

migrant housing. Migrant housing owners or operators who have established rules for access and visitation shall provide a copy of those rules to the county public health department unit. The county public health department unit shall maintain on file a copy of the access and visitation rules provided by the housing management.

(2) through (5) No change.

Specific Authority 381.006(6), 381.0086 FS. Law Implemented 381.0086, 381.0087 FS. History—New 1-1-77, Amended 10-7-84, Formerly 10D-25.72, Amended 8-6-92, 11-17-94, Formerly 10D-25.072, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rick Narezo

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eric Grimm, Chief, Bureau of Facility Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 6, 1999

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 1998

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

#### WATER MANAGEMENT DISTRICTS

##### Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-80.073	Regulatory Portion of Recovery Strategy for Pasco, Northern Hillsborough, and Pinellas Counties

#### 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. 25, No. 10, page 1010, March 12, 1999, issue of the Florida Administrative Weekly: Subparagraph 40D-80.073(4)(a)2. shall now read as follows:

2. Beginning January 1, 2008 through December 31, 2009, the City shall meet the Minimum Flow unless flow is not feasible from the other source(s) as set forth in 40D-80.073(4)(b), F.A.C., below. If these other source(s) are not feasible, and if the provision of water for Minimum Flow from the City's drinking water supply would compromise the public health, safety, and welfare, the City shall not be required to meet the Minimum Flow until the City can obtain sufficient replacement water or January 1, 2010, whichever occurs first.

Paragraph 40D-80.073(4)(d) shall now read as follows:

(d) On or before October 1, 1999, the District and the City shall commence a work plan and the subsequent study of the biological communities below the dam, taking into account loss of historical hydrologic functions, water quality, water

quantity, and existing changes and structural alterations, to reevaluate the Minimum Flow requirement to maintain the existing biological communities in the Lower Hillsborough River. The study will provide recommendations to enhance or improve the biologic communities below the dam in the Lower Hillsborough River. The study shall be completed by December 31, 2005, unless an extension of time is mutually agreed to by the District and the City. If the study demonstrates the need for revisions to the Minimum Flow for the Lower Hillsborough River established in paragraph 40D-8.041(2), F.A.C. the District shall initiate rulemaking to adopt a revised Minimum Flow considering this study and the study results on the Minimum Flow requirement shall be binding on the City and the District in any rulemaking proceeding on the revised Minimum Flow.

#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

##### Board of Professional Geologists

RULE NO.:	RULE TITLE:
61G16-6.006	Licensure by Endorsement 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. 25, No. 3, January 22, 1999, issue of the Florida Administrative Weekly. A new subparagraph (3) shall be added to proposed rule 61G16-6.006, to read as follows:

61G16-6.006 Licensure by Endorsement.

(3) For all applicants for licensure by endorsement, the Board will review the licensure examination results for the applicant's current license, certificate, or registration to practice geology to determine if the applicant received a score on such examination which was equal to or greater than the score required for licensure by examination in the State of Florida. Only those applicants who received a score on the licensure examination for their current license, certificate, or registration which was equal to or greater than the score required by this state for licensure by examination shall be eligible for licensure as a professional geologist by endorsement.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: James Rimes, Executive Director, Board of Professional Geologists, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

##### Division of Law Enforcement

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
62N-22	The Florida Manatee Sanctuary Act
RULE NO.:	RULE TITLE:
62N-22.005	Lee County Zones

## NOTICE OF CHANGE

Notice is hereby given that changes have been made to proposed amendments to Rule 62N-22.005, in accordance with §120.54(3)(d)1., Florida Statutes. The proposal was originally published in the Florida Administrative Weekly (Vol. 24, No. 33) on August 14, 1998, and a public hearing held in Fort Myers on September 10, 1998. Two rule challenges were filed against the proposed amendments on September 21, 1998, and separate Stipulations for Settlement were signed on February 18 and February 19, 1999.

Substantive changes made to the proposal are as follows:

[1] Proposed zones in the vicinity of Gasparilla Island have been removed, as have proposed zones in several of the back bay areas of Matlacha Pass (including behind West Island), and in the mouth of Big Carlos Pass; [2] The zone in the main channel of the Intracoastal Waterway between channel markers "93" and "99" at the mouth of the Caloosahatchee River has been changed to 25 mph year-round instead of Slow Speed between 8:00 a.m. and 6:00 p.m.; [3] A provision has been added to allow a 25 mph channel through the seasonal Slow Speed zone near Galt Island, provided that the channel is marked by Lee County; [4] The proposed Slow Speed zone in the main channel in Matlacha has been shortened to only include the portion of the channel within 1/4 mile of the Pine Island Road Bridge; [5] The No Entry zones at the Florida Power & Light power plant have been changed to seasonal instead of year-round, and; [6] A portion of the proposed zone in south Estero Bay has been changed to 25 mph year-round.

For additional information please contact Scott Calleson, Environmental Specialist III, Florida Department of Environmental Protection, Bureau of Protected Species Management, Mail Station 245, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399, telephone (850)922-4330. The full text of the final rule amendment is as follows:

(Substantial rewording of Rule 62N-22.005 follows. See Florida Administrative Code for present text.)

62N-22.005 Lee County Zones.

(1) The Department hereby designates the waters within Lee County, as described below, as areas where manatee sightings are frequent and where it can be assumed that manatees inhabit on a regular, periodic or continuous basis. The Department has further determined that a likelihood of threat to manatees exists in these waters as a result of manatees and motorboats using the same areas. The purpose of this rule is to protect manatees from harmful collisions with motorboats and from harassment by regulating the speed and operation of motorboats within these designated areas. This rule will also provide additional habitat protection. In balancing the rights of fishermen, boaters, and water skiers to use these waterways for recreational and commercial purposes (as applicable under 370.12(2)(j), F.S.) with the need to provide manatee protection, the Department has examined the need for unregulated areas or

higher speed travel corridors through regulated areas. Such areas or corridors are provided in those locations where the Department determined, on the basis of all available information, (1) there is a need for the area or corridor and (2) the area or corridor will not result in serious threats to manatees or their habitat. Unregulated areas or higher speed corridors are not provided in locations where both of the above findings were not made.

(2) The following year-round and seasonal zones are established, which shall include all associated and navigable tributaries, lakes, creeks, coves, bays, backwaters, canals, and boat basins unless otherwise designated or excluded. Access to the NO ENTRY zones designated in paragraph (2)(a) will be provided in accordance with procedures set forth in subsection (4), hereunder, and applicable provisions of Rule 62N-22.003.

(a) NO ENTRY (November 15 – March 31) – Tice Power Plant Area: All waters of the discharge canal north of the general contour of the northern shoreline of the Orange River and south of State Road No. 80; and all waters of the intake canal south of the general contour of the southern shoreline of the Caloosahatchee River on the northeast side of the power plant.

(b) IDLE SPEED (All Year) – All waters of the Orange River south of the river's confluence with the Caloosahatchee River and west of the centerline of Buckingham Road, except as otherwise designated under paragraph (2)(a).

(c) IDLE SPEED (All Year)/ICW CHANNEL 25 MPH (April 1 – November 14) – All waters of the Caloosahatchee River east of the centerline of the Seaboard Coastline Railroad trestle that crosses Beautiful Island and west of a line that bears 147° from a point (approximate latitude 26°41'59" North, approximate longitude 81°47'25" West) on the southernmost tip of the mangrove peninsula at the west end of Thompson Cutoff. The portion of the marked Intracoastal Waterway (Okeechobee Waterway) channel in this area is regulated at Idle Speed between November 15 and March 31 and at a maximum speed of 25 mph for the remainder of the year.

(d) SLOW SPEED (All Year) –

1. North Matlacha Pass Area: All waters of Matlacha Pass, south of a line that bears 90° and 270° from Matlacha Pass Green Channel Marker "77" (approximate latitude 26°40'00" North, approximate longitude 82°06'00" West), and north of Pine Island Road (State Road No. 78), excluding the portion of the marked channel otherwise designated under subparagraph (2)(h)3. and the following areas:

a. Buzzard Bay Area: All waters of Buzzard Bay east and northeast of a line beginning at a point (approximate latitude 26°40'00" North, approximate longitude 82°05'20" West) on the southwest shoreline of an unnamed mangrove island east of Matlacha Pass Green Channel Marker "77" and bearing 219° to the northeasternmost point (approximate latitude 26°39'58" North, approximate longitude 82°05'23" West) of another unnamed mangrove island, then running along the eastern

shoreline of said island to its southeasternmost point (approximate latitude 26°39'36" North, approximate longitude 81°05'09" West), then bearing 1150 to the westernmost point (approximate latitude 26°39'34" North, approximate longitude 82°05'05" West) of the unnamed mangrove island to the southeast, then running along the western shoreline of said island to its southwesternmost point (approximate latitude 26°39'22" North, approximate longitude 82°04'53" West), then bearing 123° to the northwesternmost point (approximate latitude 26°39'21" North, approximate longitude 82°04'52" West) of an unnamed mangrove island, then running along the western shoreline of said island to its southeasternmost point (approximate latitude 26°39'09" North, approximate longitude 82°04'44" West), then bearing 103° to the northwesternmost point (approximate latitude 26°39'08" North, approximate longitude 82°04'41" West) of a peninsula on the unnamed mangrove island to the southeast, then running along the southwestern shoreline of said island to its southeasternmost point (approximate latitude 26°38'51" North, approximate longitude 82°04'18" West), then bearing 990 to the southernmost point (approximate latitude 26°38'50" North, approximate longitude 82°04'03" West) of the unnamed mangrove island to the east, then bearing 900 to the line's terminus at a point (approximate latitude 26°38'50" North, approximate longitude 82°03'55" West) on the eastern shoreline of Matlacha Pass.

b. North Pine Island Creek and Matlacha Area: All waters of Pine Island Creek and Matlacha Pass north of Pine Island Road and west and southwest of a line beginning at a point (approximate latitude 26°39'29" North, approximate longitude 82°06'29" West) on the western shoreline of Matlacha Pass and bearing 160° to the westernmost point (approximate latitude 26°39'25" North, approximate longitude 82°06'28" West) of an unnamed island, then running along the western shoreline of said island to its southernmost point (approximate latitude 26°39'18" North, approximate longitude 82°06'24" West), then bearing 128° to the northernmost point (approximate latitude 26°39'12" North, approximate longitude 82°06'17" West) of an unnamed mangrove island to the south, then running along the eastern shoreline of said island to its southeasternmost point (approximate latitude 26°39'00" North, approximate longitude 82°06'09" West), then bearing 138° to a point (approximate latitude 26°38'45" North, approximate longitude 82°05'53" West) on the northern shoreline of Bear Key, then running along the northern shoreline of Bear Key to its easternmost point (approximate latitude 26°38'44" North, approximate longitude 82°05'46" West), then bearing 85° to the westernmost point (approximate latitude 26°38'45" North, approximate longitude 82°05'32" West) of Deer Key, then running along the northern shoreline of Deer Key to its easternmost point (approximate latitude 26°38'46" North, approximate longitude 82°05'22" West), then bearing 103° to the northwesternmost point (approximate latitude 26°38'45"

North, approximate longitude 82°05'17" West) of the unnamed mangrove island to the east, then running along the western shoreline of said island to its southernmost point (approximate latitude 26°38'30" North, approximate longitude 82°05'04" West), then bearing 106° to the westernmost point (approximate latitude 26°38'30" North, approximate longitude 82°04'57" West) of the unnamed island to the southeast, then running along the northern and eastern shorelines of said island to a point (approximate latitude 26°38'23" North, approximate longitude 82°04'51" West) on its eastern shoreline, then bearing 113° to the northernmost point of West Island (approximate latitude 26°38'21" North, approximate longitude 82°04'37" West), then running along the western shoreline of West Island to the point where the line intersects Pine Island Road.

2. Matlacha Pass and San Carlos Bay Area: All waters of Matlacha Pass, St. James Creek, and San Carlos Bay, south of Pine Island Road (State Road No. 78), north of a line 500 feet northwest of and parallel to the main marked channel of the Intracoastal Waterway, west of a line that bears 302° from Intracoastal Waterway Green Channel Marker "99" (approximate latitude 26°31'00" North, approximate longitude 82°00'52" West), and east of a line that bears 360° from Intracoastal Waterway Red Channel Marker "10" (approximate latitude 26°29'16" North, approximate longitude 82°03'35" West), excluding the portions of the marked channels otherwise designated under subparagraphs (2)(h)4. and (2)(h)5. and the following areas:

a. Matlacha Area: All waters of Matlacha Pass south of Pine Island Road and west of the western shoreline of West Island and a line beginning at the southernmost point (approximate latitude 26°37'25" North, approximate longitude 82°04'17" West) of West Island and bearing 149° to the northernmost point (approximate latitude 26°37'18" North, approximate longitude 82°04'12" West) of the unnamed mangrove island to the south, then running along the eastern shoreline of said island to its southernmost point (approximate latitude 26°36'55" North, approximate longitude 82°04'02" West), then bearing 163° to the line's terminus at a point (approximate latitude 26°36'44" North, approximate longitude 82°03'58" West) on the eastern shoreline of Little Pine Island.

b. East Matlacha Pass/Pontoon Bay Area: All waters of Matlacha Pass, Pontoon Bay, and associated embayments south of Pine Island Road and east of a line beginning at a point (approximate latitude 26°38'12" North, approximate longitude 82°03'46" West) on the northwestern shoreline of the embayment on the east side of Matlacha Pass, immediately south of Pine Island Road and then running along the eastern shoreline of the unnamed island to the south to its southeasternmost point (approximate latitude 26°37'30" North, approximate longitude 82°03'22" West), then bearing 163° to the northwesternmost point of the unnamed island to the south, then running along the western shoreline of said island to its

southernmost point (approximate latitude 26°37'15" North, approximate longitude 82°03'15" West), then bearing 186° to the line's terminus at a point (approximate latitude 26°37'10" North, approximate longitude 82°03'16" West) on the eastern shoreline of Matlacha Pass.

c. South Pine Island Creek Area: All waters of Pine Island Creek south of Pine Island Road; and all waters of Matlacha Pass, Rock Creek, and the Mud Hole, west of a line beginning at a point (approximate latitude 26°33'52" North, approximate longitude 82°04'53" West) on the western shoreline of Matlacha Pass and bearing 22° to a point (approximate latitude 26°34'09" North, approximate longitude 82°04'45" West) on the southern shoreline of the unnamed island to the northeast, then running along the southern and eastern shorelines of said island to a point (approximate latitude 26°34'15" North, approximate longitude 82°04'39" West) on its northeastern shoreline, then bearing 24° to a point (approximate latitude 26°34'21" North, approximate longitude 82°04'36" West) on the southern shoreline of the large unnamed island to the north, then running along the southern and eastern shorelines of said island to a point (approximate latitude 26°34'31" North, approximate longitude 82°04'29" West) on its eastern shoreline, then bearing 41° to the southernmost point (approximate latitude 26°34'39" North, approximate longitude 82°04'22" West) of another unnamed island to the northeast, then running along the eastern shoreline of said island to its northwesternmost point (approximate latitude 26°35'22" North, approximate longitude 82°04'07" West), then bearing 2° to the southernmost point (approximate latitude 26°35'32" North, approximate longitude 82°04'07" West) of the unnamed island to the north, then running along the eastern shoreline of said island to its northernmost point (approximate latitude 26°35'51" North, approximate longitude 82°03'59" West), then bearing 353° to the line's terminus at a point (approximate latitude 26°36'08" North, approximate longitude 82°04'01" West) on the eastern shoreline of Little Pine Island.

d. Punta Blanca Bay and Punta Blanca Creek: All waters of Punta Blanca Bay and Punta Blanca Creek, east of the eastern shoreline of Matlacha Pass and east and north of the eastern and northern shorelines of San Carlos Bay.

3. Punta Rassa and Shell Creek Area: All waters of San Carlos Bay and Punta Rassa Cove east of a line that bears 352° from the northernmost tip of the northern peninsula on Punta Rassa (approximate latitude 26°29'44" North, approximate longitude 82°00'33" West), and south of a line that bears 122° from Intracoastal Waterway Green Channel Marker "99" (approximate latitude 26°31'00" North, approximate longitude 82°00'52" West), including all waters of Shell Creek and associated waterways.

4. Big Shell Island and Shell Point Area: All waters of San Carlos Bay and the Caloosahatchee River, including the residential canals of Cape Coral, northeast of a line that bears 302° and 122° from Intracoastal Waterway Green Channel

Marker "99" (approximate latitude 26°31'00" North, approximate longitude 82°00'52" West), west of a line that bears 346° from Intracoastal Waterway Green Channel Marker "93" (approximate latitude 26°31'37" North, approximate longitude 81°59'46" West), and north and northwest of the general contour of the northwestern shoreline of Shell Point and a line that bears approximately 74° from the northernmost tip (approximate latitude 26°31'31" North, approximate longitude 81°59'57" West) of Shell Point to said Intracoastal Waterway Green Channel Marker "93," excluding the portion of the Intracoastal Waterway (ICW) channel otherwise designated under subparagraph (2)(h)6.

#### 5. Caloosahatchee River Area:

a. Cape Coral to North Fort Myers Area: All waters of the Caloosahatchee River, Hancock Creek, and associated waterways of Cape Coral and North Fort Myers, east of a line that bears 346° from Intracoastal Waterway Green Channel Marker "93" (approximate latitude 26°31'37" North, approximate longitude 81°59'46" West), west of a line that bears 160° from a point (approximate latitude 26°39'25" North, approximate longitude 81°53'17" West) on the northern shoreline of the Caloosahatchee River approximately 1600 feet southwest of the centerline of U.S. Highway No. 41, and north and northwest of a line 1/4 mile south and southeast of and parallel to the general contour of the northern shoreline of the Caloosahatchee River, excluding the marked channel of the Intracoastal Waterway.

b. Shell Point to Fort Myers Area: All waters of the Caloosahatchee River, Deep Lagoon, and Whiskey Creek, southeast of a line that bears approximately 74° from the northernmost tip (approximate latitude 26°31'31" North, approximate longitude 81°59'57" West) of Shell Point to Intracoastal Waterway Green Channel Marker "93" (approximate latitude 26°31'37" North, approximate longitude 81°59'46" West), west of a line 1100 feet southwest of and parallel to the centerline of the U.S. Highway No. 41 Bridge, and south and southeast of a line 1/4 mile north and northwest of and parallel to the general contour of the southern shoreline of the Caloosahatchee River, excluding the marked channel of the Intracoastal Waterway.

c. Fort Myers Area: All waters of the Caloosahatchee River northeast of a line 1100 feet southwest of and parallel to the centerline of the U.S. Highway No. 41 Bridge, southwest of the eastern side of the easternmost Edison Memorial Bridge, and southeast of a line 1/4 mile north and northwest of and parallel to the general contour of the southern shoreline of the Caloosahatchee River.

d. Fort Myers to Seaboard Coastline Railroad Area: All waters of the Caloosahatchee River and Billy Creek east of the eastern side of the easternmost Edison Memorial Bridge, and west of the centerline of the Seaboard Coastline Railroad

trestle near Beautiful Island, excluding the portion of the marked Intracoastal Waterway channel otherwise designated under subparagraph (2)(h)7.

e. All cutoffs, oxbows, boat basins, and canals off of the Caloosahatchee River, including Owl Creek and Trout Creek, east of the centerline of the State Road No. 31 Bridge and west of the W.P. Franklin Lock and Water Control Structure.

f. W.P. Franklin Lock and Water Control Structure Area: All waters of the Caloosahatchee River within 1/4 mile east of the easternmost end of the lock and within 1/4 mile west of the westernmost end of the lock.

6. Fort Myers Beach Area: All waters of Matanzas Pass east of a line that bears 360° from the northernmost tip (approximate latitude 26°27'56" North, approximate longitude 82°58'04" West) of Estero Island, west of a line that bears 340° from a point (approximate latitude 26°25'56" North, approximate longitude 81°54'25" West) on the northern tip of an unnamed mangrove peninsula on the northeastern shoreline of Estero Island, and south and southwest of the general contour of the southwestern shorelines of the islands forming the northern shoreline of Matanzas Pass, a line that bears 312° from the northwesternmost point of Julies Island (approximate latitude 26°26'37" North, approximate longitude 81°54'57" West), a line that bears 104° from a point (approximate latitude 26°27'23" North, approximate longitude 81°56'16" West) on the southeastern tip of San Carlos Island, and a line that bears 313° from the northwesternmost point (approximate latitude 26°28'01" North, approximate longitude 82°57'17" West) of San Carlos Island.

7. San Carlos Island and Pelican Bay Area: All waters of Pelican Bay north of the general contour of the northeastern shoreline of San Carlos Island, east of a line that bears 313° from the northwesternmost point (approximate latitude 26°28'01" North, approximate longitude 82°57'17" West) of San Carlos Island, and west of the centerline of San Carlos Boulevard (State Road No. 865).

8. Tenmile Canal and Mullock Creek Area: All waters of Mullock Creek west of U.S. Highway No. 41, and east and northeast of a line that bears 135° and 315° from Red Channel Marker "16" (approximate latitude 26°27'40" North, approximate longitude 81°52'03" West); and all waters of Tenmile Canal south of a line (approximate latitude 26°30'00" North) 200 feet north of the centerline of U.S. Highway No. 41.

9. Intrepid Waters, Fish Trap Bay, and Imperial River Area: All waters of Intrepid Waters, Fish Trap Bay, and the Imperial River south of a line that bears 90° from a point (approximate latitude 26°20'51" North, approximate longitude 81°50'33" West) on the eastern shoreline of Little Hickory Island, north of the Lee County/Collier County line, and west of the centerline of the State Road No. 887 bridge, excluding the portion of the marked channel otherwise designated under subparagraph (2)(h)9.i.

(e) SLOW SPEED (All Year)/ICW CHANNEL 25 MPH (April 1 – November 14) – All waters of the Caloosahatchee River and Thompson Cutoff, east of a line that bears 160° from a point (approximate latitude 26°41'59" North, approximate longitude 81°47'25" West) on the southernmost tip of the mangrove peninsula at the western end of Thompson Cutoff, and west of a line that bears 180° from a point (approximate latitude 26°42'10" North, approximate longitude 81°46'42" West) on the northern shoreline of the Caloosahatchee River at the eastern end of Thompson Cutoff, except as otherwise designated under paragraph (2)(a). The portion of the marked Intracoastal Waterway (Okeechobee Waterway) channel in this area is regulated at Slow Speed between November 15 and March 31 and at a maximum speed of 25 mph for the remainder of the year.

(f) SLOW SPEED (April 1 – November 15 )/25 MPH (Remainder of Year) –

1. Hurricane Bay Area: All waters of Hurricane Bay east of the centerline of San Carlos Boulevard (State Road No. 865), north of the general contour of the northeastern shoreline of San Carlos Island and a line that bears 104° from a point (approximate latitude 26°27'23" North, approximate longitude 81°56'16" West) on the southeastern tip of San Carlos Island, and northwest of Hell Peckney Bay, excluding the portions of the marked channels otherwise designated under subparagraph (2)(h)8.

2. Hell Peckney Bay Area: All waters of Hell Peckney Bay southeast of Hurricane Bay, northeast of the northern shorelines of Julies Island and the unnamed island immediately northwest of Julies Island and a line that bears 312° from the northwesternmost point of Julies Island (approximate latitude 26°26'37" North, approximate longitude 81°54'57" West), northwest of Estero Bay, and southwest of a line beginning at the southernmost point (approximate latitude 26°27'23" North, approximate longitude 81°55'11" West) of an unnamed mangrove peninsula in northwest Hell Peckney Bay and bearing 191° to the northernmost point (approximate latitude 26°27'19" North, approximate longitude 81°55'11" West) of an unnamed mangrove island, then running along the northern shoreline of said island to its southeasternmost point (approximate latitude 26°27'11" North, approximate longitude 81°55'05" West), then bearing 115° to a point (approximate latitude 26°27'03" North, approximate longitude 81°54'47" West) on the northwest shoreline of an unnamed mangrove island, then running along the northern shoreline of said island to its northeasternmost point (approximate latitude 26°27'02" North, approximate longitude 81°54'33" West), and then bearing 37° to the line's terminus at the westernmost point of an unnamed mangrove peninsula in eastern Hell Peckney Bay.

3. North Estero Bay and Hendry Creek Area: All waters of Hendry Creek south of a line that bears 270° from a point (approximate latitude 26°28'40" North, approximate longitude 81°52'56" West) on the eastern shoreline of Hendry Creek; and

all waters of Estero Bay southeast and east of Hell Peckney Bay, a line that bears 340° from a point (approximate latitude 26°25'56" North, approximate longitude 81°54'25" West) on the northern tip of an unnamed mangrove peninsula on the northeastern shoreline of Estero Island, and the northern shoreline of Estero Island, south of Hendry Creek and a line that bears 135° and 315° from Red Channel Marker "16" (approximate latitude 26°27'40" North, approximate longitude 81°52'03" West) in Mullock Creek, and north of a line that bears 72° from the northernmost point (approximate latitude 26°24'22" North, approximate longitude 81°52'34" West) of Black Island, including the waters of Buccaneer Lagoon at the southern end of Estero Island, but excluding the portions of the marked channels otherwise designated under subparagraph (2)(h)9., the Estero River, and the waters of Big Carlos Pass east of a line beginning at a point (approximate latitude 26°24'34" North, approximate longitude 81°53'05" West) on the eastern shoreline of Estero Island and bearing 36° to a point (approximate latitude 26°24'40" North, approximate longitude 81°53'00" West) on the southern shoreline of Coon Key, south of a line beginning at a point (approximate latitude 26°24'36" North, approximate longitude 81°52'30" West) on the eastern shoreline of Coon Key and bearing 106° to a point (approximate latitude 26°24'39" North, approximate longitude 81°52'34" West) on the southwestern shoreline of the unnamed mangrove island north of Black Island, and west of a line beginning at a point (approximate latitude 26°24'36" North, approximate longitude 81°52'30" West) on the southern shoreline of said unnamed mangrove island north of Black Island and bearing 192° to the northernmost point (approximate latitude 26°24'22" North, approximate longitude 81°52'34" West) of Black Island.

4. South Estero Bay and Big Hickory Bay Area: All waters of Estero Bay and Big Hickory Bay south of a line that bears 72° from the northernmost point (approximate latitude 26°24'22" North, approximate longitude 81°52'34" West) of Black Island, east of the centerline of State Road No. 865 (but including the waters of the embayment on the eastern side of Black Island and the waters inshore of the mouth of Big Hickory Pass that are west of State Road No. 865), and north of a line that bears 90° from a point (approximate latitude 26°20'51" North, approximate longitude 81°50'33" West) on the eastern shoreline of Little Hickory Island, excluding Spring Creek, the portions of the marked channels otherwise designated under subparagraph (2)(h)9., and the portion of Big Hickory Bay otherwise designated under subparagraph (2)(h)11.

(g) SLOW SPEED (April 1 – November 15) –

1. Cayo Costa/ Pelican Bay Area: All waters of Pelican Bay south and west of a line that bears 32°E from a point (approximate latitude 26°41'32" North, approximate longitude 82°14'23" West) on the northern end of Punta Blanca Island, north and northwest of a line that bears 80° from the

southernmost tip of Primo Point (approximate latitude 26°40'28" North, approximate longitude 82°14'06" West), and west and southwest of the western shoreline of Punta Blanca Island.

2. North Captiva Island Area: All waters of Safety Harbor west and northwest of a line that bears 198° from the southeasternmost tip (approximate latitude 26°35'56" North, approximate longitude 82°12'50" West) of the peninsula lying on the northeastern side of Safety Harbor.

3. Captiva Island and Sanibel Island Area: All waters of Pine Island Sound and San Carlos Bay south of a line that bears 90° from the northernmost tip (approximate latitude 26°23'11" North, approximate longitude 82°11'55" West) of Captiva Island, west of a line that bears 360° from the northernmost tip (approximate latitude 26°28'08" North, approximate longitude 82°03'35" West) of Woodrings Point, west and south of a line 1/4 mile east of and parallel to the general contour of the eastern shoreline of Captiva Island and Buck Key, southwest and south of a line 1/4 mile northeast and north of and parallel to the general contour of the northeastern and northern shoreline of Sanibel Island and Wulfert Keys, including all waters of Tarpon Bay and associated bayous, canals and channels east of the centerline of the Sanibel-Captiva Road bridge, excluding the portion of the marked channel otherwise designated under (2)(h)1.

4. Chino Island, York Island, and St. James City Area: All canals and boat basins of St. James City and the waters known as Long Cut and Short Cut; and all waters of Pine Island Sound and San Carlos Bay south of a line beginning at the southernmost tip (approximate latitude 26°31'28" North, approximate longitude 82°06'19" West) of a mangrove peninsula on the western shore of Pine Island approximately 2200 feet north of Galt Island and bearing 309° to the southeasternmost point (approximate latitude 26°31'32" North, approximate longitude 82°06'25" West) of another mangrove peninsula, then running along the southern shoreline of said peninsula to its southwesternmost point (approximate latitude 26°31'40" North, approximate longitude 82°06'38" West), then bearing 248° to a point (approximate latitude 26°31'40" North, approximate longitude 82°06'39" West) on the eastern shoreline of an unnamed mangrove island, then running along the southern shoreline of said island to its southwesternmost point (approximate latitude 26°31'39" North, approximate longitude 82°06'44" West), then bearing 206° to the line's terminus at the northernmost point of the Mac Keever Keys (approximate latitude 26°31'09" North, approximate longitude 82°07'09" West), east of a line beginning at said northernmost point of the Mac Keever Keys and running along and between the general contour of the western shorelines of said keys to a point (approximate latitude 26°30'27" North, approximate longitude 82°07'08" West) on the southernmost of the Mac Keever Keys, then bearing 201° to a point (approximate latitude 26°30'01" North, approximate longitude 82°07'19"

West) approximately 150 feet due east of the southeasternmost point of Chino Island, then bearing approximately 162° to Red Intracoastal Waterway Channel Marker "22" (approximate latitude 26°28'57" North, approximate longitude 82°06'55" West), then bearing approximately 117° to the line's terminus at Red Intracoastal Waterway Channel Marker "20" (approximate latitude 26°28'45" North, approximate longitude 82°06'38" West), north of a line beginning at said Red Intracoastal Waterway Channel Marker "20" and bearing 86° to a point (approximate latitude 26°28'50" North, approximate longitude 82°05'48" West) ¼ mile south of York Island, then running parallel to and ¼ mile south of the general contour of the southern shorelines of York Island and Pine Island to the line's terminus at a point on a line bearing 360° from Red Intracoastal Waterway Channel Marker "10" (approximate latitude 26°29'16" North, approximate longitude 82°03'35" West), and west and southwest of the general contour of the western and southern shorelines of Pine Island and a line that bears 360° from said Red Intracoastal Waterway Channel Marker "10," excluding the portion of the marked channel otherwise designated under (2)(h)2.

(h) 25 MPH (All Year) –

1. Wulfert Channel: All waters within the marked channel known as Wulfert Channel, which connects Pine Island Sound with the Gulf of Mexico through Blind Pass, east of the centerline of the Sanibel-Captiva Road Bridge and west of a line 1/4 mile east of and parallel to the general contour of the eastern shoreline of Sanibel Island. This restriction is in effect only between April 1 and November 15.

2. Cherry Estates Channel: All waters of the marked channel that runs south of the power lines from the Cherry Estates area of St. James City into Pine Island Sound, east of the western boundary of the zone designated under subparagraph(2)(g)4., and west of a line perpendicular to the power lines that begins at the easternmost point (approximate latitude 26°30'25" North, approximate longitude 82°06'15" West) of the mangrove island on the north side of the power lines approximately 1800 feet southwest of the Galt Island Causeway. This restriction is in effect only between April 1 and November 15. This designation only applies if a channel is marked in accordance with permits issued by all applicable state and federal authorities. In the absence of a properly permitted channel, this area is as designated under subparagraph (2)(g)4.

3. North Matlacha Pass Channel: All waters within the main marked channel in Matlacha Pass south of Green Channel Marker "77" (approximate latitude 26°40'00" North, approximate longitude 82°06'00" West) and north of a line perpendicular to the channel at a point in the channel 1/4 mile northwest of the Pine Island Road Bridge.

4. South Matlacha Pass Channel: All waters within the main marked channel in Matlacha Pass south of a line perpendicular to the channel at a point in the channel 1/4 mile

southeast of the Pine Island Road Bridge, and north of a line 500 feet northwest of and parallel to the main marked channel of the Intracoastal Waterway (just north of Green Channel Marker "1").

5. South Matlacha Pass/Sword Point Channel: All waters within the marked channel in Matlacha Pass that intersects the main Matlacha Pass channel near Green Channel Marker "15" (approximate latitude 26°31'57" North, approximate longitude 82°03'38" West) and intersects the main marked channel of the Intracoastal Waterway near Green Channel Marker "101" (approximate latitude 26°30'39" North, approximate longitude 82°01'00" West).

6. ICW channel, Shell Point Area: All waters of the marked Intracoastal Waterway channel between Green Channel Marker "99" (approximate latitude 26°31'00" North, approximate longitude 82°00'52" West) and Green Channel Marker "93" (approximate latitude 26°31'37" North, approximate longitude 81°59'46" West).

7. ICW channel, Fort Myers to Seaboard Coastline Railroad: All waters of the marked Intracoastal Waterway (Okeechobee Waterway) channel east of the eastern side of the easternmost Edison Memorial Bridge and west of the centerline of the Seaboard Coastline Railroad trestle near Beautiful Island.

8. Hurricane Bay channels: All waters within the main marked channel of Hurricane Bay east of the centerline of San Carlos Boulevard (State Road No. 865) and north of where the channel enters Matanzas Pass at Green Channel Marker "5" (approximate latitude 26°27'22" North, approximate longitude 81°56'12" West); and all waters within that portion of the channel leading to Bayside Estates south of Green Channel Marker "23" (approximate latitude 26°28'27" North, approximate longitude 81°56'39" West).

9. Estero Bay Area channels: All waters within the portions of the marked channels of Estero Bay and Big Hickory Bay as described below:

a. North Estero Bay Channel: All waters of the main marked North-South channel in northern Estero Bay from Green Channel Marker "37" (approximate latitude 26°26'02" North, approximate longitude 81°54'29" West) to Green Channel Marker "57" (approximate latitude 26°25'08" North, approximate longitude 81°53'29" West).

b. South Estero Bay Channel: All waters of the main marked North-South channel in southern Estero Bay south of a line beginning at a point (approximate latitude 26°24'36" North, approximate longitude 81°52'30" West) on the southern shoreline of the unnamed mangrove island north of Black Island and bearing 192° to the northernmost point (approximate latitude 26°24'22" North, approximate longitude 81°52'34" West) of Black Island, and north and east of Red Channel Marker "62" (approximate latitude 26° 21'31" North, approximate longitude 81°51'20" West) in Broadway Channel;

and all waters within the portion of the marked channel leading to the Gulf of Mexico through New Pass, west of the North-South channel and east of State Road No. 865.

c. Mullock Creek Channel: All waters of the marked channel leading to Mullock Creek north of a line beginning at a point (approximate latitude 26°24'36" North, approximate longitude 81°52'30" West) on the eastern shoreline of Coon Key and bearing 106° to a point (approximate latitude 26°24'39" North, approximate longitude 81°52'34" West) on the southwestern shoreline of the unnamed mangrove island north of Black Island, and south of Red Channel Marker "16" (approximate latitude 26°27'40" North, approximate longitude 81°52'03" West).

d. Estero River Channel: All waters of the marked channel leading from the Mullock Creek Channel to the Estero River, west of the mouth of the Estero River. This designation only applies if a channel is marked in accordance with permits issued by all applicable state and federal authorities. In the absence of a properly permitted channel, this area is as designated under subparagraph (2)(f)3.

e. Alternate Route Channel: All waters of the marked channel commonly known as Alternate Route Channel, with said channel generally running between Channel Marker "1" (approximate latitude 26°24'29" North, approximate longitude 81°51'53" West) and Channel Marker "10" (approximate latitude 26°24'00" North, approximate longitude 81°51'09" West).

f. Coconut Channel: All waters of the marked channel commonly known as Coconut Channel, with said channel generally running between Channel Marker "1" (approximate latitude 26°23'44" North, approximate longitude 81°50'55" West) and Channel Marker "23" (approximate latitude 26°24'00" North, approximate longitude 81°50'30" West).

g. Southern Passage Channel: All waters of the marked channel commonly known as Southern Passage Channel, with said channel generally running between Channel Marker "1"

(approximate latitude 26°22'58" North, approximate longitude 81°51'57" West) and Channel Marker "22" (approximate latitude 26°23'27" North, approximate longitude 81°50'46" West).

h. Spring Creek Channel: All waters of the marked channel leading from the Southern Passage Channel to Spring Creek, west of the mouth of Spring Creek.

10. Fish Trap Bay Channel: That portion of the marked channel in Fish Trap Bay beginning at Channel Marker "90" (approximate latitude 26°20'42" North, approximate longitude 81°50'33" West) and ending at Channel Marker "101" (approximate latitude 26°20'09" North, approximate longitude 81°50'26" West).

11. Big Hickory Bay Area: All waters of Big Hickory Bay north of a line that bears 90° from a point (approximate latitude 26°20'51" North, approximate longitude 81°50'33" West) on the eastern shoreline of Little Hickory Island, west of a line beginning at a point (approximate latitude 26°20'48" North, approximate longitude 81°50'24" West) on the southern shoreline of Big Hickory Bay and bearing 338° to a point (approximate latitude 26°21'39" North, approximate longitude 81°50'48" West) on the water in the northwestern end of Big Hickory Bay near the eastern end of Broadway Channel, south of a line beginning at said point on the water in the northwestern end of Big Hickory Bay and bearing 242° to the northernmost point (approximate latitude 26°21'39" North, approximate longitude 81°50'50" West) of the unnamed mangrove island south of Broadway Channel, and east of the eastern shoreline of said mangrove island and a line beginning at the southernmost point of said island (approximate latitude 26°21'07" North, approximate longitude 81°50'58" West) and bearing 167° to a point on Little Hickory Island (approximate latitude 26°21'03" North, approximate longitude 81°50'57" West).



(3) Commercial Fishing and Professional Fishing Guide Permits: The following provisions pertain to the issuance of permits to allow individuals engaged in commercial fishing and professional fishing guide activities to operate their vessels in specified areas at speeds greater than the speed limits established under subsection (2) above. Procedures related to the application for and the review and issuance of these permits are as set forth in 62N-22.003, Florida Administrative Code.

(a) Permits shall be limited as follows:

1. Permits shall only be available for the zones or portions of zones described under sections (2)(d)1. through (2)(d)4., (2)(d)9., (2)(f)2. through (2)(f)4., (2)(g)1., (2)(g)3., and (2)(g)4.

2. Permits shall not apply on weekends or on the holidays identified in s. 110.117, F.S.

(b) Permit applications may be obtained at the Florida Marine Patrol, District 3B office, 2423 Edwards Drive, Ft. Myers, Florida, or by contacting the Florida Department of Environmental Protection, Mail Station 245, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399, (850)922-4330).

(4) Access to the NO ENTRY zones designated in (2)(a) above will be allowed for Florida Power and Light Company employees or their authorized agents provided that entry into the zones is necessary to conduct activities associated with maintenance, emergency operations or environmental monitoring. The Department must receive notification of the activity prior to its commencement. In the event of an emergency activity, the Department shall be notified no more than two weeks after the activity has been commenced. All vessels used in the operation or associated with the activity shall be operated at no greater than Idle Speed while within the zones and must have an observer on board to look for manatees. All routine activities associated with maintenance and environmental monitoring shall be halted when manatees are seen in the zones. Activities that are halted because of manatee presence may only proceed after the manatee(s) leave the area of their own volition.

(5) The zones described in 62N-22.005(2) above are shown on the following maps, labeled "Lee County Manatee Protection Zones." The maps are intended to be depictions of the above-described zones. In the event of conflict between the two, the above descriptions shall prevail.

INSERT MAPS

INSERT MAPS

INSERT MAPS

INSERT MAP

INSERT MAP

INSERT MAP

INSERT MAP



Specific Authority 370.12(2)(f),(n),(o) FS. Law Implemented 370.12(2)(d),(f),(i)(j),(n),(o) FS. History--New 3-19-79, Formerly 16N-22.05, Amended 12-5-89, Formerly 16N-22.005, Amended \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Council of Medical Physicists**

RULE CHAPTER NO.: 64B23-2  
 RULE NO.: 64B23-2.001  
 RULE CHAPTER TITLE: Qualifications for Licensure  
 RULE TITLE: Documentation for Licensure

**NOTICE OF CHANGE**

The Department of Health, Division of Medical Quality Assurance, announces changes to proposed rule 64B23-2.001, F.A.C., published in the February 5, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 3. The changes are in response to written comments received from the Joint Administrative Procedures Committee. The specific changes are as follows:

64B23-2.001 Documentation for Licensure.

Each applicant for licensure shall make application on ~~F~~form DH 1274, Application for Licensure as a Medical Physicist, hereby incorporated by reference, which is effective XX-XX-XX and shall be provided by the Department which shall be provided by the Department and is hereby incorporated by reference. The following items must be submitted with each application:

(4) The fee for conversion of the physicist-in-training certificate ~~license~~ to the medical physicist license after board certification shall be \$500.

**DEPARTMENT OF HEALTH**

**Council of Medical Physicists**

RULE CHAPTER NO.: 64B23-3  
 RULE NOS.: 64B23-3.004  
 64B23-3.007  
 RULE CHAPTER TITLE: Fees  
 RULE TITLES: Delinquency Fee  
 Physicist-in-Training Fees

**NOTICE OF CHANGE**

The Department of Health, Division of Medical Quality Assurance, announces changes to proposed rules 64B23-3.004 and 3.007, F.A.C., published in the February 5, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 3. The changes are in response to written comments received from the Joint Administrative Procedures Committee. The specific changes are as follows:

64B23-3.004 Delinquency Fee.

A delinquent status licensee shall pay a delinquency fee of \$150 ~~\$250~~ when such licensee applies for active or inactive status, in addition to other applicable fees.

64B23-3.007 Physicist-in-Training Fees.

- (1) The non-refundable application fee for certification ~~license~~ as a physicist-in-training shall be \$100.
- (2) The initial certification ~~license~~ fee shall be \$100.
- (3) The yearly renewal fee shall be \$50.

**DEPARTMENT OF HEALTH**

**Council of Medical Physicists**

RULE CHAPTER NO.: 64B23-4  
 RULE NOS.: 64B23-4.001  
 64B23-4.002  
 RULE CHAPTER TITLE: Continuing Education  
 RULE TITLES: Continuing Education Providers  
 Approval of Continuing Education Programs

**NOTICE OF CHANGE**

The Department of Health, Division of Medical Quality Assurance, announces changes to proposed rules 64B23-4.001 and 64B23-4.002, F.A.C., published in the February 5, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 3. The changes are in response to written comments received from the Joint Administrative Procedures Committee. The specific changes are as follows:

64B23-4.001 Continuing Education Requirements.

Specific Authority ~~455.564(7)~~, 483.901(6)(a) FS. Law Implemented ~~455.587(3)~~, 483.901(6)(a) FS. History--New \_\_\_\_\_.

64B23-4.002 Approval of Continuing Education Programs.

(2) All other providers seeking approval shall:

(a) Make application on ~~F~~form DH 1273, Continuing Education Program Application, hereby incorporated by reference, which shall be effective as of xx-xx-xx and provided by the Department and submit the following:

Specific Authority ~~455.564(7)~~, 483.901(6)(a) FS. Law Implemented ~~455.587(3)~~, 483.901(6)(a) FS. History--New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Council of Medical Physicists**

RULE CHAPTER NO.: 64B23-7  
 RULE NOS.: 64B23-7.001  
 64B23-7.002  
 64B23-7.003  
 RULE CHAPTER TITLE: Physicists in Training  
 RULE TITLES: Application for  
 Physicist-in-Training  
 Physicist-in-Training Supervisors  
 Renewal

**NOTICE OF CHANGE**

The Department of Health, Division of Medical Quality Assurance, announces changes to proposed rules 64B23-7.001 and 7.002, F.A.C., published in the February 5, 1999, issue of the Florida Administrative Weekly, Vol. 25, No. 3. The changes are in response to written comments received from the Joint Administrative Procedures Committee. The proposed rules were changed to read as follows:

64B23-7.001 Application for Physicist-in-Training.

Each applicant for physicist-in-training must meet the following requirements:

(1) Each applicant for physicist-in-training must fill out a Form #DH 1279, Application for Certification as a Medical Physicist-in-Training, hereby incorporated by reference, effective xx-xx-xx, and provided by the Department and pay the fee specified in Rule 64B23-3.007, FAC.

64B23-7.002 Physicist-in-Training Supervisors.

(1) The supervisor must hold a Florida medical physicist license in the appropriate specialty.

(2) The supervisor must agree to provide direct supervision for a period of one year. ~~Either party may decline to fulfill his/her obligation if good cause exists and is approved by the Department.~~

64B23-7.003 Renewal.

(1) A physicist-in-training may renew his or her certificate license every year, for a period not to exceed eight years.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: 65A-4.213 RULE TITLE: Learnfare

NOTICE OF CHANGE

Notice is hereby given that changes are being made to the rule identified above as published in Volume 25, Number 3, Florida Administrative Weekly, on January 22, 1999. These changes are the result of discussion and comments at a noticed public hearing on March 29, 1999.

The specific changes are as follows:

In paragraph 65A-4.213(3), the first sentence, following "Requirements," insert "Apr 99" and delete "~~Sept 98~~". In the same paragraph, the second sentence is deleted, "~~Participants will be required to provide proof of attendance at a required school conference by providing a completed CF-ES 2098, Learnfare School Conference Verification, Nov 98 (incorporated by reference).~~" In the same paragraph, the third sentence, following "A copy of" insert, "this form and CF-ES 2098" and delete "~~the forms~~".

Paragraph 65A-4.213(3) is re-numbered as paragraph 65A-4.213(4), and a new paragraph (3) is inserted as follows:

"(3) Verification of School Conference Attendance. Verification of attendance at a required school conference can be made on CF-ES Form 2098, Learnfare – School Conference Verification, Nov 98 (incorporated by reference). Verification may also be provided by any written statement from a school official or by direct contact with a school official. CF-ES Form 2098 will be completed by a school official unless the participant completes the required school conference by telephone. In this instance, the participant may document school conference attendance on CF-ES Form 2098. The

participant must place the name, title and phone number of the school official on the form and indicate the date of the conference. The department then may telephone the school official to verify that the conference was held."

Section IV Emergency Rules

DEPARTMENT OF COMMUNITY AFFAIRS Division of Housing and Community Development

RULE TITLE: Supplemental Community Development Block Grant (CDBG) Disaster Recovery Funds for El Nino RULE NO.: 9BER99-1

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY AND WELFARE: The United States Department of Housing and Urban Development (HUD) has made available \$18,740,000 in supplemental CDBG funds for recovery from the effects of severe floods, high winds, tornadoes and flooding that occurred between December 25, 1997 and April 24, 1998 (FEMA-DR-1195-FL) and \$1,500,000 in supplemental CDBG funds for recovery from the effects of severe storms, high winds, tornadoes, and flooding that occurred in Broward, Dade, and Monroe counties on February 4, 1998 (FEMA-DR-1204-FL), pursuant to Public Law 105-174. The State, through the Department of Community Affairs, is responsible for the administration of the Florida Small Cities CDBG program under Rule Chapter 9B-43, Florida Administrative Code. At this time, it is necessary for the Department to implement this emergency rule to clearly differentiate between these disaster recovery funds and regular Small Cities CDBG administrative requirements.

The expenditure of the CDBG disaster recovery funds in the areas affected by these storms is essential to the health, safety, and welfare of the public affected in these areas. There were millions of dollars worth of homes, drainage systems, roads, bridges, and other critical public facilities damaged or destroyed by winds and flooding which resulted from the above referenced storms. The condition of many of these structures poses an on-going threat to the health, safety and welfare of the residents of the affected jurisdictions. This emergency rule enables the Department of Community Affairs, subsequent to the approval of the Action Plan for Disaster Recovery El Nino Weather Events (FEMA-DR-1195-FL and FEMA-DR-1204-FL) by the U. S. Department of Housing and Urban Development (HUD), to immediately disburse these funds to affected local governments, so that the dire housing and community development needs of the disaster affected citizens of Florida can be promptly addressed.