

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-6.05281 Educational Programs for Youth in
 Department of Juvenile Justice
 Detention, Commitment, Day
 Treatment, or Early Delinquency
 Intervention Programs

PURPOSE AND EFFECT: The purpose of the rule development is to develop curricular flexibility options without compromising students' educational needs. The effect will be a rule that addresses curricular flexibility for youth in the Department of Juvenile Justice Detention, Commitment, Day Treatment or Early Delinquency Intervention Programs.

SUBJECT AREA TO BE ADDRESSED: Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, Day Treatment or Early Delinquency Intervention Programs.

RULEMAKING AUTHORITY: 1003.51, 1003.52 FS.

LAW IMPLEMENTED: 1003.51, 1003.52 FS.

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

DATE AND TIME: April 30, 2009, 10:00 a.m. – 5:00 p.m.

PLACE: Florida Department of Education, Turlington Building, 325 West Gaines Street, Room 605, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Bambi Lockman, Chief, Bureau of Exceptional Education and Student Services, 325 West Gaines Street, Suite 614, Tallahassee, FL 32399

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-6.0573 Industry Certification Process

PURPOSE AND EFFECT: The purpose of the rule development is to amend definitions and clarify the process relative to the Industry Certification Funding List.

SUBJECT AREA TO BE ADDRESSED: Career and Technical Education and Industry Certification Funding List.

RULEMAKING AUTHORITY: 1003.492(2) FS.

LAW IMPLEMENTED: 1003.491, 1003.492, 1003.493 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Elsie J. Rogers, Division of Workforce Education, 325 West Gaines Street, Suite 720, Tallahassee, FL 32399. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
 40D-1.659 Forms and Instructions

PURPOSE AND EFFECT: Amendments proposed to Rule 40D-1.659, F.A.C., are part of a larger rule package, the purpose of which is to adopt revised and updated Water Use Permit application and supplemental information forms. The revised forms will coordinate with ongoing refinements in the information-gathering capabilities of the District's Water Management Information System, or WMIS, which is being expanded to allow electronic submittal of a greater range of permit applications. The effect will be to elicit through the permit application forms all of the specific information and supporting documentation normally required to determine that a requested water use meets the conditions for permit issuance.

SUBJECT AREA TO BE ADDRESSED: Forms and Instructions.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference
40D-2.101	Content of Application
40D-2.331	Modification of Permits

PURPOSE AND EFFECT: Amendments are proposed to Rules 40D-2.091, 40D-2.101, 40D-2.331, F.A.C., to adopt revised and updated Water Use Permit application and supplemental information forms. The revised forms will coordinate with ongoing refinements in the information-gathering capabilities of the District’s Water Management Information System, or WMIS, which is being expanded to allow electronic submittal of a greater range of permit applications. The effect will be to elicit through the permit application forms all of the specific information and supporting documentation normally required to determine that a requested water use meets the conditions for permit issuance. SUBJECT AREA TO BE ADDRESSED: 40D-2.091 – Publications incorporated by reference; 40D-2.101 – Content of Application; 40D-2.331 – Modification of Permits.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171, 373.216, 373.249 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Martha A. Moore, Senior Attorney, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899; (352)796-7211, extension 4660

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WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-2.010	Review of Consumptive Use Permit Applications
40E-2.011	Policy and Purpose
40E-2.031	Implementation
40E-2.041	Permits Required
40E-2.051	Exemptions
40E-2.061	No-Notice General Permit by Rule
40E-2.091	Publications Incorporated by Reference
40E-2.101	Content of Application
40E-2.301	Conditions for Issuance of Permits
40E-2.321	Duration of Permit
40E-2.331	Modification of Permits
40E-2.341	Revocation of Permits
40E-2.351	Transfer of Permits
40E-2.381	Limiting Conditions
40E-2.441	Temporary Permits
40E-2.451	Emergency Authorization
40E-2.501	Permit Classification

PURPOSE AND EFFECT: To assure water necessary for the protection of fish and wildlife in the St. Lucie Estuary as part of the Comprehensive Everglades Restoration Plan for the Indian River Lagoon – South Project.

SUBJECT AREA TO BE ADDRESSED: Water reservation for the St. Lucie Estuary in volumes, locations and seasons of the year as is necessary for the protection of fish and wildlife.

RULEMAKING AUTHORITY: 373.044, 373.103(1), 373.106, 373.113, 373.171, 373.216, 373.219, 373.223, 373.229, 373.233 FS.

LAW IMPLEMENTED: 373.216, 373.219, 373.223, 373.229, 373.233, 373.239, 373.249 FS.

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

DATE AND TIME: April 30, 2009, 1:30 p.m.

PLACE: South Florida Water Management District, Martin/St. Lucie Service Center, St. Lucie Estuary Conference Room, 780 S. E. Indian Street, Stuart, FL 34997

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 days before the workshop/meeting by contacting: South Florida Water Management District Clerk; (800)432-2045, ext. 2087 or (561)682-2087. 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: Scott Burns, Director, Everglades Water Supply Policy, South Florida Water Management District, P. O. Box 24680, West

Palm Beach, FL 33416-4680; (800)432-2045, ext. 4224 or (561)682-4224; email: sburns@sfwmd.gov; Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 6343 or (561)682-6343; email: belewis@sfwmd.gov; Brenda Mills, Planner-Lead, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 6536 or (561)682-6536; email: bmills@sfwmd.gov. For procedural questions, contact: Jan Sluth, Senior Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 6299 or (561)682-6299; email: jsluth@sfwmd.gov.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-10.011	Purpose and General Provisions
40E-10.021	Definitions
40E-10.031	Water Reservations
40E-10.061	Water Reservation Areas: St. Lucie Estuary/Indian River Lagoon – South

PURPOSE AND EFFECT: To assure water necessary for the protection of fish and wildlife in the St. Lucie Estuary as part of the Comprehensive Everglades Restoration Plan for the Indian River Lagoon – South Project.

SUBJECT AREA TO BE ADDRESSED: Water reservation for the St. Lucie Estuary in volumes, locations and seasons of the year as is necessary for the protection of fish and wildlife.

RULEMAKING AUTHORITY: 373.044, 373.103(1), 373.106, 373.113, 373.171, 373.216, 373.219, 373.223, 373.229, 373.233 FS.

LAW IMPLEMENTED: 373.216, 373.219, 373.223, 373.229, 373.233, 373.239, 373.249 FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Scott Burns, Director, Everglades Water Supply Policy, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 4224 or (561)682-4224; email: sburns@sfwmd.gov; Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 6343 or (561)682-6343; email: belewis@sfwmd.gov; Brenda Mills, Planner-Lead, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 6536 or (561)682-6536; email: bmills@sfwmd.gov. For procedural questions, contact: Jan Sluth, Senior Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 6299 or (561)682-6299; email: jsluth@sfwmd.gov.

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-20.010	Review of General Water Use Permit Applications
40E-20.011	Policy and Purpose
40E-20.061	Delegation of Authority Pertaining to General Water Use Permits
40E-20.091	Publications Incorporated by Reference
40E-20.101	Content of General Water Use Permit Applications
40E-20.141	Request for Additional Information
40E-20.301	Conditions for Issuance of General Water Use Permits
40E-20.302	Types of General Water Use Permits
40E-20.321	Duration of General Water Use Permits
40E-20.331	Modification of General Water Use Permits
40E-20.341	Revocation of General Water Use Permits
40E-20.351	Transfer of General Water Use Permits
40E-20.381	Limiting Conditions
40E-20.391	Publication

PURPOSE AND EFFECT: To assure water necessary for the protection of fish and wildlife in the St. Lucie Estuary as part of the Comprehensive Everglades Restoration Plan for the Indian River Lagoon – South Project.

SUBJECT AREA TO BE ADDRESSED: Water reservation for the St. Lucie Estuary in volumes, locations and seasons of the year as is necessary for the protection of fish and wildlife.

RULEMAKING AUTHORITY: 373.044, 373.103(1), 373.106, 373.113, 373.171, 373.216, 373.219, 373.223, 373.229, 373.233 FS.

LAW IMPLEMENTED: 373.216, 373.219, 373.223, 373.229, 373.233, 373.239, 373.249 FS.

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

DATE AND TIME: April 30, 2009, 1:30 p.m.

PLACE: South Florida Water Management District, Martin/St. Lucie Service Center, St. Lucie Estuary Conference Room, 780 S. E. Indian Street, Stuart, FL 34997

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Scott Burns, Director, Everglades Water Supply Policy, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 4224 or (561)682-4224; email: sburns@sfwmd.gov; Beth Lewis, Senior Supervising Attorney, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 6343 or (561)682-6343, email: belewis@sfwmd.gov; Brenda Mills, Planner-Lead, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 6536 or (561)682-6536; email: bmills@sfwmd.gov. For procedural questions, contact: Jan Sluth, Senior Paralegal, South Florida Water Management District, P. O. Box 24680, West Palm Beach, FL 33416-4680; (800)432-2045, ext. 6299 or (561)682-6299; email: jsluth@sfwmd.gov.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-704.400	Procedure for the Preliminary Examination of Resource Recovery Equipment
62-704.410	Procedure for the Final Examination and Certification of Resource Recovery Equipment
62-704.420	Criteria for Preliminary Examination and Certification of Resource Recovery Equipment
62-704.600	Recycling Equipment List

PURPOSE AND EFFECT: The rule is being amended to include additional equipment on the list of recycling equipment. Several minor changes are also being made to update cross-references and correct grammar.

SUBJECT AREA TO BE ADDRESSED: Solid Waste Management.

RULEMAKING AUTHORITY: 403.704 FS.

LAW IMPLEMENTED: 403.715, 212.08(7)(q) 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 WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jan Rae Clark, Department of Environmental Protection, 2600 Blair Stone Road, MS #4565, Tallahassee, Florida 32399-2400; telephone (850)245-8744; email: jan.rae.clark@dep.state.fl.us
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF JUVENILE JUSTICE

Residential Services

RULE NO.:	RULE TITLE:
63E-7.002	Definitions

PURPOSE AND EFFECT: In January 2009, the rule chapter was amended to incorporate specialized programs such as serious habitual offender and intensive residential treatment programs. Specific language excluding these programs from the scope of the rule chapter was deleted at that time. However, language in a single definition, which repeated the exclusion, was inadvertently retained, and now must be deleted.

SUBJECT AREA TO BE ADDRESSED: An amendment is made to the definition of "residential commitment program," deleting language that purports to exclude specialized programs from the scope of the rule chapter.

RULEMAKING AUTHORITY: 985.64 FS.

LAW IMPLEMENTED: 985.601(3)(a) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, April 27, 2009, 10:00 a.m.
 PLACE: DJJ Headquarters, 2737 Centerview Drive, General Counsel's Conference Room 3223, Tallahassee, Florida. To arrange for participation by telephone, contact: John Milla, (850)921-4129

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Milla, 2737 Centerview Dr., Ste. 3200, Tallahassee, FL 32399-3100; e-mail: john.milla@djj.state.fl.us

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.: 69A-42.003 69A-42.004 69A-42.0041 69A-42.005	RULE TITLES: Definitions Discretionary Powers of the Authority Having Jurisdiction Fire Separation Requirements Standards of the National Fire Protection Association Adopted
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PURPOSE AND EFFECT: The purpose of the proposed change is to preserve the separation distances that existed in prior editions of the National Fire Protection Standards.

SUBJECT AREA TO BE ADDRESSED: Separation distances between mobile homes and between mobile homes and community buildings in mobile home parks, and separation distances between recreational vehicles and between recreational vehicles and community buildings in recreational vehicle parks.

RULEMAKING AUTHORITY: 633.01(1), 633.022(1)(b) FS.
 LAW IMPLEMENTED: 633.01(4), 633.022(1)(b), 633.022(2)(b) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Wednesday, April 29, 2009, 10:00 a.m.
 PLACE: Conference Room at the Atrium, 325 John Knox Road, Tallahassee, Florida 32308

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: Lesley Mendelson; (850)413-3604, Lesley.Mendelson@myfloridacfo.com If you are hearing or

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lesley Mendelson; (850)413-3604, Lesley.Mendelson@myfloridacfo.com THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**Section II
 Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NOS.: 9B-3.0472 9B-3.0475 9B-3.0477	RULE TITLES: Carbon Monoxide Detection Mitigation Retrofits Required Electrical Bonding of Pools
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PURPOSE AND EFFECT: As anticipated by the statutory authority for these rules, the context has been integrated in the 2007 Florida Building Code.

SUMMARY: To repeal the above-referenced rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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: 553.844(3), 553.885(2) FS., s. 1, Chapter 2007-187, Laws of Florida.

LAW IMPLEMENTED: 553.72, 553.73(2), (3), (7), (9), 553.844(3), 553.885(2) FS., s. 1, Chapter 2007-187, Laws of Florida.

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

DATE AND TIME: June 10, 2009, 8:30 a.m. or as soon thereafter as the matter is brought before the Commission in accordance with its agenda

PLACE: Embassy Suites Tampa – USF, 3705 Spectrum Boulevard, Tampa, Florida 33612

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mo Madani, Planning Manager, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100; (850)921-2247. If