, 2014, 2:00 p.m.

**PLACE:** Port Salerno Community Center, 4950 SE Anchor Avenue, Stuart, FL 34997

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** As part of the development of a Waterways Plan for Martin and St. Lucie Counties, an educational forum on Recreational, Cultural & Educational Facilities will be conducted. The forum is intended to increase knowledge regarding different types of facilities and programs on and along the waterways.

The forum is free and open to the public

A copy of the agenda may be obtained by contacting: Kim DeLaney of the Treasure Coast Regional Planning Council at (772)221-4060 or [kdelaney@tcrpc.org](mailto:kdelaney@tcrpc.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 48 hours before the workshop/meeting by contacting: Kim DeLaney of the Treasure Coast Regional Planning Council at (772)221-4060 or [kdelaney@tcrpc.org](mailto:kdelaney@tcrpc.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).

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: Kim DeLaney of the Treasure Coast Regional Planning Council at (772)221-4060 or [kdelaney@tcrpc.org](mailto:kdelaney@tcrpc.org).

**WATER MANAGEMENT DISTRICTS**

**Northwest Florida Water Management District**

The Northwest Florida Water Management District announces a workshop to which all persons are invited.

**DATES AND TIME:** March 6-9, 2014, 8:00 a.m.

**PLACE:** Elinor Klapp-Phipps Park, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: NFWFMD as venue sponsor for Red Hills Horse Trials and Elinor Klapp-Phipps Park Water Management Area as venue for Red Hills Horse Trials.

For more information, you may contact: Tyler Macmillan.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, March 11, 2014, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting to consider District business and conduct public hearings on regulatory and real estate matters. A workshop will follow the meeting.

A copy of the agenda may be obtained by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida only), or on the District’s website at www.mysuwanneeriver.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). 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).

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Commission for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: March 13, 2014, 3:30 p.m.

PLACE: Florida Department of Transportation Auditorium, 605 Suwannee Street, Tallahassee, FL 32399, call-in number: 1(888)670-3525, conference code: 1383090556

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss regular Commission business.

A copy of the agenda may be obtained by contacting: Vicki Scheffer-Cook, 605 Suwannee St., MS 49, Tallahassee, FL 32399, (850)410-5700 or 1(800)983-2435.

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: Vicki Scheffer-Cook, 605 Suwannee St., MS 49, Tallahassee, FL 32399, (850)410-5700 or 1(800)983-2435. 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 HEALTH

Board of Pharmacy

The Florida Board of Pharmacy Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, March 13, 2014, 10:00 a.m.

PLACE: Conference call-in number: (888)670-3525, Conference Code: 513-489-6685

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: The Florida Board of Pharmacy at (850)245-4292.

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 10 days before the workshop/meeting by contacting: The Florida Board of Pharmacy at (850)245-4292. 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: The Florida Board of Pharmacy at (850)245-4292.

DEPARTMENT OF HEALTH

Division of Family Health Services

The Florida Department of Health, Division of Community Health Promotion, Florida Coordinating Council for the Deaf and Hard of Hearing Advisory Council / Plan the Plan Committee Meeting announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 7, 2014, 9:00 a.m. – 10:00 a.m.

PLACE: Prather Building, 2585 Merchants Row Boulevard, Conference Room 320P

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Coordinating Council for the Deaf and Hard of Hearing (FCCDHH) is mandated by Florida Statute 413.271 to serve as an advisory and coordinating body which recommends policies that address the needs of Florida’s community who are deaf, hard of hearing, late deafened or have combined hearing and vision loss.

The purpose of this meeting will be to initiate the foundation, framework, scope and timelines for the development of a five-year strategic plan for the Council.

Communication Access Real-time Translation Services: (CART) will be provided remotely via: <http://www.streamtext.net/text.aspx?event=FCCDHH>

The meeting may be accessed via Conference Call: 1(888)670-3525; Conference Code: 833841139#.

A copy of the agenda may be obtained by contacting: Thom DeLilla, Program Administrator, Florida Department of Health at (850)245-4330, Extension 3909.

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: Thom DeLilla, (850)245-4330, Extension 3909. 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: Thom DeLilla at (850)245-4330, Extension 3909.

**GULF CONSORTIUM**

The Gulf Consortium Executive Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 10, 2014, 3:00 p.m. (ET)

PLACE: Dial-in number: 1(888)670-3525; participant passcode: 998 449 5298#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee of the Gulf Consortium will meet to review the meeting agenda for the March 26, 2014 Consortium meeting, to appoint the two At-Large Executive Committee members, and to conduct other business. In accordance with Section 163.01, the location of the conference call is the Florida Association of Counties, 100 S. Monroe Street, Tallahassee, FL 32301.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Doug Darling at (850)922-4300 or [ddarling@fl-counties.com](mailto:ddarling@fl-counties.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).

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

For more information, you may contact: Doug Darling at (850)922-4300 or [ddarling@fl-counties.com](mailto:ddarling@fl-counties.com) or see [www.FACRestore.com](http://www.FACRestore.com).

**ENTERPRISE FLORIDA, INC.**

The Florida Development Finance Corporation ("FDPC") announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 5, 2014, 1:00 p.m. – 2:00 p.m.

PLACE: Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting has been cancelled.

**ENTERPRISE FLORIDA, INC.**

The Board of Directors for the Florida Opportunity Fund announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 5, 2014, 9:00 a.m. – 11:00 a.m.

PLACE: South Conference Room, Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting has been cancelled.

**ENTERPRISE FLORIDA, INC.**

The Board of Directors for the Florida Opportunity Fund PA 11 announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 5, 2014, immediately after the Florida Opportunity Fund meeting scheduled for 9:00 a.m. – 11:00 a.m. or soon thereafter

PLACE: South Conference Room, Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: THIS MEETING HAS BEEN CANCELLED.

**FLORIDA ALLIANCE FOR ASSISTIVE SERVICES & TECHNOLOGIES**

The Florida Alliance for Assistive Services and Technology announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, March 19, 2014, 8:30 a.m. – 3:00 p.m.

PLACE: Four Points by Sheraton Tallahassee Downtown, 316 W Tennessee St., Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Florida Alliance for Assistive Services and Technology, Inc.

Board of Directors Meeting, Wednesday, March 19, 2014, 8:30 a.m. – 3:00 p.m.

For those Board members who will be participating by teleconference: toll-free: 1(888)670-3525, \* conference code: 5388317527 #

For those Board members who may also be participating through Gotomeeting.com to view Board materials please register in advance of the March 19, 2014 Board meeting by registering for the Gotomeeting.com link up, found at: <https://www1.gotomeeting.com/register/826696185>.

Agenda

TAB#

- 8:30 a.m. Roll call to establish quorum
  - Welcome and introduction of Board members
  - Karen Clay, Chair
  - Any suggested changes, additions, or conflicts with the Agenda
  - Approval of draft minutes of the January 31, 2014 Board meeting
  - 8:45 a.m. Board Committee Reports
  - Executive Committee
  - Report Karen Clay, Chair
  - Interagency Committee Report Leanne Grillot, Chair
  - New Horizon Loan Program Committee
  - Report Thomas Nurse, Chair
  - Technology, Awareness, and Development Committee
  - Report Carole Zangari, Chair
  - 9:30 a.m. Presentation of Budget Amendment for FY 2014
  - Presentation Lisa Taylor, FAAST Treasurer and Finance Chair
  - And Michael Daniels
  - 10:00 a.m. Break
  - 10:15 a.m. Continued Discussion on Budget Amendment
  - 10:45 a.m. Update on Legislative Work Day
  - Public Policy and Advocacy Committee
  - Report Thomas Nurse, Chair
  - Presentation Joe McCann, Ballard Partners
  - 11:15 p.m. Status Report on DVR Contracts
  - Presentation Andre Howard
  - 11:45 a.m. Lunch
  - 1:00 p.m. RDC Update
  - Presentation RDC Coordinators
  - 1:30 p.m. Presentation of Assistive Technology
  - Presentation Adam Gaffney
  - 2:00 p.m. Executive Director Report and Follow-up
  - Presentation Michael Daniels
  - 2:30 p.m. Public Comment
  - 3:00 p.m. Adjourn
- 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: Michael J Daniels, FAAST Executive Director, 3333 W Pensacola Street, Building 100 Suite 140, Tallahassee, FL 32304-2800, (850)487-3278, ext. 102, [mdaniels@faast.org](mailto:mdaniels@faast.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: Michael J Daniels, at the phone number or email address above.

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## Section VII

### Notice of Petitions and Dispositions Regarding Declaratory Statements

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco  
 NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation, Division of Florida Alcoholic Beverages and Tobacco, State of Florida has received the petition for declaratory statement from Michael Yourison, Owner, Buonafide Foods LLC, DS 2013-116. The petition seeks the agency’s opinion as to the applicability of 561.41 as it applies to the petitioner.

The Petitioner, Michael Yourison, Buonafide Foods LLC, is seeking the Division’s interpretation in regards to requirements for designated principal office location and record storage for wine importing and distribution business pursuant of Florida Statue 561.41. The Petitioner expresses substantial hardships as to whether or not the license facility meets the requirements for Florida Statue 561.41.

A copy of the Petition for Declaratory Statement may be obtained by contacting: [Joy.Cottrell@myfloridalicense.com](mailto:Joy.Cottrell@myfloridalicense.com), Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-1020.

Please refer all comments to: Michael Ross, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Alcoholic Beverages and Tobacco, 1940 North Monroe Street, Tallahassee, Florida 32399-1020.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board  
 NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Ricki Moran, on February 19, 2014. The petition seeks the agency’s opinion as to the applicability of paragraph 489.105(3)(b), Florida Statutes, as it applies to the petitioner.

The Petitioner seeks a declaratory statement as to whether the a “Building Contractor” as defined in Section 489.105(3)(b), Florida Statutes, may erect a brand new building. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.



A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has received the petition for declaratory statement from Mike Fossett, on February 20, 2014. The petition seeks the agency’s opinion as to the applicability of paragraph 489.105(3)(p), Florida Statutes, as it applies to the petitioner.

The Petitioner seeks a declaratory statement as to whether a “Pollutant Storage Systems Contractor” as defined in paragraph 489.105(3)(p), Florida Statutes, can construct or alter aviation hydrant fueling systems at airports that are tied to an above ground storage tank fuel distribution system. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

NOTICE IS HEREBY GIVEN that the Board of Landscape Architecture has received the petition for declaratory statement from Kevin C. Knowles, PE, filed on February 24, 2014. The petition seeks the agency’s opinion as to the applicability of subsections 481.329(3) and (5), Florida Statutes, as it applies to the petitioner.

The petition seeks the Board’s interpretation of subsections 481.329(3) and (5), Florida Statutes, regarding the ability of a professional registered in the state of Florida, such as a civil engineer or other engineer or architect to develop planting or landscape plans, sign and seal them, and submit the plans to a city or other governmental agency for review and approval. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399-0783, Juanita.Chastain@myfloridalicense.com or by telephone: (850)487-1395.

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

NONE

Section XII  
Miscellaneous

AGENCY FOR HEALTH CARE ADMINISTRATION  
Health Facility and Agency Licensing  
Putnam Community Medical Center emergency  
service exemption

The Agency for Health Care Administration has received an application for an emergency service exemption from Putnam Community Medical Center located at 611 Zeagler Dr., Palatka, FL 32177, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Obstetrics.

Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to the Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS 31, Tallahassee, Florida 32308, by phone at (850)412-4549 or by e-mail at Julie.Young@ahca.myflorida.com.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Office of the Secretary

Florida State Clearinghouse

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

DEPARTMENT OF ECONOMIC OPPORTUNITY  
Division of Community Development  
Final Order no., DEO-14-015

In re: LAKE COUNTY LAND DEVELOPMENT  
REGULATIONS ADOPTED BY  
LAKE COUNTY ORDINANCE NO. 2013-68

FINAL ORDER

APPROVING LAKE COUNTY ORDINANCE NO. 2013-68

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., approving Lake County Ordinance No. 2013-68 (“Ordinance”) as it relates to the Green Swamp Area of Critical State Concern.

FINDINGS OF FACT

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

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

2. The Ordinance was adopted by the Lake County Board of County Commissioners on December 17, 2013.

3. The Ordinance amends the Lake County Land Development Regulations, Lake County Code Appendix E, Section 1.08.00, to provide that development approved prior to September 22, 2011, with a wetland setback of less than 50 feet shall be considered conforming and shall be allowed to develop at the previously approved wetland setback as prescribed in the approved development order or ordinance. The regulation is adopted to be consistent with Comprehensive Plan Policy III-2.2.7.

CONCLUSIONS OF LAW

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

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

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

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

8. The Ordinance is consistent with the Principles in Rule 28-26.003(1), Fla. Admin. Code, as a whole and is not inconsistent with any Principle.

9. The Ordinance is consistent with Policy III-2.2.7 in the Lake County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that the land development regulations in Ordinance No. 2013-68 are consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and are hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

/s/ \_\_\_\_\_

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

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

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

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

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS AFTER PUBLICATION OF THIS FINAL ORDER. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK  
DEPARTMENT OF ECONOMIC OPPORTUNITY  
OFFICE OF THE GENERAL COUNSEL  
107 EAST MADISON STREET, MSC 110  
TALLAHASSEE, FLORIDA 32399-4128  
TELEPHONE: (850)245-7150  
FAX: (850)921-3230

Email: [James.Bellflower@deo.myflorida.com](mailto:James.Bellflower@deo.myflorida.com)

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

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the methods indicated this 26 day of February, 2014.

/s/ \_\_\_\_\_  
James W. Bellflower, Agency Clerk

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

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

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

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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.

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