

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: RULE TITLE:

60FF1-5.002 Rural County Grants

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

SUBJECT AREA TO BE ADDRESSED: Update rule and application.

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

LAW IMPLEMENTED: 365.173(2)(g), 365.172(9)(a), (b), (c) 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: Wink Infinger, Statewide 911 Coordinator, Florida Department of Management Services, Division of Telecommunications, 4030 Esplanade Way, Suite 135C, Tallahassee, Florida 32399-0950 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: RULE TITLE:

60FF1-5.003 E911 State Grant Programs

PURPOSE AND EFFECT: This modification is an update to the existing E911 State Grant Program rule and application. Any Board of County Commissioners in the State of Florida is eligible to apply. The E911 State Grant Program will help maintain current private-sector employment level and investment for maintaining Florida's E911 system.

SUBJECT AREA TO BE ADDRESSED: Update to rule and application.

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

LAW IMPLEMENTED: 365.172(6)(a)3.b, 365.173(2)(i), 365.172(9)(a), (b), (c) 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: Wink Infinger, Statewide 911 Coordinator, Florida Department of Management Services, Division of Telecommunications, 4030 Esplanade Way, Suite 135C, Tallahassee, Florida 32399-0950 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: RULE TITLE:

60S-4.020 Retiree Health Insurance Subsidy

PURPOSE AND EFFECT: To bring the Retiree Health Insurance Subsidy Section up to date.

SUBJECT AREA TO BE ADDRESSED: Retiree Health Insurance Subsidy.

RULEMAKING AUTHORITY: 112.363(7), 121.031(2) FS.

LAW IMPLEMENTED: 112.363 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: Tuesday, July 1, 2014, 10:30 a.m., ET

PLACE: Division of Retirement, Department of Management Services, Director's Conference Room, Suite 208, 1317 Winewood Blvd., Bldg. 8, 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 48 hours before the workshop/meeting by contacting: Beth Rissinger, Operations and Pension Analyst at (850)778-4404. 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: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee, FL 32399-1560, (850)488-5706

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

DEPARTMENT OF HEALTH

Dietetics and Nutrition Practice Council

RULE NOS.: RULE TITLES:

64B8-44.005 Citations

64B8-44.010 Mediation

PURPOSE AND EFFECT: For 44.005, the Board proposes the rule amendment to revise the rule to allow for resolution of additional violations through the issuance of citations and to update the rule if necessary. For 44.010, the Board proposes the rule amendment to revise the rule to allow for resolution of additional violations through mediation and to update the rule if necessary.

SUBJECT AREA TO BE ADDRESSED: For 44.005, resolution of additional violations through the issuance of citations. For 44.010, resolution of additional violations through mediation.

RULEMAKING AUTHORITY: 456.077, 456.078, 468.507 FS.

LAW IMPLEMENTED: 456.077, 456.078, 468.517, 468.518 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE F.A.R.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE IS: Allen Hall, Executive Director, Dietetics & Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, (850)245-4373.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS: Available at no cost from the contact person listed above.

**Section II
Proposed Rules**

DEPARTMENT OF MANAGEMENT SERVICES

Division of Retirement

RULE NO.: RULE TITLE:

60S-4.020 Retiree Health Insurance Subsidy

PURPOSE AND EFFECT: To incorporate by reference a revised division form. The revision to Form HIS-IP is to simplify and clarify the instructions on how to apply for the Health Insurance Subsidy.

SUMMARY: The amendment set forth replaces a division form with a revised division form.

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: Not required because there are no adverse impacts on economic growth, business competitiveness or regulatory costs of more than \$1M in the aggregate within five years of implementation.

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: 112.363(7), 121.031(2) FS.

LAW IMPLEMENTED: 112.363 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: Thursday, July 10, 2014, 10:30 a.m., ET

PLACE: Division of Retirement of the Department of Management Services, Director’s Conference Room, Suite 208, 1317 Winewood Blvd., Bldg. 8, Tallahassee, Florida 32399-1560

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Garry Green, Operations and Management Consultant Manager, Department of Management Services, Division of Retirement, 1317 Winewood Blvd., Bldg. 8, Tallahassee FL 32399-1560, (850)488-5706

THE FULL TEXT OF THE PROPOSED RULE IS:

60S-4.020 Retiree Health Insurance Subsidy.

(1) No change.

(2) Eligible retired members or beneficiaries must make application to the Division for the Health Insurance Subsidy and certify their health insurance coverage in accordance with procedures established by the Division in order to receive the Health Insurance Subsidy. FRS Pension Plan retirees or beneficiaries shall make application and certify their health insurance coverage to the Division on Form HIS-1 (Rev. 07/05) <http://www.flrules.org/Gateway/reference.asp?No=Ref-00403>, Florida Retirement System Pension Plan Health Insurance Subsidy Certification Form, herein adopted by reference, which is mailed to the FRS Pension Retiree’s address of record when placed on retired payroll and may also be obtained from the Forms page of the Division’s website, www.frs.MyFlorida.com, or by calling the Division’s Retired Payroll Section Toll Free at (888)377-7687, if calling from

outside the Tallahassee calling area or locally at (850)488-4742, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771. FRS Investment Plan retirees or beneficiaries shall make application to the Division for the Health Insurance Subsidy on Form HIS-IP (Rev. 01/14 ~~03/12~~) <http://www.flrules.org/Gateway/reference.asp?No=Ref-01936>, Florida Retirement System (FRS) Application for Health Insurance Subsidy for Investment Plan Members, herein adopted by reference, and shall certify their health insurance coverage to the Division on Form HIS-IP-2 (Rev 10/11) <http://www.flrules.org/Gateway/reference.asp?No=Ref-00405>, Florida Retirement System (FRS) Health Insurance Subsidy Certification for Investment Plan Members, herein adopted by reference. Both of these forms may be obtained from the Forms page of the Division’s website, www.frs.MyFlorida.com, or by calling the Division’s Bureau of Retirement Calculations Toll Free at (888)738-2252, if calling from outside the Tallahassee calling area or locally at (850) 488-6491, or if hearing or speech impaired by calling the Division via T.D.D. at the Florida Relay System by dialing 711 or (800)955-8771. If the Division receives such application and certification of health insurance coverage within 6 months after retirement FRS benefits commence, the Retiree Health Insurance Subsidy may be paid retroactive up to the effective retirement date. If the Division receives the certification of insurance coverage 6 or more months after retirement benefits commence, the member will be eligible to receive retroactive payments for a maximum of 6 months only. Retroactive Retiree Health Insurance Subsidy benefits can only be paid for the months of certified health insurance coverage.

(3) through (4) No change.

Rulemaking Authority 112.363(7), 121.031(2) FS. Law Implemented 112.363 FS. History—New 5-18-88, Amended 11-14-91, Formerly 22B-4.020, Amended 3-18-93, 2-24-99, 4-17-12, 3-25-13,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dan Drake, Director
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Craig J. Nichols, Agency Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 24, 2014

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-342.100	Intent
62-342.200	Definitions
62-342.450	Mitigation Bank Permit and Mitigation Bank Conceptual Approval Applications
62-342.470	Establishment of Mitigation Credits
62-342.650	Land Use Restrictions on Mitigation Banks
62-342.700	Financial Responsibility
62-342.750	Mitigation Bank Permit and Mitigation Bank Conceptual Approval
62-342.800	Surrender, Transfer, or Modification of Mitigation Bank Permits
62-342.850	Water Management District Mitigation Banks
62-342.900	Mitigation Banking Forms

PURPOSE AND EFFECT: The Department proposes to correct citations and references in Chapter 62-342, F.A.C., “Mitigation Banks,” resulting from adoption of the new Statewide Environmental Resource Permitting rule Chapter 62-330, F.A.C., effective October 1, 2013, and repeal of rules in Chapter 62-312, F.A.C., and repeal of Chapter 62-343, F.A.C., effective November 25, 2013.

Specifically, Rule 62-342.200 and paragraph 62-342.750(1)(c), refer to the success criteria in Rule 62-312.350, F.A.C., which is now repealed. The last effective date of Chapter 62-312, F.A.C., that existed prior to its repeal (March 15, 2007), needs to be added to the above provisions in Chapter 62-342, F.A.C., so that mitigation bankers can continue to rely on those criteria.

SUMMARY: Update and correct rule citations and references in Chapter 62-342, F.A.C., and in the forms.

OTHER RULES INCORPORATING THIS RULE: Sub-subparagraph 62-4.050(4)(e)4.a.; subsections 62-330.054(3), 62-330.056(3) and (4), 62-330.301(3), 62-330.320(5), and 62-330.340(1) and (2); and Applicant’s Handbook, Volume I, section 1.4.2; section 2.0(a) definitions 62. and 80.; section 3.3.2 ; section 5.5.3.1(d); section 10.3.1.3; and section 10.3.7.1(d).

EFFECT ON THOSE OTHER RULES: None. There are no changes proposed to the process or requirements of Chapter 62-342, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: 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: Not Applicable.

Any person who wishes to provide information regarding the 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: 373.4131, 373.4136(11) FS.
LAW IMPLEMENTED: 373.4131, 373.4135, 373.4136 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: Alice Heathcock, Florida Department of Environmental Protection, Submerged Lands and Environmental Resources Coordination, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, telephone: (850)245-8483, e-mail: Alice.Heathcock@dep.state.fl.us or facsimile (850)245-8499, (OGC NO. 14-0014)

THE FULL TEXT OF THE PROPOSED RULE IS:

62-342.100 Intent.

(1) No change.

(2) The responsibilities for implementing this chapter are described in Operating and Delegation Agreements between the Department of Environmental Protection (“Department”) and the water management districts (“Districts”). The Agreements are incorporated by reference in subsection 62-113.100(3), F.A.C. The term “Agency” applies to the Department or a District, as applicable, throughout this chapter.

(3) The ~~Agency Department~~ intends that Mitigation Banks be used to minimize mitigation uncertainty associated with traditional mitigation practices and provide greater assurance of mitigation success. It is anticipated that the consolidation of multiple mitigation projects into larger contiguous areas will provide greater assurance that the mitigation will yield long-term, sustainable, regional ecological benefits. Mitigation Banks shall be consistent with ~~Agency Department~~ endorsed watershed management objectives and emphasize restoration and enhancement of degraded ecosystems and the preservation of uplands and wetlands as intact ecosystems rather than alteration of landscapes to create wetlands. This is best accomplished through restoration of ecological communities that were historically present. The establishment and use of Mitigation Banks in or adjacent to areas of national, state, or regional ecological significance is encouraged, provided the area in which the Mitigation Bank is proposed to be located is determined appropriate for a Mitigation Bank and the Mitigation Bank meets all applicable permitting criteria.

(4)~~(3)~~ No change.

Rulemaking Authority 373.4131, 373.4136(11) FS. Law Implemented 373.4131, 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.100, Amended 5-21-01, _____.

62-342.200 Definitions.

Terms used in this chapter shall have the meanings specified below.

(1) through (8) No change.

(9) “Regional Watershed” means a watershed as delineated in the following maps. (Figures 1, 2, 3, 4, and 5.)

Figure 1: Northwest Florida Water Management District – “Regional Watersheds of the NFWMD for Mitigation Banks, 7 Watersheds.” (May 21, 2001), which is incorporated by reference herein.

Figure 2: Suwannee River Water Management District – “Watersheds of the SRWMD Mitigation Banks, 7 Watersheds.” (May 21, 2001), which is incorporated by reference herein.

Figure 3: St. Johns River Water Management District – “SJRWMD, Regional Watersheds for Mitigation Banking (October 1, 2013)”, Appendix A, Figure 10.2.8-2, Applicants Handbook Volume II, which is incorporated by reference in subparagraph 62-330.010(4)(b)3, F.A.C., [October 1, 2013] (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03181>), and in subsections 40C-4.091(1) [October 1, 2013] (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02524>), 40C-42.091(1) [October 1, 2013] (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02525>), and 40C-44.091(1), F.A.C., [October 1, 2013] (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02526>).

Figure 4: Southwest Florida Water Management District – “Drainage Basins and Watersheds within the Southwest Florida Water Management District (October 1, 2013)”, Figure 2.6, Applicants Handbook Volume II, is incorporated by reference in subparagraph 62-330.010(4)(b)4, F.A.C., [October 1, 2013] (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03176>), and in Rule 40D-4.091, F.A.C., [October 1, 2013] (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02527>).

Figure 5: South Florida Water Management District – Appendix D: “SFWMD Basins for Cumulative Impact Assessments & Mitigation Bank Service Areas” (October 1, 2013), Applicants Handbook Volume II, including Appendices A through D, is incorporated by reference in subparagraph 62-330.010(4)(b)5, F.A.C., [October 1, 2013] (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02528>) and in paragraph 40E-4.091(1)(a), F.A.C., [October 1, 2013] (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02529>).

A copy of the incorporated material identified above also may be obtained from the Agency Internet site or by contacting staff in an Agency office identified in the “References and Design Aids, Volume I”, available at <http://www.dep.state.fl.us/water/rulesprog.htm#erp>.

[Substituting this same, but clearer, map for the one in current rule, which is missing the left margin. There are no changes to the basin boundaries, but the basin names are changed.]

Figure 1: Northwest Florida Water Management District – “Regional Watersheds of the NFWMD for Mitigation Banks, 7 Watersheds.” (May 21, 2001)

(SEE INDIVIDUAL SECTION II FOR MAP)

[Strike the following existing Figure 1:]

(SEE INDIVIDUAL SECTION II FOR MAP)

[Substitute the following clearer map for the one in current rule which is missing the left margin. There are no changes to the basin boundaries or names.]

Figure 2: Suwannee River Water Management District -- “Watersheds of the SRWMD Mitigation Banks, 7 Watersheds”, (May 21, 2001)

(SEE INDIVIDUAL SECTION II FOR MAP)

[Strike the following existing Figure 2:]

(SEE INDIVIDUAL SECTION II FOR MAP)

Figure 3: St. Johns River Water Management District – “SJRWMD, Regional Watersheds for Mitigation Banking (October 1, 2013)

(SEE INDIVIDUAL SECTION II FOR MAP)

[Strike the following existing map, titled “Figure 3, Regional Watersheds for Mitigation Banking (11/09/1999)”:]

(SEE INDIVIDUAL SECTION II FOR MAP)

[Strike the following existing list of waterbodies, titled “SJRWMD REGIONAL WATERSHEDS FOR MITIGATION BANKS”:]

(SEE INDIVIDUAL SECTION II FOR MAP)

Figure 4: Southwest Florida Water Management District -- “Drainage Basins and Watersheds within the Southwest Florida Water Management District (October 1, 2013)”

(SEE INDIVIDUAL SECTION II FOR MAP)

[Strike the following existing map, titled “Regional Watersheds of the SWFWMD for Mitigation Banks, 12 Watersheds, Figure 4”:]

(SEE INDIVIDUAL SECTION II FOR MAP)

Figure 5: South Florida Water Management District – Appendix D: “SFWMD Basins for Cumulative Impact Assessments & Mitigation Bank Service Areas” (October 1, 2013)

(SEE INDIVIDUAL SECTION II FOR MAP)

[Strike the following existing map, titled “Regional Watersheds of the SFWMD for Mitigation Banks, 35 Watersheds, Figure 5”:]

(SEE INDIVIDUAL SECTION II FOR MAP)

(10) “Success” means when a Mitigation Bank meets the success criteria provided in section 10.3.6 of Applicant’s Handbook, Volume I, incorporated by reference in Rule 62-330.010 62-312.350, F.A.C., and in the Mitigation Bank Permit. Prior to March 15, 2007, the success criteria was provided in Rule 62-312.350, F.A.C., and in the Mitigation Bank Permit.

Rulemaking Authority 373.4131, 373.4136(11) FS. Law Implemented 373.4131, 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.200, Amended 12-12-94, 8-21-00, 5-21-01,_____.

62-342.450 Mitigation Bank Permit and Mitigation Bank Conceptual Approval Applications.

Any person or entity proposing to establish a Mitigation Bank must apply for a Mitigation Bank Permit. An application for a Mitigation Bank Permit shall also constitute an application for any required permit authorized under Part IV of Chapter 373, F.S. Mitigation Bank Permit applications shall be processed according to Chapter 120, F.S. The Agency Department will process and take action on all permit applications under Part IV of Chapter 373, F.S., necessary for the implementation of any Mitigation Bank for which it has permitting responsibility under the operating agreements between the Department and the Water Management Districts incorporated by reference in Rule 62-113.100, F.A.C. and the Department as authorized under Section 373.046, F.S. A person or entity who wishes to

obtain an estimation of the legal and financial requirements necessary for a Mitigation Bank, information necessary for evaluation of a Mitigation Bank Permit application, and potential mitigation credits to be awarded under a Mitigation Bank Permit, may apply for a Mitigation Bank Conceptual Approval Permit. To provide the Agency Department with reasonable assurances that the proposed Mitigation Bank will meet the criteria in Section 373.4136, F.S., and in this chapter, and that any proposed system will meet the applicable criteria of Part IV of Chapter 373, F.S., each Mitigation Bank Permit application submitted to the Agency Department shall include the information required under Part IV of Chapter 373, F.S., as applicable, and the information specified below as appropriate for the proposed bank:

(1) through (7) No change.

(8) Any additional information which the Agency Department requests in order to evaluate whether the proposed Mitigation Bank meets the criteria of Section 373.4136, F.S., and this chapter.

Rulemaking Authority 373.4131, 373.4136(11) FS. Law Implemented 373.4131, 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.450, Amended 12-12-94, 5-21-01, _____.

62-342.470 Establishment of Mitigation Credits.

(1) Based upon the information submitted by the applicant, and an assessment of the proposed Mitigation Bank under the criteria of Section 373.4136, F.S., the Agency Department will assign a number of Mitigation Credits to the proposed Mitigation Bank, or phases thereof.

(2) through (6) No change.

(7) The Agency Department shall maintain a ledger of the Mitigation Credits available in each Mitigation Bank. Mitigation Credits shall be withdrawn as a minor modification of the Mitigation Bank Permit. To use Mitigation Credits, the impact permit applicant must submit to the agency permitting the impact, documentation from the banker demonstrating that Mitigation Credits have been reserved, sold or transferred to the permit applicant, and that the banker has requested that the Mitigation Credits be withdrawn from the Mitigation Bank. If the agency permitting the impact determines that use of the Mitigation Credits proposed by the applicant is appropriate to offset the adverse impacts, it shall notify the Agency Department. Upon receipt of this notice, the Agency Department shall determine if a sufficient number and type of Mitigation Credits are available, withdraw the Mitigation Credits as a minor modification of the Mitigation Bank Permit, and notify the agency permitting the impact and the banker by letter of the withdrawal of the Mitigation Credits and the remaining balance of Mitigation Credits.

(8) When the Department or ~~a the~~ District is the banker, each Agency agency shall maintain its own ledger. The District or Department shall annually submit a report of the Mitigation Credits sold, transferred, or used from its Mitigation Bank to the permitting Agency Department.

Rulemaking Authority 373.4131, 373.4136(11) FS. Law Implemented 373.4131, 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.470, Amended 5-21-01, _____.

62-342.650 Land Use Restrictions on Mitigation Banks.

(1) Before Mitigation Credits may be used from a Mitigation Bank or any phase of a Mitigation Bank, the banker shall either:

(a) Cause cause a fee interest to be conveyed to the Board of Trustees of the Internal Improvement Trust Fund (“Board of Trustees”); or

(b) Cause cause a conservation easement to be conveyed to both the Department and the District. The grantor of a conservation easement may convey a conservation easement to additional grantees, but such conveyance shall be subordinate to the conservation easement granted to the Department and the District. Mitigation Banks on federal Federal, state, or water management district owned land shall be encumbered in perpetuity by conservation easements, or other mechanisms shall be employed to ensure preservation according to the Mitigation Bank permit.

(2) If the Mitigation Bank is located within an area identified in a Agency Department acquisition plan, and the Agency Department determines that the ecological value of the bank can be increased by incorporating the bank into the Agency’s Department’s land management programs, the Agency Department may award additional mitigation credits if the fee interest in the bank is conveyed to the Agency Department as opposed to a conservation easement.

(3) All conservation easements shall be granted in perpetuity without encumbrances, unless such encumbrances do not adversely affect the ecological viability of the Mitigation Bank. All conservation easements shall be of a form and content sufficient to ensure preservation of the Mitigation Bank according to the permit, and shall, at a minimum, meet requirements and restrictions of Section 704.06, F.S., except as provided in subsection 62-342.650(9), F.A.C. The conservation easement shall also provide that the banker shall have access to the property and the authority to perform all acts necessary to ensure compliance with the Mitigation Bank Permit (unless the banker is the fee owner of the property), and that the Agency Department shall have access and the authority to perform these acts if the banker fails to do so.

(4) No change.

(5) As part of providing reasonable assurance that the Mitigation Bank site will be preserved in perpetuity, the grantor of the property or conservation easement shall provide the following unless the ~~Agency Department~~ determines during the permit review process such items are not necessary to ensure preservation of the Mitigation Bank according to the permit:

(a) A boundary survey of the real property interest being conveyed. The survey must be certified, by a land surveyor and mapper, registered in the State of Florida, to meet the requirements of the ~~Agency Department~~ and the minimum technical standards set forth by the Florida Board of Professional Land Surveyors and ~~Mappers~~ ~~mappers~~ in ~~Rules 5J-17.050 through 5J-17.052~~ ~~Chapter 61G17-6~~, F.A.C., under Section 472.027, F.S.

(b) A certified appraisal or other documentation demonstrating the market value of the property or interest to be conveyed to determine the appropriate amount of title insurance.

(c) A marketable title commitment issued to the ~~Agency Department~~ as beneficiary in an amount at least equal to the fair market value, as established in paragraph ~~62-342.650(5)(b)~~ ~~62-342.650(4)(b)~~, F.A.C., of the interest being conveyed. An owner's title insurance policy (ALTA Form B) naming the ~~Agency Department~~ as beneficiary shall be issued to the ~~Agency Department~~ within the time frames specified by the permit. The coverage, form and exceptions of the title insurance policy shall ensure that the Mitigation Bank will be preserved according to the Mitigation Bank Permit.

(d) A Phase I environmental audit identifying any environmental problems which may affect the liability of the ~~Agency Department~~ or Board of Trustees and any additional audits as are necessary to ensure that the ~~Agency Department~~ or the Board of Trustees is not subject to liability under ~~federal~~ ~~Federal~~ or ~~state~~ ~~State~~ laws relating to the treatment or disposal of hazardous substances or ownership of land upon which hazardous substances are located, or to ensure that there are not hazardous substances present on the property which would adversely affect construction, implementation, and perpetual management of the Mitigation Bank.

(6) The ~~Agency Department~~ shall require additional documentation or actions from the grantor of the conservation easement or fee interest if such additional documentation or actions are necessary to ensure that the Mitigation Bank will be preserved according to the Mitigation Bank permit.

(7) The banker shall pay the documentary revenue stamp tax and all other taxes or costs associated with the conveyance, including the cost of recording the deed or conservation easement and any other recordable instruments required by the ~~Agency Department~~ or Board of Trustees, unless prohibited or exempt by law, as a condition of the receipt of the conveyance.

(8) All real estate taxes and assessments which are or which may become a lien against the property shall be satisfied of record by the banker before recording the conservation easement. If necessary, the banker shall, in accordance with Section 196.295, F.S., place funds in escrow with the county tax collector. The mitigation banker shall also provide the ~~Agency Department~~ with annual documentation demonstrating that such taxes and assessments have been paid.

(9) As a condition of receipt of the conveyance the banker shall remove all abandoned personal property, solid waste, or hazardous substances from the property that: reduces the proposed ecological value of the property; will adversely affect the construction, implementation or management of the bank; will adversely affect the construction, alteration, operation, maintenance, abandonment or removal of any surface water management system to be constructed in the bank; or poses a risk of liability to the Board of Trustees or the ~~Agency Department~~.

(10) The banker shall record the conservation easement or property deed required in the Mitigation Bank Permit. The banker shall submit to the ~~Agency Department~~ the original recorded conservation easement or property deed as soon as such document is returned from the public records office.

Rulemaking Authority 373.4131, 373.4136(11) FS. Law Implemented 373.4131, 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.650, Amended 12-12-94, 5-21-01, _____.

62-342.700 Financial Responsibility

(1) No change.

(2) Submitting Financial Responsibility Documentation. The applicant shall provide draft documentation of the required financial responsibility mechanisms described below with the permit application, and shall submit to the ~~Agency Department~~ the executed or finalized documentation within the time frames specified in the permit. The provisions of this section shall also apply for any modifications to the Mitigation Bank Permit.

(3) General Terms for Financial Responsibility Mechanisms. In addition to the specific provisions regarding financial responsibility mechanisms for construction and implementation in subsection 62-342.700(4), F.A.C., and perpetual management in subsection 62-342.700(9), F.A.C., the following terms shall be complied with:

(a) The financial responsibility mechanisms shall be payable at the direction of the ~~Agency Department~~ to its designee or to a standby trust agreement. The financial responsibility mechanism shall be retained by the ~~Agency Department~~ if it is of a type which is retained by the beneficiary according to industry standards.

(b) Demonstration of financial responsibility shall be continuous until complete satisfaction of the applicable permit

conditions and approved release of financial responsibility by the Agency Department.

(c) All financial mechanisms must guarantee that the banker will perform all of its obligations under the permit, provide alternative financial assurance of a type allowed by this section, and obtain the Agency's Department's written approval of the alternative assurance provided within 90 days after receipt by both the banker and the Agency Department of a notice of cancellation of a bond or intent not to extend the expiration date of a letter of credit.

(d) through (e) No change.

(f) A banker must notify the Agency Department by certified mail within 10 days after the commencement of a voluntary or involuntary proceeding:

1. through 3. No change.

4. A general assignment of its assets for the benefit of creditors under Chapter 727, F.S.

A banker may not assign its assets for the benefit of creditors. A banker will be without the required financial assurance in the event of a bankruptcy of the trustee of any trust provided under this rule, or the suspension or revocation of the authority of any trustee to act as trustee, or in the event of a bankruptcy of the issuing institution of any bond or letter of credit, or the revocation of the authority of such institution to issue such instruments. The banker must notify the Agency Department within 10 days, and establish other financial assurance within 60 days after such an event.

(4) No change.

(5) Surety or Performance Bond.

(a) No change.

(b) The surety or performance bond shall be worded in substantial conformance with Form 62-342.700(1) 62-342.900(1), "Mitigation Bank Performance Bond to Demonstrate Construction and Implementation Financial Assurance," [May 21, 2001], which is incorporated by reference herein and available at <http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>. This form and all the forms incorporated in Rule 62-342.700, F.A.C., also are available from the Department of Environmental Protection's Internet site, <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>; or by contacting the Submerged Lands and Environmental Resources Coordination Program, Department of Environmental Protection, 2600 Blair Stone Road—MS 2500, Tallahassee, Florida 32399, (850)245-8336. Deviations from the form shall be identified and submitted to the Agency Department for review and approval.

(c) No change.

(d) The mitigation banker who uses a surety or performance bond to satisfy the requirements of subsection 62-342.700(4), F.A.C., must establish a standby trust fund when

the surety or performance bond is acquired. Under the terms of the bond, all amounts paid by the surety under the bond will be deposited directly into the standby trust fund for distribution by the trustee in accordance with the Agency's Department's instructions. The standby fund agreement must meet the requirements specified in subsection 62-342.700(7), F.A.C.

(e) The bonding company shall provide notice of cancellation of a bond by certified mail to the banker and to the Agency Department. Cancellation may not occur, however, during the 120 days beginning on the date of receipt of the notice of cancellation by both the banker and the Agency Department, as evidenced by the return receipt.

(f) A bond may be canceled by the banker if the Agency Department has given prior written consent. The Agency Department shall provide such consent when either the banker substitutes alternative financial assurance allowed under this rule and such alternate financial assurance is approved by the Agency Department and is effective or the Agency Department releases the banker from the requirements of this subsection.

(6) Irrevocable Letter of Credit.

(a) A mitigation banker may satisfy the requirements of subsection 62-342.700(4), F.A.C., by obtaining an irrevocable letter of credit that conforms to the requirements of this subsection. The irrevocable letter of credit shall be provided by a federally insured depository that is "well capitalized" or "adequately capitalized" as defined in Section 38 of the Federal Deposit Insurance Act [12 USC 1831o(b)] (~~12 USC 1831(o)~~). The banker shall submit proof of such capitalization to the Agency Department.

(b) The irrevocable letter of credit shall be worded in substantial conformance with Form 62-342.700(2) 62-342.900(2), "Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction/Implementation Financial Assurance," (May 21, 2001) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxx>), incorporated by reference herein. Deviations from the form shall be identified and submitted to the Agency Department for review and approval.

(c) A mitigation banker who uses an irrevocable letter of credit to satisfy the requirements of subsection 62-342.700(4), F.A.C., must also establish a standby trust fund when the irrevocable letter of credit is acquired. Under the terms of the irrevocable letter of credit, all amounts paid pursuant to a sight draft by the Agency Department will be deposited by the issuing institution directly into the standby trust fund to be distributed by the trustee in accordance with instructions from the Agency Department. This standby trust fund must meet the requirements specified in subsection 62-342.700(7), F.A.C.

(d) Letters of credit must be irrevocable and issued for a period of at least one year, and the expiration date must be automatically extended for a period of at least one year unless,

at least 120 days prior to the expiration date, the issuing institution notifies both the banker and the Agency Department by certified mail of a decision not to extend the expiration date. The terms of the irrevocable letter of credit must provide that the 120 days begins on the date when both the banker and the Agency Department have received the notice, as evidenced by the return receipts.

(7) Standby Trust Fund.

(a) A mitigation banker using a surety or performance bond or irrevocable letter of credit shall contemporaneously establish a standby trust fund. The trustee of the standby trust shall be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal Federal agency or an agency of the state in which the fund is established. The banker shall provide proof of such regulation and examination to the Agency Department.

(b) The standby trust agreement shall be worded in substantial conformance with Form 62-342.700(3) 62-342.900(3), “Mitigation Bank Standby Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance.” (May 21, 2001) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxxx>), incorporated by reference herein. Deviations from the form shall be identified and submitted to the Agency Department for review and approval.

(8) Trust Fund.

(a) A mitigation banker may satisfy the requirements of subsection 62-342.700(4), F.A.C., by establishing a trust fund that conforms to the requirements of this section. The trustee of the trust fund shall be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by a federal Federal agency or an agency of the state in which the fund is established. The banker shall provide proof of such regulation and examination to the Agency Department.

(b) The trust agreement must be worded in substantial conformance to Form 62-342.700(4) 62-342.900(4), “Mitigation Bank Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance.” (May 21, 2001) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxxx>), incorporated by reference herein. Deviations from the form shall be identified and submitted to the Agency Department for review and approval.

(9) Financial Responsibility for Perpetual Management.

(a) A banker shall establish either a trust fund or an irrevocable letter of credit or surety or performance bond with a corresponding standby trust fund to provide financial responsibility for the perpetual management of the Mitigation Bank, or phase thereof. When a trust fund is used, the requirements of subsection 62-342.700(8), F.A.C., must be met. When a surety or performance bond or irrevocable letter of credit is used with a standby trust fund, the requirements of subsections 62-345.700(5), 62-342.700(6), 62-342.700(5), and

62-342.700(7), F.A.C., respectively, must be met, except all references to construction and implementation shall be changed to perpetual management. Trust fund agreements for perpetual management shall be worded in substantial conformance with Form 62-342.700(5) 62-342.900(5), “Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance.” (May 21, 2001) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxxx>), incorporated by reference herein. Standby trust fund agreements for perpetual management shall be worded in substantial conformance with Form 62-342.700(6) 62-342.900(6), “Mitigation Bank Standby Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance.” (May 21, 2001) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-xxxxx>), incorporated by reference herein. Deviations from the form shall be identified and submitted to the Agency Department for review and approval.

(b) through (c) No change.

(10) Cost estimates.

(a) through (c) No change.

(d) The banker shall submit written cost estimates, together with verifiable basis for the estimates to the Agency Department along with the financial responsibility mechanism.

(e) No change.

(11) Cost adjustments.

(a) Every two years, the banker shall undertake an estimate of the costs of the remaining construction, implementation, and perpetual management. The banker shall submit the estimate to the Agency Department in writing certified by a licensed professional whose license authority in the State of Florida includes the ability to provide such certified written estimates accompanied by supporting documentation. Construction, implementation, and perpetual management costs shall be listed separately. The Agency Department shall review the cost adjustment statement and supporting documentation to determine if they reflect all construction, implementation, and perpetual management costs. If the cost adjustment statement and supporting documentation accurately reflects a good faith estimate of all construction, implementation and perpetual management costs, the Agency Department shall approve the cost adjustment statement.

(b) No change.

(c) Revised cost estimates shall be used as the basis for modifying the financial mechanism. If the value of the financial mechanism is less than the total amount of the current construction and implementation and perpetual management cost estimates, the banker shall, upon Agency Department approval of the cost adjustment statement, increase the value of the financial mechanism to reflect the new estimate within 60 days. If the value of the funding mechanism is greater than the total amount of the current cost estimate, the banker may reduce the value of the funding mechanism to reflect the new estimate

upon receiving ~~Agency Department~~ approval of the cost adjustment statement.

(d) The ~~Agency Department~~ shall require adjustment of the amount of financial responsibility provided for construction, implementation or perpetual management at times other than the cost adjustment period when the estimated costs associated with compliance with the permit conditions exceed the current amount of financial responsibility and such financial assurances are deemed necessary to ensure compliance with the permit conditions.

(e) No change.

(12) No change.

Rulemaking Authority 373.4131, 373.4136(11) FS. Law Implemented 373.4131, 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.700, Amended 12-12-94, 9-12-95, 5-21-01,_____.

62-342.750 Mitigation Bank Permit and Mitigation Bank Conceptual Approval.

If the Mitigation Bank proposal meets the criteria of Section 373.4136, F.S., ~~Chapter Chapters~~ 62-330, ~~62-341~~, and ~~62-343~~, F.A.C., and this chapter, the ~~Agency Department~~ shall issue a Mitigation Bank Permit to the banker. An authorization under this section may be issued in two forms: a Mitigation Bank Permit or a Mitigation Bank Conceptual Approval.

(1) The Mitigation Bank Permit authorizes the establishment, implementation and operation of the Mitigation Bank, authorizes the construction, alteration, operation, maintenance, abandonment or removal of any surface water management system proposed within the Mitigation Bank, and sets forth the rights and responsibilities of the banker and the Department for the implementation, management, maintenance and operation of the Mitigation Bank. The Mitigation Bank Permit shall include the following:

(a) through (b) No change.

(c) The success criteria by which the Mitigation Bank will be evaluated. ~~“Success” means when a Mitigation Bank meets the success criteria provided in Rule 62-312.350, F.A.C., and in the Mitigation Bank Permit.~~

(d) through (h) No change.

(i) The conditions required under ~~Chapter Chapters~~ 62-330, ~~62-341~~, and ~~62-343~~, F.A.C., ~~as applicable~~, for construction, alteration, operation, maintenance, abandonment or removal of any surface water management system proposed within the Mitigation Bank.

(2) through (3) No change.

Rulemaking Authority 373.4131, 373.4136(11) FS. Law Implemented 373.4131, 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.750, Amended 5-21-01,_____.

62-342.800 Surrender, Transfer, or Modification of Mitigation Bank Permits.

(1) If no credits have been used or sold, a banker may apply to surrender a Mitigation Bank permit, or permitted phase thereof, by submitting a written request to the ~~Agency Department~~. The written request must identify which phase of the Mitigation Bank will be surrendered, indicate the extent of mitigation work performed in that phase, and describe the conservation property interest encumbering that phase. The ~~Agency Department~~ shall authorize release from a Mitigation Bank permit when no credits have been used, and relinquishment of the phase would not compromise the ecological value of the remaining portions of the Mitigation Bank. A surrender and release of a geographic phase of a Mitigation Bank shall be made by modification of the Mitigation Bank Permit.

(2) If a property interest has been conveyed as provided in Rule 62-342.650, F.A.C., for a Mitigation Bank permit which is surrendered as provided above, the ~~Agency Department~~ shall convey the property interest back to the grantor of that interest.

(3) If a surface water management system has been constructed or altered within the Mitigation Bank, the banker shall obtain any permits required under Part IV of Chapter 373, F.S., Sections 373.413, 373.414, and 373.426, F.S., and ~~Chapter Chapters~~ 62-330, ~~62-341~~, and ~~62-343~~, F.A.C., to operate or abandon the surface water management system.

(4) To transfer a Mitigation Bank Permit, the banker shall meet the requirements of Chapter ~~62-330~~ ~~62-343~~, F.A.C., and the entity to whom the permit will be transferred must provide reasonable assurances that it can meet the requirements of the permit. If the transfer to the ~~Agency Department~~ is proposed, the current banker shall provide an updated cost estimate and adjust the final responsibility mechanism, as appropriate, prior to transfer of the permit.

(5) No change.

Rulemaking Authority 373.4131, 373.4136(11) FS. Law Implemented 373.4131, 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.800, Amended 12-12-94, 5-21-01,_____.

62-342.850 ~~Department or~~ Water Management District Mitigation Banks.

The ~~Department or a~~ District may construct, operate, manage, and maintain a Mitigation Bank under this section after obtaining a Mitigation Bank Permit from the appropriate reviewing Agency Department.

(1) ~~The Department or A~~ District may apply to establish a Mitigation Bank by submitting a Mitigation Bank plan, meeting the applicable permitting criteria of this section, in one of the following formats:

(a) No change.

(b) A Mitigation Bank plan identifying one or more parcels of land in which the Department or District has a legal or equitable interest.

(2) Land Use Restrictions on Department or District Mitigation Banks. The Department or District shall maintain the land within the Regional Mitigation Bank pursuant to the terms of the Mitigation Bank Permit. Any change in the land use shall require a modification of the Mitigation Bank Permit.

(3) Notwithstanding any other provision of this chapter, the Department or District may sell, transfer, or use Mitigation Credits prior to acquiring the proposed mitigation site as set forth in its Mitigation Bank Permit.

(4) ~~District~~ Financial Responsibility. A portion of the funds contributed to a Department or District Mitigation Bank from the sale of credits shall be dedicated for the construction and implementation of the Mitigation Bank, and a portion of the funds shall be dedicated for the long-term management of the bank as set forth in the Mitigation Bank Permit. Funds derived from the sale of Mitigation Credits which are not necessary for the construction, implementation, and long-term management of a Department or District Regional Mitigation Bank shall be dedicated for the initiation of other Department or District Mitigation Banks, or expansion of other Department or District land acquisition or restoration projects which improve regional ecological conditions.

(5) Procedures for Establishment of Mitigation Banks. Mitigation Banks established by the Department or Districts shall be permitted, as applicable, under the procedures in the Operating Agreements Concerning Environmental Resource Permitting, Management and Storage of Surface Waters Regulation, and Wetland Resource Regulation, as adopted by the Department in paragraphs 62-113.100(3)(f), (m), (s), (x), and (aa) subsections 62-113.100(3)(e), (k), (p), and (t), F.A.C.

(6) No change.

Rulemaking Authority 373.4131, 373.4136(11) FS. Law Implemented 373.4131, 373.4135, 373.4136 FS. History—New 2-2-94, Formerly 17-342.850, Amended 12-12-94, 5-21-01, _____.

62-342.900 Mitigation Banking Forms.

~~The forms and instructions used by the Department in the Mitigation Banking program are adopted and incorporated by reference in this section. The forms are listed by rule number, which is also the form number, and with the subject title and effective date. Copies of forms may be obtained by telephoning or writing to the Bureau of Submerged Lands and Environmental Resources, MS 2500, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399, (850)488-6579.~~

~~(1) Mitigation Bank Performance Bond to Demonstrate Construction and Implementation Financial Assurance.~~

~~(2) Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction/Implementation Financial Assurance.~~

~~(3) Mitigation Bank Standby Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance.~~

~~(4) Mitigation Bank Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance.~~

~~(5) Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance.~~

~~(6) Mitigation Bank Standby Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance.~~
Rulemaking Authority 373.4136(11) FS. Law Implemented 373.4135, 373.4136 FS. History—New 5-21-01, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, Director
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 3, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 31, 2014

Section III
Notice of Changes, Corrections and Withdrawals

NONE

Section IV
Emergency Rules

NONE

Section V
Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District
RULE NO.: RULE TITLE:
40D-22.201 Year-Round Water Conservation Measures
The Southwest Florida Water Management District hereby gives notice that on June 16, 2014, it has denied a petition for variance.

Petitioner’s Name: University Place CDD – File Tracking No. 14-4189

Date Petition Filed: March 18, 2014

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: March 21, 2014

General Basis for Agency Decision: Petitioner failed to respond to District requests for additional information. Petitioner has not demonstrated that a variance or waiver from District rules is appropriate.

A copy of the Order or additional information may be obtained by contacting Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 10, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Travel Planners Office Building. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-198).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 9, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for High Point Tower. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters’ emergency operations which poses a significant

economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-197).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 9, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for LeCiel Condo. Petitioner seeks a variance of the requirements of ASME A17.3, Section 2.2.1, ASME A17.1. Section 101.2a and 2.7.1.2 as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators enclosures, equipment permitted in machinery and control spaces and non-fire-resistive construction which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-196).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on June 10, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lake Worth Towers. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3 and 2.7.4 and ASME A17.1, Section 8.11.2.1.1(c) and 8.11.2.1.4(b) as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters’ emergency operations, restricted opening of hoistway doors and/or car doors on passenger elevators and operating control devices and hoistway doors which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-199).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

Section VI Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis announces a public meeting to which all persons are invited.

DATE AND TIME: June 26, 2014, 4:00 p.m., Finance and Investment Committee Meeting

PLACE: Mission San Luis, 2100 W Tennessee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Members will discuss financial reports, vendor contracts, budget and friends' business.

A copy of the agenda may be obtained by contacting: Diane.Ogorzaly@DOS.myflorida.com or (850)245-6388.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center & Horse Park Authority announces a public meeting to which all persons are invited.

DATE AND TIME: July 10, 2014, 5:00 p.m.

PLACE: Holiday Inn, 3600 SW 38th Avenue, Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED: Old and New Business.

A copy of the agenda may be obtained by contacting: EllenMarie Ettenger, Events Director, Florida Agriculture Center & Horse Park Authority, 11008 S. Highway 475 Ocala, FL 34480, Phone: (352)307-6699, email: Events@flhorsepark.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 7 days before the workshop/meeting by contacting: EllenMarie Ettenger. 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 AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The Florida Agriculture Center & Horse Park Authority, Strategic Planning Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: July 1, 2014, 5:00 p.m.

PLACE: Florida Agriculture Center & Horse Park Authority, 11008 S. Highway 475, Ocala, FL 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business of the Strategic Planning Committee.

A copy of the agenda may be obtained by contacting: EllenMarie Ettenger, Events Director, Florida Agriculture Center & Horse Park Authority; phone: (352)307-6699, email: Events@flhorsepark.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 7 days before the workshop/meeting by contacting: EllenMarie Ettenger. 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).

EXECUTIVE OFFICE OF THE GOVERNOR

The Governor's Commission on Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, July 8, 2014, 8:00 a.m., EDT until all business is complete

PLACE: 1(888)670-3525; passcode: 3822432866#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Commission Committee meetings at times noted below:

9:00 a.m. – 10:00 a.m., Communications; 10:00 a.m. – 11:00 a.m., Emergency Management & Volunteer Services; 11:00 a.m. – 12:00 Noon, Finance & Audit; 1:00 p.m. – 2:00 p.m., Legislative; 2:00 p.m. – 3:00 p.m., National Service Programs; 3:00 p.m. – 4:00 p.m., Executive

Please note all calls are EDT unless otherwise noted.

A copy of the agenda may be obtained by contacting: Debbie Brown at (850)414-7400 or Debbie@volunteerflorida.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 3 days before the workshop/meeting by contacting: Debbie Brown at (850)414-7400 or Debbie@volunteerflorida.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Debbie Brown at (850)414-7400 or Debbie@volunteerflorida.org.

REGIONAL PLANNING COUNCILS**Northeast Florida Regional Planning Council**

The Northeast Florida Regional Council announces public meetings to which all persons are invited.

DATE AND TIMES: July 10, 2014, 8:30 a.m., Personnel, Budget & Finance Policy Committee; 9:00 a.m., Planning & Growth Management Committee; 10:00 a.m., Full Board of Directors; Legislative Policy Committee immediately following full Board. Please check our website at www.nefrc.org for any changes.

PLACE: 6850 Belfort Oaks Place, Jacksonville, FL 32216

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Meetings.

A copy of the agenda may be obtained by contacting: Sheron Forde at (904)279-0880 or sforde@nefrc.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 5 days before the workshop/meeting by contacting: Sheron Forde. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL PLANNING COUNCILS**East Central Florida Regional Planning Council**

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 16, 2014, 10:00 a.m.

PLACE: ECFRPC Office, 309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Boardroom, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular bi-monthly of the East Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

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 two days before the workshop/meeting by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300. 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: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

REGIONAL PLANNING COUNCILS**East Central Florida Regional Planning Council**

The East Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: July 16, 2014, 9:00 a.m.

PLACE: ECFRPC Office, 309 Cranes Roost Blvd., Suite 2000, Mayor John H. Land Boardroom, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bi-monthly meeting of the Executive Committee.

A copy of the agenda may be obtained by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

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 two days before the workshop/meeting by contacting: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300. 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: Pegge Parker at pparker@ecfrpc.org or (407)262-7772, ext. 300.

WATER MANAGEMENT DISTRICTS**Suwannee River Water Management District**

The Suwannee River Water Management District announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, June 23, 2014, 3:00 p.m.

PLACE: Suwannee River Water Management District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: An Intermediate Governing Board meeting will be held for discussion and consideration for Authorization to Amend the Middle Suwannee River and Springs Restoration and Aquifer Recharge Project: Modification of Drilling Contract.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa Cheshire, (386)362-1001 or 1(800)226-1066 (Florida only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:

59C-1.039 Comprehensive Medical Rehabilitation Inpatient Services

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: July 2, 2014, 8:30 a.m. – 9:30 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is for the purpose of discussing the Certificate of Need requirements for Comprehensive Medical Rehabilitation Inpatient Services. This is the third workshop held on this rule. A conference call line has been set up so that interested parties that are not able to attend in person can listen to the workshop by phone. The conference call number is 1(888)670-3525; participants can use 1038470489# to access the workshop on the 2nd.

A copy of the agenda may be obtained by contacting: Marisol Fitch by email at Marisol.fitch@ahca.myflorida.com or at (850)412-3750.

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 1 day before the workshop/meeting by contacting Marisol Fitch by email at Marisol.fitch@ahca.myflorida.com or at (850)412-3750. 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: Marisol Fitch by email at Marisol.fitch@ahca.myflorida.com or at (850)412-3750.

AGENCY FOR HEALTH CARE ADMINISTRATION

Certificate of Need

RULE NO.: RULE TITLE:

59C-1.008 Certificate of Need Application Procedures

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: July 3, 2014, 9:00 a.m. – 10:00 a.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room C, 2727 Mahan Drive, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a workshop for the purpose of discussing Certificate of Need Application Procedures for Rule 59C-1.008. A copy of the agenda may be obtained by contacting: Marisol Fitch, Florida Center for Health Information and Policy Analysis, 2727 Mahan Drive, MS 28, Tallahassee, Florida 32308, telephone: (850)412-3750, email: marisol.fitch@ahca.myflorida.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 1 day before the workshop/meeting by contacting: Marisol Fitch at (850)412-3750. 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 MANAGEMENT SERVICES

Division of Purchasing

The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: June 24, 2014, 9:00 a.m., ET (Tallahassee Local Time)

PLACE: 4030 Esplanade Way, Room 301, Tallahassee, Florida. This meeting may be attended telephonically by calling: 1(888)670-3525; at the prompt, enter conference code: 9014368017#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Management Services will conduct a public meeting regarding the Invitation to Negotiation (ITN) No. DMS 13/14-024, entitled “MyFloridaNet-2.”

The purpose of the meeting is to discuss the ITN documents and provide preliminary answers to vendor questions.

This meeting is subject to cancellation. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. The Department will post notice of any changes or additional meetings within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not re-advertise notice in the Florida Administrative Register (FAR). Access the VBS at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: dms.purchasing@dms.myflorida.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 24 hours before the workshop/meeting by contacting the Department of Management Services. 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 MANAGEMENT SERVICES

Division of Purchasing

The Department of Management Services announces public meetings to which all persons are invited.

DATES AND TIMES: Tuesday, June 24, 2014, 2:00 p.m. – 3:30 p.m., ET (Tallahassee local time); Thursday, June 26, 2014, 10:00 a.m. – 12:30 p.m., ET (Tallahassee local time)

PLACE: Shuster’s Conference Room, Building 4055 Esplanade Way, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Public Meetings will be held regarding Invitation to Negotiate, Pharmacy Benefits Plan Management Services, ITN No. DMS 13/14-011.

The meetings may be attended telephonically by calling: 1(888)670-3525. At the prompt, enter conference code: 7665653066#.

As to the above-mentioned Invitation to Negotiate, the Department of Management Services hereby provides notice of these Public Meetings for the Negotiation Team to discuss the intent to award for this ITN.

A copy of the agenda may be obtained by contacting: dms.purchasing@dms.myflorida.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 24 hours before the workshop/meeting by contacting: The Department of Management Services. 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 BUSINESS AND PROFESSIONAL REGULATION

The Board of Professional Geologists announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, July 23, 2014, 1:00 p.m.; Thursday, July 24, 2014, 9:00 a.m.

PLACE: The Embassy Suites Fort Lauderdale, 1100 SE 17th Street, Tallahassee, Florida 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application Review and General Board Business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

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

contacting: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Richard Morrison, Executive Director, Board of Professional Geologists, 1940 North Monroe Street, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

The Board of Architecture and Interior Design announces public meetings to which all persons are invited.

DATES AND TIMES: July 15, 2014, 9:00 a.m.; July 16, 2014, 9:00 a.m.

PLACE: Trump National Doral Golf & Spa Resort, 4400 NW 87th Avenue, Miami, Florida 33178, telephone: (305)592-2000

GENERAL SUBJECT MATTER TO BE CONSIDERED: July 15, 2014 - General Business including disciplinary cases, if time allows to be followed by discussion items - architecture profession, Interior Design profession, rules, and reports. July 16, 2014 - General Business discussion items continued - Architecture profession, Interior Design Profession, rules, reports, and review of applications.

A copy of the agenda may be obtained by contacting: The Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, telephone: (850)717-1982.

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 Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, telephone: (850)717-1982. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: The Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, telephone: (850)717-1982.

DEPARTMENT OF HEALTH

Board of Dentistry

The Board of Dentistry, Council on Dental Hygiene announces a telephone conference call to which all persons are invited.

DATE AND TIME: July 9, 2014, 6:00 p.m.

PLACE: 1(888)670-3525; when prompted, enter conference code: 5805370981

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss matters related to dental hygiene.

A copy of the agenda may be obtained by contacting: Sue Foster, 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 Sue Foster at (850)245-4474.

AREA AGENCY ON AGING FOR NORTH FLORIDA

The Area Agency on Aging for North Florida announces a public meeting to which all persons are invited.

DATE AND TIME: June 17, 2014, 10:00 a.m.

PLACE: 2414 Mahan Drive, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Aging and Disability Resource Center 2014/15 annual improvement plan review and status overview of 2013/14 activities.

A copy of the agenda may be obtained by contacting: Dottie Hinkle, dottieh@aanf.org.

AREA AGENCY ON AGING FOR NORTH FLORIDA

The Area Agency on Aging for North Florida announces public meetings to which all persons are invited.

DATES AND TIMES: June 26, 2014, 10:30 a.m.; July 24, 2014, 10:30 a.m.; September 25, 2014, 10:30 a.m.; October 23, 2014, 10:30 a.m.; December 4, 2014, 10:30 a.m.

PLACE: 2414 Mahan Drive, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly business meetings of the Board of Directors.

A copy of the agenda may be obtained by contacting: Lisa Bretz, lisab@aanf.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 1 day before the workshop/meeting by contacting: Lisa Bretz, lisab@aanf.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: Lisa Bretz, lisab@aanf.org or by phone at (850)488-0055.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center for Independent Living in Central Florida, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 24, 2014, 8:00 a.m.

PLACE: 720 North Denning Drive, Winter Park, FL 32789

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Meeting.

A copy of the agenda may be obtained by contacting: Luana Kutz at (407)623-1070.

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: Luana Kutz at (407)623-1070. 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: Luana Kutz at (407)623-1070.

CITIZENS PROPERTY INSURANCE CORPORATION

The Board of Governors of Citizens Property Insurance Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: Updated – June 25, 2014, 9:00 a.m. – 12:00 Noon

PLACE: The Alford Inn, 300 E. New England Ave., Winter Park, FL 32789 or dial-in: 1(888)942-8686, conference ID: 5743735657#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topics include but are not limited to Financials, Annual Recommended Rate Filing, and Clearinghouse.

A copy of the agenda may be obtained by contacting: Citizens website: www.citizensfla.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 5 days before the workshop/meeting by contacting: Citizens Property Insurance Corporation. 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).

SOUTH DADE SOIL AND WATER CONSERVATION DISTRICT

The South Dade Soil & Water Conservation District announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 19, 2014, 9:30 a.m.

PLACE: USDA Florida City Service Center, 1450 N. Krome Ave., #102, Florida City

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular agenda items for presentation to the Board of Supervisors, Ag Lab Report, MIL Report, and District Projects. A copy of the agenda may be obtained by contacting: Gina Dolleman.

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 1 day before the workshop/meeting by contacting: SDSWCD, (305)242-1288. 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: Morgan Levy, District Administrator, (305)242-1288, 1450 N. Krome Ave., #102, Florida City.

COMMUNIKATZ, INC.

The Florida Department of Transportation announces a public meeting to which all persons are invited.

DATE AND TIME: June 26, 2014, 6:00 p.m.

PLACE: Aventura Community Recreation Center, 3375 NE 188 Street, Aventura, Florida 33180

GENERAL SUBJECT MATTER TO BE CONSIDERED: NE 203rd Street and NE 215th Street Intersection Improvements Between US-1 and West Dixie Highway Project Development & Environment (PD&E) Study.

A copy of the agenda may be obtained by contacting: Ms. Eman Gomaa, P.E. at (305)470-5219.

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 hours before the workshop/meeting by contacting: Ms. Eman Gomaa, P.E. at (305)470-5219; in writing at 1000 NW 111 Avenue, Room 6111-A, Miami, FL 33172 or by email at eman.gomaa@dot.state.fl.us. 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: contact Ms. Fabiana Gonzalez, P.E. at (305)470-5183 or by email at fabiana.gonzalez@dot.state.fl.us.

DRMP, INC.

The Florida Department of Transportation (FDOT) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 26, 2014, 5:00 p.m. – 7:00 p.m.

PLACE: Casselberry City Hall, City Commission Chambers, 95 Triplet Lake Drive, Casselberry, FL 32707

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No. 435729-1.

Project Description: State Road (SR) 436 (Semoran Boulevard) Corridor Planning Study from US 17-92 to Wilshire Drive, Seminole County.

A public meeting is being conducted to present and explain project goals and objectives, explain the study process, seek public and agencies input, and provide interested persons an opportunity to get involved. The Corridor Planning Study involves the development of a range of feasible improvement strategies to provide a safe and efficient multi-modal transportation corridor that serves a wide array of users while providing and enhancing livability consistent with the future vision for the area. The project limits are on SR 436 from US 17-92 to Wilshire Drive, a distance of approximately one mile. This section is located within the City of Casselberry and Seminole County.

The meeting is developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. For more information about the project or the public meeting, you may contact Ms. Garcia at the phone number or e-mail address listed above.

A copy of the agenda may be obtained by contacting: Heather Garcia by phone at (386)943-5077 or by email at heather.garcia@dot.state.fl.us.

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: Heather Garcia by phone at (386)943-5077 or by email at heather.garcia@dot.state.fl.us. 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: Heather Garcia by phone at (386)943-5077 or by email at heather.garcia@dot.state.fl.us.

THE CUNNINGHAM GROUP

The Florida Department of Transportation, District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 25, 2014, 6:00 p.m. – 8:00 p.m.

PLACE: Miami Beach Regional Library, 227 22 Street, Miami Beach, FL 33139

GENERAL SUBJECT MATTER TO BE CONSIDERED:

FDOT, District Six, will conduct a public kick-off meeting for the Venetian Causeway Development & Environment (PD&E) Study. Project Limits: North Bayshore Drive in Miami to Purdy Avenue in Miami Beach, Miami-Dade County, Florida. Financial Project Number: 422713-2-22-01. Efficient Transportation Decision-Making (ETDM) Number: 12756. The study will examine the potential replacement or rehabilitation of the twelve existing bridges (ten low-level fixed spans and two movable bascule drawbridges) on the Venetian Causeway. The kick-off meeting seeks to increase the public's understanding of the study and encourage participation and continuous feedback. In addition, the meeting will provide an introduction of the project and present information regarding the existing conditions and the schedule for the study.

A copy of the agenda may be obtained by contacting: Mr. Dat Huynh, P.E., Project Manager at (305)470-5217 or by email at dat.huynh@dot.state.fl.us.

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: Ms. Eman Gomaa, P.E. at (305)470-5219; in writing at 1000 NW 111 Ave., Room 6111-A, Miami, FL 33172 or by email at eman.gomaa@dot.state.fl.us. 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: Mr. Dat Huynh, P.E., Project Manager at (305)470-5217 or by email at dat.huynh@dot.state.fl.us.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

NOTICE IS HEREBY GIVEN that the Department of Business and Professional Regulation has issued an order disposing of the petition for declaratory statement filed by Hunter's Creek Community Associations c/o Elizabeth A. Lanham-Patrie on March 3, 2014. The following is a summary of the agency's disposition of the petition:

The petition for declaratory statement was granted. Based on the job descriptions provided within the Petition, while the Maintenance Department Manager's duties seem to fall within the statutory definition for community association management services, the Department found that the specific job duties were ministerial in nature and fell within a statutory exception. However, both the Manager of the Communications Department and the Recreation/Special Events Manager perform at least one duty that falls within the scope of community association management services and must be licensed as community association managers.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2202, (850)921-0342, AGC.Filing@myfloridalicense.com.

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

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

NONE

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

NONE

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

NONE

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

NONE

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

**FLORIDA HOUSING FINANCE CORPORATION
Request for Qualifications 2014-03 Investment Banking
Services**

The Florida Housing Finance Corporation invites all qualified Offerors to submit proposals for consideration in accordance with the terms and conditions set forth in this Request for Qualifications (RFQ) 2014-03, relating to Investment Banking services. Florida Housing expects to select one or more Offerors that propose to provide investment banker services specified in this Request for Qualifications.

Proposals shall be accepted until 2:00 p.m. (Eastern Time), July 8, 2014, to the attention of Contracts Manager, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact: Matt Sirmans at (850)488-4197 or matt.sirmans@floridahousing.org. To obtain a copy of the Request for Qualifications, which outlines selection criteria and applicant's responsibilities, please submit your request to the attention of Matt Sirmans, or you can download the Request for Qualifications from the Florida Housing Finance Corporation website at: <http://www.floridahousing.org/BusinessAndLegal/Solicitations/RequestForQualifications/>. Any modifications that occur to the Request for Qualifications will be posted at the website and may result in an extension of the deadline.

VISIT FLORIDA

The Florida Tourism Industry Marketing Corp., d/b/a VISIT FLORIDA, is accepting proposals from qualified Project Manager to develop a strategic plan, marketing plan and grant program for Medical Tourism Promotion. It is important to note that this is a contracted position. The anticipated length of the contract is 12 months. For more information, please click [here](#). The due date for submissions is June 30, 2014.

Section XII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Zip Around, Inc., for the establishment of DAIX 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 Pacific Rim International West, Inc., intends to allow the establishment of Zip Around, Inc., as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co., Ltd. (line-make DAIX) at 5043 South Tamiami Trail, Sarasota, (Sarasota County), Florida 34231, on or after July 17, 2014.

The name and address of the dealer operator(s) and principal investor(s) of Zip Around, Inc. are dealer operator(s): Demetris Antony, 5043 South Tamiami Trail, Sarasota, Florida 32771; principal investor(s): Demetris Antony, 5043 South Tamiami Trail, Sarasota, Florida 32771.

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: Wendy Yu, Pacific Rim International West, Inc., 2181 East Francis Street, Ontario, California 91761.

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 ECONOMIC OPPORTUNITY

Division of Community Development

Final Order, DEO-14-072

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-072 on June 16, 2014, in response to applications submitted by the Heritage Pines Improvement Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the applications for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

Final Order, DEO-14-073

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-073 on June 16, 2014, in response to applications submitted by Saddle Club Estates Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the applications for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order, DEO-14-072

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-14-072 on June 16, 2014, in response to applications submitted by the Heritage Pines Improvement Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department's Final Order granted the applications for covenant revitalization after determining that the application met the statutory requirements for covenant revitalization.

Copies of the final orders may be obtained by writing to the Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or James.Bellflower@DEO.MyFlorida.com.

Section XIII
Index to Rules Filed During Preceding
Week

INDEX TO RULES FILED BETWEEN JUNE 9, 2014
AND JUNE 13, 2014

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF LEGAL AFFAIRS
Division of Victim Services and Criminal Justice Programs

2A-8.005	6/12/2014	7/2/2014	40/95	
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PUBLIC SERVICE COMMISSION

25-22.0365	6/12/2014	7/2/2014	40/93	
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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-1.002	6/9/2014	6/29/2014	39/248	40/59
40D-1.1001	6/9/2014	6/29/2014	39/248	40/59
40D-1.1002	6/9/2014	6/29/2014	39/248	40/59
40D-1.1010	6/9/2014	6/29/2014	39/248	40/59
40D-1.102	6/9/2014	6/29/2014	39/248	40/59; 40/96
40D-1.1022	6/9/2014	6/29/2014	39/248	40/59; 40/67
40D-1.140	6/9/2014	6/29/2014	39/248	40/59
40D-1.602	6/9/2014	6/29/2014	39/248	40/59
40D-1.603	6/9/2014	6/29/2014	39/248	40/59; 40/96
40D-1.6031	6/9/2014	6/29/2014	39/248	40/59;
40D-1.604	6/9/2014	6/29/2014	39/248	40/59; 40/67
40D-1.6051	6/9/2014	6/29/2014	39/248	40/59; 40/67
40D-1.608	6/9/2014	6/29/2014	39/248	40/59
40D-1.659	6/9/2014	6/29/2014	39/248	40/59; 40/66

REGIONAL UTILITY AUTHORITIES

Withlacoochee Regional Water Supply Authority

49C-1.001	6/9/2014	6/29/2014	40/75	
49C-1.002	6/9/2014	6/29/2014	40/75	
49C-1.003	6/9/2014	6/29/2014	40/75	
49C-1.004	6/9/2014	6/29/2014	40/75	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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49C-1.005	6/9/2014	6/29/2014	40/75	
49C-1.006	6/9/2014	6/29/2014	40/75	
49C-1.007	6/9/2014	6/29/2014	40/75	
49C-1.008	6/9/2014	6/29/2014	40/75	
49C-1.009	6/9/2014	6/29/2014	40/75	
49C-1.010	6/9/2014	6/29/2014	40/75	
49C-1.011	6/9/2014	6/29/2014	40/75	
49C-1.012	6/9/2014	6/29/2014	40/75	
49C-1.013	6/9/2014	6/29/2014	40/75	
49C-1.014	6/9/2014	6/29/2014	40/75	

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

59G-4.071	6/12/2014	7/2/2014	40/63	
59G-4.250	6/12/2014	7/2/2014	40/64	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

61J2-1.011	6/9/2014	6/29/2014	40/87	
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

65G-2.001	6/11/2014	7/1/2014	40/02	40/63
65G-2.003	6/11/2014	7/1/2014	40/02	40/63
65G-2.0032	6/11/2014	7/1/2014	40/02	40/63
65G-2.004	6/11/2014	7/1/2014	40/02	40/63
65G-2.0041	6/11/2014	7/1/2014	40/02	40/63
65G-2.005	6/11/2014	7/1/2014	40/02	40/63
65G-2.006	6/11/2014	7/1/2014	40/02	40/63
65G-2.007	6/11/2014	7/1/2014	40/02	40/63
65G-2.008	6/11/2014	7/1/2014	40/02	40/63
65G-2.009	6/11/2014	7/1/2014	40/02	40/63
65G-2.010	6/11/2014	7/1/2014	40/02	40/63
65G-2.011	6/11/2014	7/1/2014	40/02	40/63
65G-2.012	6/11/2014	7/1/2014	40/02	40/63
65G-2.013	6/11/2014	7/1/2014	40/02	40/63
65G-2.014	6/11/2014	7/1/2014	40/02	40/63
65G-2.015	6/11/2014	7/1/2014	40/02	40/63

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

69A-62.030	6/10/2014	6/30/2014	40/76	
69A-62.032	6/10/2014	6/30/2014	40/76	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
Division of Worker's Compensation					DEPARTMENT OF ENVIRONMENTAL PROTECTION				
69L-3.002	6/10/2014	6/30/2014	40/23	40/86	62-772.300	12/27/2013	*****	39/194	39/224
69L-3.003	6/10/2014	6/30/2014	40/23	40/86	62-772.400	12/27/2013	*****	39/194	39/224
69L-3.0033	6/10/2014	6/30/2014	40/23	40/86	DEPARTMENT OF JUVENILE JUSTICE				
69L-3.0035	6/10/2014	6/30/2014	40/23		Probation				
69L-3.0036	6/10/2014	6/30/2014	40/23		63M-2.0052	2/24/2014	*****	39/231	40/18
69L-3.004	6/10/2014	6/30/2014	40/23	40/86	63M-2.006	2/24/2014	*****	39/231	40/18
69L-3.0045	6/10/2014	6/30/2014	40/23		Mental Health/Substance Abuse/Developmental Disability Services				
69L-3.0046	6/10/2014	6/30/2014	40/23		63N-1.0076	2/24/2014	*****	39/231	
69L-3.0047	6/10/2014	6/30/2014	40/23		63N-1.0084	2/24/2014	*****	39/231	
69L-3.0091	6/10/2014	6/30/2014	40/23	40/86	63N-1.0085	2/24/2014	*****	39/231	
69L-3.012	6/10/2014	6/30/2014	40/23	40/86	DEPARTMENT OF HEALTH				
69L-3.016	6/10/2014	6/30/2014	40/23	40/86	Division of Emergency Medical Operations				
69L-3.017	6/10/2014	6/30/2014	40/23		64J-2.006	7/12/2013	*****	39/53	39/103
69L-3.018	6/10/2014	6/30/2014	40/23		DEPARTMENT OF FINANCIAL SERVICES				
69L-3.019	6/10/2014	6/30/2014	40/23		Division of Worker's Compensation				
69L-3.01915	6/10/2014	6/30/2014	40/23		69L-7.020	10/24/2011	*****	37/24	37/36
69L-3.0192	6/10/2014	6/30/2014	40/23		OIR Insurance Regulation				
69L-3.01925	6/10/2014	6/30/2014	40/23		69O-186.013	12/30/2013	*****	39/201	39/230
69L-3.0193	6/10/2014	6/30/2014	40/23	40/86					
69L-3.0194	6/10/2014	6/30/2014	40/23						
69L-3.01945	6/10/2014	6/30/2014	40/23						
69L-3.021	6/10/2014	6/30/2014	40/23						
69L-3.025	6/10/2014	6/30/2014	40/23	40/86					

LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO SECTION 120.541(3), FLORIDA STATUTES

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

58A-5.0191	3/28/14	*****	39/231	40/43
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