

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

COMMISSION ON ETHICS

RULE NO.: 34-7.010 RULE TITLE: List of Forms and Instructions

PURPOSE AND EFFECT: The purpose of this rulemaking is to amend the Commission's complaint form (CE Form 50) for greater clarity and to incorporate certain stylistic changes. Changes will be made to the instruction sheet accompanying the complaint form, which details the stages of an ethics complaint proceeding.

SUBJECT AREA TO BE ADDRESSED: The subject area is the Commission on Ethics complaint form (CE Form 50), which must be filed by persons wishing to bring a complaint against a public officer, public employee or candidate for public office alleging a violation of Part III, Chapter 112, Florida Statutes or any other breach of public trust over which the Commission on Ethics has jurisdiction.

RULEMAKING AUTHORITY: 112.322(9) FS.

LAW IMPLEMENTED: Art. II, Section 8, Fla. Const., 112.324, 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: Grayden Schafer, Senior Attorney, Florida Commission on Ethics, (850)488-7864

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE

FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68C-22.023 RULE TITLE: Collier County Zones

PURPOSE AND EFFECT: The Commission is considering amendments to the existing manatee protection rule for Collier County. In March 2016, at the request of the Commission and as provided by 379.2431(2)(f), Florida Statutes, Collier County established a Local Rule Review Committee (LRRC) to review and comment on a preliminary rule proposal. The LRRC met seven times and the Commission received the LRRC report in May 2016. Information on this issue is being maintained at:

<http://myfwc.com/wildlifehabitats/managed/manatee/rulemaking/>.

SUBJECT AREA TO BE ADDRESSED: Manatee protection in Collier County

RULEMAKING AUTHORITY: 379.2431(2), FS.

LAW IMPLEMENTED: 379.2431(2), FS.

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

DATE AND TIME: July 14, 2016, 5:30 p.m.

PLACE: Collier County Commission Chambers, 3299 Tamiami Trail East, 3rd Floor, Naples, Florida

An informal question and answer period will be held from 5:30-6:00 p.m. Commission staff will provide a short presentation at 6:00 PM and this will be followed by an additional opportunity for attendees to provide input.

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 FWC 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Scott Calleson, Imperiled Species Management Section, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399, telephone: (850)922-4330

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

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.:	RULE TITLE:
5E-14.1025	Inspections and Investigations
5E-14.105	Contractual Agreements in Public's Interest - Control and Preventive Treatment for Wood-Destroying Organisms
5E-14.117	Application for Examination for Department Applicator Credentials
5E-14.132	Certificate Issuance and Renewal Fees
5E-14.136	Special Identification Card Issuance, Renewal Fees, Forms, and Duties
5E-14.142	Responsibilities and Duties - Records, Reports, Advertising, Applications
5E-14.1421	Identification Card - Training Verification

PURPOSE AND EFFECT: The purpose of this rulemaking is to update forms incorporated by reference, to update statutory authority, to clarify qualifications, and to require consumer notice regarding the terms of wood destroying organisms contracts. The effect of this rulemaking will be to provide notice of revisions to the forms incorporated by reference in the rule, update statutory authority, incorporate forms used to apply for department issued credentials, clarify qualifications for certified operator exam and special identification cards, and require that a consumer notice of terms of wood destroying organisms contract be signed by the consumer prior to contract execution.

SUMMARY: Other than technical rule changes that include updates to forms incorporated by reference and clarifications on the qualifications to take an exam to become a Pest Control Operator (PCO), the rule eliminates a \$150 fee for new PCO licensees and eliminates a \$50 fee for late renewal of Limited Commercial Fertilizer Certificates. Additionally, the rule requires that a consumer notice of terms of wood destroying organisms contract be signed by the consumer prior to contract execution.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION: The Agency has determined that this rule 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 pre-SERC has been prepared by the agency and determined that the regulatory costs are negligible. The Agency has determined that the proposed rule is not expected to require legislative ratification based on this assessment.

The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon a pre-SERC as conducted by the Department's lead economist. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: Sections 482.051, 482.091, 482.1562, 570.07(22), 570.07(23), FS.

LAWS IMPLEMENTED: Sections 482.051, 482.061, 482.091, 482.111, 482.132, 482.141, 482.151, 482.152, 482.155, 482.156, 482.1562, 482.157, 482.161, 482.226, 570.02(1), 570.07(23), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dale Dubberly; (850) 617-7996; Dale.Dubberly@FreshFromFlorida.com; 3125 Conner Blvd., Tallahassee, FL, 32399-1650

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-14.1025 Inspections and Investigations.

(1) The department will conduct routine inspections or for cause investigations of licensees, certified operators, special identification cardholders, employee identification cardholders, all limited certificate holders, and any other person, pursuant to s. 482.061, F.S., in order to ensure:

(a) The protection of the health, safety, and welfare of pest control employees and the general public.

(b) Compliance with Chapter 482, Florida Statutes, and/or Chapter 5E-14, Florida Administrative Code.

(2) The following forms will be used in department inspections and investigations. Copies of these forms may be obtained from the department's Bureau of Inspection and Incident Response, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650 or online as provided below.

(a) Fumigation Inspection Report, (FDACS-13629, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(b) Licensee Inspection Pest Control Business, (FDACS-13630, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(c) Notice of Inspection Pest Control Business, (FDACS-13633, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(d) Notice of Inspection Pest Control Service Vehicle Inspection, (FDACS-13655, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(e) Notice of Inspection, (FDACS-13656, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(f) Affidavit - Pretreatment, (FDACS-13658, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(g) Affidavit, (FDACS-13661, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(h) Licensee Inspection Termites and Other Wood-Destroying Organisms Category, (FDACS-13672, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(i) Licensee Inspection Pesticide Product Review, (FDACS-13673, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(j) Licensee Inspection Fumigation Category, (FDACS-13674, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(k) Field Advisory Notice, (FDACS-13675, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(l) Notice of Inspection Limited Certification Commercial Landscape Maintenance Inspection, (FDACS-13676, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(m) Request for Investigation, (FDACS-13621, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(n) Report of Investigation, (FDACS-13640, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(o) Request for Inclusion on AHB Bee Eradication or Removal List, (FDACS-13689, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(p) Company Response To Consumer Allegation, (FDACS-13620, Rev.10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(q) Request for Information, (FDACS-13678, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(r) Illegal/Unlicensed Pest Control Operations Report Form, (FDACS-13687, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

(s) Pesticide Sample Collection Report, (FDACS-13234, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

Rulemaking Authority 482.051, 570.07(22), 570.07(23), FS. Law Implemented 482.051, 482.061, FS. History—New

5E-14.105 Contractual Agreements in Public's Interest – Control and Preventive Treatment for Wood-Destroying Organisms.

(1) Each licensee must enter into a written contract with the property owner or his authorized agent for each treatment for control or prevention of wood-destroying organisms. No

such contract shall be entered into after six (6) months following the effective date of this rule without first obtaining specific written consent signed by the property owner or authorized agent using the Consumer Notice Form, (FDACS-13692, Rev 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or at 3125 Conner Boulevard, Bldg 8, Tallahassee, Florida 32399-1650.

(2) Such contract, except as provided in subsection (3) of this section, or an exact ~~copy~~ ~~facsimile~~ thereof must be given to the property owner or his authorized agent for acceptance or rejection before any portion of the work is done and before payment, in part or in full, is received by the licensee. The contract shall clearly set forth the following information:

(a) The complete name and address of the property owner or authorized agent and the complete address of the property to be treated.

(b) All buildings or structures on the property to be included for treatment.

(c) The complete name and business address of the licensee.

(d) The date upon which the written contract is entered into, the period of time covered by the contract, and renewal option, if any.

(e) The complete common name(s) of the wood-destroying organism(s) to be controlled or for which preventive treatment is intended under the contract. Any contract ~~issued after the effective date of this amendment~~ for the treatment or prevention of termites must clearly state on the first page if the contract covers subterranean termites, dry wood termites, or both. If Formosan termites (*Coptotermes formosanus*), or other invasive termite species, are to be excluded from coverage, the this species must be named as excluded.

(f) If an existing infestation is known to be present at the time of treatment, Whether the treatment is for control of existing infestation or prevention of infestation.

(g) Whether or not reinspections are to be made under the contract and, if so, approximate time intervals between reinspections, and fees other than renewal fees for same, if any.

(h) The conditions under which retreatments (for reinfestation) will be made; and conditions under which repairs will be made, if any.

(i) The total maximum price to be charged for treatment service, the exact annual renewal fees to be charged under the contract, if any; and the total maximum price to be charged for structural repairs, if any, shown separately.

(j) If the performance of the work is guaranteed by any type or form of bond, the obligations of the bond shall be set forth specifically: i.e., necessary retreatments, repairs, etc. in wording identical to that in the bond itself.

(k) The signature of the licensee or his authorized representative, and the signature of the property owner or authorized agent.

(3) through (6) No change.

(7) A structure shall not be knowingly placed under a second contract for the same wood-destroying organism control or preventive treatment in disregard of the first contract, without first obtaining specific written consent signed by the property owner or authorized agent using the Consumer Consent Form, (FDACS- ~~form-13671~~ Rev. 10/15) ~~10/08 Consumer Consent Form~~, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX.asp?No=Ref-XXXXX>, and on the department's website under the header "Forms" at <http://www.FreshFromFlorida.com/onestop/aes/pestcont.html> or at 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650.

(8) through (9) No change.

Rulemaking Authority 482.051, 570.07(22), and 570.07(23) FS. Law Implemented 482.051(3) FS. History—New 1-1-77, Joint Administrative Procedures Committee Objection Withdrawn – See FAW Vol. 3, No. 30, July 29, 1977, Amended 6-27-79, 10-25-90, Formerly 10D-55.105, Amended 8-11-93, 4-17-03, 6-1-06, 9-17-08, 11-26-08,_____.

5E-14.117 Application for ~~Examination for~~ Department ~~Applicator~~ Credentials.

(1) An applicant for examination or reexamination for a pest control operator's certificate and special identification card shall complete the application process online at <http://www.FreshFromFlorida.com>, or shall complete and submit the following: forms to 3125 Conner Boulevard, L8, Tallahassee, Florida 32399-1650. Applications for examination must be made within one year after the applicant's employee identification card expiration date.

(a) ~~FDACS-13607~~, Pest Control Examination Application, (FDACS-13607, Rev. 10/15) ~~05/08~~, which is hereby adopted and incorporated by reference and available online _____ at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>:

(b) ~~FDACS-13627~~, Employment Service, (FDACS-13627, Rev. 10/15) ~~08/08~~, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>:

(c) ~~FDACS 13653, Documented Pesticide Application for Certification Exam Qualification, (FDACS-13653, Rev. 10/15)-09/08, which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.~~

(d) ~~A passport type and quality, full face photograph of the applicant at least one and one half inches by one and one half inches in size. The above referenced forms are hereby adopted and incorporated by reference and available on the Department's website at <http://www.FreshFromFlorida.com/onestop/aes/pestcont.html>.~~

(2) ~~Each applicant shall submit affidavits documenting qualifications for examinations as provided by Section 482.132, F.S.~~

(2)(3) ~~An applicant having three years documented service employment with a licensee who performs pest control in all categories, as defined in Section 482.021(3), Florida Statute, is qualified for examination in all categories, provided however that the applicant has a minimum of nine (9) months service employment in each category for which he makes application for examination.~~

(4) ~~The applicant must have a minimum of nine (9) months service employment in each category for which he makes application for examination.~~

(3)(5) ~~An applicant having three years service employment with a licensee who performs pest control in less than all categories is qualified for the examination in those categories only, provided however, that: unless an applicant, already certified, qualifies for examination in an additional category after having nine (9) months service employment with a licensee who performs pest control in such additional category.~~

(6) ~~An applicant may qualify for examination in an additional category after having nine (9) months service employment with a licensee who performs pest control in such additional category.~~

(4)(7) ~~A Department identification card held for three years as a service employee will constitute proof of experience with respect to the time requirement in (2), or (3). A maximum of two (2) years of documented Documented out-of-state experience ~~claimed~~ will be credited on an equivalent basis. The department will accept the following documents as proof of out of state experience: payroll records; notarized letters of experience; and certifications regulating pest control issued by an out-of-state agency. Agricultural pesticide applicator licenses/licensing do not apply toward the credit or equivalent basis.~~

(5)(8) ~~Any applicant for examination whose license, identification card, pest control operator's certificate, or special identification card has been denied (issuance stopped),~~

~~suspended is under suspension, revoked revocation or is on probation by the department, shall not be permitted to take any examination while under such denial, suspension, revocation or probation.~~

(6)(9) ~~Applicants may be examined for certification in one or more of the following categories of pest control:~~

(a) ~~Fumigation;~~

(b) ~~General household pest control, which includes rodent control;~~

(c) ~~Termite or other wood-infesting organism control;~~

(d) ~~Lawn and ornamental pest control.~~

(7)(10) ~~Prior to application for examination,~~

(a) ~~An applicant for examination for Termite/Wood Destroying Organism Pest Control, Lawn and Ornamental Pest Control, or General Household Pest Control certification must:~~

1. ~~Participate in a minimum of 45 jobs in Florida under the supervision of a certified operator in each category that the applicant seeks certification.~~

2. ~~Document all 45 jobs on the Documented Pesticide Application for Certification Exam Qualification, (FDACS-13653, Rev. 10/15), and the supervising certified operator shall certify the documented jobs were participated in by the applicant under their supervision and that the applicant has demonstrated the requisite knowledge to perform and supervise such work.~~

(b) ~~An applicant for the Fumigation certification and a Special Identification Card must:~~

1. ~~Participate in a minimum of 15 jobs in Florida under the supervision of a certified operator prior to application for examination.~~

2. ~~Document their participation in 15 general fumigations (as defined by subsection 5E-14.102(4), F.A.C.) on the Documented Pesticide Application for Certification Exam Qualification, (FDACS-13653, Rev.10/15), as adopted in section 5E-14.117(1)(c) and the supervising certified operator shall certify that the documented jobs were participated in by the applicant under their supervision and that the applicant has demonstrated the requisite knowledge to perform and/or supervise such work.~~

3. ~~Applicants for special identification card examination are not required to be high school graduates.~~

~~An applicant for Termite/Wood Destroying Organism Pest Control, Lawn and Ornamental Pest Control, or General Household Pest Control certification shall document all 45 jobs on FDACS 13653 and the supervising certified operator shall certify that the documented jobs were participated in by the applicant under his supervision and that the applicant has demonstrated the requisite knowledge to perform and supervise such work. An applicant for the Fumigation certification and a Special Identification Card examination~~

~~shall document their participation in 15 general fumigations (as defined by subsection 5E-14.102(4), F.A.C.) on FDACS-13653, and the supervising certified operator shall certify that the documented jobs were participated in by the applicant under his supervision and that the applicant has demonstrated the requisite knowledge to perform and supervise such work.~~

(c) For purposes of this section, a “job” shall mean the active participation in all aspects of a complete individual pesticide application or inspection, specific to a target pest at a designated location and address, in the pest control category for which the applicant has applied for examination. If seeking to be examined in the Termite and Other Wood Destroying Organism Pest Control Category, an applicant shall not submit more than 15 wood-destroying organism inspections as described in Rule 5E-14.142(2)(c), Florida Administrative Code, as part of the 45 job requirement.

~~(8)(11) An applicant~~ Applicants for limited certification in Commercial Landscape Maintenance shall complete the initial exam application or renewal process online at <http://www.FreshFromFlorida.com> or shall submit the following by mail to the address as instructed on the form:

(a) For initial applicants:

1. The initial ~~an~~ examination fee of \$150,

2. Limited Certification for Commercial Landscape Maintenance Personnel, (FDACS-13604, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>.

3. Documentation of obtaining six (6) hours of plant bed and ornamental training approved by the department using the Record of Attendance for Continuing Education Units (CEUs), (FDACS-13325, Rev. 10/13), as adopted in Rule 5E-9.029, F.A.C., and

4. Proof of insurance using the Certificate of Insurance, (FDACS-13688, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>:

(b) For renewal applicants,

1. The annual recertification fee of ~~shall be~~ \$75,

2. Renewal Notice Limited Commercial Landscape Maintenance, (FDACS-13680, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>,

3. Documentation of obtaining four (4) hours of acceptable continuing education training submitted on the Record of Attendance for Continuing Education Units (CEUs), (FDACS-13325, Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code, and

4. Proof of insurance using form, Certificate of Insurance, (FDACS-13688, Rev. 10/15), as referenced in section 5E-14.117(8)(a)(4), F.A.C.

~~(12) Applicants shall be examined for special identification card in fumigation pursuant to Section 482.151(3), F.S.~~

~~(13) Each applicant for examination shall submit evidence of having participated in as many general fumigation operations as possible but not fewer than 15 general fumigation operations within this state under the supervision of a certified operator certified in fumigation.~~

~~(14) Applicants for special identification card examination are not required to be high school graduates.~~

~~(15) Each applicant for special identification card examination must submit proof to the department that he is not under the disabilities of minority and is qualified to be a special identification cardholder with safety to persons and property.~~

~~(9)(16) An applicant who fails to pass one or more category or special identification card examinations may reapply for examination upon filing the prescribed application accompanied by a fee of \$300 for each category examination or \$200 for each special identification card examination.~~

~~(10)(17) An applicant~~ Applicants for limited certification for governmental pesticide applicators or private applicators shall complete the initial application for examination on line at <http://www.FreshFromFlorida.com> or shall submit the following by mail to the address as instructed on the form.:

(a) For initial applicants:

1. The ~~an~~ examination fee is ~~of~~ \$150,

2. Application for Limited Certification for Government Pesticide Applicators or Private Pesticide Applicators, (FDACS-13610, Rev. 10/15), which is hereby incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> and

(b) For renewal applicants:

1. The renewal fee for the limited government/private certificate of \$25.00

2. Applicants can renew on line at <http://www.FreshFromFlorida.com>, or submit either a Renewal Notice Limited Government/Private Certificate Lawn and Ornamental Category, (FDACS 13682, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, or a Renewal Notice Limited Government/Private Certificate – Structural Category, (FDACS 13683, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and

3. Proof of having obtained four (4) classroom hours of acceptable continuing education training, that is documented and submitted on the Record of Attendance for Continuing Education Units (CEUs) (DACS 13325, Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code.

~~(11)(18) Beginning January 21, 2014, a~~ Any person applying commercial fertilizer to an urban landscape must have a limited certification for urban landscape commercial fertilizer as provided herein. Applicants shall complete the initial application or renewal process online at <http://www.FreshFromFlorida.com> or submit the following by mail to the address as instructed on the form:

(a) For initial applicants:

1. The application fee of \$25.00,

~~2. for limited certification for urban landscape commercial fertilizer must submit~~ A copy of the training certificate issued pursuant to Section 403.9338 F.S., ~~with their completed~~

3. Application for Limited Certification for Urban Landscape Commercial Fertilizer, (FDACS-13677, Rev. 10/15), ~~08/09~~ which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and the application fee of \$25.00; and

(b) For renewal applicants:

1. The renewal fee of ~~of~~ for the limited certificate for urban landscape commercial fertilizer is \$25.00,

2. Renewal Notice Limited Commercial Urban Fertilizer Applicator Certificate, (FDACS 13681, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and

3. Proof of having obtained four (4) classroom hours of acceptable continuing education training documented on the Record of Attendance for Continuing Education Units (CEUs), (FDACS 13325 Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code. At least two (2) hours of this training must address fertilizer best-management practices.

~~(12)(19) An applicant~~ Applicants for limited certification for commercial wildlife management shall complete the initial application for examination or renewal process online at <http://www.FreshFromFlorida.com> or shall submit the following by mail to the address as instructed on the form:

(a) For Initial applicants:

1. The initial ~~an~~ examination fee of \$150, with

~~2. their completed application using the form entitled,~~ Limited Certification for Commercial Wildlife Management,

(FDACS-13685, Rev. 10/15) ~~09/11, that may be obtained by visiting~~

<http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> ~~asp?No=Ref-00988, which is hereby adopted and incorporated by reference and available online at~~ <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, and

3. Proof of insurance using the Certificate of Insurance, (FDACS-13688, Rev. 10/15), as referenced in section 5E-14.117(8)(a)(4), F.A.C.

(b) For renewal applicants:

1. The certificate holders shall submit an annual recertification fee of \$75.00,

2. ~~their completed~~ Recertification Notice Limited Commercial Wildlife Management, (FDACS-13684, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; ~~Rev 02/12,~~

3. Proof of having obtained four (4) classroom hours of acceptable continuing education training documented on the form entitled, Record of Attendance for Continuing Education Units (CEUs), (FDACS-13325, Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code, and

4. Proof of insurance, using the Certificate of Insurance, (FDACS-13688, Rev. 10/15), as referenced in section 5E-14.117(8)(a)(4), F.A.C. and may be obtained by visiting <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> ~~asp?No=Ref-01206.~~

~~(20) All forms and filing specifications contained in this rule are hereby adopted and incorporated by reference and may be obtained by contacting the Florida Department of Agriculture and Consumer Services, Bureau of Licensing and Enforcement, 3125 Conner Boulevard, Suite N, MS C 41, Tallahassee, Florida 32399 1650, (850) 617 7997.~~

(13) All applicants for all certifications must be 18 years of age or older.

Rulemaking Authority 482.051, 482.1562, 570.07(23) FS. Law Implemented 482.111, 482.131, 482.132, 482.141, 482.151, 482.152, 482.155, 482.156, 482.1562, 482.157 FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.117, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02, 7-11-07, 2-24-09, 5-12-10, 5-20-12, _____.

5E-14.132 Certificate Issuance and Renewal Fees.

(1) The fee for issuance of each original certificate, and the fee for renewal thereof, shall be \$150.

~~(2)(1)~~ Each certified pest control operator shall be certified as provided by this rule. An applicant shall complete the application process online at <http://www.FreshFromFlorida.com> or Application shall be made and the issuance fee paid to the Department submit the

issuance fee as defined in subsection (1) above with the Application for Pest Control Operator's Certificate, (FDACS-13608, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> to the address as instructed on the form. Application for the original certificate must be made within 60 days from the date of written notification of passing examination. During a period of 30 calendar days following expiration of the 60-day period, an original certificate may be issued; however, a late issuance charge of \$50 shall be assessed and paid in addition to the issuance fee. No original certificate shall be issued after expiration of the 30-day period without reexamination.

(3)(2) Annually, the department shall mail the Renewal Notice Certified Pest Control Operator, (FDACS-13638, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX>, to the pest control operator's last known address filed with the department by the operator. Not less than 60 days prior to the expiration of a certificate, a final renewal notice shall be mailed to each certified operator who has not renewed their certificate. These notifications shall be the only notice of renewal issued by the department.

(a) Upon receipt of the renewal form referenced above in section (3), an operator may renew his or her certificate annually by completing the renewal application process on line at: <http://www.FreshFromFlorida.com> or submitting the renewal fee as referenced above in subsection (1) with the Renewal Notice Certified Pest Control Operator, (FDACS-13638, Rev. 10/15), as referenced and adopted in subsection (3) above to address as instructed on the form. Each individual issued a pest control operator's certificate shall apply to the Department for renewal of his certificate on or before June 1 of each year on Department of Agriculture and Consumer Services form FDACS 13638, Rev 3/02, entitled "Renewal Notice", which is incorporated by reference, and mailed by the Department.

(b) After a grace period of 30 calendar days following the anniversary date of each year, there shall be a late renewal charge of \$50 which shall be assessed and paid in addition to the renewal fee. Unless renewed as provided by this section, each certificate shall automatically expire 180 calendar days after the renewal date. Subsequent to such expiration, a certificate may be issued only upon successful reexamination and upon payment of examination and issuance fees due as provided by this rule.

(3) The fee for issuance of each original certificate, and the fee for renewal thereof, shall be \$150.

(4) Standards for approval of continuing education providers:

(a) Providers seeking approval shall apply to the department on line at <https://ceu.FreshFromFlorida.com> or submit the Request For Granting Continuing Education Units(CEUs) For Renewal of Pesticide Applicator Licenses and Certificates, (FDACS-13326, Rev. 10/15), as adopted in Rule 5E-9.029, F.A.C. as instructed on the form on Forms 1557, 1557A, 1557B, Dec. 92, which are incorporated by reference and obtained from the department.

(b) All education offerings conducted by the provider shall contain one or more of the topics set forth in Section 482.111(10), F.S.

(c) All offerings shall be at least 50 minutes in length or one contact hour. Partial contact hours will not be accepted.

(d) Providers shall adhere to the numbering system and guidelines established by the department to include verification of attendance.

(e) There shall be a tangible plan for ongoing evaluation of program content, teaching staff, learning process and evaluation tools.

(f) Records of individual offerings shall be maintained by the department for one year after the next certificate renewal date.

(g) Providers shall furnish each participant with an authenticated individual certificate of attendance. It shall be the participants responsibility to store his individual attendance record for each offering until his or her renewal time. The attendance records will then be submitted with the renewal and fee.

(h) Providers shall designate a person to be responsible for the continuing education program.

(i) Provider approval shall be subject to periodic review and shall be withdrawn if adherence to standards and guidelines is not maintained or if information submitted by the provider is found to be a material misrepresentation of fact.

(j) Contact hours for continuing education offerings outside of Florida may will be awarded following a review of the verification of:

1. Attendance on the Request For Granting Continuing Education Units(CEUs) For Renewal of Pesticide Applicator Licenses and Certificates, (FDACS-13326, Rev. 10/15), as adopted in Rule 5E-9.029, F.A.C. and

2. An agenda outlining the program's core content defining one or more of the topics setforth in section 482.111(10) and hours credited a program which outlines the content of and period of time covered by each offering.

(5) On or before April 1 of each year the Department shall mail to each certified operator, at his last known address of record, a renewal form, "Renewal Notice Certified Pest Control Operator", FDACS 13638, Rev. 3/02, incorporated by

~~reference, for use in applying for renewal of his certificate. Not less than 60 days prior to the expiration of a certificate a final renewal notice shall be mailed to each certified operator who has not renewed his certificate. Mailing of these forms shall be the only notice of renewal issued by the Department. Copies may be obtained from the Bureau of Inspection Incident Response, 3125 Conner Boulevard, Suite N, MS #C-41, Tallahassee, Florida 32399-1650.~~

~~Rulemaking Authority 482.051, 570.07(23) FS. Law Implemented 482.111(1), (3), (7), (10), 482.132(1) FS. History—New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, Formerly 10D-55.132, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02, _____.~~

5E-14.136 Fumigation Special Identification Card Issuance, Renewal Fees, Forms, and Duties.

~~(1) There shall be one category of special identification card, to wit: fumigation. The issuance fee for each fumigation special identification card and for each renewal there of shall be \$100.~~

(2) An applicant shall complete the application process online at <http://www.FreshFromFlorida.com> or submit the issuance fee with the Application for Special Identification Card, (FDACS-13693, Rev, 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> as instructed on the form. Application shall be made and the issuance fee paid to the Department for the original special identification card within 60 days from the date of written notification of passing examination. During a period of 30 days following the expiration of the 60 day period, an original special identification card may be issued, however, a late issuance charge of \$25 shall be assessed and paid in addition to the issuance fee. ~~No Further, no~~ original special identification card shall be issued after expiration of the 30 day ~~late fee~~ period without reexamination.

(3) Annually, the department shall mail the Renewal Notice Special Identification Cardholder, (FDACS-13641, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXXX> to the pest control operator's last known address filed with the department by the Special Identification Cardholder. Not less than 60 days prior to the expiration of a certificate, a final renewal notice shall be mailed to each Special Identification Cardholder who has not renewed his special identification card. These notifications shall be the only notice of renewal issued by the department.

(a) Upon receipt of the renewal form referenced above in section (3), a cardholder may renew his or her certificate annually by completing the renewal application process online at: <http://www.FreshFromFlorida.com> or submitting the renewal fee as referenced above in subsection (1) with the

Renewal Notice Special Identification Cardholder, (FDACS-13641, Rev. 10/15), to address as instructed on the form. Application to the department for renewal of each special identification card shall be made on or before June 1 of each year. The issuance fee for each special identification card and for each renewal there of shall be \$100.

(b) After a grace period of 30 calendar days following the anniversary date of each year, there shall be a late renewal charge of \$25, which shall be assessed and paid in addition to the renewal fee.

(c) Unless timely renewed, each special identification card shall automatically expire 180 calendar days after the renewal date. Subsequent to such expiration, a special identification card may be issued only upon successful reexamination and upon payment of examination and issuance fees due, as provided by this rule.

~~(4) On or before April 1 of each year the Department shall mail to each special identification cardholder at his last known address of record, a renewal form, FDACS 13641, Rev 3/02, incorporated by reference, for use in applying for renewal of his special identification card. Copies may be obtained from the Bureau of Entomology and Pest Control, 3125 Conner Boulevard, Suite N, MS C 41, Tallahassee, Florida 32399-1650.~~

~~(4)(5) Each special identification cardholder shall notify the department in writing within ten (10) days of any change of his employment status or mailing address.~~

~~(5)(6) No person shall use a special identification card in any category for which the certified operator in the charge of the pest control activities of the licensee is not properly certified.~~

~~(6)(7) While performing pest control duties a special identification cardholder shall carry on his person a special identification card issued by the department.~~

~~(7)(8) A special identification cardholder shall always perform his functions under the direction and supervision of his certified operator. No special identification cardholder shall perform any pest control work independently of or without the knowledge and direction of his certified operator. Rulemaking Authority 482.051, 570.07(23) FS. Law Implemented 482.151 FS. History—New 1-1-77, Formerly 10D-55.136, Amended 7-5-95, 5-28-98, 4-29-02, _____.~~

5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications.

(1) No change.

(2) Reports:

(a) Each licensee shall immediately notify the Department in writing of any loss or change of certified operator in charge of pest control activities, giving effective

date. This shall also include notification of change while operating under an emergency certificate.

(b) Each licensee shall notify the Department in writing within ten (10) working days of any change in firm name, business address, mailing address, telephone number, ownership status, termination or suspension or resumption of business activities, sale or transfer of any valid pest control contract(s) and change of certified operator's home address or telephone number.

(c) Termite or other wood-destroying organism inspection report:

Pursuant to Sections 482.226(1), (2), (4) and (5), F.S., each licensee having a certified operator certified in the category of termite or other wood-destroying organism control and who makes and reports the findings of a wood-destroying organism inspection in writing shall provide the party requesting the inspection with the inspection findings on the Wood-Destroying Organisms Inspection Report ~~prescribed by the Department and furnished by the licensee, (FDACS-13645, Rev 10/15) 05/08,~~ which is incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> or on the department's website under the header "Forms" at <http://www.FreshFromFlorida.com/onestop/aes/pestecont.html>. The licensee shall not place any disclaimers or additional language on the Wood-Destroying Organisms Inspection Report ~~as incorporated by reference and adopted above.~~ The licensee shall inspect for all wood-destroying organisms as defined in Section 482.021(28), F.S., in accordance with the following inspection standards:

1. The inspection will include all areas accessible by normal means but does not cover those areas that are enclosed or inaccessible, areas concealed by wall coverings, floor coverings, furniture, equipment, stored articles, insulation, or any portion of the structure in which inspection would necessitate removing or defacing any part of the structure.

2. The inspection will be visual but may include probing and sounding of structural members as deemed necessary by the inspector, based upon a preliminary finding of visual evidence of infestation or damage.

3. The inspection shall include an examination for visual evidence of wood-decaying fungi and damage caused by wood-decaying fungi. Wood-decaying fungi are fungi that can cause damage to wood, such as those that produce white rot, brown rot, poria, and cubical rot, but not surface molds that do not cause damage to sound wood.

(3) through (4) No change.

(5) Business license application: In accordance with Section 482.071(1), F.S., the following information shall be submitted online at <http://www.FreshFromFlorida.com> or

~~submit the Pest Control Business License Application, (FDACS-13605, Rev. 10/15), on attached to, and made a part of the Department's pest control business license application form, FDACS 13605, Pest Control Business License Application, Rev 09/08,~~ which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX> is available on the department's website under the header "Forms" at <http://www.FreshFromFlorida.com/onestop/aes/pestecont.html>.

(a) Correct legal business name or trade name, complete business mailing address, including the street or rural route, city and county, complete mailing address and telephone number of licensed business location.

(b) Complete name and address of all owners or corporation officers.

(c) Complete name, home address, residence telephone number, certificate number, categories in which certified, primary occupation, and date of birth of each certified operator attached to the licensee.

(d) The categories of pest control which each certified operator will be in charge of and in which the licensee will be active, when one or more than one certified operator is attached to and in charge of various categories of pest control to be performed by the licensee.

(e) The complete name, residence address, date of birth, and primary duty of each employee (identification card and special identification card holders) engaging in or performing pest control in any form for the licensee.

(f) The exact location address where the licensee's records, including contracts, for pest control work are kept and the exact location address of storage of chemicals.

(g) A statement signed by the certified operator(s) in charge that all information given in Department business license application is true and correct and that he will promptly notify the Department in writing of any subsequent changes thereof, except change of home address and primary duty of identification card holders other than certified operators.

(h) The issuance fee for each original license shall be \$300. An applicant may request his application to be immediately expedited and processed by paying a special handling fee in the amount of \$50.

(i) The renewal fee for each original license shall be \$300.

(6) through (8) No change.

Rulemaking Authority 482.051 FS. Law Implemented 482.021(21), 482.061, 482.071, 482.091, 482.111(5), (9), 482.161(1)(g), (h), 482.226(1), (6) FS. History--New 1-1-77, Amended 6-27-79, 6-22-83, 1-20-87, 10-25-90, Formerly 10D-55.142, Amended 8-11-93, 5-28-98, 4-29-02, 4-17-03, 6-2-04, 6-1-06, 7-23-08, 9-17-08, 9-17-08, 1-4-09, 5-20-12, _____.

5E-14.1421 Identification Card – Training Verification.

(1) The licensee shall maintain written training records for both the initial five (5) day (40 hour) training required in Section 482.091(3), F.S., and the continuing training required in Section 482.091(10), F.S., on all identification cardholders within their employ and make those records available during routine inspection or upon request of the Department. Licensees must maintain the training record for at least a two year period. The training required for Section 482.091(3), F.S., must be conducted by a certified operator or a person under the supervision of the certified operator in charge who has been designated in writing as responsible for training. The 40 hour initial training shall be verified by:

(a) Completion of the Verification Record of Initial Employee Training, (FDACS-13665, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; ~~FDACS form 13665, Verification Record of Initial Employee Training, Rev 05/08, which is hereby adopted and incorporated by reference and available on the department's website at: www.FreshFromFlorida.com/onestop/aes/pestcont.html; or~~

(b) A written record of 40 hours of attendance in a training course with a written course syllabus and copies of all training materials used in the course available for Department inspection.

(2) The Department will accept either of the following as documentation of verifiable training as required under Section 482.091(10), F.S.:

(a) Written record of attendance on Identification Cardholder Training Verification, (FDACS-13662, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>; ~~a form prescribed by the Department and provided furnished by the licensee or trainer, FDACS 13662 Rev 03/02, which is incorporated by reference,~~ with a complete copy of all training materials used during the training session that covers the training topics required by Section 482.091(10), F.S.; or

(b) Written record of attendance at a Department approved certified operator continuing education course on the Record of Attendance for Continuing Education Units (CEUs), (FDACS 13325 Rev. 10/13), as adopted in Rule 5E-9.029, Florida Administrative Code, ~~form prescribed by the Department and provided furnished by the trainer, FDACS 13325, Rev 05/04, which is incorporated by reference,~~ ~~provided only if~~ the course content covers the training topics as required by Section 482.091(10), F.S.

(3) No change.

(4) Licensees or certified operators applying for Wood-Destroying Organism Inspector Identification cards for employees in compliance with Chapter 482.091(9) may complete the application process online at <http://www.FreshFromFlorida.com>, or shall submit the Special Training to Perform Wood-Destroying Organisms Inspections and Control Training Verification Record, (FDACS-13642, Rev. 10/15), which is hereby adopted and incorporated by reference and available online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXXX>, to the address as instructed on the form.

Rulemaking Authority 482.051, 482.091(40), 570.07(23) FS. Law Implemented 482.091, 482.151 FS. History—New 6-12-02, Amended 2-24-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Anderson H. Rackley

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 20, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 9, 2016

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:

62-302.400 Classification of Surface Waters, Usage, Reclassification, Classified Waters

62-302.530 Table: Surface Water Quality Criteria

PURPOSE AND EFFECT: The proposed revisions to the human health-based surface water quality criteria in Chapter 62-302, F.A. C., are designed to ensure that Floridians can safely eat Florida fish and drink local tap water. The revisions are based on updated scientific information, including more recent fish and drinking water consumption rate information, updated toxicological information, and revised methods to estimate bioaccumulation of pollutants in fish. Additionally, in accordance with the requirements of paragraph 403.061(29)(b) and paragraphs 403.861(21)(a) and (b), Florida Statutes, enacted under Chapter 2016-01, Laws of Florida, the department is proposing to establish a new sub-classification of surface waters (Class I-Treated, Treated Potable Water Supplies) and to reclassify seven surface waters into the new sub-classification.

SUMMARY: The department is proposing the revision of human health-based surface water quality criteria within Chapter 62-302, F.A.C. The department is also proposing to establish a new sub-classification of surface waters (Class I-Treated, Treated Potable Water Supplies) within Chapter 62-302, F.A.C., with reclassification of seven surface waters from Class III waters to Class I-Treated. The Department conducted

public workshops on May 10, May 11, and May 12, 2016, in Stuart, Orlando, and Tallahassee, respectively.

OTHER RULES INCORPORATING THIS RULE: Chapter 62-302, F.A.C., is referenced by the following rules:

18-2.021, 62-4.160, 62-4.241, 62-4.242, 62-4.244, 62-4.246, 62-25.001, 62-25.025, 62-25.080, 62-40.120, 62-40.210, 62-45.070, 62-45.170, 62-110.106, 62-113.200, 62-301.100, 62-302.200, 62-302.300, 62-302.400, 62-302.500, 62-302.520, 62-302.530, 62-302.531, 62-302.532, 62-302.540, 62-302.700, 62-302.800, 62-303.100, 62-303.200, 62-303.320, 62-303.330, 62-303.351, 62-303.352, 62-303.353, 62-303.354, 62-303.370, 62-303.390, 62-303.400, 62-303.430, 62-303.450, 62-303.720, 62-304.310, 62-304.335, 62-312.400, 62-330.100, 62-330.200, 62-330.405, 62-330.410, 62-330.412, 62-330.630, 62-340.700, 62-346.050, 62-346.051, 62-346.301, 62-348.200, 62-520.200, 62-520.520, 62-528.610, 62-528.630, 62-600.120, 62-600.200, 62-600.300, 62-600.400, 62-600.430, 62-600.440, 62-600.500, 62-600.520, 62-610.200, 62-610.300, 62-610.310, 62-610.554, 62-610.555, 62-610.650, 62-610.670, 62-610.810, 62-610.820, 62-610.830, 62-610.850, 62-610.860, 62-611.110, 62-611.200, 62-611.450, 62-611.500, 62-611.600, 62-611.650, 62-611.700, 62-620.320, 62-620.620, 62-621.303, 62-624.800, 62-625.400, 62-640.400, 62-650.300, 62-660.300, 62-673.340, 62-673.610, 62-701.200, 62-709.500, 62-711.540, 62-761.200, 62-762.201, 62-770.200, 62-771.100, 62-777.150, 62-777.170, 62-780.200, 62-782.200, 62-785.200, 62B-49.008, 62B-49.012, 62C-16.0051, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the Agency.

The 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: Based on the SERC analysis and companion cost estimate developed for Rule 62-302.530, F.A.C., anticipated costs associated with adoption of the revised human health-based criteria were estimated to be \$ 5,238. This is an estimated cost to the department to collect additional data to determine whether or not four waterbody identification units (WBIDs) should be placed on the Impaired Waters Rule (Chapter 62-303, F.A.C.) Verified List as impaired for two of the proposed human health-based criteria. Based on the SERC analysis and companion cost estimate developed for Rule 62-302.400, F.A.C., the department has concluded that there will be no costs associated with the reclassification of seven waterbodies (or portions thereof) to the newly created Class I-

Treated classification. The Department relied upon the SERCs to determine whether legislative ratification would be 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: 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804 FS.

LAW IMPLEMENTED: 403.021(11), 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.504, 403.702, 403.708, 403.861 FS.

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

DATE AND TIME: Tuesday, July 26, 2016, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Marjory Stoneman Douglas Building, Conference Room A, 3900 Commonwealth Boulevard, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429 or the below information. 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: Eric Shaw, Department of Environmental Protection, Water Quality Standards Program, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 62-302

SURFACE WATER QUALITY STANDARDS

62-302.400 Classification of Surface Waters, Usage, Reclassification, Classified Waters.

(1) All surface waters of the State have been classified according to designated uses as follows:

CLASS I Potable Water Supplies

CLASS I-Treated Treated Potable Water Supplies

CLASS II Shellfish Propagation or Harvesting

CLASS III Fish Consumption; Recreation, Propagation and Maintenance of a Healthy, Well-Balanced Population of Fish and Wildlife

CLASS III-Limited Fish Consumption; Recreation or Limited Recreation; and/or Propagation and Limited Maintenance of a Limited Population of Fish and Wildlife

CLASS IV Agricultural Water Supplies

CLASS V Navigation, Utility and Industrial Use

(2) through (4) No change.

(5) In addition to meeting applicable water quality criteria in Chapter 62-302, F.A.C., Class I-Treated Potable Water Supplies (Class I-Treated) waters shall also meet the requirements for discharged substances in paragraph 403.061(29)(b), F.S. Interested parties may provide the Department with documentation demonstrating that a Class I-Treated water would not attain the requirements of paragraph 403.061(29)(b), F.S., in accordance with Rule 62-620.555, F.A.C.

(5) through (15) renumbered as (6) through (16) No change.

(17)(16) Exceptions to Class III:

(a) No change.

(b) The following listed waterbodies are classified as Class I, Class I-Treated, Class II, Class III-Limited, or Class V. Copies of the maps referenced below may be obtained by writing to the Florida Department of environmental Protection, Water Quality Standards Program, 2600 Blair Stone Road, MS #6511, Tallahassee, FL 32399-2400. The written waterbody descriptions are to be read in conjunction with the incorporated maps; however, the maps will take precedence if any conflict is identified between the written descriptions and the maps.

1. through 10. No change.

11. Collier County.

Class I-Treated

Marco Lakes, as shown on the map titled "Class I waters in Collier County, June 2016," (http://www.flrules.org/Gateway/reference.asp?No=Ref-07077) which is incorporated by reference herein.

Class II

Cocohatchee River.

Connecting Waterways – From Wiggins Pass south to Outer Doctors Bay.

Dollar Bay.

Inner and Outer Clam Bay.

Inner and Outer Doctors Bay.

Little Hickory Bay.

Tidal Bays and Passes – Naples Bay and south and easterly through Rookery Bay and the Ten Thousand Islands to the Monroe County Line.

Wiggins Pass.

12. through 13. No change.

14. DeSoto County.

Class I

Horse Creek – From the northern border of Section 14, Township 38 South, Range 23 East, southward to Peace River, as shown on the map titled "Class I waters in DeSoto County, June 2016," (http://www.flrules.org/Gateway/reference.asp?No=Ref-07078) which is incorporated by reference herein.

Prairie Creek – From the hHeadwaters of Prairie Creek to the Charlotte County lLine, as shown on the map titled "Class I waters in DeSoto County, June 2016," which is incorporated by reference herein.

Class I-Treated

Peace River Segment – From the confluence with Horse Creek southward to the southern line of Section 15, Township 39 South, Range 23 East, as shown on the map titled "Class I waters in DeSoto County, June 2016," (http://www.flrules.org/Gateway/reference.asp?No=Ref-07078) which is incorporated by reference herein.

15. through 22. No change.

23. Gulf County.

Class I-Treated

Port St. Joe Canal, as shown on the map titled "Class I waters in Gulf County, June 2016," (http://www.flrules.org/Gateway/reference.asp?No=Ref-07079) which is incorporated by reference herein.

Class II

Indian Lagoon – West of Indian Pass and St. Vincent Sound.

St. Joseph Bay – South of a line from St. Joseph Point due east, excluding an area that is both within an arc 2.9 miles from the center of the mouth of Gulf County Canal and east of a line from St. Joseph Point to the northwest corner of Ssection 13, Township 8 South, Range 11 West.

24. through 25. No change.

26. Hendry County.

Class I

Lake Okeechobee, as shown on the map titled "Class I waters in Hendry County, June 2016," (http://www.flrules.org/Gateway/reference.asp?No=Ref-07080) which is incorporated by reference herein.

Class I-Treated

Caloosahatchee River Segment - From State Road 29 (Bridge Street) westward to the Lee County line, as shown on the map titled "Class I waters in Hendry County, June 2016," (http://www.flrules.org/Gateway/reference.asp?No=Ref-07080) which is incorporated by reference herein.

27. through 28. No change.

29. Hillsborough County.

Class I

Cow House Creek – Hillsborough River to source, as shown on the map titled "Class I waters in Hillsborough County, June 2016," (http://www.flrules.org/Gateway/reference.asp?No=Ref-07081) which is incorporated by reference herein.

Hillsborough River – City of Tampa Water Treatment Plant Dam to Flint Creek, as shown on the map titled "Class I waters in Hillsborough County, June 2016," (http://www.flrules.org/Gateway/reference.asp?No=Ref-07081) which is incorporated by reference herein.

Class I-Treated

Alafia River Segment - From Lithia Pinecrest Road (County Road 640) westward to Bell Shoals Road, as shown on the map titled “Class I waters in Hillsborough County, June 2016.”

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-07081>) which is incorporated by reference herein.

Tampa By-Pass Canal Segment - From the control structure S-163 at Cow House Creek to the control structure S-160 (north of State Road 60), and Harney Canal west to Harney Road, as shown on the map titled “Class I waters in Hillsborough County, June 2016.”

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-07081>) which is incorporated by reference herein.

Class II

All or portions of Tampa Bay, Old Tampa Bay, and Mobbly Bay, excluding waters in the Tampa Harbor Channel and waters north of SR 580 in Rocky and Double Branch Creeks, as shown on the map titled “Class II waters in Hillsborough County, November 2015,”

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-06394>) which is incorporated by reference herein.

30. through 47. No change.

48. Orange County —~~none~~.

Class I-Treated

Taylor Creek Reservoir, as shown on the map titled “Class I Waters in Orange and Osceola Counties, June 2016.”

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-07082>) which is incorporated by reference herein.

49. Osceola County —~~none~~

Class I-Treated

Taylor Creek Reservoir, as shown on the map titled “Class I Waters in Orange and Osceola Counties, June 2016.”

(<http://www.flrules.org/Gateway/reference.asp?No=Ref-07082>) which is incorporated by reference herein.

50. through 67. No change.

Rulemaking Authority 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804 FS. Law Implemented 403.021(11), 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.504, 403.702, 403.708 FS. History—Formerly 28-5.06, 17-3.06, Amended and Renumbered 3-1-79, Amended 1-1-83, 2-1-83, Formerly 17-3.081, Amended 4-25-93, Formerly 17-302.400, Amended 12-26-96, 8-24-00, 12-7-06, 8-5-10, 8-1-13, 2-17-16,_____.

62-302.530 Table: Surface Water Quality Criteria.

The following table contains both numeric and narrative surface water quality criteria to be applied except within zones of mixing. The left-hand column of the Table is a list of constituents for which a surface water criterion exists. The headings for the water quality classifications are found at the top of the Table, and the classification descriptions for the headings are specified in subsection 62-302.400(1), F.A.C.

Applicable criteria lie within the Table. The individual criteria should be read in conjunction with other provisions in water quality standards, including Rule 62-302.500, F.A.C. The criteria contained in Rule 62-302.500, F.A.C., also apply to all waters unless alternative or more stringent criteria are specified in Rule 62-302.530, F.A.C. Unless otherwise stated, all criteria express the maximum not to be exceeded at any time except within established mixing zones or in accordance with site-specific effluent limitations developed pursuant to Rule 62-620.620, F.A.C. In some cases, there are separate or additional limits, which apply independently of the maximum not to be exceeded at any time. For example, the human health-based criteria that for carcinogens, which are expressed as an annual average (denoted as “annual avg.” in the Table); are applied as the maximum allowable annual average concentration at the long-term harmonic mean flow (see subsection 62-302.200(2), F.A.C.). Numeric interpretations of the narrative nutrient criterion in paragraph 62-302.530(47)(b), F.A.C., shall be expressed as spatial averages and applied over a spatial area consistent with their derivation. In applying the water quality standards, the Department shall take into account the variability occurring in nature and shall recognize the statistical variability inherent in sampling and testing procedures. The Department’s assessment methodology, set forth in Chapter 62-303, F.A.C., accounts for such natural and statistical variability when used to assess ambient waters pursuant to sections 305(b) and 303(d) of the Federal Clean Water Act.

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I-Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(1) Acenaphthene	Micrograms/L	≤ 110 annual avg.	≤ 110 annual avg.	≤ 130 annual avg.	≤ 130 annual avg.	≤ 130 annual avg.		
(2) Acrolein	Micrograms/L	≤ 3 annual avg.	≤ 3 annual avg.	≤ 300 annual avg.	≤ 300 annual avg.	≤ 300 annual avg.		
(3) Acrylonitrile	Micrograms/L	≤ 0.13 annual avg.	≤ 0.13 annual avg.	≤ 11 annual avg.	≤ 11 annual avg.	≤ 11 annual avg.		
(4) Aldrin	Micrograms/L	≤ 0.000038 annual avg.; ≤ 3.0 max	≤ 0.000038 annual avg.; ≤ 3.0 max	≤ 0.000038 annual avg.; ≤ 1.3 max	≤ 0.000038 annual avg.; ≤ 3.0 max	≤ 0.000038 annual avg.; ≤ 1.3 max		

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(5) (+) Alkalinity	Milligrams/L as CaCO ₃	Shall not be depressed below 20. In waterbodies with natural alkalinity levels below 20 mg/L, alkalinity shall not be reduced by more than 25%.	Shall not be depressed below 20. In waterbodies with natural alkalinity levels below 20 mg/L, alkalinity shall not be reduced by more than 25%.		Shall not be depressed below 20. In waterbodies with natural alkalinity levels below 20 mg/L, alkalinity shall not be reduced by more than 25%.		≤ 600	
(6) (2) Aluminum	Milligrams/L			≤ 1.5		≤ 1.5		
(7) (3) Ammonia (Total Ammonia Nitrogen) (Class I ₂ Class I-Treated, Class III fresh water, and Class III-Limited fresh water)	Milligrams/L as Total Ammonia Nitrogen (TAN = NH ₄ ⁺ + NH ₃)	The 30-day average TAN value shall not exceed the average of the values calculated from the following equation, with no single value exceeding 2.5 times the value from the equation: $30 - \text{day Average} = 0.8876 \times \left(\frac{0.0278}{1 + 10^{7.688 - pH}} + \frac{1.195}{1 + 10^{pH}} \right)$						
(8) Anthracene	Micrograms/L	≤ 460 annual avg.	≤ 460 annual avg.	≤ 540 annual avg.	≤ 540 annual avg.	≤ 540 annual avg.		
(9) (4) Antimony	Micrograms/L	≤ 2.4 annual avg. 14.0	≤ 2.4 annual avg.	≤ 240 annual avg. 4,300	≤ 240 annual avg. 4,300	≤ 240 annual avg. 4,300		
(10) (5) (a) Arsenic (total)	Micrograms/L	≤ 10	≤ 10	≤ 50	≤ 50	≤ 50	≤ 50	≤ 50

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(10) (5) (b) Arsenic (trivalent)	Micrograms/L measured as total recoverable Arsenic			≤ 36		≤ 36			
(11) (6) (a) Bacteriological Quality (Fecal Coliform Bacteria) (Class II Waters)	Number per 100 ml	MPN or MF counts shall not exceed a median value of 14 with not more than 10% of the samples exceeding 43 (for MPN) or 31 (for MF), nor exceed 800 on any one day. To determine the percentage of samples exceeding the criteria when there are both MPN and MF samples for a waterbody, the percent shall be calculated as $100 * (n_{mpn} + n_{mf}) / N$, where n_{mpn} is the number of MPN samples greater than 43, n_{mf} is the number of MF samples greater than 31, and N is the total number of MPN and MF samples.							
(11) (6) (b) Bacteriological Quality (<i>Escherichia coli</i> Bacteria) (Class I and Class I-Treated Waters)	Number per 100 ml	MPN or MF counts shall not exceed a monthly geometric mean of 126 nor exceed the Ten Percent Threshold Value (TPTV) of 410 in 10% or more of the samples during any 30-day period. Monthly geometric means shall be based on a minimum of 5 samples taken over a 30-day period.							
(11) (c) Bacteriological Quality (<i>Escherichia coli</i> Bacteria) (Class III Predominantly Fresh Waters)	Number per 100 ml	MPN or MF counts shall not exceed a monthly geometric mean of 126 nor exceed the Ten Percent Threshold Value (TPTV) of 410 in 10% or more of the samples during any 30-day period. Monthly geometric means shall be based on a minimum of 10 samples taken over a 30-day period.							

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I-Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(11) (d) (6) (e) Bacteriological Quality (<i>Enterococci</i> Bacteria) (Class III Predominantly Marine Waters)	Number per 100 ml (Most Probable Number (MPN) or Membrane Filter (MF))	MPN or MF counts shall not exceed a monthly geometric mean of 35 nor exceed the Ten Percent Threshold Value (TPTV) of 130 in 10% or more of the samples during any 30-day period. Monthly geometric means shall be based on a minimum of 10 samples taken over a 30-day period.							
(12) (7) Barium	Milligrams/L	≤ 1	≤ 1						
(13) (8) Benzene	Micrograms/L	≤ 2.0 annual avg. 1.18	≤ 2.0 annual avg.	≤ 53 annual avg. 71.28	≤ 53 annual avg. 71.28	≤ 53 annual avg. 71.28			
(14) Benzidine	Micrograms/L	≤ 0.0003 annual avg. 1	≤ 0.0003 annual avg.	≤ 0.020 annual avg.	≤ 0.020 annual avg.	≤ 0.020 annual avg.			
(15) Benzo(a)-anthracene	Micrograms/L	≤ 0.012 annual avg.	≤ 0.012 annual avg.	≤ 0.014 annual avg.	≤ 0.014 annual avg.	≤ 0.014 annual avg.			
(16) Benzo(a)pyrene	Micrograms/L	≤ 0.0012 annual avg.	≤ 0.0012 annual avg.	≤ 0.0014 annual avg.	≤ 0.0014 annual avg.	≤ 0.0014 annual avg.			
(17) Benzo(b)-fluoranthene	Micrograms/L	≤ 0.012 annual avg.	≤ 0.012 annual avg.	≤ 0.014 annual avg.	≤ 0.014 annual avg.	≤ 0.014 annual avg.			
(18) Benzo(k)-fluoranthene	Micrograms/L	≤ 0.12 annual avg.	≤ 0.12 annual avg.	≤ 0.14 annual avg.	≤ 0.14 annual avg.	≤ 0.14 annual avg.			

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I-Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(19) (9) Beryllium	Micrograms/L	≤ 11 annual avg. 0.0077	≤ 11 annual avg.	≤ 64 annual avg. 0.13	≤ 64 annual avg. 0.13	≤ 64 annual avg. 0.13	≤ 100 in waters with a hardness in mg/L of CaCO ₃ of less than 250 and shall not exceed 500 in harder waters		
(20) beta-Hexachlorocyclohexane (b-BHC)	Micrograms/L	≤ 0.018 annual avg.	≤ 0.018 annual avg.	≤ 0.033 annual avg.	≤ 0.033 annual avg.	≤ 0.033 annual avg.			
(21) (40) (a) Biological Health (Shannon-Weaver Diversity Index using Hester-Dendy type samplers) (Class I Waters, Class I-Treated Waters, and Class III Predominantly Fresh Waters)	Percent reduction of Shannon-Weaver Diversity Index	The Index for benthic macroinvertebrates shall not be reduced to less than 75% of background levels as measured using organisms retained by a U. S. Standard No. 30 sieve and collected and composited from a minimum of three Hester-Dendy type artificial substrate samplers of 0.10 to 0.15 m ² area each, incubated for a period of four weeks.							

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I-Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(21) (40) (b) Biological Health (Shannon-Weaver Diversity Index using Ekman or Ponar type samplers)	Percent reduction of Shannon-Weaver Diversity Index	1. Class I, Class I-Treated, and Class III Predominantly Fresh Waters: In lakes, the Index for benthic macroinvertebrates shall not be reduced to less than 75% of established background levels as measured using organisms retained by a U.S. Standard No. 30 sieve and collected and composited from a minimum of three natural substrate samples, taken with Ekman or Ponar type samplers with minimum sampling area of 225 cm ² . 2. Class II and Class III Predominantly Marine Waters: The Index for benthic macroinvertebrates shall not be reduced to less than 75% of established background levels as measured using organisms retained by a U.S. Standard No. 30 sieve and collected and composited from a minimum of three natural substrate samples, taken with Ponar type samplers with minimum sampling area of 225 cm ² .							
(22) Bis(2-Chloroethyl) Ether	Micrograms/L	≤ 0.066 annual avg.	≤ 0.066 annual avg.	≤ 4.1 annual avg.	≤ 4.1 annual avg.	≤ 4.1 annual avg.			
(23) Bis(2-Chloro-1-Methylethyl) Ether	Micrograms/L	≤ 240 annual avg.	≤ 240 annual avg.	≤ 4000 annual avg.	≤ 4000 annual avg.	≤ 4000 annual avg.			
(24) Bis(2-Ethylhexyl) Phthalate	Micrograms/L	≤ 1.5 annual avg.	≤ 1.5 annual avg.	≤ 2.1 annual avg.	≤ 2.1 annual avg.	≤ 2.1 annual avg.			
(25) (41) BOD (Biochemical Oxygen Demand)		Shall not be increased to exceed values which would cause dissolved oxygen to be depressed below the limit established for each class and, in no case, shall it be great enough to produce nuisance conditions.							
(26) (42) Boron	Milligrams/L						≤ 0.75		
(27) (43) Bromates	Milligrams/L			≤ 100		≤ 100			
(28) (44) Bromine (free molecular)	Milligrams/L			≤ 0.1		≤ 0.1			
(29) Bromoform	Micrograms/L	≤ 15 annual avg.	≤ 15 annual avg.	≤ 260 annual avg.	≤ 260 annual avg.	≤ 260 annual avg.			
(30) Butylbenzyl Phthalate	Micrograms/L	≤ 0.29 annual avg.	≤ 0.29 annual avg.	≤ 0.29 annual avg.	≤ 0.29 annual avg.	≤ 0.29 annual avg.			

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I-Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(31) (45) Cadmium	Micrograms/L See Notes (1) and (3).	Cd ≤ e ^{(0.7409 nH -4.719)‡}	Cd ≤ e ^{(0.7409 nH -4.719)‡}	≤ 8.8	Cd ≤ e ^{(0.7409 nH -4.719)‡}	≤ 8.8		
(32) Carbaryl	Micrograms/L	≤ 2.1	≤ 2.1		≤ 2.1			
(33) (46) Carbon tetrachloride	Micrograms/L	≤ 0.95 annual avg.‡ 3.0 max	≤ 0.95 annual avg.	≤ 10 4.42 annual avg.	≤ 10 4.42 annual avg.	≤ 10 4.42 annual avg.		
(34) Chlordane	Micrograms/L	≤ 0.0010 annual avg.‡ 0.0043 max	≤ 0.0010 annual avg.	≤ 0.0043 annual avg.‡ 0.0043 max	≤ 0.0010 annual avg.	≤ 0.0010 annual avg.		
(35) (47) Chlorides	Milligrams/L	≤ 250		Not increased more than 10% above normal background. Normal daily and seasonal fluctuations shall be maintained.		Not increased more than 10% above normal background. Normal daily and seasonal fluctuations shall be maintained.		In predominantly marine waters, not increased more than 10% above normal background. Normal daily and seasonal fluctuations shall be maintained.

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(36) (48) Chlorine (total residual)	Milligrams/L	≤ 0.01	≤ 0.01	≤ 0.01	≤ 0.01	≤ 0.01		
(37) Chlorobenzene	Micrograms/L	≤ 110 annual avg.	≤ 110 annual avg.	≤ 970 annual avg.	≤ 970 annual avg.	≤ 970 annual avg.		
(38) Chlorodibromomethane	Micrograms/L	≤ 1.8 annual avg.	≤ 1.8 annual avg.	≤ 44 annual avg.	≤ 44 annual avg.	≤ 44 annual avg.		
(39) Chloroform	Micrograms/L	≤ 60 annual avg.	≤ 60 annual avg.	≤ 2300 annual avg.	≤ 2300 annual avg.	≤ 2300 annual avg.		
(40) Chlorophenoxy Herbicide (2,4,5-TP) [Silvex]	Micrograms/L	≤ 160 annual avg.	≤ 160 annual avg.	≤ 570 annual avg.	≤ 570 annual avg.	≤ 570 annual avg.		
(41) Chlorophenoxy Herbicide (2,4-D)	Micrograms/L	≤ 1200 annual avg.	≤ 1200 annual avg.	≤ 13000 annual avg.	≤ 13000 annual avg.	≤ 13000 annual avg.		
(42) Chlorpyrifos	Micrograms/L	≤ 0.041	≤ 0.041	≤ 0.0056	≤ 0.041	≤ 0.0056		
(43) (49) (a) Chromium (trivalent)	Micrograms/L measured as total recoverable Chromium See Notes (1) and (3).	Cr (III) ≤ $e^{(0.819 \ln HI)+0.6848}$	Cr (III) ≤ $e^{(0.819 \ln HI)+0.6848}$		Cr (III) ≤ $e^{(0.819 \ln HI)+0.6848}$		Cr (III) ≤ $e^{(0.819 \ln HI)+0.6848}$	In predominantly fresh waters, ≤ $e^{(0.819 \ln HI)+0.6848}$

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(43) (49) (b) Chromium (hexavalent)	Micrograms/L See Note (3)	≤ 11	≤ 11	≤ 50	≤ 11	≤ 50	≤ 11	In predominantly fresh waters, ≤ 11. In predominantly marine waters, ≤ 50
(20) Chronic Toxicity (see definition in subsection 62-302.200(5), F.A.C. and also see below; "Substances in concentrations which...")								
(44) Chrysene	Micrograms/L	≤ 1.2 annual avg.	≤ 1.2 annual avg.	≤ 1.4 annual avg.	≤ 1.4 annual avg.	≤ 1.4 annual avg.		
(45) (21) Color, etc. (see also Minimum Criteria; Odor; Phenols, etc.)	Class IV Waters: Color, odor, and taste producing substances and other deleterious substances, including other chemical compounds attributable to domestic wastes, industrial wastes, and other wastes; Only such amounts as will not render the waters unsuitable for agricultural irrigation, livestock watering, industrial cooling, industrial process water supply purposes, or fish survival.							

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(46) (22) Conductance, Specific	Micro mhos/cm	Shall not be increased more than 50% above background or to 1275, whichever is greater.	Shall not be increased more than 50% above background or to 1275, whichever ever is greater.		Shall not be increased more than 50% above background or to 1275, whichever is greater.		Shall not be increased more than 50% above background or to 1275, whichever ever is greater.	Shall not exceed 4,000
(47) (23) Copper	Micrograms/L See Notes (1) and (3).	$Cu \leq e^{(0.8545[1-nH]-1.702)}$	$Cu \leq e^{(0.8545[1-nH]-1.702)}$	≤ 3.7	$Cu \leq e^{(0.8545[1-nH]-1.702)}$	≤ 3.7	≤ 500	≤ 500
(48) (24) Cyanide	Micrograms/L	≤ 3.7 annual avg.; ≤ 5.2 max	≤ 3.7 annual avg.; ≤ 5.2 max	≤ 1.0 max	≤ 5.2 max	≤ 1.0 max	≤ 5.0 max	≤ 5.0 max
(25) Definitions (see Section 62-302.200, F.A.C.)								
(49) Demeton	Micrograms/L	≤ 0.1	≤ 0.1	≤ 0.1	≤ 0.1	≤ 0.1		
(50) (26) Detergents	Milligrams/L	≤ 0.5	≤ 0.5	≤ 0.5	≤ 0.5	≤ 0.5	≤ 0.5	≤ 0.5
(51) Diazinon	Micrograms/L	≤ 0.17	≤ 0.17	≤ 0.82	≤ 0.17	≤ 0.82		
(52) Dibenz(a,h)-anthracene	Micrograms/L	≤ 0.0012 annual avg.	≤ 0.0012 annual avg.	≤ 0.0014 annual avg.	≤ 0.0014 annual avg.	≤ 0.0014 annual avg.		
(53) Dichlorobromomethane (Bromodichloromethane)	Micrograms/L	≤ 2.1 annual avg.	≤ 2.1 annual avg.	≤ 57 annual avg.	≤ 57 annual avg.	≤ 57 annual avg.		

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(27) 1,1-Dichloroethene (1,1-dichloroethene)	Micrograms/L	≤ 0.057 annual avg.; ≤ 7.0 max		≤ 3.2 annual avg.	≤ 3.2 annual avg.	≤ 3.2 annual avg.		
(28) Dichloromethane (methylene chloride)	Micrograms/L	≤ 4.65 annual avg.		$\leq 1,580$ annual avg.	$\leq 1,580$ annual avg.	$\leq 1,580$ annual avg.		
(54) Dieldrin	Micrograms/L	≤ 0.0000054 annual avg.; ≤ 0.0019 max	≤ 0.0000054 annual avg.; ≤ 0.0019 max	≤ 0.0000054 annual avg.; ≤ 0.0019 max	≤ 0.0000054 annual avg.; ≤ 0.0019 max	≤ 0.0000054 annual avg.; ≤ 0.0019 max		
(55) Diethyl Phthalate	Micrograms/L	≤ 770 annual avg.	≤ 770 annual avg.	≤ 840 annual avg.	≤ 840 annual avg.	≤ 840 annual avg.		
(56) Dimethyl Phthalate	Micrograms/L	≤ 2400 annual avg.	≤ 2400 annual avg.	≤ 2400 annual avg.	≤ 2400 annual avg.	≤ 2400 annual avg.		
(57) Di-n-Butyl Phthalate	Micrograms/L	≤ 35 annual avg.	≤ 35 annual avg.	≤ 36 annual avg.	≤ 36 annual avg.	≤ 36 annual avg.		
(29) 2,4-Dinitrotoluene	Micrograms/L	≤ 0.11 annual avg.		≤ 9.1 annual avg.	≤ 9.1 annual avg.	≤ 9.1 annual avg.		
(58) (a) Dissolved Oxygen (Class I Waters, Class I-Treated Waters, Class II Waters, Class III, Class III-Limited Waters)	Milligrams/L	See Rule 62-302.533, F.A.C.						
(58) (b) Dissolved Oxygen (Class IV Waters)	Milligrams/L	Shall not average less than 4.0 in a 24-hour period and shall never be less than 3.0.						

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(58) (c) Dissolved Oxygen (Class V Waters)	Milligrams/L	Shall not be less than 0.3, fifty percent of the time on an annual basis for flows greater than or equal to 250 cubic feet per second and shall never be less than 0.1. Normal daily and seasonal fluctuations above these levels shall be maintained.							
(30) Dissolved Oxygen	Milligrams/L	See Rule 62-302.533, F.A.C.			Shall not average less than 4.0 in a 24-hour period and shall never be less than 3.0.	Shall not be less than 0.3, fifty percent of the time on an annual basis for flows greater than or equal to 250 cubic feet per second and shall never be less than 0.1. Normal daily and seasonal fluctuations above these levels shall be maintained.			

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(59) (31) Dissolved Solids	Milligrams/L	≤ 500 as a monthly avg.;	≤ 1,000 max					
(60) Endosulfan	Micrograms/L	≤ 0.056	≤ 0.056	≤ 0.0087	≤ 0.056	≤ 0.0087		
(61) Endrin	Micrograms/L	≤ 0.0023	≤ 0.0023	≤ 0.0023	≤ 0.0023	≤ 0.0023		
(62) Ethylbenzene	Micrograms/L	≤ 80 annual avg.	≤ 80 annual avg.	≤ 140 annual avg.	≤ 140 annual avg.	≤ 140 annual avg.		
(63) Fluoranthene	Micrograms/L	≤ 18 annual avg.	≤ 18 annual avg.	≤ 19 annual avg.	≤ 19 annual avg.	≤ 19 annual avg.		
(64) Fluorene	Micrograms/L	≤ 77 annual avg.	≤ 77 annual avg.	≤ 94 annual avg.	≤ 94 annual avg.	≤ 94 annual avg.		
(65) (32) Fluorides	Milligrams/L	≤ 1.5	≤ 10.0	≤ 1.5	≤ 10.0	≤ 5.0	≤ 10.0	≤ 10.0
(33) "Free Froms" (see Minimum Criteria in Rule 62-302.500, F.A.C.)								
(34) "General Criteria" (see Rule 62-302.500, F.A.C. and individual criteria)								

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(35)(a) Halomethanes (Total trihalomethanes) (total of bromoform; chlorodibromomethane; dichlorobromomethane, and chloroform); Individual halomethanes shall not exceed (b)1. to (b)5. below.	Micrograms/L	≤ 80						
(35)(b)1. Halomethanes (individual); Bromoform	Micrograms/L	≤ 4.3 annual avg.		≤ 360 annual avg.	≤ 360 annual avg.	≤ 360 annual avg.		
(35)(b)2. Halomethanes (individual); Chlorodibromomethane	Micrograms/L	≤ 0.41 annual avg.		≤ 34 annual avg.	≤ 34 annual avg.	≤ 34 annual avg.		
(35)(b)3. Halomethanes (individual); Chloroform	Micrograms/L	≤ 5.67 annual avg.		≤ 470.8 annual avg.	≤ 470.8 annual avg.	≤ 470.8 annual avg.		

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(35)(b)4. Halomethanes (individual); Chloromethane (methyl chloride)	Micrograms/L	≤ 5.67 annual avg.		≤ 470.8 annual avg.	≤ 470.8 annual avg.	≤ 470.8 annual avg.		
(35)(b)5. Halomethanes (individual); Dichlorobromomethane	Micrograms/L	≤ 0.27 annual avg.		≤ 22 annual avg.	≤ 22 annual avg.	≤ 22 annual avg.		
(66) Guthion	Micrograms/L	≤ 0.01	≤ 0.01	≤ 0.01	≤ 0.01	≤ 0.01		
(67) Heptachlor	Micrograms/L	≤ 0.000025 annual avg.; ≤ 0.0038 max	≤ 0.000025 annual avg.; ≤ 0.0038 max	≤ 0.000025 annual avg.; ≤ 0.0036 max	≤ 0.000025 annual avg.; ≤ 0.0038 max	≤ 0.000025 annual avg.; ≤ 0.0036 max		
(68) Heptachlor Epoxide	Micrograms/L	≤ 98 annual avg.	≤ 98 annual avg.	≤ 99 annual avg.	≤ 99 annual avg.	≤ 99 annual avg.		
(69) (36) Hexachlorobutadiene	Micrograms/L	≤ 0.018 annual avg.	≤ 0.018 annual avg.	≤ 0.018 annual avg.	≤ 0.018 annual avg.	≤ 0.018 annual avg.		
(70) Hexachlorocyclopentadiene	Micrograms/L	≤ 4.7 annual avg.	≤ 4.7 annual avg.	≤ 5 annual avg.	≤ 5 annual avg.	≤ 5 annual avg.		
(71) Hexachloroethane	Micrograms/L	≤ 0.24 annual avg.	≤ 0.24 annual avg.	≤ 0.27 annual avg.	≤ 0.27 annual avg.	≤ 0.27 annual avg.		
(37) Imbalance (see Nutrients)								

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(72) <u>Indeno(1,2,3-cd)-pyrene</u>	Micrograms/L	≤ 0.012 annual avg.	≤ 0.012 annual avg.	≤ 0.014 annual avg.	≤ 0.014 annual avg.	≤ 0.014 annual avg.			
(73) <u>Isophorone</u>	Micrograms/L	≤ 76 annual avg.	≤ 76 annual avg.	≤ 3600 annual avg.	≤ 3600 annual avg.	≤ 3600 annual avg.			
(74) (38) <u>Iron</u>	Milligrams/L	≤ 1.0	≤ 1.0	≤ 0.3	≤ 1.0	≤ 0.3	≤ 1.0		
(75) (39) <u>Lead</u>	Micrograms/L See Notes (1) and (3).	Pb ≤ $e^{(1.273 \ln \frac{4.705}{H})}$	Pb ≤ $e^{(1.273 \ln \frac{4.705}{H})}$	≤ 8.5	Pb ≤ $e^{(1.273 \ln \frac{4.705}{H})}$	≤ 8.5	≤ 50	≤ 50	
(76) <u>Lindane (g-benzene hexachloride)</u>	Micrograms/L	Class I Waters, Class I-Treated Waters, Class II Waters, Class III, Class III-Limited Waters: See Minimum Criteria in paragraph 62-302.500(1)(d), F.A.C.							
(77) <u>Malathion</u>	Micrograms/L	≤ 0.1	≤ 0.1	≤ 0.1	≤ 0.1	≤ 0.1			
(78) (40) <u>Manganese</u>	Milligrams/L			≤ 0.1					
(79) (41) <u>Mercury</u>	Micrograms/L	≤ 0.012	≤ 0.012	≤ 0.025	≤ 0.012	≤ 0.025	≤ 0.2	≤ 0.2	
(80) <u>Methoxychlor</u>	Micrograms/L	≤ 0.023 annual avg.	≤ 0.023 annual avg.	≤ 0.023 annual avg.	≤ 0.023 annual avg.	≤ 0.023 annual avg.			
(81) <u>Methyl Bromide</u>	Micrograms/L	≤ 120 annual avg.	≤ 120 annual avg.	≤ 10000 annual avg.	≤ 10000 annual avg.	≤ 10000 annual avg.			
(82) <u>Methyl Chloride</u>	Micrograms/L	≤ 5.67 annual avg.	≤ 5.67 annual avg.	≤ 470.8 annual avg.	≤ 470.8 annual avg.	≤ 470.8 annual avg.			
(83) <u>Methylene Chloride (Dichloromethane)</u>	Micrograms/L	≤ 36 annual avg.	≤ 36 annual avg.	≤ 2300 annual avg.	≤ 2300 annual avg.	≤ 2300 annual avg.			
(42) <u>Minimum Criteria (see Section 62-302.500, F.A.C.)</u>									

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(84) <u>Mirex</u>	Micrograms/L	≤ 0.001	≤ 0.001	≤ 0.001	≤ 0.001	≤ 0.001			
(43) <u>Mixing Zones (See Section 62-4.244, F.A.C.)</u>									
(85) (44) <u>Nickel</u>	Micrograms/L See Notes (1) and (3).	Ni ≤ $e^{(0.846 \ln \frac{H}{H+0.0584})}$	Ni ≤ $e^{(0.846 \ln \frac{H}{H+0.0584})}$	≤ 8.3	Ni ≤ $e^{(0.846 \ln \frac{H}{H+0.0584})}$	≤ 8.3	≤ 100		
(86) (45) <u>Nitrate</u>	Milligrams/L as N	≤ 10 or that concentration that exceeds the nutrient criteria							
(87) <u>Nitrobenzene</u>	Micrograms/L	≤ 12 annual avg.	≤ 12 annual avg.	≤ 570 annual avg.	≤ 570 annual avg.	≤ 570 annual avg.			
(88) (46) <u>Nonylphenol (4-nonylphenol)</u>	Micrograms/L	≤ 6.6	≤ 6.6	≤ 1.7	≤ 6.6	≤ 1.7			
(89) (47) <u>Nuisance Species</u>		Substances in concentrations which result in the dominance of nuisance species: none shall be present.							
(90) (48) (a) <u>Nutrients</u>		The discharge of nutrients shall continue to be limited as needed to prevent violations of other standards contained in this chapter. Man-induced nutrient enrichment (total nitrogen or total phosphorus) shall be considered degradation in relation to the provisions of Rules 62-302.300, 62-302.700, and 62-4.242, F.A.C.							
(90) (48) (b) <u>Nutrients</u>		In no case shall nutrient concentrations of a body of water be altered so as to cause an imbalance in natural populations of aquatic flora or fauna.							
(91) (a) <u>Odor (Class II Waters)</u>	Threshold odor number	Shall not exceed 24 at 60 degrees C as a daily average.							

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(91)(b) Odor (Class V Waters)	Threshold odor number	Odor producing substances: only in such amounts as will not unreasonably interfere with use of the water for the designated purpose of this classification.							
(49) Odor (also see Color, Minimum Criteria; Phenolic Compounds, etc.)	Threshold odor number			Shall not exceed 24 at 60 degrees C as a daily average.				Odor producing substances: only in such amounts as will not unreasonably interfere with use of the water for the designated purpose of this classification.	
(92)(50)(a) Oils and Greases	Milligrams/L	Dissolved or emulsified oils and greases shall not exceed 5.0						Dissolved or emulsified oils and greases shall not exceed 10.0	
(92)(50)(b) Oils and Greases		No undissolved oil, or visible oil defined as iridescence, shall be present so as to cause taste or odor, or otherwise interfere with the beneficial use of waters.							
(50) Pesticides and Herbicides									
(51)(a) 2,4,5-TP	Micrograms/L	≤ 10							

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(51)(b) 2-4-D	Micrograms/L	≤ 100						
(51)(e) Aldrin	Micrograms/L	≤ 0.0013 annual avg.; 3.0 max		≤ 0.00014 annual avg.; 1.3 max	≤ 0.00014 annual avg.; 3.0 max	≤ 0.00014 annual avg.; 1.3 max		
(51)(d) Beta-hexachlorocyclohexane (b-BHC)	Micrograms/L	≤ 0.014 annual avg.		≤ 0.046 annual avg.	≤ 0.046 annual avg.	≤ 0.046 annual avg.		
(51)(e) Carbaryl	Micrograms/L	≤ 2.1			≤ 2.1			
(51)(f) Chlordane	Micrograms/L	≤ 0.00058 annual avg.; 0.0043 max		≤ 0.00059 annual avg.; 0.004 max	≤ 0.00059 annual avg.; 0.0043 max	≤ 0.00059 annual avg.; 0.004 max		
(51)(g) Chlorpyrifos	Micrograms/L	≤ 0.041		≤ 0.0056	≤ 0.041	≤ 0.0056		
(51)(h) DDT	Micrograms/L	≤ 0.00059 annual avg.; 0.001 max		≤ 0.00059 annual avg.; 0.001 max	≤ 0.00059 annual avg.; 0.001 max	≤ 0.00059 annual avg.; 0.001 max		
(51)(i) Demeton	Micrograms/L	≤ 0.1		≤ 0.1	≤ 0.1	≤ 0.1		
(51)(j) Diazinon	Micrograms/L	≤ 0.17		≤ 0.82	≤ 0.17	≤ 0.82		
(51)(k) Dieldrin	Micrograms/L	≤ 0.00014 annual avg.; 0.0019 max		≤ 0.00014 annual avg.; 0.0019 max	≤ 0.00014 annual avg.; 0.0019 max	≤ 0.00014 annual avg.; 0.0019 max		
(51)(l) Endosulfan	Micrograms/L	≤ 0.056		≤ 0.0087	≤ 0.056	≤ 0.0087		
(51)(m) Endrin	Micrograms/L	≤ 0.0023		≤ 0.0023	≤ 0.0023	≤ 0.0023		
(51)(n) Guthion	Micrograms/L	≤ 0.01		≤ 0.01	≤ 0.01	≤ 0.01		

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(51)(o) Heptachlor	Micrograms/L	≤ 0.0002		≤ 0.0002	≤ 0.0002	≤ 0.0002			
		↓ annual avg.;		↓ annual avg.;	↓ annual avg.;	↓ annual avg.;			
		0.0038 max		0.0036 max	0.0038 max	0.0036 max			
(51)(p) Lindane (γ-benzene hexachloride)	Micrograms/L	See Minimum criteria in paragraph 62-302.50(1)(d); F.A.C.		See Minimum criteria in paragraph 62-302.50(1)(d); F.A.C.	See Minimum criteria in paragraph 62-302.50(1)(d); F.A.C.	See Minimum criteria in paragraph 62-302.50(1)(d); F.A.C.			
(51)(q) Malathion	Micrograms/L	≤ 0.1		≤ 0.1	≤ 0.1	≤ 0.1			
(51)(r) Methoxychlor	Micrograms/L	≤ 0.03		≤ 0.03	≤ 0.03	≤ 0.03			
(51)(s) Mirex	Micrograms/L	≤ 0.001		≤ 0.001	≤ 0.001	≤ 0.001			
(93) (51)(t) Parathion	Micrograms/L	≤ 0.04	≤ 0.04	≤ 0.04	≤ 0.04	≤ 0.04			
(51)(u) Toxaphene	Micrograms/L	≤ 0.0002		≤ 0.0002	≤ 0.0002	≤ 0.0002			
(94) Pentachloro-benzene	Micrograms/L	≤ 0.14 annual avg.	≤ 0.14 annual avg.	≤ 0.15 annual avg.	≤ 0.15 annual avg.	≤ 0.15 annual avg.			
(95) Pentachloro-phenol	Micrograms/L	≤ 0.067 annual avg.; ≤ 30 max	≤ 0.067 annual avg.; ≤ 30 max	≤ 0.11 annual avg.	≤ 0.11 annual avg.; ≤ 30 max	≤ 0.11 annual avg.			
(96) (52)(a) pH (Class I, Class I-Treated, Class IV Waters)	Standard Units	Shall not vary more than one unit above or below natural background provided that the pH is not lowered to less than 6 units or raised above 8.5 units. If natural background is less than 6 units, the pH shall not vary below natural background or vary more than one unit above natural background. If natural background is higher than 8.5 units, the pH shall not vary above natural background or vary more than one unit below background.							

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(96) (52)(b) pH (Class II Waters)	Standard Units	Shall not vary more than one unit above or below natural background of coastal waters as defined in paragraph 62-302.520(3)(b), F.A.C., or more than two-tenths unit above or below natural background of open waters as defined in paragraph 62-302.520(3)(f), F.A.C., provided that the pH is not lowered to less than 6.5 units or raised above 8.5 units. If natural background is less than 6.5 units, the pH shall not vary below natural background or vary more than one unit above natural background for coastal waters or more than two-tenths unit above natural background for open waters. If natural background is higher than 8.5 units, the pH shall not vary above natural background or vary more than one unit below natural background of coastal waters or more than two-tenths unit below natural background of open waters.							
(96) (52)(c) pH (Class III Waters)	Standard Units	Shall not vary more than one unit above or below natural background of predominantly fresh waters and coastal waters as defined in paragraph 62-302.520(3)(b), F.A.C. or more than two-tenths unit above or below natural background of open waters as defined in paragraph 62-302.520(3)(f), F.A.C., provided that the pH is not lowered to less than 6 units in predominantly fresh waters, or less than 6.5 units in predominantly marine waters, or raised above 8.5 units. If natural background is less than 6 units, in predominantly fresh waters or 6.5 units in predominantly marine waters, the pH shall not vary below natural background or vary more than one unit above natural background of predominantly fresh waters and coastal waters, or more than two-tenths unit above natural background of open waters. If natural background is higher than 8.5 units, the pH shall not vary above natural background or vary more than one unit below natural background of predominantly fresh waters and coastal waters, or more than two-tenths unit below natural background of open waters.							
(96) (52)(d) pH (Class V Waters)	Standard Units	Not lower than 5.0 nor greater than 9.5 except certain swamp waters which may be as low as 4.5.							
(97) Phenol	Milligrams/L	≤ 0.3	≤ 0.3	≤ 0.3	≤ 0.3	≤ 0.3	≤ 0.3	≤ 0.3	
(98) (53)(a) Phenolic Compound s:-Total		Phenolic compounds other than those produced by the natural decay of plant material, listed or unlisted, shall not taint the flesh of edible fish or shellfish or produce objectionable taste or odor in a drinking water supply.							

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(53)(b) Total Chlorinated Phenols and Chlorinated Cresols	Micrograms/L	1. The total of all chlorinated phenols, and chlorinated cresols, except as set forth in (c)1. to (c)4. below, shall not exceed 1.0 unless higher values are shown not to be chronically toxic. Such higher values shall be approved in writing by the Secretary. 2. The compounds listed in (c)1. to (c)6. below shall not exceed the limits specified for each compound.						1. The total of the following Phenolic compounds shall not exceed 50: a) Chlorinated phenols; b) Chlorinated cresols; and c) 2,4-dinitrophenol.
(53)(c)1. Phenolic Compound : 2-chlorophenol	Micrograms/L	≤ 120		< 400 See Note (2).	< 400 See Note (2).	< 400 See Note (2).	< 400 See Note (2).	
(53)(c)2. Phenolic Compound : 2,4-dichlorophenol	Micrograms/L	< 93 See Note (2).		< 790 See Note (2).	< 790 See Note (2).	< 790 See Note (2).	< 790 See Note (2).	
(53)(c)3. Phenolic Compound : Pentachlorophenol	Micrograms/L	≤ 30 max; ≤ 0.28 annual avg; ≤ 1.00 5[pH]-5.29)		≤ 7.9	≤ 30 max; ≤ 8.2 annual avg; ≤ 1.00 5[pH]-5.29)	≤ 7.9	≤ 30	

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(53)(c)4. Phenolic Compound : 2,4,6-trichlorophenol	Micrograms/L	≤ 2.1 annual avg.		≤ 6.5 annual avg.	≤ 6.5 annual avg.	≤ 6.5 annual avg.	≤ 6.5 annual avg.	
(53)(c)5. Phenolic Compound : 2,4-dinitrophenol	Milligrams/L	≤ 0.0697 See Note (2).		≤ 14.26 See Note (2).	≤ 14.26 See Note (2).	≤ 14.26 See Note (2).	≤ 14.26 See Note (2).	
(53)(c)6. Phenolic Compound : Phenol	Milligrams/L	≤ 0.3		≤ 0.3	≤ 0.3	≤ 0.3	≤ 0.3	≤ 0.3
(99) (54) Phosphorus (Elemental)	Micrograms/L			≤ 0.1		≤ 0.1		
(100) (55) Phthalate Esters	Micrograms/L	≤ 3.0	≤ 3.0		≤ 3.0			
(101) (56) Polychlorinated Biphenyls (PCBs)	Micrograms/L	≤ 0.0000 98 annual avg.; ≤ 0.014 max	≤ 0.0000 98 annual avg.; ≤ 0.014 max	≤ 0.0000 45 annual avg.; ≤ 0.03 max	≤ 0.0000 45 annual avg.; ≤ 0.014 max	≤ 0.0000 45 annual avg.; ≤ 0.03 max		
(102) p,p'-Dichlorodiphenyltrichloroethane (DDT)	Micrograms/L	≤ 0.0001 5 annual avg.; ≤ 0.001 max	≤ 0.0001 5 annual avg.; ≤ 0.001 max	≤ 0.0001 5 annual avg.; ≤ 0.001 max	≤ 0.0001 5 annual avg.; ≤ 0.001 max	≤ 0.0001 5 annual avg.; ≤ 0.001 max		

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(57)(a) Polycyclic Aromatic Hydrocarbons (PAHs): Total of: Acenaphthylene; Benzo(a)anthracene; Benzo(a)pyrene; Benzo(b)fluoranthene; Benzo-(ghi)perylene; Benzo(k)fluoranthene; Chrysene; Dibenzo-(a,h)anthracene; Indeno(1,2,3-cd)pyrene; and Phenanthrene	Micrograms/L	≤ 0.0028 annual avg.		≤ 0.031 annual avg.	≤ 0.031 annual avg.	≤ 0.031 annual avg.		
(57)(b)1. (Individual PAHs): Acenaphthene	Milligrams/L	< 1.2 See Note (2).		< 2.7 See Note (2).	< 2.7 See Note (2).	< 2.7 See Note (2).		
(57)(b)2. (Individual PAHs): Anthracene	Milligrams/L	< 9.6 See Note (2).		< 110 See Note (2).	< 110 See Note (2).	< 110 See Note (2).		
(57)(b)3. (Individual PAHs): Fluoranthene	Milligrams/L	< 0.3 See Note (2).		< 0.370 See Note (2).	< 0.370 See Note (2).	< 0.370 See Note (2).		
(57)(b)4. (Individual PAHs): Fluorene	Milligrams/L	< 1.3 See Note (2).		< 14 See Note (2).	< 14 See Note (2).	< 14 See Note (2).		

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(103) (57)(b)5. (Individual PAHs): Pyrene	Micrograms/L Milligrams/L	≤ 43 annual avg. < 0.96 See Note (2).	≤ 43 annual avg.	≤ 49 annual avg. < 11 See Note (2).	≤ 49 annual avg. < 11 See Note (2).	≤ 49 annual avg. < 11 See Note (2).		
(104) (58) (a) Radioactive substances (Combined radium 226 and 228)	Picocuries/L	≤ 5	≤ 5	≤ 5	≤ 5	≤ 5	≤ 5	≤ 5
(104) (58) (b) Radioactive substances (Gross alpha particle activity including radium 226, but excluding radon and uranium)	Picocuries/L	≤ 15	≤ 15	≤ 15	≤ 15	≤ 15	≤ 15	≤ 15
(105) (59) Selenium	Micrograms/L	≤ 5.0	≤ 5.0	≤ 71	≤ 5.0	≤ 71		
(106) (60) Silver	Micrograms/L See Note (3).	≤ 0.07	≤ 0.07	See Minimum criteria in paragraph 62-302.500 (1)(c), F.A.C.	≤ 0.07	See Minimum criteria in paragraph 62-302.500 (1)(c), F.A.C.		
(107) (61) Specific Conductance (see Conductance, Specific, above)								

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I-Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(108) (62) Substances in concentrations which injure, are chronically toxic to, or produce adverse physiological or behavioral response in humans, plants, or animals		None shall be present.							
(63) 1,1,2,2-Tetrachloroethane	Micrograms/L	≤ 0.17 annual avg.		≤ 10.8 annual avg.	≤ 10.8 annual avg.	≤ 10.8 annual avg.			
(109) (64) Tetrachloroethylene (Perchloroethylene or 1,1,2,2-tetrachloroethene)	Micrograms/L	≤ 23 annual avg. ; ≤ 3.0 max	≤ 23 annual avg.	≤ 66 annual avg.	≤ 66 annual avg.	≤ 66 annual avg.			
(110) (65) Thallium	Micrograms/L	≤ 1.7	≤ 1.7	≤ 6.3	≤ 6.3	≤ 6.3			
(111) Toluene	Micrograms/L	≤ 56 annual avg.	≤ 56 annual avg.	≤ 610 annual avg.	≤ 610 annual avg.	≤ 610 annual avg.			
(66) Thermal Criteria (See Rule 62-302.520)									
(112) (67) Total Dissolved Gases	Class I Waters, Class I-Treated Waters, Class II Waters, Class III Waters, Class III-Limited Waters: The pPercent of the saturation value for gases at the existing atmospheric and hydrostatic pressures shall be ≤ 110% of saturation value.								
(113) Toxaphene	Micrograms/L	≤ 0.0002	≤ 0.0002	≤ 0.0002	≤ 0.0002	≤ 0.0002			

Criteria for Surface Water Quality Classifications									
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V	
		Class I	Class I-Treated		Predominantly Fresh Waters	Predominantly Marine Waters			
(114) (68) Transparency (Class I Waters, Class I-Treated Waters, Class II Waters, Class III, and Class III-Limited Waters)	Depth of the compensation point within the water column for photosynthetic activity	The annual average value shall not be reduced by more than 10% as compared to the natural background value. Annual average values shall be based on a minimum of three samples, with each sample collected at least three months apart.							
(115) trans-1,2-Dichloroethylene (DCE)	Micrograms/L	≤ 120 annual avg.	≤ 120 annual avg.	≤ 3900 annual avg.	≤ 3900 annual avg.	≤ 3900 annual avg.			
(116) (69) Trichloroethylene (Trichloroethene or TCE)	Micrograms/L	≤ 1.3 annual avg. ; ≤ 3.0 max	≤ 1.3 annual avg.	≤ 15 annual avg.	≤ 15 annual avg.	≤ 15 annual avg.			
(117) (70) Turbidity	Nephelometric Turbidity Units (NTU)	≤ 29 above natural background conditions							
(118) Vinyl Chloride	Micrograms/L	≤ 0.048 annual avg.	≤ 0.048 annual avg.	≤ 3.0 annual avg.	≤ 3.0 annual avg.	≤ 3.0 annual avg.			
(119) (71) Zinc	Micrograms/L See Notes (1) and (3).	$Zn \leq e^{(0.8473 1-nH +0.884)}$	$Zn \leq e^{(0.8473 1-nH +0.884)}$	≤ 86	$Zn \leq e^{(0.8473 1-nH +0.884)}$	≤ 86	≤ 1,000	≤ 1,000	
(120) 1,1-Dichloroethylene	Micrograms/L	≤ 300 annual avg.	≤ 300 annual avg.	≤ 16000 annual avg.	≤ 16000 annual avg.	≤ 16000 annual avg.			
(121) 1,1,1-Trichloroethane	Micrograms/L	≤ 12000 annual avg.	≤ 12000 annual avg.	≤ 19000 annual avg.	≤ 19000 annual avg.	≤ 19000 annual avg.			

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(122) 1,1,2-Trichloroethane	Micrograms/L	≤ 1.2 annual avg.	≤ 1.2 annual avg.	≤ 20 annual avg.	≤ 20 annual avg.	≤ 20 annual avg.		
(123) 1,1,2,2-Tetrachloroethane	Micrograms/L	≤ 0.35 annual avg.	≤ 0.35 annual avg.	≤ 5.9 annual avg.	≤ 5.9 annual avg.	≤ 5.9 annual avg.		
(124) 1,2-Dichloroethane	Micrograms/L	≤ 22 annual avg.	≤ 22 annual avg.	≤ 1200 annual avg.	≤ 1200 annual avg.	≤ 1200 annual avg.		
(125) 1,2-Dichloropropane	Micrograms/L	≤ 2.0 annual avg.	≤ 2.0 annual avg.	≤ 63 annual avg.	≤ 63 annual avg.	≤ 63 annual avg.		
(126) 1,2-Diphenylhydrazine	Micrograms/L	≤ 0.077 annual avg.	≤ 0.077 annual avg.	≤ 0.48 annual avg.	≤ 0.48 annual avg.	≤ 0.48 annual avg.		
(127) 1,3-Dichloropropene	Micrograms/L	≤ 0.59 annual avg.	≤ 0.59 annual avg.	≤ 23 annual avg.	≤ 23 annual avg.	≤ 23 annual avg.		
(128) 1,2-Dichlorobenzene	Micrograms/L	≤ 1400 annual avg.	≤ 1400 annual avg.	≤ 3900 annual avg.	≤ 3900 annual avg.	≤ 3900 annual avg.		
(129) 1,3-Dichlorobenzene	Micrograms/L	≤ 8.3 annual avg.	≤ 8.3 annual avg.	≤ 18 annual avg.	≤ 18 annual avg.	≤ 18 annual avg.		
(130) 1,4-Dichlorobenzene	Micrograms/L	≤ 340 annual avg.	≤ 340 annual avg.	≤ 1100 annual avg.	≤ 1100 annual avg.	≤ 1100 annual avg.		
(131) 1,2,4-Trichlorobenzene	Micrograms/L	≤ 0.14 annual avg.	≤ 0.14 annual avg.	≤ 0.15 annual avg.	≤ 0.15 annual avg.	≤ 0.15 annual avg.		
(132) 2-Chloronaphthalene	Micrograms/L	≤ 960 annual avg.	≤ 960 annual avg.	≤ 1400 annual avg.	≤ 1400 annual avg.	≤ 1400 annual avg.		
(133) 2-Chlorophenol	Micrograms/L	≤ 30 annual avg.	≤ 30 annual avg.	≤ 860 annual avg.	≤ 860 annual avg.	≤ 860 annual avg.		
(134) 2,4-Dichlorophenol	Micrograms/L	≤ 16 annual avg.	≤ 16 annual avg.	≤ 65 annual avg.	≤ 65 annual avg.	≤ 65 annual avg.		
(135) 2,4-Dimethylphenol	Micrograms/L	≤ 120 annual avg.	≤ 120 annual avg.	≤ 2800 annual avg.	≤ 2800 annual avg.	≤ 2800 annual avg.		
(136) 2,4-Dinitrophenol	Micrograms/L	≤ 12 annual avg.	≤ 12 annual avg.	≤ 330 annual avg.	≤ 330 annual avg.	≤ 330 annual avg.		

Criteria for Surface Water Quality Classifications								
Parameter	Units	Class I		Class II	Class III and Class III-Limited (see Note 4)		Class IV	Class V
		Class I	Class I Treated		Predominantly Fresh Waters	Predominantly Marine Waters		
(137) 2,4-Dinitrotoluene	Micrograms/L	≤ 0.11 annual avg.	≤ 0.11 annual avg.	≤ 3.5 annual avg.	≤ 3.5 annual avg.	≤ 3.5 annual avg.		
(138) 2,4,6-Trichlorophenol	Micrograms/L	≤ 3.3 annual avg.	≤ 3.3 annual avg.	≤ 6.6 annual avg.	≤ 6.6 annual avg.	≤ 6.6 annual avg.		
(139) 2-Methyl-4,6-Dinitrophenol	Micrograms/L	≤ 1.8 annual avg.	≤ 1.8 annual avg.	≤ 29 annual avg.	≤ 29 annual avg.	≤ 29 annual avg.		
(140) 3,3'-Dichlorobenzidine	Micrograms/L	≤ 0.11 annual avg.	≤ 0.11 annual avg.	≤ 0.34 annual avg.	≤ 0.34 annual avg.	≤ 0.34 annual avg.		
(141) 3-Methyl-4-Chlorophenol	Micrograms/L	≤ 540 annual avg.	≤ 540 annual avg.	≤ 2700 annual avg.	≤ 2700 annual avg.	≤ 2700 annual avg.		

Notes: (1) “ln H” means the natural logarithm of total hardness expressed as milligrams/L of CaCO₃. For metals criteria involving equations with hardness, the hardness shall be set at 25 mg/L if actual hardness is < 25 mg/L and set at 400 mg/L if actual hardness is > 400 mg/L. (2) This criterion is protective of human health not of aquatic life. (3) For application of dissolved metals criteria see paragraph 62-302.500(2)(d), F.A.C. (4) Class III-Limited waters have at least one Site Specific Alternative Criterion as established under Rule 62-302.800, F.A.C.

Rulemaking Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS. Law Implemented 403.021(11), 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS. History—New 1-28-90, Formerly 17-3.065, Amended 2-13-92, 6-17-92, Formerly 17-302.540, 17-302.550, 17-302.560, 17-302.570, 17-302.580, Amended 4-25-93, Formerly 17-302.530, Amended 1-23-95, 1-15-96, 5-15-02, 7-19-04, 12-7-06, 8-5-10, 7-3-12, 8-1-13, 2-17-16,___.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Frick
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan P. Steverson
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 17, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAR: April 25, 2016

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-303.310	Evaluation of Aquatic Life Use Support
62-303.360	Primary Contact and Recreation Use Support
62-303.370	Fish and Shellfish Consumption Use Support
62-303.380	Drinking Water Use Support and Protection of Human Health
62-303.390	The Study List
62-303.480	Drinking Water Use Support and Protection of Human Health
62-303.500	Prioritization for TMDL Development
62-303.720	Delisting Procedure

PURPOSE AND EFFECT: The department is amending Chapter 62-303, F.A.C., to update the listing methodology for assessing human health-based water quality criteria as part of the process to identify impaired surface waterbodies. This rulemaking is being conducted in conjunction with rulemaking to revise the human health-based criteria in Chapter 62-302, F.A.C. (noticed under a separate rulemaking notice). The proposed revisions to Chapter 62-303, F.A.C., are designed to revise the assessment methodology to be consistent with the proposed change in the expression of the human health-based water quality criteria for non-carcinogens from single sample maximums to annual averages (proposed concurrently as changes to Chapter 62-302, F.A.C.) and to add a minimum sample size for the calculation of an annual average. Additionally, in accordance with the requirements of paragraph 403.061(29)(b) and paragraphs 403.861(21)(a) and (b), Florida Statutes, enacted under Chapter 2016-01, Laws of Florida, the department is proposing to establish a new sub-classification of surface waters (Class I-Treated, Treated Potable Water Supplies), which will require minor revisions in Chapter 62-303, F.A.C. Specifically, the department plans to revise a number of rules in Chapter 62-303, F.A.C., to clarify that Class I waters include both "Class I" (existing Class I waters) and "Class I-Treated" (Treated Potable Water Supply waters).

SUMMARY: The department is proposing to update the listing methodology for assessing human health-based water quality criteria in Chapter 62-303, F.A.C., as part of the process to identify impaired surface waterbodies. The department is also amending Chapter 62-303, F.A.C., to revise the methodology for identifying impaired surface waters to provide for the assessment of a new sub-classification of waters for Treated Potable Water Supplies (Class I-Treated). The Department conducted public workshops on May 10, 11,

and 12, 2016, in Stuart, Orlando, and Tallahassee, respectively.

OTHER RULES INCORPORATING THIS RULE: Chapter 62-303, F.A.C., is referenced by the following rules: 62-40.210, 62-40.430, 62-40.540, 62-302.300, 62-302.530, 62-302.531, 62-302.800, 62-303.100, 62-303.150, 62-303.200, 62-303.300, 62-303.310, 62-303.320, 62-303.330, 62-303.350, 62-303.351, 62-303.352, 62-303.353, 62-303.354, 62-303.360, 62-303.370, 62-303.380, 62-303.390, 62-303.400, 62-303.410, 62-303.420, 62-303.430, 62-303.450, 62-303.460, 62-303.470, 62-303.480, 62-303.500, 62-303.600, 62-303.700, 62-303.710, 62-303.720, 62-303.810, 62-304.100, 62-305.200, 62-672.780, F.A.C. Rule 62-303.100 is referenced by the following rules: 62-302.300, and 62-303.100, F.A.C. Rule 62-303.310 is referenced by the following rule: 62-303.310, F.A.C. Rule 62-303.360 is referenced by the following rules: 62-303.360, 62-303.390, and 62-303.720, F.A.C. Rule 62-303.370 is referenced by the following rule: 62-303.370, F.A.C. Rule 62-303.380 is referenced by the following rules: 62-303.380, 62-303.480 and 62-303.720, F.A.C. Rule 62-303.390 is referenced by the following rules: 62-302.300, 62-303.200, 62-303.390, and 62-303.450, F.A.C. Rule 62-303.480 is referenced by the following rules: 62-303.480 and 62-303.720, F.A.C. Rule 62-303.500 is referenced by the following rule: 62-303.500, F.A.C. Rule 62-303.720 is referenced by the following rule: 62-303.720, F.A.C.

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: Chapter 62-303 sets forth a scientific assessment methodology for the identification of impaired surface waters. The rule chapter is implemented by existing Department staff, and there is no additional cost to the public or the Department as a result of the proposed revisions. The proposed amendments to Chapter 62-303 are not anticipated to have adverse impact on economic growth, private sector job creation or employment, private sector investment, business competitiveness, or regulatory costs.

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: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.062, 403.067 FS.

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

DATE AND TIME: Tuesday, July 26, 2016, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Marjory Stoneman Douglas Building, Conference Room A, 3900 Commonwealth Boulevard, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429 or the below information. 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: Eric Shaw, Department of Environmental Protection, Water Quality Standards Program, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

CHAPTER 62-303

IDENTIFICATION OF IMPAIRED SURFACE WATERS

62-303.310 Evaluation of Aquatic Life Use Support.

A Class I, I-Treated, II, III, or III-Limited water shall be placed on the Planning List for assessment of aquatic life use support (propagation and maintenance of a healthy, well-balanced population of fish and wildlife) if, based on sufficient quality and quantity of data, the waterbody:

(1) through (3) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06, 7-2-12, 2-17-16,_____.

62-303.360 Primary Contact and Recreation Use Support.

(1) A Class I, I-Treated, II, III or III-Limited (if primary contact and recreational use is not limited) water shall be placed on the Planning List for evaluating primary contact and recreation use support based on bacteriological data if:

(a) through (b) No change.

(2) A Class I, I-Treated, II, III, or III-Limited water shall be placed on the Planning List for evaluating primary contact and recreation use support based on bathing area closures, advisories, or warnings issued by a local health department or county government if:

(a) through (c) No change.

(3) through (4) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06, 9-4-07, 8-1-13, 2-17-16,_____.

62-303.370 Fish and Shellfish Consumption Use Support.

(1) A Class I, I-Treated, II, III or III-Limited water shall be placed on the Planning List for fish consumption if there is either a limited or no consumption fish consumption advisory, issued by the DOH, or other authorized governmental entity, in effect for the water segment.

(2) through (3) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06, 9-4-07, 8-1-13, 2-17-16,_____.

62-303.380 Drinking Water Use Support and Protection of Human Health.

(1) A Class I or Class I-Treated water shall be placed on the Planning List for potential impairment of drinking water use support and the protection of human health based on bacteriological data if:

(a) There is a sufficient number of *E. coli* samples from the water segment that do not meet the applicable Class I or Class I-Treated water quality criteria for bacteriological quality expressed as a Ten Percent Threshold Value (TPTV) based on the methodology described in Rule 62-303.320, F.A.C. Data must meet the requirements of subsections and paragraphs 62-303.320(2), (3), (4)(e)-(g), (8), and (9), F.A.C. Samples collected on different days will be assessed as individual samples and samples collected on the same day shall be averaged; or

(b) No change.

(2) A Class I or Class I-Treated water shall be placed on the Planning List for potential impairment of drinking water use support and the protection of human health based on information provided by public water systems if a public water system demonstrates to the Department that either:

(a) Annual treatment ~~Treatment~~ costs to meet applicable drinking water standards ~~criteria~~ have increased by at least 25% to treat contaminants, ~~that exceed Class I criteria or to treat~~ blue-green algae, or other nuisance algae in the source water; or

(b) No change.

(c) When determining increased treatment costs under paragraphs (2)(a) or (2)(b) above, costs due solely to new, more stringent drinking water requirements, inflation, or increases in costs of materials shall not be included.

(3) A water shall be placed on the Planning List for potential impairment of drinking water use support or the protection of ~~assessment of the threat to~~ human health if:

(a) through (b) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06, 9-4-07, 8-1-13, 2-17-16,_____.

62-303.390 The Study List.

(1) No change.

(2) A Class I, I-Treated, II, III or ~~Class III-Limited~~ water shall be placed on the Study List if:

(a) through (h) No change.

(3) through (10) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 7-2-12, Amended 2-17-16,_____.

62-303.480 Drinking Water Use Support and Protection of Human Health.

If the water segment was listed on the Planning List due to exceedances of a human health-based water quality criterion, the Department shall re-evaluate the data using the methodology in subsections 62-303.380(1) and (3), F.A.C., and limit the analysis to data collected within 7.5 years of the time the water segment is proposed for listing on the Verified List. Data older than 7.5 years shall be used if it is demonstrated to be representative of current conditions. Any determinations to use older data shall be documented by the Department, and the documentation shall provide the basis for the decision that the data are representative of current conditions. For this analysis, the Department shall exclude any data meeting the requirements of subsection 62-303.420(5), F.A.C. The following water segments shall be listed on the Verified List:

(1) For human health-based criteria expressed as maximums, water segments that meet the requirements in subsection 62-303.420(~~6~~) (~~7~~), F.A.C., or

(2) For human health-based criteria expressed as annual averages, water segments that have an annual average that exceeds the applicable criterion. To calculate an annual average for the Verified List assessment, there shall be at least three samples per year, with samples from at least three different quarters of the same year.

(3) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06, 9-4-07, 8-1-13, 2-17-16,_____.

62-303.500 Prioritization for TMDL Development.

(1) No change.

(2) The following waters shall be designated high priority:

(a) Water segments where the impairment poses a threat to potable water supplies, treated potable water supplies, or to human health.

(b) No change.

(3) The following waters shall be designated low priority:

(a) Man-made canals, urban drainage ditches, and other artificial water segments unless the impairment poses a threat to potable water supplies, treated potable water supplies, or to human health.

(b) No change.

(4) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06, 8-1-13, 2-17-16,_____.

62-303.720 Delisting Procedure.

(1) No change.

(2) Waterbody segments shall be removed from the State’s Verified List only after adoption of a TMDL, a Department determination that pollution control programs provide reasonable assurance that water quality standards will be attained pursuant to Rule 62-303.600 F.A.C., or upon a demonstration that the waterbody meets the waterbody quality standard that was previously established as not being met.

(a) through (f) No change.

(g) For waters listed based on impacts to potable water supplies or treated potable water supplies pursuant to paragraph 62-303.380(1)(b), F.A.C., the water shall be delisted when the causes resulting in higher treatment costs have been ameliorated.

(h) through (q) No change.

(3) No change.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06, 9-4-07, 7-2-12, 8-1-13, 2-17-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Tom Frick

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jonathan P. Steverson

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 17, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 25, 2016

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-3.009 RULE TITLE: False, Fraudulent, Deceptive and Misleading Advertising Prohibited; Policy; Definitions; Affirmative Disclosure

PURPOSE AND EFFECT: To clarify rule and remove extraneous language.

SUMMARY: To clarify and remove language.

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 463.005 FS.

LAW IMPLEMENTED: 456.062, 456.072(1)(a), (m), 463.014, 463.016(1)(f), (g) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony B. Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-3.009 False, Fraudulent, Deceptive and Misleading Advertising Prohibited; Policy; Definitions; Affirmative Disclosure.

~~(1) It is the policy of the Board of Optometry that advertising by licensed practitioners in this state shall be regulated so as to effectuate the duty of the State of Florida to protect the health, safety, and welfare of its residents, while not abridging any rights guaranteed to practitioners or to the public by the constitutions of the United States and the State of Florida, as construed by the United States Supreme Court~~

~~and the Florida courts. To that end, the dissemination to the public of information regarding the practice of optometry and where and for whom optometric services may be obtained is authorized so long as such information is in no way fraudulent, false, deceptive or misleading.~~

~~(2) A licensed practitioner shall not disseminate or cause the dissemination of any advertisement or advertising which is in any way fraudulent, false, deceptive or misleading. Any advertisement or advertising shall be deemed by the Board to be fraudulent, false, deceptive, or misleading, if it:~~

- ~~(a) Contains a misrepresentation of facts; or~~
- ~~(b) Has the capacity or tendency to mislead or deceive because in its content or in the context which it is presented makes only a partial disclosure of relevant facts; or~~
- ~~(c) Has the capacity of tendency to create false, or unjustified expectations or beneficial treatment or successful cures; or~~
- ~~(d) Contains false, fraudulent, deceptive, or misleading representations relating to the quality or quantity of the optometric services offered; or~~
- ~~(e) Contains any representations or claims which the licensed practitioner referred to in the advertising fails to perform; or~~
- ~~(f) Contains any other representation, statement, or claim which has the capacity or tendency to mislead or deceive.~~

~~(3) When determining what constitutes fraudulent, false, deceptive, or misleading advertisement, the Board shall be guided by applicable federal and state status, rules and court decisions.~~

~~(1)(4) As used in the rules of this Board, the terms "advertisement" and "advertising" shall mean any statements, oral or written, disseminated to or before the public or any portion thereof, with the intent of furthering the purpose, either directly or indirectly, or of selling professional services or ophthalmic goods, or offering to perform professional services, or inducing members of the public to enter into any obligation relating to such professional services. The licensed practitioner has the duty to review and proof all advertisements prior to publication, and is fully responsible for the content therein.~~

~~(5) A licensed practitioner may practice under practice identification names, trade names, or service names, so long as any dissemination of information, including signs, by the practitioner, to consumers contains the name under which the practitioner is licensed or that of the professional association in which the practitioner practices and so long as the information identifies the practitioner of the professional association as being engaged in the practice of optometry. However, a licensed practitioner may not adopt and publish or cause to be published any practice identification name, trade name, or service name which is, contains, or is intended to~~

~~serve as an affirmation of the quality or competitive value of the optometric services provided at the identified practice. Any licensed practitioner who is practicing or intends to practice under a practice identification name, trade name or service name must register with the Board of Optometry identifying the specific name as registered under applicable Florida law.~~

~~(6) All advertisements which advertise services available at branch office locations shall state the hours that a licensed practitioner is practicing at each location mentioned in the advertisement, or shall advise the reader to secure information as to the availability of the licensed practitioner. Excepted from this requirement are:~~

- ~~(a) White page telephone book listings;~~
- ~~(b) Yellow page telephone book advertising which lists only the name, address(es) and phone number(s) of the licensed practitioner;~~
- ~~(c) Advertising such as business cards, which are distributed by the licensed practitioner personally or at her or his premises; and~~
- ~~(d) Advertising posted at or in the immediate vicinity of the office advertised.~~

~~(2)(7) All advertisements must clearly denote with words or proper abbreviation that the practitioner is engaged in the practice of optometry.~~

~~(3)(8) Any advertisement for free or discounted services must contain the disclaimer required by Section 456.062, F.S., no less than Times New Roman 6 point font size.~~

~~(4) When determining what constitutes fraudulent, false, deceptive, or misleading advertisement, the Board shall be guided by applicable federal and state statutes, rules and court decisions.~~

Rulemaking Authority 463.005 FS. Law Implemented 456.062, 456.072(1)(a), (m), 463.014, 463.016(1)(f), (g) FS. History—New 11-13-79, Amended 4-17-80, 8-20-81, Formerly 21Q-3.09, Amended 1-8-86, 12-16-86, Formerly 21Q-3.009, 61F8-3.009, 59V-3.009, Amended 1-2-02, 11-13-06, 11-5-07, 4-21-10, 10-13-10,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Optometry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2015
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 15, 2016

DEPARTMENT OF HEALTH

Board of Respiratory Care

RULE NO.: 64B32-6.006
RULE TITLE: AIDS Education and Medical Error Prevention Education

PURPOSE AND EFFECT: Amendment proposed to update language in the rule.

SUMMARY: Update language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.013(7), 456.033 FS.

LAW IMPLEMENTED: 456.013(7), 456.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way Bin #C05, Tallahassee, Florida 32399-0797.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B32-6.006 AIDS Education and Medical Error Prevention Education.
(1) No change.

(2) To receive Board approval, courses on HIV/AIDS shall be at least one hour and include the following subject areas: Modes of transmission, Infection control procedures, Clinical management, Prevention, and current Florida law on AIDS and the impact on testing, confidentiality, and treatment. ~~A home study course shall be permitted to fulfill this aspect of the HIV/AIDS education.~~

(3) No change.

(4) Each ~~applicant and all~~ licensees must complete ~~shall take~~ a Board approved 2-hour continuing education course relating to the prevention of medical errors no later than upon the licensee's first biennial renewal of licensure. The 2-hour course shall count toward the total number of continuing education hours required for each license renewal. The course shall include medication errors, including missed treatments, documentation errors, equipment errors, patient errors and communication errors.

Rulemaking Authority 456.013(7), 456.033 FS. Law Implemented 456.013(7), 456.033 FS. History—New 6-20-89, Amended 7-28-92, Formerly 21M-38.006, Amended 1-2-94, Formerly 61F6-38.006, 59R-75.006, 64B8-75.006, Amended 4-27-00, 7-22-02, 6-20-07, 5-25-15, 9-17-15, 2-4-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Respiratory Care

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:

Board of Respiratory Care

DATE PROPOSED RULE APPROVED BY AGENCY HEAD:

April 8, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR:

June 15, 2016

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: **RULE TITLE:**

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program

PURPOSE AND EFFECT: The purpose of this rule amendment is to modify the administrative rule for the Florida Fish and Wildlife Conservation Commission's Derelict Vessel Removal Grant Program. This rule is based on the Derelict Vessel Removal Grant guidelines which will be incorporated by rule. This rule specifies within the guidelines, the procedure with which state, county and municipal governments, Florida Water Management Districts and Florida Inland Navigation Districts may apply for and be awarded Florida Fish and Wildlife Conservation Commission Derelict Vessel Removal Grants.

SUMMARY: This rule section defines how the Commission will distribute the funding allocated by the Florida Legislature for the removal of derelict vessels. These guidelines which are incorporated by rule provide guidance to state, county and

local governments to maximize their ability to remove derelict vessels within their jurisdictions with the financial assistance provided by the Florida Legislature.

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: Art. IV, Sec. 9, Florida Constitution, 327.04, 327.47, 379.106, 376.15(d), 206.606, 376.15, FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution, 327.47, 328.72, 379.106, 376.15(d), (e), FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Captain Gary Klein, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68-1.003(FAC) Florida Fish and Wildlife Conservation Commission Grants Program

(1) through (6) No change.

(7) Derelict Vessel Removal Grant Program grants shall meet all requirements set forth in ~~this section~~. the Florida Fish and Wildlife Conservation Commission's (Commission) Derelict Vessel Removal Grant Guidelines (June 2016), which are hereby incorporated by reference (https://www.flrules.org/Gateway/reference.asp?No=Ref-_____), and the Grant Application (June 2016), which are hereby incorporated by reference (https://www.flrules.org/Gateway/reference.asp?No=Ref-_____). The guidelines and application forms are also available from the Commission at 620 S. Meridian Street, 1M, Tallahassee, Florida 32399-1600.

~~(a) In the event monies are appropriated by the Legislature for the funding of the Derelict Vessel Removal Grant Program for a given fiscal year, the Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement (Division) shall award said grants to local governments based on these criteria:~~

~~1. The degree to which the designated derelict vessels pose a threat to public health or safety, the environment, navigation or the aesthetic condition of the general vicinity within the jurisdiction of the grant applicant.~~

~~2. The total number of derelict vessels within the jurisdiction of the grant applicant.~~

~~3. The degree to which the designated derelict vessels will be used in the construction of permitted artificial reef sites.~~

~~4. The projected cost effectiveness of the grant applicant's proposed derelict vessel removal program.~~

~~5. The degree of commitment of the grant applicant to maintain coastal waters free of derelict vessels and its record for seeking legal action against those owners who abandon vessels in the waters of the state.~~

~~6. The timeliness and completeness of the grant application received from the applicant.~~

~~(b) Only derelict vessels as defined in Section 823.11(1), F.S., shall be eligible for removal with grant funds. Derelict vessels to be removed with grant funds must be designated and marked by a law enforcement officer as specified in Section 327.70, F.S.~~

~~1. Such designation and marking shall be considered made when a written offense report, incident report, or similar report is submitted by a law enforcement officer, the notice as specified in Section 705.103(2), F.S. is affixed to the vessel, and the vessel is marked as derelict with the letters "DV," the two digit year, and law enforcement agency's offense, incident, case, report, or other identifying number. The marking of the vessel will be done in such a way that it can be easily identified by other boaters or a removal contractor. If the condition of the vessel makes it impossible to affix the required notice and display the "DV" number (example: the vessel is entirely submerged or completely broken up), the notice and "DV" number shall be displayed on a sign or buoy attached to the vessel.~~

~~2. A copy of the report must be submitted to the Fish and Wildlife Conservation Commission, Division of Law Enforcement at 620 South Meridian Street, Tallahassee, FL 32399. Photographs of the vessel displaying the completed sticker and the DV number as described above must be included in or attached to the report.~~

~~(c) Authorized disposal sites for derelict vessels shall be limited to permitted artificial reef sites and permitted landfill locations. Any exceptions must be approved in writing by the Division.~~

~~(d) In the event monies are appropriated by the Legislature for the funding of the Derelict Vessel Removal Grant Program for a given fiscal year, the Division shall announce the availability of funding in the Florida Administrative Register and on the Web at http://myfwc.com/RECREATION/boat_index.htm. A grant applicant shall provide a completed grant application to the Division no more than 60 days from the date the announcement is published. This application shall be submitted on the form FWC/DV APP (July 2008), entitled "Application for Derelict Vessel Removal Grant," July 2008, incorporated herein by reference, and may be obtained by contacting: the Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 S. Meridian Street, 1M, Tallahassee, Florida 32399 1600. No other form will be accepted.~~

~~(e) The Division shall within 30 days after the established submission closing date make the award of said grants pursuant to the criteria set forth in subsection (1) above. Said grants shall be awarded for the removal and disposal of all or part of the vessels designated on a given grant application. In the event the dollar amount of the awarded grant applications is less than the allocated funds or the Division determines that any or all of the submitted applications do not adequately meet the established award criteria, or any of the designated derelict vessels contained within an awarded grant are removed prior to their removal with grants funds, the Division shall solicit additional applications from potential applicants for the balance of the allocated funds not expended pursuant to the grant program.~~

~~(f) A grant recipient shall administer the removal and disposal of designated derelict vessels as an independent governmental authority and not as an agent or representative of the Commission. In the event the Division determines that one or more derelict vessels included in a grant constitutes an immediate hazard to navigation by obstructing or threatening to obstruct navigation or in any way constitutes an immediate danger to the environment or to the public safety, the grant recipient or the Division will remove the vessel immediately pursuant to Section 823.11(3)(a), F.S. If the Division removes the vessel or vessels, the grant will be amended to reduce the grant amount by the amount expended by the Division for such removal, or terminated if the amount expended by the Division for such removal exceeds the amount of the grant.~~

~~(g) No grant monies for the removal and disposal of a given derelict vessel shall be paid to the grant recipient until said vessel has been legally removed and such removal and disposal properly documented by the grant recipient. The grant recipient shall submit documentation for the removal and disposal of derelict vessels along with a request for reimbursement to the Division on a monthly basis. Only costs~~

~~directly associated with the actual removal and disposal of a designated derelict vessel(s) including the removal of pollutants are eligible for reimbursement from the grant program.~~

~~(h) All grants made pursuant to this subsection shall be subject to pre audit and post audit by the Commission or its representative.~~

(8) through (13) No change.

Rulemaking Authority 206.606, 327.04, 379.106, 376.15(d), FS. Law Implemented 206.606, 327.47, 328.72, 379.106, 376.15(d),(e) FS. History—New 4-4-04, Amended 3-15-05, Formerly 68A 2.015, Amended 5-22-07, 7-6-08, 1-18-09, 3-21-10, 6-30-10, 5-20-12, 2-9-15_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Captain Gary Klein, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600; (850)617-9528

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 22, 2016

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 21, 2016

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-14.07621 Performance-Based Incentive

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 123, June 24, 2016 issue of the Florida Administrative Register. The meeting date was originally set for July 20, 2016 but has been changed to July 21, 2016 with a start time of 8:00 a.m.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-18.040	Definitions
6A-18.0401	Federal Regulations Adopted by Reference
6A-18.041	Establishment of Vending Facilities
6A-18.042	Issuance of License
6A-18.0421	Conditions for Removal from a Facility; Suspension or Revocation of License
6A-18.0422	Emergency Removal of a Vendor from a Vending Facility
6A-18.0423	Grievance Procedure
6A-18.0424	Announcement of Facility Vacancies
6A-18.0425	Application and Selection
6A-18.043	The State Committee of Vendors
6A-18.044	Operator License Agreement
6A-18.045	Newspaper Vending Sales
6A-18.046	Incorporation by Reference

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rules in Vol. 42 No. 109, June 6, 2016 Florida Administrative Register and continued in Vol. 42 No. 114, June 13, 2016 Florida Administrative Register.

The rules were originally proposed for June 22, 2016 and then continued to July 20, 2016. The meeting date has been changed from July 20, 2016 to July 21, 2016 with a start time of 8:00 a.m. at Indian River State College, Pruitt Campus, William and Helen Thomas STEM Center, 500 N.W. California Blvd., Port St. Lucie, FL 34986.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-20.0281 Florida Incentive Scholarship Program

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 42 No. 123, June 24, 2016 issue of the Florida Administrative Register. The meeting date was originally set for July 20th but has been changed to July 21st with a start time of 8:00 a.m.

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-26.0041	Definitions and Terms
14-26.00411	Procedure for Issuance of Permits
14-26.012	Movement Conditions and Restrictions
14-26.014	Non-Compliance
14-26.015	Penalties

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. 42 No. 64, April 1, 2016 issue of the Florida Administrative Register.

14-26.0041 Definitions and Terms.

All terms in this rule chapter shall have the same meaning as defined in Section 316.003, F.S., except that "Department" shall refer to the Department of Transportation. Additionally, the following terms are defined:

(1) through (2) No change.

(3) "Divisible Load" means a load which exceeds the legal weight, length, width or height limits established in 316.515, F.S. and 316.535, F.S. which can be dismantled using appropriate equipment without destroying the value or compromising the intended use of the load.

(3) through (24) renumbered as (4) through (25) No change.

~~(25) "Route Specific Blanket Permit" means authorization issued by the Department for multiple trips on a specified route only from point of origin to destination for a period not to exceed three months.~~

(26) through (33) No change.

Rulemaking Authority 316.550~~(6)(5)~~, 334.044(2) FS. Law Implemented 316.515, 316.550 FS. History—New 9-15-87, Amended 7-21-91, 6-23-96, 11-10-98, 2-1-10, 10-4-10, 2-5-13,_____.

14-26.00411 Procedure for Issuance of Permits.

(1) through (3) No change.

(4) Permitting Process. Payment for permits shall be in cash, by cashier's check, personal or company check, money order, or credit card. Permit requests must be received at least ten business days before scheduled movement for non-routine permits. The applicant must complete all fields on Form 850-040-02, Request for Special Road Use Oversize/Overweight Permit Application rev. 6/16 ~~7/10~~ incorporated herein at , or complete an online Application at www.fdotmaint.com/permit, and provide the following:

(a) through (g) No change.

(h) Requested route of travel containing detailed information including origin, destination, physical addresses, mile markers, or intersections. This applies to trip permit ~~and route specific blanket permit~~ applications only.

(5) through (6) No change.

Rulemaking Authority 316.550, 334.044(2) FS. Law Implemented 316.515, 316.535, 316.550 FS. History—New 8-26-82 Formerly 14-26.06, Amended 9-15-87, 7-21-91, 6-23-96, 11-10-98, Formerly 14-26.006, Amended 2-1-10, 10-4-10, 2-5-13,_____.

14-26.012 Movement Conditions and Restrictions.

(1) through (2) No change.

(3) Escort Vehicle and Equipment Requirements for Qualified Escorts.

(a) No change.

(b) On Board Equipment. During escort operations, all escort vehicles shall have on board the following equipment and such equipment shall be in working order:

1. Operable two-way electronic communications. Qualified escorts must have a ~~hands free device and method for maintaining verbal communication of communicating~~ with the driver of the permitted load at all times during movements.

2. One ~~5-pound~~ Class ABC fire extinguisher, minimum 5 pounds.

3. through 8. No change.

(4) Escort Functions. Escorts are required to watch and direct traffic or the load to ensure public safety. Escorts may, when actively escorting permitted loads, perform necessary traffic control functions as defined in Section 316.079(2), F.S. No escort or escort vehicle may be used to perform any other function that could distract from the escort responsibilities. The total number of escorts required will be determined based upon safety considerations. If one escort is required for an over width load, the escort shall precede the load on two lane highways or follow the load on four lane divided highways. If two escorts are required, one must precede the load and one must follow. If the load is over length only, the escort vehicle shall be in the rear of the load at all times. Escorts shall operate no more than 300 feet in front of or behind the load unless road conditions or permit stipulations dictate otherwise. Escorts equipped with a vertical height indicator must precede the load at a distance which allows the permitted vehicle to take evasive action when approaching overhead obstructions. Escort vehicles in the process of escorting a permitted vehicle or load must proceed through weigh stations and must not bypass such stations. The Permittee is responsible for providing the escort with a copy of the permit prior to the move.

(5) No change.

(6) All vehicles, including vehicles equipped with an automatic vehicle identification system, must stop at open weigh stations. Vehicles operating under an internal (inner) bridge permit may bypass an open weigh station when a Department approved electronic credentialing device instructs the vehicle to proceed.

(7) Width Limitations.

(a) through (b) No change.

(c) Vehicles over 12 Feet up to 14 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted during daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. ~~Except for local moves, minimum 26,001 pound registered GVW vehicle is required.~~ A minimum of one escort vehicle, with escort, is required at all times.

1. through 4. No change.

(d) Vehicles over 14 Feet up to 16 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip permits only shall

be issued. Movement is permitted daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. ~~Except for local moves, minimum 26,001 pound registered GVW vehicle is required.~~ Two qualified escorts are required at all times during the move, one in the front and one in the rear of the load.

1. through 5. No change.

(8) Height Limitations.

(a) Vehicles up to 14 Feet 6 Inches. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted all days and all hours. Except for local moves, this is the maximum height for loads hauled on straight trucks.

(b) Vehicles over 14 Feet 6 Inches up to 16 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. A minimum of two warning lights are required; one mounted on the front and one on the rear of the load. An escort vehicle with a vertical height indicator is required to precede the load at a distance which allows the permitted vehicle to take evasive actions when approaching overhead obstructions. Trip permit requests for movement of vehicles over 15 feet high will require an affidavit verifying the proposed route has clearance to accommodate the request height plus six inches.

(c) Vehicles over 16 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Multi-trip permits shall be limited to vehicles up to 18 feet. Movement is permitted during daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. A minimum of two warning lights are required with one mounted on the front and one on the rear of the load. In addition, movement is restricted to local moves only.

~~1. One qualified escort with a vertical height indicator must precede the load when travelling on a limited access facility.~~

~~1.2.~~ One law enforcement escort in addition to one qualified escort is required ~~when travelling on state maintained roadways (excluding limited access facilities).~~ The qualified escort must precede the load with a vertical height indicator at a distance which allows the permitted vehicle to take evasive actions when approaching overhead obstructions.

~~2.3.~~ Appropriate utility personnel will also be required whenever the load will encounter low barriers such as overhead structures, traffic signals, and low wires.

(9) through (10) No change.

(11) Designated Permits.

(a) through (d) No change.

(e) Truck tractor semi-trailer combinations hauling boats may obtain a trip or multi-trip permit, regardless of trailer length, when the overall length does not exceed 80 feet excluding overhang. This applies to both stinger and non-stinger steered vehicles.

~~(f)(e)~~ Straight truck and trailer combinations hauling automobiles/boat may obtain a trip or multi-trip permit when the ~~trailer exceeds 28 feet with an~~ overall length does not exceed 80 feet including. ~~No overhang is allowed.~~

~~(g)(f)~~ Trip or multi-trip permits will be issued to truck tractor semi-trailer combinations to deviate from inner-bridge requirements when traveling on interstate highways and when the criteria of Rule 14-26.00425, F.A.C., are met. These vehicles are not allowed to exceed the external bridge or axle weight limitations described in Section 316.535, F.S.

(h) Multi-trip permits will be issued for vehicles operating with a natural gas fueling system. These permits will be valid for 36 months and the hauler is responsible for producing a certification displaying the difference in weight between the natural gas fueling system and a comparable diesel fueling system when requested by law enforcement.

(12) No change.

Rulemaking Authority 316.515, 316.550, 334.044(2) FS. Law Implemented 316.228, 316.515, 316.550, 334.044(28)(27) FS. History—New 8-26-82, Amended 12-6-83, Formerly 14-26.12, Amended 9-15-87, 5-2-90, 7-21-91, 6-23-96, 11-10-98, 2-1-10, 10-4-10, 2-5-13, _____.

14-26.014 Non-Compliance.

(1) Suspension or revocation of permits.

(a) The Department, ~~for good cause,~~ will suspend or revoke a multi-trip or trip permit for a specified period of time ~~for or revoke a multi trip or trip permit. Good cause shall include, but is not limited to~~ the following:

1. through 5. No change.

6. The permittee fails to pay fees/penalties owed to the Department of Transportation, the Department of Highway Safety and Motor Vehicles or their its agent(s).

(2) Denial of future permits.

In addition to a suspension or revocation of a multi-trip or trip current permit ~~for good cause~~ as set forth in subsection (1) of this rule, the Department, ~~for good cause, as defined by paragraph (1)(a) of this rule,~~ will deny issuance of future permits as follows:

(a) First Written warning

(b) Second 30 Days

(c) Third 90 Days

(d) Fourth 12 Months

Rulemaking Authority 316.550, 334.044(2) FS. Law Implemented 316.550 FS. History—New 8-26-82, Amended 12-6-82, 3-18-84, Formerly 14-26.14, Amended 9-15-87, 4-22-92, 6-23-96, 1-17-99, 2-1-10, _____.

14-26.015 Penalties.

(1) Any vehicle in violation of any permit criteria, or operating without a permit where one is required, will be required to correct all offending irregularities or obtain a new permit based on the vehicle’s actual load prior to release of the vehicle. Additionally, the following penalties for violation of permit requirements will apply:

(a) through (c) No change.

(d) A vehicle operated with a valid permit which vehicle violates an operational or safety provision contained in the permit, will be assessed a penalty of \$100.00 per safety violation (lights, flags, signs, etc.) and \$250.00 per absent escort, except that the total penalty for the vehicle shall not exceed \$1,000.00.

(e) No change. A vehicle operated with a valid permit which violates daytime, nighttime, or restricted hours of travel restrictions shown on the permit, which violates weekend and holiday travel restrictions shown on the permit, or which violates the restrictions against movement during periods of poor visibility, will be assessed a penalty of \$1,000.00 and the vehicle will be parked at owner’s expense and responsibility until the next authorized travel period.

~~(f) The vehicle or load strikes a bridge with or without a valid permit. The Permittee will be held liable for damages.~~

~~(f)(g) Any vehicle operating on an oversize/overweight permit (excluding inner bridge permits) which bypasses an open weigh station will be assessed a penalty of \$1,000.00.~~

(g) Any vehicle operating on a forged or altered permit will be assessed a penalty of \$1,000.00 in addition to penalties assessed for size/weight violations.

(2) Null and Void Criteria. Any vehicle found to be operating under one or more of the following conditions shall be determined to be out of conformity with the provisions of the permit, in which case the vehicle is considered to be in non-compliance and the permit will be declared to be null and void for that vehicle for that trip. Penalties will be assessed as provided in Sections 316.516 and 316.545, F.S., and the vehicle must remain until the load is brought into compliance or a valid permit is obtained.

(a) through (i) No change.

(j) The vehicle is being operated under a multi-trip permit and the permit is not accompanied by the required attachments described in the permit. Penalty to be assessed based upon the nature of the violation (weight or size).

(k) No change.

(l) The vehicle is not registered for 80,000 pounds GVW when transporting an oversized/overweight load. Penalty to be assessed for weight only.

(m) The vehicle permitted for operation with a natural gas fueling system, is being operated without certification of the weight difference between the natural gas fueling system and a comparable diesel fueling system. Penalty to be assessed for weight only.

Rulemaking Authority 316.550, 334.044(2) FS. Law Implemented 316.516(4), 316.550(10)(6), (8) FS. History—New 6-23-96, Amended 11-10-98, 2-1-10, 10-4-10, 2-5-13.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-28
 RULE TITLE: Game Number 1309, MONOPOLY™ \$10,000 FLORIDA EDITION

SUMMARY: This emergency rule describes Game Number 1309, “MONOPOLY™ \$10,000 FLORIDA EDITION,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-28 Game Number 1309, MONOPOLY™ \$10,000 FLORIDA EDITION.

(1) Name of Game. Game Number 1309, “MONOPOLY™ \$10,000 FLORIDA EDITION.”

(2) Game Number 1309, MONOPOLY™ \$10,000 FLORIDA EDITION is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. MONOPOLY™ \$10,000 FLORIDA EDITION lottery tickets sell for \$1.00 per ticket.

(4) MONOPOLY™ \$10,000 FLORIDA EDITION lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MONOPOLY™ \$10,000 FLORIDA EDITION lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:



(6) The "WINNING NUMBER" play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT
9 NINE	10 TEN	11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	

(7) The prize symbols and prize symbol captions are as follows:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$20.00 TWENTY	\$25.00 TWENTY FIVE
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(8) The legends are as follows:

YOUR NUMBERS	WINNING NUMBER
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(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches the play symbol and corresponding play symbol caption in the "WINNING NUMBER" play area shall entitle the claimant to the corresponding prize shown for that symbol.

A ticket having a "DOUBLE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to double the corresponding prize shown for that symbol. A ticket having a

"WINNALL" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all five prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200 and \$10,000.

(10) The estimated odds of winning, value, and number of prizes in Game Number 1309 are as follows:

GAME PLAY	WIN	ESTIMATE D	NUMBER OF WINNERS IN 134 POOLS OF 240,000 TICKETS PER POOL
\$1	\$1	11.11	2,894,400
\$1 (TRAIN)	\$2	33.33	964,800
\$1 x 2	\$2	50.00	643,200
\$2	\$2	50.00	643,200
\$1 x 4	\$4	150.00	214,400
\$1 (TRAIN) + \$2	\$4	300.00	107,200
\$2 x 2	\$4	150.00	214,400
\$4	\$4	150.00	214,400
\$1 x 5 (MONEYBAG)	\$5	750.00	42,880
\$1 + \$2 (TRAIN)	\$5	750.00	42,880
(\$2 x 2) + \$1	\$5	750.00	42,880
\$4 + \$1	\$5	750.00	42,880
\$5	\$5	750.00	42,880

\$2 x 5 (MONEYBAG)	\$10	750.00	42,880
\$2 + \$4 (TRAIN)	\$10	750.00	42,880
(\$1 x 2) + (\$4 x 2)	\$10	750.00	42,880
\$5 x 2	\$10	750.00	42,880
\$10	\$10	750.00	42,880
\$4 x 5 (MONEYBAG)	\$20	1,500.00	21,440
\$4 x 5	\$20	1,500.00	21,440
\$5 (TRAIN) + \$10	\$20	1,500.00	21,440
\$10 x 2	\$20	1,500.00	21,440
\$20	\$20	1,500.00	21,440
\$5 x 5 (MONEYBAG)	\$25	4,800.00	6,700
\$5 + \$10 (TRAIN)	\$25	4,800.00	6,700
(\$5 x 3) + \$10	\$25	4,800.00	6,700
\$5 + (\$10 x 2)	\$25	4,800.00	6,700
\$25	\$25	6,000.00	5,360
\$10 x 5 (MONEYBAG)	\$50	12,000.00	2,680
\$25 x 2	\$50	12,000.00	2,680
\$5 (TRAIN) + \$20 (TRAIN)	\$50	12,000.00	2,680
\$10 + (\$20 x 2)	\$50	12,000.00	2,680
\$50	\$50	12,000.00	2,680
\$20 x 5 (MONEYBAG)	\$100	12,000.00	2,680
\$20 x 5	\$100	12,000.00	2,680
\$10 + (\$20 x 2) + \$25 (TRAIN)	\$100	12,000.00	2,680
\$50 x 2	\$100	12,000.00	2,680
\$100	\$100	12,000.00	2,680
\$25 (TRAIN) + (\$50 x 3)	\$200	120,000.00	268
\$50 x 4	\$200	240,000.00	134
(\$50 x 2) + \$100	\$200	240,000.00	134
\$100 (TRAIN)	\$200	120,000.00	268
\$200	\$200	240,000.00	134
	\$10.00		
\$10,000	0	236,470.59	136

(11) The estimated overall odds of winning some prize in Game Number 1309 are 1 in 4.95. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 1309, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for MONOPOLY™ \$10,000 FLORIDA EDITION lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-29-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 6-29-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-29
RULE TITLE: Game Number 1310, MONOPOLY™ \$50,000 FLORIDA EDITION

SUMMARY: This emergency rule describes Game Number 1310, “MONOPOLY™ \$50,000 FLORIDA EDITION,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399- 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-29 Game Number 1310, MONOPOLY™ \$50,000 FLORIDA EDITION.




(1) Name of Game. Game Number 1310, “MONOPOLY™ \$50,000 FLORIDA EDITION.”

(2) Game Number 1310, MONOPOLY™ \$50,000 FLORIDA EDITION is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. MONOPOLY™ \$50,000 FLORIDA EDITION lottery tickets sell for \$2.00 per ticket.

(4) MONOPOLY™ \$50,000 FLORIDA EDITION lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MONOPOLY™ \$50,000 FLORIDA EDITION lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 THENTY
									

(6) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 THENTY

(7) The prize symbols and prize symbol captions are as follows:

\$1.00 ONE	\$2.00 TWO	\$4.00 FOUR	\$5.00 FIVE	\$10.00 TEN	\$20.00 THENTY	\$25.00 THY FIVE
\$50.00 FIFTY	\$100 ONE HUN	\$200 THO HUN	\$1,000 ONE THOU	\$2,500 THYFIV HUN	\$50,000 FTY THOU	

(8) The legends are as follows:


YOUR NUMBERS **WINNING NUMBERS**

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches either play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol.



A ticket having a “DOUBLE” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to double the corresponding prize shown for that symbol. A ticket having a

“” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$200. A ticket having a “



“WINALL” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$200, \$1,000, \$2,500 and \$50,000.

(10) The estimated odds of winning, value, and number of prizes in Game Number 1310 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 246 POOLS OF TICKETS PER POOL
\$2	\$2	9.38	4,723,200
\$1 x 4	\$4	75.00	590,400
\$1 (TRAIN) + \$2	\$4	50.00	885,600
\$2 (TRAIN)	\$4	50.00	885,600
\$4	\$4	50.00	885,600
\$1 x 5	\$5	375.00	118,080
(\$1 x 3) + \$2	\$5	375.00	118,080
\$1 + \$2 (TRAIN)	\$5	375.00	118,080
\$1 + \$4	\$5	375.00	118,080

\$5	\$5	375.00	118.080
\$1 x 10 (MONEYBAG)	\$10	250.00	177.120
\$2 x 5	\$10	250.00	177.120
\$5 x 2	\$10	250.00	177.120
\$5 (TRAIN)	\$10	250.00	177.120
\$10	\$10	250.00	177.120
\$2 x 10 (MONEYBAG)	\$20	750.00	59.040
\$4 x 5	\$20	750.00	59.040
\$10 x 2	\$20	750.00	59.040
\$10 (TRAIN)	\$20	750.00	59.040
\$20	\$20	750.00	59.040
\$5 x 5	\$25	1,500.00	29.520
(\$2 x 8) + \$4 + \$5 (MONEYBAG)	\$25	1,500.00	29.520
\$5 + \$10 (TRAIN)	\$25	1,500.00	29.520
\$5 + (\$10 x 2)	\$25	1,500.00	29.520
\$5 + \$20	\$25	1,500.00	29.520
\$25	\$25	1,500.00	29.520
\$5 x 10 (MONEYBAG)	\$50	3,000.00	14.760
\$5 x 10	\$50	3,000.00	14.760
(\$2 x 5) + (\$5 x 2) + (\$10 x 3) (MONEYBAG)	\$50	3,000.00	14.760
\$10 x 5	\$50	3,000.00	14.760
(\$10 x 3) + \$20	\$50	3,000.00	14.760
\$10 + \$20 (TRAIN)	\$50	3,000.00	14.760
\$50	\$50	3,000.00	14.760
\$10 x 10 (MONEYBAG)	\$100	6,000.00	7.380
\$10 x 10	\$100	6,000.00	7.380
(\$5 x 5) + (\$10 x 3) + \$20 + \$25 (MONEYBAG)	\$100	6,000.00	7.380
\$20 x 5	\$100	6,000.00	7.380
\$50 x 2	\$100	6,000.00	7.380
\$50 (TRAIN)	\$100	6,000.00	7.380
\$100	\$100	6,000.00	7.380
\$20 x 10 (MONEYBAG)	\$200	18,000.00	2.460
\$20 x 10	\$200	22,500.00	1.968
(\$10 x 5) + (\$25 x 4) + \$50 (MONEYBAG)	\$200	22,500.00	1.968
\$25 (TRAIN) + (\$50 x 3)	\$200	22,500.00	1.968
(\$20 x 5) + \$50 (TRAIN)	\$200	22,500.00	1.968
\$100 (TRAIN)	\$200	22,500.00	1.968
\$200 (GO)	\$200	8,181.82	5.412
\$100 x 10 (MONEYBAG)	\$1,000	180,000.00	246
(\$25 x 4) + \$100 x 3 + \$200 (TRAIN) + \$200 (GO)	\$1,000	90,000.00	492
(\$100 (TRAIN) x 4) + \$200 (GO)	\$1,000	180,000.00	246
\$100 x 8 + \$200 (GO)	\$1,000	180,000.00	246
\$1,000	\$1,000	180,000.00	246
\$2,500	\$2,500	180,000.00	246
\$50,000	\$50,000	2,214,000.00	20

(11) The estimated overall odds of winning some prize in Game Number 1310 are 1 in 4.39. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 1310, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for MONOPOLY™ \$50,000 FLORIDA EDITION lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-29-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 6-29-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-30
RULE TITLE: Game Number 1311, MONOPOLY™ \$500,000 FLORIDA EDITION

SUMMARY: This emergency rule describes Game Number 1311, “MONOPOLY™ \$500,000 FLORIDA EDITION,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399- 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-30 Game Number 1311, MONOPOLY™ \$500,000 FLORIDA EDITION.



(1) Name of Game. Game Number 1311, “MONOPOLY™ \$500,000 FLORIDA EDITION.”

(2) Game Number 1311, MONOPOLY™ \$500,000 FLORIDA EDITION is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. MONOPOLY™ \$500,000 FLORIDA EDITION lottery tickets sell for \$5.00 per ticket.

(4) MONOPOLY™ \$500,000 FLORIDA EDITION lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MONOPOLY™ \$500,000 FLORIDA EDITION lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR	GO WIN\$200	 STIMES	 WINALL			

(6) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVEN	12 TWELVE	13 THIRTEEN	14 FOURTEEN	15 FIFTEEN	16 SIXTEEN	17 SEVENTEEN	18 EIGHTEEN	19 NINETEEN	20 TWENTY
21 TWENTYONE	22 TWENTYTWO	23 TWENTYTHREE	24 TWENTYFOUR						

(7) The prize symbols and prize symbol captions are as follows:

\$2.00 TWO	\$5.00 FIVE	\$10.00 TEN	\$20.00 TWENTY	\$25.00 TWENTY FIVE	\$
\$100 ONE HUN	\$200 TWO HUN	\$500 FIVE HUN	\$1,000 ONE THOU	\$5,000 FIVE THOU	\$5 FI

(8) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A



ticket having a “WIN\$200” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$200. A ticket



having a “STIMES” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to five times the corresponding



prize shown for that symbol. A ticket having a “WINALL” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to all twelve prizes shown.

(b) The prizes are: \$2.00 \$5.00, \$10.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000, \$5,000 and \$500,000.

(10) The estimated odds of winning, value, and number of prizes in Game Number 1311 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF	NUMBER OF WINNERS IN 200 POOLS OF 180,000 TICKETS PER POOL
\$5	\$5	1 IN 10.00	2,400,000
\$2 x 5	\$10	60.00	400,000
\$2 (CAR)	\$10	30.00	800,000
\$5 x 2	\$10	30.00	800,000
\$10	\$10	30.00	800,000
\$2 x 10	\$20	300.00	80,000
\$2 (CAR) + \$10	\$20	300.00	80,000
\$5 x 4	\$20	300.00	80,000
\$10 x 2	\$20	300.00	80,000
\$20	\$20	300.00	80,000
(\$2 x 10) + \$5	\$25	857.14	28,000
\$5 x 5	\$25	857.14	28,000
\$5 (CAR)	\$25	857.14	28,000
\$5 + (\$10 x 2)	\$25	857.14	28,000
\$25	\$25	895.52	26,800
(\$2 x 10) + (\$5 x 2) (MONEYBAG)	\$30	1,000.00	24,000
\$5 x 6	\$30	1,000.00	24,000
\$5 + \$5 (CAR)	\$30	1,000.00	24,000
\$10 x 3	\$30	1,090.91	22,000
\$30	\$30	1,200.00	20,000
(\$2 x 5) + (\$5 x 6) + \$10 (MONEYBAG)	\$50	1,500.00	16,000
\$5 x 10	\$50	1,500.00	16,000
\$10 (CAR)	\$50	1,500.00	16,000
\$10 x 5	\$50	1,500.00	16,000
\$50	\$50	1,714.29	14,000
(\$5 x 4) + (\$10 x 8) (MONEYBAG)	\$100	1,500.00	16,000
\$10 x 10	\$100	1,500.00	16,000
\$25 x 4	\$100	2,000.00	12,000
\$20 (CAR)	\$100	2,000.00	12,000
\$50 x 2	\$100	2,000.00	12,000
\$100	\$100	2,400.00	10,000
(\$10 x 6) + (\$20 x 4) + (\$30 x 2) (MONEYBAG)	\$200	12,000.00	2,000
\$20 (CAR) + \$100	\$200	12,000.00	2,000
\$100 x 2	\$200	12,000.00	2,000
\$200 (GO)	\$200	12,000.00	2,000
\$200	\$200	12,000.00	2,000

(\$30 x 10) + (\$100 x 2) (MONEYBAG)	\$500	12,000.00	2,000
\$50 x 10	\$500	12,000.00	2,000
(\$50 x 4) + \$100 + \$200 (GO)	\$500	12,000.00	2,000
\$100 (CAR)	\$500	12,000.00	2,000
\$500	\$500	12,000.00	2,000
(\$50 x 8) + (\$100 x 2) + (\$200 x 2) (MONEYBAG)	\$1,000	120,000.00	200
\$100 x 10	\$1,000	120,000.00	200
(\$100 x 3) + \$200 (GO) + \$500	\$1,000	120,000.00	200
\$200 (CAR)	\$1,000	120,000.00	200
\$1,000	\$1,000	120,000.00	200
\$500 x 10	\$5,000	120,000.00	200
(\$500 x 8) + \$1,000	\$5,000	120,000.00	200
\$1,000 x 5	\$5,000	120,000.00	200
\$5,000	\$5,000	120,000.00	200
\$500,000	\$500,000	2,000,000.00	12

(11) The estimated overall odds of winning some prize in Game Number 1311 are 1 in 3.98. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Game Number 1311, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for MONOPOLY™ \$500,000 FLORIDA EDITION lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011, Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-29-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 6-29-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-31
RULE TITLE: Game Number 1312, MONOPOLY™ \$2,000,000 FLORIDA EDITION

SUMMARY: This emergency rule describes Game Number 1312, “MONOPOLY™ \$2,000,000 FLORIDA EDITION,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game;

determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399- 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-31 Game Number 1312, MONOPOLY™ \$2,000,000 FLORIDA EDITION.





(1) Name of Game. Game Number 1312, “MONOPOLY™ \$2,000,000 FLORIDA EDITION.”

(2) Game Number 1312, MONOPOLY™ \$2,000,000 FLORIDA EDITION is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. MONOPOLY™ \$2,000,000 FLORIDA EDITION lottery tickets sell for \$10.00 per ticket.

(4) MONOPOLY™ \$2,000,000 FLORIDA EDITION lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MONOPOLY™ \$2,000,000 FLORIDA EDITION lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 TWELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 THENTY
21 THYONE	22 THYTWO	23 THYTHR	24 THYFOR	25 THYFIV	26 THYSIX	27 THYSVN	28 THYEGT	29 THYNIN	 DOUBLE
 GO WIN\$200	 10 TIMES	 WIN ALL							

(6) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 TWELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 THENTY
21 THYONE	22 THYTWO	23 THYTHR	24 THYFOR	25 THYFIV	26 THYSIX	27 THYSVN	28 THYEGT	29 THYNIN	

(7) The prize symbols and prize symbol captions are as follows:

\$5.00 FIVE **\$10.00** TEN **\$15.00** FIFTEEN **\$20.00** TWENTY **\$25.00** TWY FIVE \$
\$100 ONE HUN **\$200** THO HUN **\$500** FIVE HUN **\$1,000** ONE THOU **\$5,000** FIVE THOU **\$1**

(11) The estimated odds of winning, value, and number of prizes in Game Number 1312 are as follows:

(8) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(9) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A



ticket having a "DOUBLE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to double the corresponding



prize shown for that symbol. A ticket having a "GO" symbol in the "YOUR NUMBERS" play area shall entitle the



claimant to a prize of \$200. A ticket having a "10TIMES" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to ten times the corresponding prize shown for that



symbol. A ticket having a "WIN ALL" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all fifteen prizes shown.

(b) The prizes are: \$5.00, \$10.00, \$15.00, \$20.00, \$25.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000, \$5,000 \$10,000 and

\$2,000,000

\$80K/YR/25YRS

(10) \$2,000,000 Prize Payment Options.

(a) A winner of a \$2,000,000 prize may choose one of two payment options for receiving his or her prize. Payment options are "Cash Option" or "Annual Payment." At the time the \$2,000,000 prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final. If a winner does not choose the Cash Option within the sixty (60) day timeframe, the Annual Payment option will be applied.

(b) Cash Option prizes will be paid in a single cash payment of \$1,540,000, less applicable federal withholding taxes.

(c) Annual Payment prizes will be paid in twenty-five (25) equal annual installments of \$80,000 per year, less applicable federal withholding taxes.

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 168 POOLS OF 180,000 TICKETS PER POOL
\$5 x 2	\$10	60.00	336,000
\$5 (TRAIN)	\$10	20.00	1,008,000
\$10	\$10	30.00	672,000
\$5 x 3	\$15	60.00	336,000
\$5 + \$10	\$15	60.00	336,000
\$15	\$15	30.00	672,000
\$5 x 4	\$20	60.00	336,000
(\$5 x 2) + \$10	\$20	100.00	201,600
\$10 x 2	\$20	150.00	134,400
\$10 (TRAIN)	\$20	60.00	336,000
\$20	\$20	60.00	336,000
\$5 x 5	\$25	300.00	67,200
(\$5 x 3) + \$10	\$25	300.00	67,200
\$5 + (\$10 x 2)	\$25	300.00	67,200
\$5 (TRAIN) + \$15	\$25	300.00	67,200
\$25	\$25	300.00	67,200
\$5 x 6	\$30	300.00	67,200
\$5 (TRAIN) + (\$10 x 2)	\$30	300.00	67,200
\$10 x 3	\$30	400.00	50,400
\$15 (TRAIN)	\$30	300.00	67,200
\$30	\$30	400.00	50,400
\$5 (HAT)	\$50	400.00	50,400
\$5 x 10	\$50	400.00	50,400
\$10 x 5	\$50	400.00	50,400
\$10 (TRAIN) + \$15 (TRAIN)	\$50	400.00	50,400
\$50	\$50	600.00	33,600
(\$5 x 10) + (\$10 x 5) (MONEYBAG)	\$100	600.00	33,600
(\$5 x 10) + (\$10 x 5)	\$100	600.00	33,600
\$10 (HAT)	\$100	571.43	35,280
\$20 x 5	\$100	600.00	33,600
\$25 x 4	\$100	600.00	33,600
\$25 (TRAIN) + \$50	\$100	600.00	33,600
\$100	\$100	600.00	33,600
(\$10 x 10) + (\$20 x 5) (MONEYBAG)	\$200	6,000.00	3,360
(\$10 x 10) + (\$20 x 5)	\$200	6,000.00	3,360
\$20 (HAT)	\$200	6,000.00	3,360
\$10 (HAT) + \$50 (TRAIN)	\$200	6,000.00	3,360
\$100 (TRAIN)	\$200	6,000.00	3,360
\$200 (GO)	\$200	6,000.00	3,360
(\$25 x 10) + (\$50 x 5) (MONEYBAG)	\$500	12,000.00	1,680
(\$25 x 10) + (\$50 x 5)	\$500	12,000.00	1,680
\$50 (HAT)	\$500	12,000.00	1,680

(\$50 x 6) + \$100 (TRAIN)	\$500	12,000.00	1,680
(\$100 x 3) + \$200 (GO)	\$500	12,000.00	1,680
\$500	\$500	15,000.00	1,344
(\$50 x 10) + (\$100 x 5) (MONEYBAG)	\$1,000	30,000.00	672
(\$50 x 10) + (\$100 x 5)	\$1,000	30,000.00	672
\$100 (HAT)	\$1,000	30,000.00	672
(\$100 x 8) + \$200 (GO)	\$1,000	30,000.00	672
\$500 (TRAIN)	\$1,000	30,000.00	672
\$1,000	\$1,000	30,000.00	672
(\$200 x 10) + (\$500 x 4) + \$1,000 (MONEYBAG)	\$5,000	120,000.00	168
\$500 (HAT)	\$5,000	120,000.00	168
\$500 x 10	\$5,000	120,000.00	168
\$1,000 x 5	\$5,000	120,000.00	168
\$5,000	\$5,000	120,000.00	168
\$10,000	\$10,000	120,000.00	168
\$2,000,000 (\$80K/YR/25YRS)	Top Prize	2,520,000.00	8

(12) The estimated overall odds of winning some prize in Game Number 1312 are 1 in 3.45. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(13) For reorders of Game Number 1312, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(14) Payment of prizes for MONOPOLY™ \$2,000,000 FLORIDA EDITION lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-29-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 6-29-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-32
RULE TITLE: Game Number 1313, MONOPOLY™ \$5,000,000 FLORIDA EDITION

SUMMARY: This emergency rule describes Game Number 1313, “MONOPOLY™ \$5,000,000 FLORIDA EDITION,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the

Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399- 4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-32 Game Number 1313, MONOPOLY™ \$5,000,000 FLORIDA EDITION.

(1) Name of Game. Game Number 1313, “MONOPOLY™ \$5,000,000 FLORIDA EDITION.”

(2) Game Number 1313, MONOPOLY™ \$5,000,000 FLORIDA EDITION is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. MONOPOLY™ \$5,000,000 FLORIDA EDITION lottery tickets sell for \$20.00 per ticket.

(4) MONOPOLY™ \$5,000,000 FLORIDA EDITION lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning MONOPOLY™ \$5,000,000 FLORIDA EDITION lottery ticket, the ticket must meet the applicable requirements of Rule 53ER15-31, Florida Administrative Code.

(5) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 THENTY
21 THYONE	22 THYTWO	23 THYTHR	24 THYFOR	25 THYFIV	26 THYSIX	27 THYSVN	28 THYEGT	29 THYNIN	30 THIRTY
31 THYONE	32 THYTWO	33 THYTHR	34 THYFOR	35 THYFIV	36 THYSIX	37 THYSVN	38 THYEGT	39 THYNIN	DOUBLE
 STIMES	 HIN\$200	 10TIMES	 HINALL						

(6) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

1 ONE	2 TWO	3 THREE	4 FOUR	5 FIVE	6 SIX	7 SEVEN	8 EIGHT	9 NINE	10 TEN
11 ELEVN	12 THELV	13 THRTN	14 FORTN	15 FIFTN	16 SIXTN	17 SVNTN	18 EGHTN	19 NINTN	20 THENTY
21 THYONE	22 THYTWO	23 THYTHR	24 THYFOR	25 THYFIV	26 THYSIX	27 THYSVN	28 THYEGT	29 THYNIN	30 THIRTY
31 THYONE	32 THYTWO	33 THYTHR	34 THYFOR	35 THYFIV	36 THYSIX	37 THYSVN	38 THYEGT	39 THYNIN	

(7) The prize symbols and prize symbol captions are as follows:


\$5.00 FIVE	\$10.00 TEN	\$20.00 TWENTY	\$25.00 TWY FIVE	\$30.00 THIRTY	\$40.00 FORTY	\$50.00 FIFTY
\$500 FIVE HUN	\$1,000 ONE THOU	\$5,000 FIVE THOU	\$10,000 TEN THOU	\$20,000 TWY THOU	\$100,000 ONEHUN THOU	\$1,000,000 40K/YR/2


(8) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS


(9) Determination of Prizewinners.


(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

 ticket having a "DOUBLE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to double the corresponding

prize shown for that symbol. A ticket having a  "5 TIMES" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to five times the corresponding prize shown for that

symbol. A ticket having a  "60 WINS \$200" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to a prize of

\$200. A ticket having a  "10 TIMES" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to ten times the corresponding prize shown for that symbol. A ticket

having a  "ALL IN ONE" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all twenty prizes shown.

(b) The prizes are: \$5.00, \$10.00, \$20.00, \$25.00, \$30.00, \$40.00, \$50.00, \$100, \$200, \$500, \$1,000, \$5,000 \$10,000.

\$1,000,000 **\$5,000,000**
 \$20,000, \$100,000, 40K/YR/25YRS and 200K/YR/25YRS

(10) \$1,000,000 and \$5,000,000 Prize Payment Options.

(a) A winner of a \$1,000,000 or \$5,000,000 prize may choose one of two payment options for receiving his or her prize. Payment options are "Cash Option" or "Annual Payment." At the time the \$1,000,000 or \$5,000,000 prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final. If a winner does not choose the Cash Option within the sixty (60) day timeframe, the Annual Payment option will be applied.

(b) Cash Option prizes will be paid in a single cash payment.

1. A winner of a \$1,000,000 prize shall receive a cash payment of \$770,000, less applicable federal withholding taxes.

2. A winner of a \$5,000,000 prize shall receive a cash payment of \$3,840,000, less applicable federal withholding taxes.

(c) Annual Payment prizes will be paid in twenty-five (25) equal annual installments of \$40,000 per year for the \$1,000,000 prize and \$200,000 per year for the \$5,000,000 prize, less applicable federal withholding taxes.

(11) The estimated odds of winning, value, and number of prizes in Game Number 1312 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF	NUMBER OF WINNERS IN 190 POOLS OF 120,000 TICKETS PER POOL
1 IN			
\$10 x 2	\$20	30.00	760,000
\$10 (TRAIN)	\$20	15.00	1,520,000
\$20	\$20	15.00	1,520,000
\$5 + \$10 (TRAIN)	\$25	150.00	152,000
\$5 + (\$10 x 2)	\$25	75.00	304,000
\$5 (CAR)	\$25	150.00	152,000
\$25	\$25	150.00	152,000
\$10 x 3	\$30	150.00	152,000
\$5 (CAR) + \$5	\$30	150.00	152,000
\$10 + \$10 (TRAIN)	\$30	150.00	152,000
\$10 + \$20	\$30	150.00	152,000
\$30	\$30	150.00	152,000
\$10 x 4	\$40	150.00	152,000
\$10 (TRAIN) + \$20	\$40	150.00	152,000
\$20 x 2	\$40	150.00	152,000
\$20 (TRAIN)	\$40	150.00	152,000
\$40	\$40	150.00	152,000
\$10 x 5	\$50	150.00	152,000
\$10 (CAR)	\$50	150.00	152,000
\$5 (HAT)	\$50	150.00	152,000
\$25 (TRAIN)	\$50	150.00	152,000
\$50	\$50	150.00	152,000
\$5 x 20 (MONEYBAG)	\$100	600.00	38,000
\$10 x 10	\$100	600.00	38,000
\$10 (HAT)	\$100	300.00	76,000
\$20 (CAR)	\$100	171.43	133,000
\$50 (TRAIN)	\$100	171.43	133,000
\$50 x 2	\$100	171.43	133,000
\$100	\$100	171.43	133,000
\$10 x 20 (MONEYBAG)	\$200	1,200.00	19,000
\$10 x 20	\$200	1,200.00	19,000
\$20 (HAT)	\$200	1,200.00	19,000
\$50 (TRAIN) + \$100	\$200	1,200.00	19,000
\$40 (CAR)	\$200	1,200.00	19,000

\$20 x 10	\$200	1,200.00	19,000
\$200 (GO)	\$200	1,200.00	19,000
\$25 x 20 (MONEYBAG)	\$500	20,000.00	1,140
\$25 x 20	\$500	20,000.00	1,140
\$50 (HAT)	\$500	20,000.00	1,140
\$100 + \$200 (TRAIN)	\$500	20,000.00	1,140
\$100 (CAR)	\$500	20,000.00	1,140
\$200 (GO) + \$200 (GO) + \$100	\$500	20,000.00	1,140
\$500	\$500	20,000.00	1,140
\$50 x 20 (MONEYBAG)	\$1,000	20,000.00	1,140
\$50 x 20	\$1,000	20,000.00	1,140
\$40 (HAT) + (\$100 x 6)	\$1,000	24,000.00	950
(\$100 x 8) + \$200 (GO)	\$1,000	24,000.00	950
\$100 (CAR) + \$500	\$1,000	24,000.00	950
\$500 (TRAIN)	\$1,000	24,000.00	950
\$1,000	\$1,000	24,000.00	950
\$500 (HAT)	\$5,000	120,000.00	190
\$1,000 (CAR)	\$5,000	120,000.00	190
\$5,000	\$5,000	120,000.00	190
\$500 x 20	\$10,000	120,000.00	190
\$10,000	\$10,000	120,000.00	190
\$1,000 x 20	\$20,000	120,000.00	190
\$20,000	\$20,000	120,000.00	190
\$100,000	\$100,000	1,140,000.00	20
\$1,000,000 (\$40K/YR/25YRS)	Prize	1,140,000.00	20
\$5,000,000 (\$200K/YR/25YRS)	Top Prize	3,800,000.00	6

(12) The estimated overall odds of winning some prize in Game Number 1313 are 1 in 2.97. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(13) For reorders of Game Number 1313, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(14) Payment of prizes for MONOPOLY™ \$5,000,000 FLORIDA EDITION lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 6-29-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 6-29-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-33
RULE TITLE: MONOPOLY™ FLORIDA EDITION
Retailer Book Activation Promotion

SUMMARY: The rule sets forth the provisions for the MONOPOLY™ Florida Edition Retailer Book Activation Promotion.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Department of the Lottery, 250 Marriott, Tallahassee, Florida 32301

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-33 MONOPOLY™ Florida Edition Retailer Book Activation Promotion.

(1) Beginning Tuesday, July 5, 2016, through Wednesday, July 6, 2016, the Florida Lottery will conduct the MONOPOLY™ Florida Edition Retailer Book Activation Promotion (“Promotion”) in which Florida Lottery retailers will have a chance to win \$4,000.

(2) Florida Lottery retailers who activate at least one book of each of the five MONOPOLY Florida Edition Scratch-Off games (also known as instant games) by midnight ET on Wednesday, July 6, 2016, will be entered into one of eighteen drawings to be held on Monday, July 25, 2016. The five MONOPOLY Florida Edition games are:

(a) \$10,000 MONOPOLY Florida Edition Game Number 1309;

(b) \$50,000 MONOPOLY Florida Edition Game Number 1310;

(c) \$500,000 MONOPOLY Florida Edition Game Number 1311;

(d) \$2,000,000 MONOPOLY Florida Edition Game Number 1312; and

(e) \$5,000,000 MONOPOLY Florida Edition Game Number 1313.

(3) Drawings and Prizes. The eighteen retailer drawings, determined by district and retailer category (corporate or independent), will be conducted by the Florida Lottery using a certified random number generation process. The number of entries drawn and prizes awarded will be in accordance with the following table:

Lottery District	Sales	Prize Per Retailer	Number of Corporate Retailer Prizes	Number of Independent Retailer Prizes
District Tallahassee	1-	\$4,000	2	2
District Pensacola	3-	\$4,000	2	2
District Jacksonville	4-	\$4,000	2	2

District 5- Gainesville	\$4,000	2	2
District 6-Orlando	\$4,000	4	4
District 9- Tampa	\$4,000	4	4
District 10- Ft. Myers	\$4,000	2	2
District 11- West Palm Beach	\$4,000	2	2
District 13- Miami	\$4,000	4	8
A total of 52 \$4,000 prizes will be awarded in the Promotion.			

An individual retailer location may only win one prize per drawing. Alternate entries will be drawn in each drawing. The number of alternate entries drawn will be twice the number of prizes to be awarded in that drawing. Alternate entries will be used as needed in the order in which they are drawn to award a prize in the event a retailer’s entry is disqualified. Retailers will be subject to disqualification if the Florida Lottery determines that the return of one or more of the qualifying books of tickets invalidates the entry or if the retailer is not in good financial standing with the Florida Lottery or is not in an “active” retailer status at the time of prize payment.

(4) Winning retailers will receive their Promotion prize check within approximately thirty days of the drawing.

(5) If a retailer is unable to timely activate the required book(s) due to untimely delivery of inventory, the Florida Lottery, in its sole discretion, may allow a retailer to be entered into the applicable retailer drawing provided:

(a) the retailer submits a written request for inclusion in the drawing for receipt by the Florida Lottery by 5:00 p.m. ET on July 12, 2016; and

(b) the retailer’s request demonstrates to the Florida Lottery’s satisfaction that failure of the retailer to timely activate the required book(s) was due to untimely delivery of inventory, through no fault of the retailer.

The Florida Lottery’s determination regarding the retailer’s request shall be final.

(6) A promotional prize will be considered compensation to the retailer for Internal Revenue Service purposes. Rulemaking Authority 24.105(9)(i), 24.109(1) FS. Law Implemented 24.105(9)(i), 24.112(1) FS. History- New 6-29 -16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.
EFFECTIVE DATE: 6-29-16.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER16-34
RULE TITLE: Pass Go, Collect \$10,000 Second Chance Promotion

SUMMARY: The Department of the Lottery will conduct the Pass Go, Collect \$10,000 Second Chance Promotion between July 5, 2016, and September 27, 2016, in which four second chance drawings will be held and cash prizes awarded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER16-34 Pass Go, Collect \$10,000 Second Chance Promotion.

(1) Beginning July 5, 2016, through September 27, 2016, the Florida Lottery will conduct the Pass Go, Collect \$10,000 Second Chance Promotion (“Promotion”) in which players can enter non-winning Florida Lottery Scratch-Off tickets from the following MONOPOLY™ FLORIDA EDITION games into a second chance drawing for a chance to win a cash prize:

(a) \$10,000 MONOPOLY FLORIDA EDITION Game Number 1309;

(b) \$50,000 MONOPOLY FLORIDA EDITION Game Number 1310;

(c) \$500,000 MONOPOLY FLORIDA EDITION Game Number 1311;

(d) \$2,000,000 MONOPOLY FLORIDA EDITION Game Number 1312; and

(e) \$5,000,000 MONOPOLY FLORIDA EDITION Game Number 1313.

Winning Scratch-Off tickets from the above listed games cannot be used for entry into the Promotion.

(2) How to Enter.

(a) To enter a non-winning \$10,000 MONOPOLY FLORIDA EDITION, \$50,000 MONOPOLY FLORIDA EDITION, \$500,000 MONOPOLY FLORIDA EDITION, \$2,000,000 MONOPOLY FLORIDA EDITION or \$5,000,000 MONOPOLY FLORIDA EDITION Scratch-Off ticket into one of the second chance drawings, players must enter on the Florida Lottery’s website at flalottery.com. On the home page of the Florida Lottery’s website, players can click on the Pass Go, Collect \$10,000 Second Chance Promotion banner and follow the directions. Players will be prompted to log-in or register. The 24-digit ticket serial number (4-digit game number and 20-digit ticket number) is located below the play area on the front of a \$10,000 MONOPOLY FLORIDA EDITION, \$50,000 MONOPOLY FLORIDA EDITION, \$500,000 MONOPOLY FLORIDA EDITION, \$2,000,000

MONOPOLY FLORIDA EDITION and \$5,000,000 MONOPOLY FLORIDA EDITION Scratch-Off ticket under the latex covering. Players are to scratch off the latex covering to reveal the number and enter the entire 24-digit ticket serial number in the designated ticket entry area on the website.

(b) Entry Determination. Each non-winning \$10,000 MONOPOLY FLORIDA EDITION, \$50,000 MONOPOLY FLORIDA EDITION, \$500,000 MONOPOLY FLORIDA EDITION, \$2,000,000 MONOPOLY FLORIDA EDITION and \$5,000,000 MONOPOLY FLORIDA EDITION Scratch-Off ticket is assigned a predetermined number of entries that corresponds to the price of the non-winning ticket, as shown in the table below.

Ticket Point	Price	MONOPOLY FLORIDA EDITION Game	Number of Entries
\$20	\$5,000,000	MONOPOLY FLORIDA EDITION	20
\$10	\$2,000,000	MONOPOLY FLORIDA EDITION	10
\$5	\$500,000	MONOPOLY FLORIDA EDITION	5
\$2	\$50,000	MONOPOLY FLORIDA EDITION	2
\$1	\$10,000	MONOPOLY FLORIDA EDITION	1

Players may enter as many times as they wish during the contest period; however, each valid ticket number may only be entered one time. Non-winning tickets should not be mailed to the Florida Lottery unless players are contacted by the Florida Lottery and requested to do so as further described in subsection (6). Non-winning tickets received in the mail by the Florida Lottery will not be entered in the drawing and will not be returned. The odds of winning depend on the number of entries entered. All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met.

(c) Facebook Promo Code. The Florida Lottery will post a promo code on Facebook (www.facebook.com/Florida Lottery) during each of the four entry periods set forth in subsection (4), below. A player may earn 25 additional entries by entering the promo code (designated for that entry period) at the time the player enters a non-winning \$10,000 MONOPOLY FLORIDA EDITION, \$50,000 MONOPOLY FLORIDA EDITION, \$500,000 MONOPOLY FLORIDA EDITION, \$2,000,000 MONOPOLY FLORIDA EDITION or \$5,000,000 MONOPOLY FLORIDA EDITION Scratch-Off ticket into a drawing. A player may only enter a promo code once during each entry period.

(3) Prizes. The following table sets forth the prizes available in the Pass Go, Collect \$10,000 Second Chance Promotion.

Prize Level	Prize Amount	Number of Winners per Drawing
Top Prize	\$10,000	2
Second Prize	\$1,000	30
A total of 128 prizes will be available in the Promotion.		

(4) Drawings. A total of four second chance drawings will be held and winners will be randomly selected from entries submitted before midnight ET on the last day of the entry period for each drawing. The entry periods and drawing dates are set forth in the table below.

Drawing	Entry Period	Drawing Date
1	July 5, 2016 – July 26, 2016	July 28, 2016
2	July 27, 2016 – August 16, 2016	August 18, 2016
3	August 17, 2016 – September 6, 2016	September 8, 2016
4	September 7, 2016 – September 27, 2016	September 29, 2016

In each of the drawings, a total of forty-seven valid entries will be drawn by the Florida Lottery using a certified random number generation process. The first and second valid entries drawn will each win a top prize of \$10,000. The third through thirty-second valid entries drawn will each win a second prize of \$1,000. The thirty-third through the forty-seventh valid entries drawn will be used in the order in which they were drawn and in the order of need to select an alternate top prize or second prize winner in the event a top prize or second prize cannot be awarded.

(5) Notification.

(a) The prizewinners in each second chance drawing will be posted on flalottery.com after the drawing.

(b) The Florida Lottery will attempt to notify each winner by telephone or email using the contact information provided in the winner’s registration data no later than twenty-four hours after the winners are posted on the Florida Lottery’s website. The Florida Lottery deems the winner’s registration data as the winner’s official contact information, including the physical mailing address, and will not attempt to further locate a winner if attempts to reach the winner using the winner’s registration data are unsuccessful. If the Florida Lottery is unable to have personal contact with a top prize winner or a second prize winner within two weeks of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the first alternate winner in accordance with subsection (4) above. If the Florida Lottery is unable to have personal contact with the first alternate winner within two weeks of the date of notification, the alternate winner will forfeit his or her right to

claim the prize and the Florida Lottery will award the prize to a second alternate winner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Florida Lottery is unable to contact an alternate, the prize will not be awarded.

(6) How to Claim a Prize. To claim any prize in a Pass Go, Collect \$10,000 second chance drawing, the winner must submit to the Florida Lottery the original valid non-winning \$10,000 MONOPOLY FLORIDA EDITION, \$50,000 MONOPOLY FLORIDA EDITION, \$500,000 MONOPOLY FLORIDA EDITION or \$5,000,000 MONOPOLY FLORIDA EDITION Scratch-Off ticket bearing the entry number selected in the drawing. Without such ticket, the winner will forfeit his or her right to claim a prize. The winner must submit the valid entry ticket along with a completed Winner Claim Form DOL 173-2, revised 9/13, or Spanish Winner Claim Form DOL 173-2S, revised 9/13 and a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Forms DOL 173-2 and DOL 173-2S are hereby incorporated by reference and may be obtained at any Florida Lottery office, from the Florida Lottery's website at flalottery.com, or by writing to: Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016. The required documentation must be received by the Florida Lottery no later than two weeks after the Florida Lottery has made personal contact with the winner. If the Florida Lottery has not received the required documentation from a prizewinner by the fourteenth day after notification, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to the first alternate winner in accordance with subsection (4) above. If the Florida Lottery is unable to have personal contact with the first alternate winner within two weeks of the date of notification, the alternate winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to a second alternate winner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Florida Lottery is unable to contact an alternate, the prize will not be awarded.

(7) Award of Top Prize. Upon the Florida Lottery's timely receipt of a top prize winner's required documentation, the Lottery will award a prize of \$10,000, less applicable federal tax withholding.

(8) Award of Second Prizes. Upon the Florida Lottery's timely receipt of a second prize winner's required documentation, the Lottery will award a prize of \$1,000.

(9) Taxes. All federal, state and/or local taxes or other fees on the prizes won in the Pass Go, Collect \$10,000 Second Chance Promotion will be the responsibility of the winner. Thirty percent (30%) federal income tax withholding will be withheld from any prize won by a nonresident alien claimant in the Promotion, regardless of the amount of the prize. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(10) Other Restrictions and Provisions.

(a) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes shall be paid in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(b) If any prizewinner in the Pass Go, Collect \$10,000 Second Chance Promotion is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with section 24.115, Florida Statutes.

(c) Players must be at least 18 years of age. Persons prohibited by section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(d) By entering the Pass Go, Collect \$10,000 Second Chance Promotion, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(e) Pass Go, Collect \$10,000 second chance drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm. The results of each drawing will be available after the drawing on the Florida Lottery's website at flalottery.com.

Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1) FS. History – New 6-29-16.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: 6-29-16.

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-2.801 Water Use Caution Areas

The Southwest Florida Water Management District hereby gives notice that on June 29, 2016, it has issued an order granting a petition for variance.

Petitioner's Name: Richard E. and Peggy L. Peacock – File Tracking No. 2016020

Date Petition Filed: June 10, 2016

Rule No.: 40D-2.801(3)(c)(2) and (3), F.A.C.

Nature of the rule for which variance or waiver was sought: Section 3.9.4.2.1 of the Southwest Florida Water Management District's Water Use Permit Applicant's Handbook, which governs evaluation of new applications for water use permits within the Dover/Plant City Water Use Caution Area.

Date Petition Published in the Florida Administrative Register: June 16, 2016

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statutes implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Michael R. Bray, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 4658, mike.bray@watermatters.org.

(OGC# 2016020-2)

Section VI Notice of Meetings, Workshops and Public Hearings

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District announces a workshop to which all persons are invited.

DATE AND TIME: Monday, July 11, 2016, 3:00 p.m.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Workshop to discuss 1) status of the North Florida Regional Water Supply Plan, and 2) metrics and tracking success.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention Lori Griffith, 4049 Reid Street, Palatka, FL 32177, by phone at (386)329-4470, or from the District's website at sjrwmd.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 48 hours before the workshop/meeting by contacting: the District Clerk at (386)329-4500. 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).

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District announces public meetings to which all persons are invited.

DATE AND TIMES: Tuesday, July 12, 2016: 9:00 a.m., Projects and Land Committee business meeting; Finance, Administration and Audit Committee meeting, 10:00 a.m. or upon conclusion of the Projects and Land Committee meeting, whichever is later; Governing Board meeting, 11:00 a.m. or upon the conclusion of the Finance Committee meeting, whichever is later.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting St. Johns River Water Management District, Attention Lori Griffith, 4049 Reid Street, Palatka, FL 32177; by phone at (386)329-4470, or by visiting the District's website at sjrwmd.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 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. 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).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 11, 2016, 12:00 Noon

PLACE: Jupiter Emergency Operations Center, 3133 Washington Street, Jupiter, FL 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting, Loxahatchee River Preservation Initiative Meeting.

A copy of the agenda may be obtained by contacting: Rod Braun, rbraun@sfwmd.gov.

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: District Clerk, (561)682-6805. 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: Rod Braun, (561)682-2925.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Environmental Regulation Committee (ERC) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, July 26, 2016, 9:00 a.m.

PLACE: Conference Room A, Douglas Building, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Department of Environmental Protection will bring before the ERC amendments to Chapters 62-302, and 62-303, F.A.C., for approval to adopt. The Division of Environmental Assessment and Restoration will present proposed revisions to Florida's human health-based surface water quality criteria in Chapter 62-302, F.A.C. In addition, the department will present revisions to establish a new sub-classification of surface waters (Class I-Treated, Treated Potable Water Supplies) within Chapter 62-302, F.A.C., and reclassify seven surface waters from Class III waters to Class I-Treated waters. Based on the proposed changes to Chapter 62-302, F.A.C., the department will also present amendments to Chapter 62-303, F.A.C., to update the listing methodology for assessing human health-based water quality criteria and incorporate the Class I-Treated classification as part of the process to identify impaired surface waterbodies.

A copy of the agenda may be obtained by contacting: Shayna Acree, ERC Coordinator, at 3900 Commonwealth Blvd., MS 35, Tallahassee, FL 32399-3000, email: ERC@dep.state.fl.us, phone: (850)245-2249 or on the Department's ERC website: <http://www.dep.state.fl.us/legal/ERC/default.htm>.

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: Shayna Acree, ERC Coordinator, at the number above. 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 Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

The Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling announces a public meeting to which all persons are invited.

DATE AND TIME: August 11, 2016, 8:00 a.m.

PLACE: Hyatt Regency Jacksonville Riverfront, 225 East Coastline Drive, Jacksonville, Florida 32202, (904)360-8690

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Jennifer Wenhold, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Jennifer Wenhold at (850)245-4474 at least one week prior to the meeting.

DEPARTMENT OF HEALTH

Board of Dentistry

The Board of Dentistry announces public meetings to which all persons are invited.

DATES AND TIMES: August 25, 2016, 5:30 p.m.; August 26, 2016, 8:00 a.m.

PLACE: Hilton University of Florida, 1714 SW 34th Street, Gainesville, Florida 32607, (352)384-3414

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general board business.

A copy of the agenda may be obtained by contacting: Jennifer Wenhold, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258. If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Jennifer Wenhold at (850)245-4474.

FISH AND WILDLIFE CONSERVATION COMMISSION
 Freshwater Fish and Wildlife
 The Florida Fish and Wildlife Conservation Commission announces a public meeting to which all persons are invited.
 DATE AND TIME: Thursday, July 14, 2016, 7:00 p.m.
 PLACE: Commissioner Chambers, Suite 4100, 1 Courthouse Square, Kissimmee, FL 34741
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The Florida Fish and Wildlife Conservation Commission (FWC) announces a public hearing for the FWC Lead Managed Portions of Split Oak Wildlife and Environmental Area located in Monroe County, Florida.
PURPOSE: To receive public comment regarding considerations for FWC's ten-year Management Plan for the FWC Lead Managed Portions of Split Oak Wildlife and Environmental Area (SOWEA).
 This hearing is being held exclusively for discussion of the DRAFT Split Oak WEA Management Plan. This meeting is not being held to discuss area hunting or fishing regulations. For more information on the process for FWC rule and regulation development go online to: <http://myfwc.com/about/rules-regulations/changes/>.
 A Management Prospectus for Split Oak WEA and copy of the agenda are available upon request from the Florida Fish and Wildlife Conservation Commission, Land Conservation and Planning Group, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-9588 or by email to Daivd.Alden@myfwc.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 14 days before the workshop/meeting by contacting: Daivd.Alden. 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 Pierce, Sarah.Pierce@MyFWC.com, (850)487-7063.

CLAY SOIL AND WATER CONSERVATION DISTRICT
 The Clay County Soil & Water Conservation District announces a public meeting to which all persons are invited.
 DATE AND TIME: Friday July 8, 2016, 9:00 a.m.
 PLACE: Clay County Extension Office, 2463 SR16 W., Green Cove Springs, FL 32043
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 General Meeting.
 A copy of the agenda may be obtained by contacting: Sally Doyle. (904)284-6355.

FLORIDA COMMISSION ON ACCESS TO CIVIL JUSTICE
 The Access to and Delivery of Legal Services Subcommittee of the Florida Commission on Access to Civil Justice announces a telephone conference call to which all persons are invited.
 DATE AND TIME: Thursday July 7, 2016, 2:00 p.m. – 3:00 p.m., ET
 PLACE: Teleconference number: 1(888)376-5050, participant pin: 3422772243#
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 The agenda focuses on the Subcommittee providing a summary update of the Clay County Gateway Triage pilot program.
 A copy of the agenda may be obtained by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793, or emailing flaccessjustice@flabar.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 2 days before the workshop/meeting by contacting: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or emailing flaccessjustice@flabar.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: Francisco-Javier Digon-Greer at 1(800)342-8060, ext. 5793 or email: flaccessjustice@flabar.org.

SUNSHINE STATE ONE CALL OF FLORIDA
 The Sunshine State One Call of Florida, Inc., d/b/a Sunshine 811 announces a telephone conference call to which all persons are invited.
 DATE AND TIME: Thursday, July 14, 2016, 10:00 a.m. – 12:00 Noon
 PLACE: Teleconference number 1(888)670-3525, participant pass code 8567463178 then #
GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Sunshine 811 announces an Executive Committee meeting to which all interested persons are invited to participate.

The purpose of this meeting is to develop the agenda for the August 10, 11 and 12, 2016 Strategic Planning, Committee, and Board of Directors meetings.

A copy of the agenda may be obtained by contacting: N/A.

For more information, you may contact: Lori Budiani, Executive Assistant, (386)575-2002.

Section VII

**Notice of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that the Public Employees Relations Commission (Commission) has declined to rule on the petition for declaratory statement filed by Public Health Trust of Miami-Dade County on April 26, 2016. The following is a summary of the agency's declination of the petition:

The Petitioner sought a declaration as to whether its implementation of a mandatory influenza vaccination policy is a mandatory subject of bargaining. According to the petition the Petitioner, which is a public employer, is party to collective bargaining agreements with the Service Employees International Union, Local 1991, and the Dade County Public Employees Local 1363, AFSCME, AFL-CIO (the Unions). The Petitioner intends to implement a mandatory influenza vaccination policy in August 2016 that will be applicable to healthcare employees, including members of the bargaining units represented by the Unions. The policy will require that all healthcare employees receive the influenza vaccine, free of charge, unless there is an approved medical or religious exemption. Exempted employees will be required by the policy to wear a surgical mask while delivering patient care and while in patient care areas for the duration of the influenza season. The Petitioner maintains that it is its management right to implement this mandatory influenza vaccination policy and has no obligation to bargain with the Unions other than over potential impacts of the policy. The petition asserts that the Unions have expressed opposition on the grounds that they contend the policy is a mandatory subject of bargaining and unilateral imposition of the policy would violate Section 447.503, Florida Statutes. The Commission declined to rule on the question raised by the petition because the issue has ripened into an actual controversy. A petition for declaratory statement is not the appropriate procedure for resolving an existing dispute. To the extent that any party is entitled to any relief, the proper procedure is to file an unfair labor practice charge.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle NW, Suite 300, Tallahassee, Florida 32303-7256.

Please refer all comments to: The Clerk, Public Employees Relations Commission, 4708 Capital Circle NW, Suite 300, Tallahassee, Florida 32303-7256.

Section VIII

**Notice of Petitions and Dispositions
Regarding the Validity of Rules**

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

NONE

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

NONE

Section IX

**Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

Section X

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

NONE

Section XI

**Notices Regarding Bids, Proposals and
Purchasing**

REGIONAL PLANNING COUNCILS

Apalachee Regional Planning Council

Request for Letters of Interest and Qualifications
For the Community Transportation Coordinator
Under the Transportation Disadvantaged Program
In the Service Area of Franklin County, Florida

The Apalachee Regional Planning Council is seeking qualifications from entities interested in serving as the Community Transportation Coordinator (CTC) for Franklin County, Florida. The selected entity will be recommended to the Florida Commission for the Transportation Disadvantaged (CTD). If approved by the CTD, the selected contractor will coordinate the administration and operation of the Franklin County Transportation Disadvantaged system, as authorized by Chapter 427, Florida Statutes, and more fully described in Rule 41-2, Florida Administrative Code, beginning December 1, 2016.

Interested entities are required to provide the following as proof of qualifications:

- Description of organization,
- Proposed local organizational chart,
- Coordination experience,
- Proposed scheduling and routing software to be used,
- Description of experience with vehicle acquisition and a list of vehicles to be used (if applicable),
- Description of experience with grant applications and administration,
- Proof of insurability,
- Credit references,
- A current financial statement,
- The company's Federal Identification Number, and
- A statement that the company is registered to do business in Florida.

Interested entities should submit one (1) original and five (5) copies of their expression of interest and qualifications in a sealed envelope to the Apalachee Regional Planning Council, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303 by 4:00 p.m. Eastern Time on Thursday, July 14, 2016. The envelope must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR FRANKLIN COUNTY CTC." Faxed and emailed responses WILL NOT be accepted. Responses received after the deadline will not be considered and the interested entities will be notified. Only responses to the request for letters of interest will be considered if a request for proposals is issued for the CTC.

Questions should be addressed to: Mr. Kwentin Eastberg, TD Program Coordinator, Apalachee Regional Planning Council, at the address listed above, or by email at keastberg@theapc.com. The Apalachee Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the service area and the State of Florida.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Austin Global Enterprises LLC, d/b/a New Scooters 4 Less for the establishment of JIAJ motorcycles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Bintelli LLC, intends to allow the establishment of Austin Global Enterprises LLC, d/b/a New Scooters 4 Less as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co., Ltd. (line-make JIAJ) at 633 Northwest 13th Street, Gainesville, (Alachua County), Florida 32601, on or after August 1, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Austin Global Enterprises LLC, d/b/a New Scooters 4 Less are dealer operator(s): Collin Austin, 3833 Northwest 65th Avenue, Gainesville, Florida 32653, principal investor(s): Collin Austin, 3833 Northwest 65th Avenue, Gainesville, Florida 32653.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Justin Jackrel, Bintelli LLC, 620 Dobbin Road, Charleston, South Carolina 29414.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Boogie Down Golf Cart & Bicycle Sales & Rentals for the establishment of CITC low speed vehicles

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

Pursuant to Section 320.642, Florida Statutes, notice is given that CitEcar, LLC, intends to allow the establishment of Boogie Down Golf Cart & Bicycle Sales & Rentals, as a dealership for the sale of low-speed vehicles manufactured by CitEcar, LLC (line-make CITC) at 2304 South Atlantic Avenue, Daytona Beach Shores, (Volusia County), Florida 32118, on or after August 1, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Boogie Down Golf Cart & Bicycle Sales & Rentals are dealer operator(s): Louie Matthews, 101Seabreeze Boulevard., Apartment. 615, Daytona Beach, Florida 32118, Dewayne Mashburn, 937 Pelican Bay Drive, Daytona Beach, Florida 32119; principal investor(s): Louie Matthews, 101Seabreeze Blvd., Apartment. 615, Daytona Beach, Florida 32118, Dewayne Mashburn, 937 Pelican Bay Drive, Daytona Beach, Florida 32119.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Ashley Jackrel, CitEcar, LLC, 620 Dobbin Road, Charleston, South Carolina 29414.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Boom Florida Corp. d/b/a Attach Motors for the establishment of DONF motorcycles

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

Pursuant to Section 320.642, Florida Statutes, notice is given that CRT Motor, Inc., intends to allow the establishment of Boom Florida Corp., d/b/a Attack Motors as a dealership for the sale of motorcycles manufactured by Ningbo Dongfang Lingyun Vehicle Made Co., Ltd. (line-make DONF) at 4829 Pembroke Road, Hollywood, (Broward County), Florida 33021, on or after August 1, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Boom Florida Corp., d/b/a Attack Motors are dealer operator(s): Marisa Haspel, 4829 Pembroke Road, Hollywood, Florida 33021; principal investor(s): Marisa Haspel, 4829 Pembroke Road, Hollywood, Florida 33021.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Jack Li, CRT Motor, Inc., 167 North Mason Way, Unit A4, City of Industry, California 91746.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

LW Scooters, Inc. for the establishment of RIYA motorcycles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group (USA), Inc., intends to allow the establishment of LW Scooters, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Riya Motorcycle Co., Ltd. (line-make RIYA) at 1822 North Dixie Highway, Lake Worth, (Palm Beach County), Florida 33460, on or after August 1, 2016.

The name and address of the dealer operator(s) and principal investor(s) of LW Scooters, Inc., are dealer operator(s): Yunier Avila, 1800 North Dixie Highway, Lake Worth, Florida 33460; principal investor(s): Yunier Avila, 1800 North Dixie Highway, Lake Worth, Florida 33460.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Meiredith Huang, Peace Industry Group (USA), Inc., 2649 Mountain Industrial Boulevard, Tucker, Georgia 30084.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Ponte Vedra Golf Carts LLC for the establishment of CLUB

low speed vehicles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that Club Car LLC, intends to allow the establishment of Ponte Vedra Golf Carts LLC, as a dealership for the sale of low-speed vehicles manufactured by Club Car LLC (line-make CLUB) at 14539 Beach Boulevard, Jacksonville, (Duval County), Florida, 32250, on or after August 1, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Ponte Vedra Golf Carts LLC, are dealer operator(s): Christopher W. Allen, 13685 Picarsa Drive, Jacksonville, Florida 32225; principal investor(s): Christopher W. Allen, 13685 Picarsa Drive, Jacksonville, Florida 32225.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Michael Packer, Club Car LLC, 4125 Washington Road, Evans, Georgia 30809.

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Taylor Racing Products LLC d/b/a Action Speed and Performance for the establishment of VCHO motorcycles

Notice of Publication for a New Point

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

Pursuant to Section 320.642, Florida Statutes, notice is given that V8 Choppers, LLC, intends to allow the establishment of Taylor Racing Products LLC, d/b/a Action Speed and Performance as a dealership for the sale of motorcycles manufactured by V8 Choppers, LLC (line-make VCHO) at 409 West International Speedway Boulevard, Daytona Beach, (Volusia County), Florida 32114, on or after August 1, 2016.

The name and address of the dealer operator(s) and principal investor(s) of Taylor Racing Products LLC, d/b/a Action Speed and Performance are dealer operator(s): Ricky Taylor, 409 West International Speedway Boulevard, Daytona Beach, Florida 32114; principal investor(s): Ricky Taylor, 409 West International Speedway Boulevard, Daytona Beach, Florida 32114.

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

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

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

A copy of such petition or complaint must also be sent by US Mail to: Laramie Lafarge, V8 Choppers, LLC, 10060 South 592 Road, Miami, Oklahoma 74354.

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

DEPARTMENT OF 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(42), 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 and deadlines, and the address for providing comments, are available at: <https://fldep.dep.state.fl.us/clearinghouse/>. For information, call (850)717-9076. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

Board of Medicine

Notice of Emergency Action

On June 28, 2016, the State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Ona Marie Colasante, M.D., License # ME 63092. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6) Florida Statutes. (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH

Board of Medicine

Notice of Lifting Emergency Action

On June 28, 2016, the State Surgeon General issued an Order Lifting Emergency Suspension of License with regard to the license of Angel Alfonso Betancourt, M.D., License # ME 91344. The Department orders that the Emergency Suspension of License be lifted.

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On June 28, 2016, the State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Ellen Elizabeth Strickland, L.P.N., License # PN 5167416. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2015). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order No. DEO-16-113

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-16-113 on June 29, 2016, in response to an application submitted by Glades Corporate Center Property Owners' Association, Inc., for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order denied the application for covenant revitalization after determining that it did not meet the statutory requirements as the Association is not a residential community, violating Section 720.403(2), Florida Statutes, and does not qualify for revitalization under Chapter 720, Part III, Florida Statutes. Copies of the final order may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or agency.clerk@deo.myflorida.com.

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.
