

## Section I

### Notice of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF CORRECTIONS**

RULE NO.:        RULE TITLE:  
33-602.2035     Inmate Substance Abuse Testing  
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to include K-2 as a drug tested for on Form DC6-2066, Reasonable Suspicion Testing Tracking.  
SUBJECT AREA TO BE ADDRESSED: Inmate Substance Abuse Testing.  
RULEMAKING AUTHORITY: 944.09, 944.473 FS.  
LAW IMPLEMENTED: 944.09, 944.472, 944.473 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 IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-602.2035 Inmate Substance Abuse Testing.  
The Office of Institutions shall be responsible for the development and implementation of the department’s substance abuse testing program.

- (1) through (2) No change.
- (3) Procedures.
  - (a) through (e) No change.
  - (f) Other on-site testing device procedures.
    - 1. No change.
    - 2. All correctional facilities shall maintain a record of all reasonable suspicion substance abuse tests conducted. This record shall be maintained by the correctional officer chief or designee. Form DC6-2066, Reasonable Suspicion Testing Tracking, shall be utilized for this purpose. Form DC6-2066 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500, <http://www.flrules.org/Gateway/reference.asp?No=Ref-02089>.
- The effective date of the form is \_\_\_\_ 2-13.
- (g) No change.

Rulemaking Authority 944.09, 944.473 FS. Law Implemented 944.09, 944.472, 944.473 FS. History—New 2-8-00, Amended 2-5-01, Formerly 33-602.2045, Amended 7-2-02, 2-19-07, 7-29-08, 8-26-09, 2-10-10, 11-28-10, 1-11-12, Formerly 33-108.101, Amended 2-17-13,\_\_\_\_\_.

## Section II

### Proposed Rules

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

RULE NO.:        RULE TITLE:  
40C-8.031        Minimum Surface Water Levels and Flows  
and Groundwater Levels  
PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to add a reference to the equivalent North American Vertical Datum of 1988 (NAVD) elevation for the minimum surface water levels listed in subsections 40C-8.031(4) and (5), F.A.C., to reference those water levels in both the existing National Geodetic Vertical Datum of 1929 (NGVD) elevation and in the new NAVD elevation.

SUMMARY: Adding a reference to the equivalent NAVD elevation for the minimum surface water levels in subsections 40C-8.031(4) and (5), F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The District has determined that this rule will not have an impact on small business and will not increase regulatory costs in excess of \$200,000 within one year. A SERC has not been prepared by the agency.

The District has completed for the Governor’s Office of Fiscal Accountability and Regulatory Reform (OFARR) the “Is a SERC Required?” form and prepared a summary of the proposed rule amendments, which are both available upon request. Based on the completed “Is a SERC Required?” form and summary and the analysis performed by the District in preparing and completing those documents, the proposed rule amendments are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.042, 373.0421 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: Following the regularly scheduled Governing Board Meeting on March 11, 2014, beginning immediately following the Regulatory Committee Meeting that begins at 10:00 a.m.

PLACE: St. Johns River Water Management District Headquarters, Executive Building, 4049 Reid Street, Palatka, Florida 32177

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Wendy Gaylord, Rules Coordinator, St. Johns River Water Management District,

Office of General Counsel, 4049 Reid Street, Palatka, Florida 32177, (386)326-3026 or wgaylord@sjrwmd.com

THE FULL TEXT OF THE PROPOSED RULE IS:

40C-8.031 Minimum Surface Water Levels and Flows and Groundwater Levels.

(1) through (3) No change.

(4) The following minimum surface water levels are established:

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
Apshawa North	Lake	Frequent High	85.0	<u>83.9</u>	Seasonally Flooded	-	-
		Average	83.3	<u>82.2</u>	Typically Saturated	-	-
		Frequent Low	81.3	<u>80.2</u>	Semipermanently Flooded	-	-
Apshawa South	Lake	Frequent High	86.0	<u>85.7</u>	Seasonally Flooded	-	-
		Average	84.7	<u>83.6</u>	Typically Saturated	-	-
		Frequent Low	83.2	<u>82.1</u>	Semipermanently Flooded	-	-
Argenta	Putnam	Frequent High	50.1	<u>49.0</u>	Seasonally Flooded	-	-
		Average	47.7	<u>46.7</u>	Typically Saturated	-	-
		Frequent Low	46.3	<u>45.3</u>	Semipermanently Flooded	-	-
Ashby	Volusia	Frequent High	12.3	<u>11.3</u>	-	60	2
		Frequent Low	11.1	<u>10.2</u>	-	120	5
Banana	Putnam	Frequent High	38.0	<u>37.1</u>	Seasonally Flooded	-	-
		Average	36.2	<u>35.2</u>	Typically Saturated	-	-
		Frequent Low	34.4	<u>33.5</u>	Semipermanently Flooded	-	-
Bell	Putnam	Frequent High	42.5	<u>44.5</u>	Temporarily Flooded	-	-
		Average	40.5	<u>36.4</u>	Typically Saturated	-	-
		Frequent Low	38.7	<u>37.9</u>	Semipermanently Flooded	-	-
Big	Volusia	Frequent High	26.1	<u>25.1</u>	Seasonally Flooded	-	-
		Average	25.0	<u>24.1</u>	Typically Saturated	-	-
		Frequent Low	23.7	<u>22.7</u>	Semipermanently Flooded	-	-
Bird Pond	Putnam	Frequent High	41.8	<u>40.8</u>	Seasonally Flooded	-	-
		Average	39.5	<u>38.5</u>	Typically Saturated	-	-
		Frequent Low	38.1	<u>37.1</u>	Semipermanently Flooded	-	-
Blue Pond	Clay	Frequent High	174.1	<u>173.1</u>	Temporarily Flooded	-	-
		Average	173.3	<u>172.3</u>	Typically Saturated	-	-
		Frequent Low	171.7	<u>170.7</u>	Semipermanently Flooded	-	-
Boggy Marsh	Lake	Frequent High	117.3	<u>116.4</u>	Seasonally Flooded	-	-
		Average	115.9	<u>115.0</u>	Typically Saturated	-	-
		Frequent Low	114.5	<u>113.6</u>	Semipermanently Flooded	-	-
Bowers	Marion	Frequent High	57.1	<u>56.1</u>	Temporarily Flooded	-	-
		Average	54.0	<u>53.1</u>	Typically Saturated	-	-
		Frequent Low	52.7	<u>51.7</u>	Semipermanently Flooded	-	-
Brantley	Seminole	Frequent High	46.3	<u>45.3</u>	Seasonally Flooded	-	-
		Average	45.6	<u>44.6</u>	Typically Saturated	-	-
		Frequent Low	44.1	<u>43.1</u>	Semipermanently Flooded	-	-
Brooklyn	Clay	Frequent High	114.6	<u>113.5</u>	Temporarily Flooded	-	-
		Average	108.0	<u>106.9</u>	Typically Saturated	-	-
		Frequent Low	101.0	<u>99.9</u>	Semipermanently Flooded	-	-

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level</u> (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
Broward	Putnam	Frequent High	40.0	<u>39.1</u>	Temporarily Flooded	–	–
		Average	38.2	<u>35.8</u>	Typically Saturated	–	–
		Frequent Low	36.5	<u>35.6</u>	Semipermanently Flooded	–	–
Burkett	Orange	Frequent High	53.5	<u>52.5</u>	Seasonally Flooded	–	–
		Average	52.6	<u>51.6</u>	Typically Saturated	–	–
		Frequent Low	51.2	<u>50.2</u>	Semipermanently Flooded	–	–
Charles	Marion	Frequent High	40.2	<u>39.3</u>	Seasonally Flooded	–	–
		Average	39.3	<u>38.4</u>	Typically Saturated	–	–
		Frequent Low	37.9	<u>36.9</u>	Semipermanently Flooded	–	–
Cherry	Lake	Frequent High	96.0	<u>94.9</u>	Seasonally Flooded	–	–
		Average	94.9	<u>93.8</u>	Typically Saturated	–	–
		Frequent Low	93.4	<u>92.4</u>	Semipermanently Flooded	–	–
Clear	Putnam	Frequent High	37.4	<u>36.4</u>	Temporarily Flooded	–	–
		Average	36.4	<u>35.4</u>	Typically Saturated	–	–
		Frequent Low	34.9	<u>34.0</u>	Semipermanently Flooded	–	–
Colby	Volusia	Frequent High	27.6	<u>26.6</u>	–	30	3
		Frequent Low	22.9	<u>21.8</u>	–	120	3
Como	Putnam	Frequent High	38.0	<u>37.0</u>	Seasonally Flooded	–	–
		Average	36.2	<u>35.2</u>	Typically Saturated	–	–
		Frequent Low	34.4	<u>33.4</u>	Semipermanently Flooded	–	–
Como, Little Lake	Putnam	Frequent High	38.0	<u>37.0</u>	Seasonally Flooded	–	–
		Average	36.6	<u>35.6</u>	Typically Saturated	–	–
		Frequent Low	35.2	<u>34.2</u>	Semipermanently Flooded	–	–
Coon Pond	Volusia	Frequent High	35.7	<u>34.8</u>	Seasonally Flooded	–	–
		Average	34.6	<u>33.6</u>	Typically Saturated	–	–
		Frequent Low	33.1	<u>32.2</u>	Semipermanently Flooded	–	–
Cowpen	Putnam	Frequent High	89.1	<u>88.1</u>	Temporarily Flooded	–	–
		Average	85.7	<u>84.7</u>	Typically Saturated	–	–
		Frequent Low	84.2	<u>83.2</u>	Semipermanently Flooded	–	–
Cow Pond	Volusia	Frequent High	40.5	<u>39.5</u>	Seasonally Flooded	–	–
		Average	39.8	<u>38.8</u>	Typically Saturated	–	–
		Frequent Low	37.6	<u>36.6</u>	Semipermanently Flooded	–	–
Crystal/Baker	Putnam	Frequent High	35.5	<u>34.6</u>	Seasonally Flooded	–	–
		Average	33.9	<u>33.0</u>	Typically Saturated	–	–
		Frequent Low	33.0	<u>32.1</u>	Semipermanently Flooded	–	–
Daugharty	Volusia	Frequent High	44.8	<u>43.8</u>	Temporarily Flooded	–	–
		Average	42.6	<u>41.6</u>	Typically Saturated	–	–
		Frequent Low	41.2	<u>40.1</u>	Semipermanently Flooded	–	–
Davis	Volusia	Frequent High	36.2	<u>35.2</u>	Seasonally Flooded	–	–
		Average	35.4	<u>34.4</u>	Typically Saturated	–	–
		Frequent Low	34.0	<u>33.0</u>	Semipermanently Flooded	–	–
Deep	Putnam	Frequent High	35.0	<u>34.1</u>	Seasonally Flooded	–	–
		Average	33.1	<u>32.2</u>	Typically Saturated	–	–
		Frequent Low	32.2	<u>31.3</u>	Semipermanently Flooded	–	–
Dias	Volusia	Frequent High	34.6	<u>33.5</u>	Seasonally Flooded	–	–
		Average	33.5	<u>33.0</u>	Typically Saturated	–	–
		Frequent Low	32.2	<u>31.6</u>	Semipermanently Flooded	–	–
Disston	Flagler	Frequent High	13.8	<u>12.8</u>	Seasonally Flooded	–	–
		Average	13.2	<u>12.3</u>	Typically Saturated	–	–
		Frequent Low	12.5	<u>11.5</u>	Semipermanently Flooded	–	–
Dorr	Lake	Frequent High	43.5	<u>42.5</u>	Seasonally Flooded	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Average	43.1	<u>42.1</u>	Typically Saturated	–	–
		Frequent Low	42.1	<u>41.0</u>	Sempermanently Flooded	–	–
Dream Pond	Putnam	Frequent High	49.0	<u>48.0</u>	Seasonally Flooded	–	–
		Average	47.5	<u>46.5</u>	Typically Saturated	–	–
		Frequent Low	46.0	<u>45.1</u>	Sempermanently Flooded	–	–
Drudy	Volusia	Frequent High	42.1	<u>41.0</u>	Seasonally Flooded	–	–
		Average	40.6	<u>39.5</u>	Typically Saturated	–	–
		Frequent Low	39.1	<u>38.1</u>	Sempermanently Flooded	–	–
Echo	Putnam	Frequent High	38.8	<u>37.9</u>	Seasonally Flooded	–	–
		Average	36.7	<u>35.7</u>	Typically Saturated	–	–
		Frequent Low	35.2	<u>34.3</u>	Sempermanently Flooded	–	–
Emma	Lake	Frequent High	94.1	<u>93.0</u>	Seasonally Flooded	–	–
		Average	92.5	<u>91.4</u>	Typically Saturated	–	–
		Frequent Low	91.1	<u>90.0</u>	Sempermanently Flooded	–	–
Emporia	Volusia	Frequent High	38.9	<u>37.8</u>	Seasonally Flooded	–	–
		Average	35.8	<u>34.7</u>	Typically Saturated	–	–
		Frequent Low	34.3	<u>31.6</u>	Sempermanently Flooded	–	–
Estella	Putnam	Frequent High	38.6	<u>37.7</u>	Seasonally Flooded	–	–
		Average	37.2	<u>36.3</u>	Typically Saturated	–	–
		Frequent Low	36.5	<u>35.5</u>	Sempermanently Flooded	–	–
Fox	Brevard	Frequent High	16.7	<u>15.4</u>	Temporarily Flooded	–	–
		Average	15.3	<u>14.0</u>	Typically Saturated	–	–
		Frequent Low	13.8	<u>12.6</u>	Sempermanently Flooded	–	–
Geneva	Clay	Frequent High	103.0	<u>101.9</u>	Seasonally Flooded	–	–
		Average	101.0	<u>99.9</u>	Typically Saturated	–	–
		Frequent Low	98.5	<u>97.4</u>	Sempermanently Flooded	–	–
Georges Lake	Putnam	Frequent High	98.4	<u>97.4</u>	Seasonally Flooded	–	–
		Average	97.8	<u>96.9</u>	Typically Saturated	–	–
		Frequent Low	97.0	<u>96.1</u>	Sempermanently Flooded	–	–
Gertie	Volusia	Frequent High	27.5	<u>26.5</u>	Temporarily Flooded	–	–
		Average	25.6	<u>24.6</u>	Typically Saturated	–	–
		Frequent Low	23.3	<u>22.4</u>	Sempermanently Flooded	–	–
Gore	Flagler	Frequent High	21.1	<u>20.0</u>	–	30	3
		Average	20.6	<u>19.6</u>	–	180	1.5
		Frequent Low	19.2	<u>18.2</u>	–	120	5
Grandin	Putnam	Frequent High	81.5	<u>80.7</u>	–	30	2
		Frequent Low	78.6	<u>77.8</u>	–	120	5
Halfmoon	Marion	Frequent High	49.7	<u>48.6</u>	Seasonally Flooded	–	–
		Average	47.9	<u>46.7</u>	Typically Saturated	–	–
		Frequent Low	46.5	<u>45.3</u>	Sempermanently Flooded	–	–
Helen	Volusia	Frequent High	46.1	<u>45.0</u>	Temporarily Flooded	–	–
		Average	44.2	<u>43.2</u>	Typically Saturated	–	–
		Frequent Low	43.6	<u>42.6</u>	Sempermanently Flooded	–	–
Hires	Volusia	Frequent High	41.0	<u>40.0</u>	Seasonally Flooded	–	–
		Average	39.5	<u>38.4</u>	Typically Saturated	–	–
		Frequent Low	38.0	<u>37.0</u>	Sempermanently Flooded	–	–
Hokey	Volusia	Frequent High	35.4	<u>34.4</u>	Seasonally Flooded	–	–
		Average	33.7	<u>32.7</u>	Typically Saturated	–	–
		Frequent Low	32.3	<u>31.3</u>	Sempermanently Flooded	–	–
Hopkins Prairie	Marion	Frequent High	25.8	<u>24.5</u>	Seasonally Flooded	–	–
		Average	23.4	<u>22.1</u>	Typically Saturated	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Frequent Low	22.0	<u>20.7</u>	Semipermanently Flooded	–	–
Howell	Putnam	Frequent High	34.5	<u>33.5</u>	Seasonally Flooded	–	–
		Average	33.6	<u>32.7</u>	Typically Saturated	–	–
		Frequent Low	31.8	<u>30.9</u>	Semipermanently Flooded	–	–
Howell	Seminole	Frequent High	53.7	<u>52.7</u>	Seasonally Flooded		
		Average	52.9	<u>51.9</u>	Typically Saturated		
		Frequent Low	51.5	<u>50.5</u>	Semipermanently Flooded		
Indian	Volusia	Frequent High	36.2	<u>35.2</u>		30	3
		Average	35.0	<u>34.0</u>		180	1.7
		Frequent Low	32.8	<u>31.8</u>		120	5
Irma	Orange	Frequent High	55.1	<u>54.1</u>	Seasonally Flooded	–	–
		Average	54.8	<u>53.8</u>	Typically Saturated	–	–
		Frequent Low	53.4	<u>52.4</u>	Semipermanently Flooded	–	–
Kerr	Marion	Frequent High	24.4	<u>23.3</u>	Seasonally Flooded	–	–
		Average	22.9	<u>21.9</u>	Typically Saturated	–	–
		Frequent Low	21.5	<u>20.5</u>	Semipermanently Flooded	–	–
Lizzie	Putnam	Frequent High	43.9	<u>43.0</u>	Seasonally Flooded	–	–
		Average	42.7	<u>41.8</u>	Typically Saturated	–	–
		Frequent Low	41.7	<u>40.8</u>	Semipermanently Flooded	–	–
Louisa	Lake	Frequent High	96.5	<u>95.6</u>	Seasonally Flooded	–	–
		Average	95.4	<u>94.5</u>	Typically Saturated	–	–
		Frequent Low	94.0	<u>93.0</u>	Semipermanently Flooded	–	–
Lower Lake Louise	Volusia	Frequent High	31.8	<u>30.8</u>	Seasonally Flooded	–	–
		Average	31.2	<u>30.1</u>	Typically Saturated	–	–
		Frequent Low	29.7	<u>28.7</u>	Semipermanently Flooded	–	–
Lucy	Lake	Frequent High	94.1	<u>93.0</u>	Seasonally Flooded	–	–
		Average	92.5	<u>91.4</u>	Typically Saturated	–	–
		Frequent Low	91.1	<u>90.0</u>	Semipermanently Flooded	–	–
Magnolia	Clay	Frequent High	124.7	<u>123.6</u>	Seasonally Flooded	–	–
		Average	124.2	<u>123.1</u>	Typically Saturated	–	–
		Frequent Low	121.4	<u>120.3</u>	Semipermanently Flooded	–	–
Mall, Little Lake	Putnam	Frequent High	38.7	<u>37.7</u>	Seasonally Flooded	–	–
		Average	36.8	<u>35.8</u>	Typically Saturated	–	–
		Frequent Low	35.2	<u>34.2</u>	Semipermanently Flooded	–	–
Margaret	Putnam	Frequent High	35.2	<u>34.3</u>	Seasonally Flooded	–	–
		Average	34.5	<u>33.5</u>	Typically Saturated	–	–
		Frequent Low	32.5	<u>31.5</u>	Semipermanently Flooded	–	–
Martha	Orange	Frequent High	53.5	<u>52.5</u>	Seasonally Flooded	–	–
		Average	52.6	<u>51.6</u>	Typically Saturated	–	–
		Frequent Low	51.2	<u>50.2</u>	Semipermanently Flooded	–	–
Marvin	Putnam	Frequent High	38.6	<u>37.6</u>	Seasonally Flooded	–	–
		Average	37.3	<u>36.4</u>	Typically Saturated	–	–
		Frequent Low	36.3	<u>35.3</u>	Semipermanently Flooded	–	–
McGrady	Putnam	Frequent High	41.5	<u>40.6</u>	Seasonally Flooded	–	–
		Average	39.9	<u>38.9</u>	Typically Saturated	–	–
		Frequent Low	37.8	<u>36.8</u>	Semipermanently Flooded	–	–
McKasel	Putnam	Frequent High	36.7	<u>35.7</u>	Seasonally Flooded	–	–
		Average	35.5	<u>34.6</u>	Typically Saturated	–	–
		Frequent Low	34.1	<u>33.1</u>	Semipermanently Flooded	–	–
Melrose	Putnam	Frequent High	105.2	<u>104.1</u>	Seasonally Flooded	–	–
		Average	104.2	<u>103.1</u>	Typically Saturated	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Frequent Low	102.8	<u>101.7</u>	Semipermanently Flooded	–	–
Mills	Seminole	Frequent High	42.5	<u>41.1</u>	Seasonally Flooded	–	–
		Average	41.4	<u>40.3</u>	Typically Saturated	–	–
		Frequent Low	39.9	<u>38.9</u>	Semipermanently Flooded	–	–
Minneola	Lake	Frequent High	96.0	<u>95.1</u>	Seasonally Flooded	–	–
		Average	95.3	<u>94.4</u>	Typically Saturated	–	–
		Frequent Low	93.9	<u>93.0</u>	Semipermanently Flooded	–	–
Monroe	Seminole and Volusia	Frequent High	2.8	<u>1.9</u>	–	30	2
		Average	1.2	<u>0.3</u>	–	180	1.5
		Frequent Low	0.5	<u>-0.4</u>	–	120	5
Nettles English /	Putnam	Frequent High	44.3	<u>43.3</u>	Seasonally Flooded	–	–
		Average	42.7	<u>41.9</u>	Typically Saturated	–	–
		Frequent Low	41.7	<u>40.7</u>	Semipermanently Flooded	–	–
Nicotoon	Marion	Frequent High	54.7	<u>53.7</u>	Seasonally Flooded	–	–
		Average	53.3	<u>52.3</u>	Typically Saturated	–	–
		Frequent Low	51.9	<u>50.9</u>	Semipermanently Flooded	–	–
Norris	Lake	Frequent High	30.5	<u>29.4</u>	Seasonally Flooded	–	–
		Average	29.7	<u>28.7</u>	Typically Saturated	–	–
		Frequent Low	29.1	<u>28.1</u>	Semipermanently Flooded	–	–
North Como Park	Putnam	Frequent High	41.3	<u>40.4</u>	Seasonally Flooded	–	–
		Average	39.7	<u>38.8</u>	Typically Saturated	–	–
		Frequent Low	38.5	<u>37.6</u>	Semipermanently Flooded	–	–
North Talmadge	Volusia	Frequent High	55.6	<u>54.5</u>	Seasonally Flooded	–	–
		Average	54.4	<u>53.3</u>	Typically Saturated	–	–
		Frequent Low	52.9	<u>51.9</u>	Semipermanently Flooded	–	–
Omega	Putnam	Frequent High	57.4	<u>56.3</u>	Temporarily Flooded	–	–
		Average	56.1	<u>55.0</u>	Typically Saturated	–	–
		Frequent Low	54.0	<u>52.9</u>	Semipermanently Flooded	–	–
Orio	Putnam	Frequent High	37.1	<u>35.5</u>	Seasonally Flooded	–	–
		Average	35.6	<u>34.6</u>	Typically Saturated	–	–
		Frequent Low	34.7	<u>33.7</u>	Semipermanently Flooded	–	–
Pam	Putnam	Frequent High	39.3	<u>38.2</u>	Seasonally Flooded	–	–
		Average	37.5	<u>36.4</u>	Typically Saturated	–	–
		Frequent Low	36.1	<u>35.0</u>	Semipermanently Flooded	–	–
Pearl	Orange	Frequent High	53.5	<u>52.5</u>	Seasonally Flooded	–	–
		Average	52.6	<u>51.6</u>	Typically Saturated	–	–
		Frequent Low	51.2	<u>50.2</u>	Semipermanently Flooded	–	–
Pierson	Volusia	Frequent High	34.4	<u>33.3</u>	Seasonally Flooded	–	–
		Average	33.8	<u>32.8</u>	Typically Saturated	–	–
		Frequent Low	32.4	<u>31.3</u>	Semipermanently Flooded	–	–
Pine Island	Lake	Frequent High	107.7	<u>106.6</u>	Seasonally Flooded	–	–
		Average	106.8	<u>105.7</u>	Typically Saturated	–	–
		Frequent Low	105.4	<u>104.3</u>	Semipermanently Flooded	–	–
Prevatt	Orange	Frequent High	56.0	<u>54.9</u>	Seasonally Flooded	–	–
		Average	53.0	<u>52.0</u>	Typically Saturated	–	–
		Frequent Low	50.9	<u>49.9</u>	Semipermanently Flooded	–	–
Prior	Putnam	Frequent High	42.3	<u>41.3</u>	Seasonally Flooded	–	–
		Average	40.0	<u>39.0</u>	Typically Saturated	–	–
		Frequent Low	39.0	<u>38.0</u>	Semipermanently Flooded	–	–
Purdom	Volusia	Frequent High	37.0	<u>35.9</u>	Seasonally Flooded	–	–
		Average	36.4	<u>35.3</u>	Typically Saturated	–	–

System Name	County	Minimum Level	Level (ft NGVD)	Level (ft NAVD)	Hydroperiod Category	Duration (days)	Return Interval (years)
		Frequent Low	35.0	<u>33.9</u>	Semipermanently Flooded	–	–
Sand	Putnam	Frequent High	40.9	<u>39.4</u>	Seasonally Flooded	–	–
		Average	39.0	<u>38.0</u>	Typically Saturated	–	–
		Frequent Low	36.6	<u>35.7</u>	Semipermanently Flooded	–	–
Sand Hill / Lowry	Clay	Frequent High	132.0	<u>130.9</u>	Seasonally Flooded	–	–
		Average	131.6	<u>130.6</u>	Typically Saturated	–	–
		Frequent Low	129.5	<u>128.4</u>	Semipermanently Flooded	–	–
Savannah	Volusia	Frequent High	31.1	<u>30.2</u>	Seasonally Flooded	–	–
		Average	29.5	<u>28.4</u>	Typically Saturated	–	–
		Frequent Low	28.0	<u>27.0</u>	Semipermanently Flooded	–	–
Scoggin	Volusia	Frequent High	35.0	<u>34.0</u>	Seasonally Flooded	–	–
		Average	34.1	<u>33.1</u>	Typically Saturated	–	–
		Frequent Low	32.7	<u>31.7</u>	Semipermanently Flooded	–	–
Shaw	Volusia	Frequent High	36.7	<u>35.7</u>	–	30	3
		Average	35.4	<u>34.4</u>	–	180	1.7
		Frequent Low	33.7	<u>32.7</u>	–	120	3
Silver	Putnam	Frequent High	36.8	<u>35.8</u>	Seasonally Flooded	–	–
		Average	35.1	<u>34.1</u>	Typically Saturated	–	–
		Frequent Low	33.7	<u>32.7</u>	Semipermanently Flooded	–	–
Smith	Marion	Frequent High	54.6	<u>53.6</u>	Temporarily Flooded	–	–
		Average	51.4	<u>50.4</u>	Typically Saturated	–	–
		Frequent Low	50.0	<u>49.0</u>	Semipermanently Flooded	–	–
South	Brevard	Frequent High	16.7	<u>15.5</u>	Temporarily Flooded	–	–
		Average	15.3	<u>14.0</u>	Typically Saturated	–	–
		Frequent Low	13.8	<u>12.6</u>	Semipermanently Flooded	–	–
South Como Park	Putnam	Frequent High	38.1	<u>37.2</u>	Seasonally Flooded	–	–
		Average	36.7	<u>35.8</u>	Typically Saturated	–	–
		Frequent Low	35.3	<u>34.4</u>	Semipermanently Flooded	–	–
Star	Putnam	Frequent High	77.5	<u>76.5</u>	Seasonally Flooded	–	–
		Average	75.4	<u>74.4</u>	Typically Saturated	–	–
		Frequent Low	74.0	<u>73.0</u>	Semipermanently Flooded	–	–
Stella	Putnam	Frequent High	39.4	<u>38.4</u>	Seasonally Flooded	–	–
		Average	38.6	<u>37.6</u>	Typically Saturated	–	–
		Frequent Low	37.2	<u>36.1</u>	Semipermanently Flooded	–	–
Sunset	Lake	Frequent High	85.9	<u>84.9</u>	Temporarily Flooded	–	–
		Average	83.5	<u>82.4</u>	Typically Saturated	–	–
		Frequent Low	81.0	<u>79.9</u>	Semipermanently Flooded	–	–
Swan	Putnam	Frequent High	93.0	<u>91.9</u>	Temporarily Flooded	–	–
		Average	90.3	<u>89.2</u>	Typically Saturated	–	–
Sylvan	Seminole	Frequent High	40.4	<u>39.5</u>	Seasonally Flooded	–	–
		Average	38.9	<u>38.0</u>	Typically Saturated	–	–
		Frequent Low	37.5	<u>36.5</u>	Semipermanently Flooded	–	–
Tarhoe	Putnam	Frequent High	37.0	<u>36.0</u>	Seasonally Flooded	–	–
		Average	36.0	<u>35.1</u>	Typically Saturated	–	–
		Frequent Low	35.2	<u>34.3</u>	Semipermanently Flooded	–	–
Three Island Lakes	Volusia	Frequent High	23.7	<u>22.7</u>	–	30	5
		Frequent Low	19.4	<u>18.4</u>	–	120	10
Trone	Putnam	Frequent High	37.5	<u>36.6</u>	Seasonally Flooded	–	–
		Average	35.7	<u>34.8</u>	Typically Saturated	–	–
		Frequent Low	34.3	<u>33.4</u>	Semipermanently Flooded	–	–
Trout	Volusia	Frequent High	23.3	<u>22.3</u>	Seasonally Flooded	–	–

System Name	County	Minimum Level	Level (ft NGVD)	<u>Level (ft NAVD)</u>	Hydroperiod Category	Duration (days)	Return Interval (years)
		Average	20.9	<u>20.0</u>	Typically Saturated	–	–
		Frequent Low	17.7	<u>16.8</u>	Sempermanently Flooded	–	–
Tusawilla	Alachua	Frequent High	77.6	<u>76.4</u>	Seasonally Flooded	–	–
		Average	74.6	<u>73.4</u>	Typically Saturated	–	–
		Frequent Low	73.2	<u>72.0</u>	Sempermanently Flooded	–	–
Upper Lake Louise	Volusia	Frequent High	35.3	<u>34.4</u>	Seasonally Flooded	–	–
		Average	34.6	<u>33.6</u>	Typically Saturated	–	–
		Frequent Low	33.2	<u>32.2</u>	Sempermanently Flooded	–	–
Washington	Brevard	Frequent High	15.6	<u>14.2</u>	Seasonally Flooded	–	–
		Average	14.2	<u>12.8</u>	Typically Saturated	–	–
		Frequent Low	12.8	<u>11.4</u>	Sempermanently Flooded	–	–
Wauberg	Alachua	Frequent High	67.4	<u>66.4</u>	Seasonally Flooded	–	–
		Average	67.1	<u>66.1</u>	Typically Saturated	–	–
		Frequent Low	65.6	<u>64.7</u>	Sempermanently Flooded	–	–
Weir	Marion	Frequent High	57.2	<u>56.2</u>	Seasonally Flooded	–	–
		Average	56.4	<u>55.4</u>	Typically Saturated	–	–
		Frequent Low	54.9	<u>53.9</u>	Sempermanently Flooded	–	–
Winnemissett	Volusia	Frequent High	59.5	<u>58.5</u>	Seasonally Flooded	–	–
		Average	57.8	<u>56.8</u>	Typically Saturated	–	–
		Frequent Low	56.0	<u>55.0</u>	Sempermanently Flooded	–	–
Winona	Volusia	Frequent High	36.1	<u>35.1</u>	Seasonally Flooded	–	–
		Average	33.5	<u>32.5</u>	Typically Saturated	–	–
		Frequent Low	32.0	<u>31.0</u>	Sempermanently Flooded	–	–

(5) The following minimum levels are established for Blue Cypress Water Management Area (BCWMA):

(a) The minimum average level, calculated as the long term mean of BCWMA water levels, is 24.0 feet NGVD (22.5 feet NAVD). Water levels shall be at or above this level at least 75% of time over the long term.

(b) The minimum frequent low is 23.0 feet NGVD (21.5 ft NAVD). The daily BCWMA water level shall not fall to this level or below more often than once every 2.5 years over the long term.

(c) The minimum infrequent low is 22.5 feet NGVD (21.0 feet NAVD). The BCWMA water level shall not fall to this level or below for 60 continuous days more frequently than once every 10 years over the long term.

(6) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.042, 373.0421, 373.103, 373.415 FS. History—New 9-16-92, Amended 8-17-94, 6-8-95, 1-17-96, 8-20-96, 10-20-96, 11-4-98, 6-27-00, 2-13-01, 3-19-02, 5-12-03, 11-10-03, 1-12-04, 2-1-06, 12-3-06, 5-10-07, 5-24-07, 1-11-10, 8-22-13,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Thomas Mayton Jr., Sr. Assistant General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4108

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 12, 2013



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

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:       RULE TITLE:  
 64B16-30.001   Disciplinary Guidelines; Range of Penalties;  
                   Aggravating and Mitigating Circumstances  
**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule published in Vol. 39, No. 186, September 24, 2013 issue of the Florida Administrative Register.

The Notice of Change published in Vol. 39, No. 239, of the December 11, 2013, issue of the Florida Administrative Register, referenced a change to subsection (3).

The correction is as follows:

(3) The board shall be entitled to deviate from the above-mentioned guidelines upon a showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the board prior to the imposition of a final penalty.

(a) through (b) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tammy Collins, Acting Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

**FLORIDA HOUSING FINANCE CORPORATION**

RULE NO.:       RULE TITLE:  
 67-49.005       Responsibility of Bidders and Offerors  
                   **NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 247, December 23, 2013 issue of the Florida Administrative Register.

The failure of a bidder or offeror to supply required information in connection with a competitive solicitation shall ~~constitute be grounds for a determination of~~ nonresponsiveness with respect to its response. If a determination of nonresponsiveness is made by the Corporation, the response will not be considered.

**Section IV**  
**Emergency Rules**

NONE

**Section V**  
**Petitions and Dispositions Regarding Rule**  
**Variance or Waiver**

**DEPARTMENT OF LAW ENFORCEMENT**

Criminal Justice Standards and Training Commission

RULE NO.:   RULE TITLE:

11B-27.002 Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers

NOTICE IS HEREBY GIVEN that on January 27, 2014, the Criminal Justice Standards and Training Commission, received a petition for a temporary variance of subsection 11B-27.002(4), F.A.C., by Andrew Feuer. Petitioner requests a temporary variance to that portion of the rule which requires an officer to obtain employment within four years of beginning basic recruit training. The Petitioner asserts that he could not obtain employment within the four year window. The Petitioner asserts that the City of Clewiston Police Department (CPD) is currently considering him for employment. Petitioner has completed all aspects of hiring with CPD and had been told that his application for employment had been accepted. However, he had to complete fingerprinting and a departmental physical. These items could not be accomplished before Petitioner's four years had run because of the holidays. The Petition states that the operation of the rule would violate the principles of fairness because Petitioner was accepted for employment by CPD with the exception of these two items. The Petition states that the operation of the rule creates a substantial hardship for Petitioner because he is so close to employment with CPD and to force him to retake basic and pass the exam at this point would be penalizing him for the lag time for completing the fingerprinting and physical examination as a result of the holidays. Petitioner seeks a variance to permit him an additional 90 days from January 6, 2014, to April 7, 2014, to ensure that Petitioner can be processed into his position with CPD.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

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 January 27, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Tempette Learning Academy. Petitioner seeks a variance of the requirements of Section 704.1.3.3.4 Florida Building Code refrigerant system machinery room and Section 61C-5.006, Florida Administrative Code, for elevator fees; permits; certificates of operation; delinquency fee; transfer of ownership; certificate replacement and Florida Statutes 399.16 for unlicensed activity, citations: prohibitions; penalties and 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 (VW2014-018).

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 January 28, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Legacy of Highwoods Preserve. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1 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 (VW2014-019).

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 HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-9.009 Standard of Care for Office Surgery

NOTICE IS HEREBY GIVEN that on January 22, 2014, the Board of Medicine, received a petition for waiver filed on behalf of Dwight C. Reynolds, M.D., from Rules 64B8-9.009 and 9.0091, F.A.C., with regard to the requirement for a transfer agreement for certain liposuction procedures in office surgery settings. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allison M. Dudley, J.D., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

NOTICE IS HEREBY GIVEN that on January 28, 2014, the Board of Medicine received a petition for waiver filed by Ammar Sukari, M.D., from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allison M. Dudley, J.D., Executive Director, Board of Medicine, at the above address or telephone: (850)245-4131.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF TRANSPORTATION

The Florida Transportation Commission announces telephone conference calls to which all persons are invited.

**DATES AND TIMES:** February 6, 2014, 10:00 a.m.; February 20, 2014, 10:00 a.m.; March 6, 2014, 10:00 a.m.; March 20, 2014, 10:00 a.m.; April 3, 2014, 10:00 a.m.; April 17, 2014, 10:00 a.m.; May 1, 2014, 10:00 a.m.; May 15, 2014, 10:00 a.m.; May 29, 2014, 10:00 a.m.; June 12, 2014, 10:00 a.m., and June 26, 2014, 10:00 a.m.

**PLACE:** Florida Transportation Commission, 605 Suwannee Street, Room 176, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Standing Bi-Weekly Teleconference: to discuss FTC business. A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4959.

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: Lisa O. Stone at (850)414-4959. 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: Florida Transportation Commission, 605 Suwannee Street, MS 9, Tallahassee, FL 32399-0450 or phone: (850)414-4105.

**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:** Friday, February 7, 2014, 11:00 a.m. until all business is complete

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Volunteer Florida Foundation business.

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.

**WATER MANAGEMENT DISTRICTS**

St. Johns River Water Management District

The St. Johns River Water Management District, Projects and Land Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, February 10, 2014, 9:30 a.m., Projects and Land Committee site visit

**PLACE:** Starting location: SJRWMD Sunnyhill Field Station, 19561 S.E. Highway 42, Umatilla, Florida 32784. The location of the site visit may be changed due to inclement weather or other unforeseen circumstances. Notice of such change will be available by contacting: St. Johns River Water Management District, Attention: Julie Green, 4049 Reid Street, Palatka, FL 32177, via email at jgreen@sjrwmd.com or by phone at (386)329-4240.

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The purpose of the Upper Ocklawaha River Basin site visit is to provide an overview of the restoration efforts and discuss the challenges of lake level management in the chain of lakes.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention Missy McDermont, 4049 Reid Street, Palatka, FL 32177, (386)329-4214.

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: Julie Green, 4049 Reid Street, Palatka, FL 32177, via email at jgreen@sjrwmd.com or by phone at (386)329-4240. 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.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

The Florida Department of Environmental Protection, in conjunction with the Florida Fish and Wildlife Conservation Commission, announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, February 3, 2014, 6:00 p.m., CST (open house; public meeting begins at 6:30 p.m.)

**PLACE:** Pensacola Bay Center, 201 E Gregory St., Pensacola, FL 32502

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Deepwater Horizon Natural Resource Damage Trustees

are holding public meetings to solicit public comment on the Draft Programmatic and Phase III Early Restoration Plan and Draft Early Restoration Programmatic Environmental Impact Statement (Draft Phase III ERP/PEIS), which describes the third and largest round of projects proposed to receive funding from the \$1 billion BP committed to Early Restoration in April 2011, along with a proposed programmatic plan and programmatic environmental impact statement for continuing early restoration. This meeting was originally scheduled for Tuesday, January 28, 2014 in Pensacola, FL; however, it was cancelled due to local state of emergency declared for the severe weather. This meeting is informational only and no decisions will be made at the meeting. Visit [www.gulfspillrestoration.noaa.gov](http://www.gulfspillrestoration.noaa.gov) to download an electronic copy of the Draft Phase III ERP/PEIS and to submit comments.

A copy of the agenda may be obtained by contacting: Kendra Parson, 3900 Commonwealth Blvd., MS 240, Tallahassee, FL 32399, (850)245-2197, email: [Kendra.Parson@dep.state.fl.us](mailto:Kendra.Parson@dep.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 3 days before the workshop/meeting by contacting: Kendra Parson, 3900 Commonwealth Blvd., MS 240, Tallahassee, FL 32399, (850)245-2197, email: [Kendra.Parson@dep.state.fl.us](mailto:Kendra.Parson@dep.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: Kendra Parson, 3900 Commonwealth Blvd., MS 240, Tallahassee, FL 32399, (850)245-2197, email: [Kendra.Parson@dep.state.fl.us](mailto:Kendra.Parson@dep.state.fl.us).

#### DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:

64B17-4.001 Licensure as a Physical Therapist Assistant by Examination

The Department of Health, Board of Physical Therapy hereby announces a public meeting to which all persons are invited.

DATE AND TIME: February 13, 2014, 4:00 p.m. – 6:00 p.m.

PLACE: Double Tree by Hilton Deerfield Beach, 100 Fairway Drive, Deerfield Beach, Florida 33441, (954)427-7700

GENERAL SUBJECT MATTER TO BE CONSIDERED: 64B17-4.001.

A notice of rule development was published in Vol. 39, No. 224, of the November 18, 2013, Florida Administrative Register.

The person to be contacted regarding the rule development workshop is: Allen Hall, Executive Director, Board of Physical Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

A copy of the agenda may be obtained by contacting: The Board of Physical Therapy at (850)245-4373.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: The Board of Physical Therapy at (850)245-4373. If you are hearing or speech impaired, please contact the agency office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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 Physical Therapy at (850)245-4373.

#### DEPARTMENT OF CHILDREN AND FAMILY SERVICES Substance Abuse Program

The Department of Children and Families, Substance Abuse and Mental Health Program Office announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 6, 2014, 10:00 a.m. – 12:00 Noon

PLACE: Sebring Chamber of Commerce, 227 US Hwy 27 South, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: I am writing to invite you to a public forum in the Highlands County area on the transportation exemption plan between Florida Hospital Lake Placid and Peace River Center in Bartow Florida. This forum is in compliance with statute 394.463. The transportation exemption plan addresses mental health individuals that are fifty-five years of age or less that will be transported to Peace River Center. This is open for any interested parties that would like to attend.

Sincerely,

Carolann Duncan

Regional Substance Abuse and Mental Health Director

A copy of the agenda may be obtained by contacting: Erma Rohrer, 400 W. Robinson St., Orlando, FL 32801, (407)317-7010, [erma\\_rohrer@dcf.state.fl.us](mailto:erma_rohrer@dcf.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 24 hours before the workshop/meeting by contacting: Carolann Duncan, (407)317-7010. 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: Carolann Duncan, 400 W. Robinson St., S-1106, Orlando, FL 32801, (407)317-7010.

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**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Resources**

The Florida Fish and Wildlife Conservation Commission, in conjunction with the Florida Department of Environmental Protection, announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, February 3, 2014, 6:00 p.m., CST (open house; public meeting begins at 6:30 p.m.)

**PLACE:** Pensacola Bay Center, 201 E Gregory St., Pensacola, FL 32502

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Deepwater Horizon Natural Resource Damage Trustees are holding public meetings to solicit public comment on the Draft Programmatic and Phase III Early Restoration Plan and Draft Early Restoration Programmatic Environmental Impact Statement (Draft Phase III ERP/PEIS), which describes the third and largest round of projects proposed to receive funding from the \$1 billion BP committed to Early Restoration in April 2011, along with a proposed programmatic plan and programmatic environmental impact statement for continuing early restoration. This meeting was originally scheduled for Tuesday, January 28, 2014 in Pensacola, FL; however, it was cancelled due to the local state of emergency declared for severe weather. This meeting is informational only and no decisions will be made at the meeting. Visit [www.gulfspillrestoration.noaa.gov](http://www.gulfspillrestoration.noaa.gov) to download an electronic copy of the Draft Phase III ERP/PEIS and to submit comments.

A copy of the agenda may be obtained by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, email: [Doc.Kokol@myfwc.com](mailto:Doc.Kokol@myfwc.com).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, email: [Doc.Kokol@myfwc.com](mailto:Doc.Kokol@myfwc.com). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Doc Kokol, 620 S. Meridian St., Tallahassee, FL 32399, (850)488-4676, email: [Doc.Kokol@myfwc.com](mailto:Doc.Kokol@myfwc.com).

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**DEPARTMENT OF ECONOMIC OPPORTUNITY**

**Division of Workforce Services**

The Reemployment Assistance Appeals Commission announces a public meeting to which all persons are invited.

**DATE AND TIME:** February 5, 2014, 9:00 a.m.

**PLACE:** Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

Deliberation for cases pending before the Commission that are ready for final review and the Chairman's report. No public testimony will be taken.

A copy of the agenda may be obtained by contacting: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685. 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: Reemployment Assistance Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685.

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**REYNOLDS, SMITH & HILLS, INC.**

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

**DATE AND TIME:** Thursday, February 6, 2014, 5:00 p.m. – 6:30 p.m.

**PLACE:** Bearsdley Room at the John Boy Auditorium, 1200 S W C Owens Avenue, Clewiston, Florida 33440

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

The Florida Department of Transportation (FDOT) invites you to a public hearing for the US 27 weigh station design project in Hendry County. The department currently is preparing design plans for construction of a virtual weigh station and bi-directional static scale within the median of US 27.

A copy of the agenda may be obtained by contacting: Kati Sherrard, (863)519-2990 or via email at [kati.sherrard@dot.state.fl.us](mailto:kati.sherrard@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: Kati Sherrard, (863)519-2990 or via email at [kati.sherrard@dot.state.fl.us](mailto:kati.sherrard@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: Kati Sherrard, (863)519-2990 or via email at [kati.sherrard@dot.state.fl.us](mailto:kati.sherrard@dot.state.fl.us).

## Section VII Notice of Petitions and Dispositions Regarding Declaratory Statements

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that Department of Business and Professional Regulation has received the petition for declaratory statement from Progressive Community Management, Inc. The petition seeks the agency’s opinion as to the applicability of Section 718.111(1)(a), Florida Statutes, as it applies to the petitioner.

The petition seeks answers to (i) whether Petitioner, a community association management firm, may receive commissions or other compensation from insurance agencies or insurers on insurance policies written for the condominium associations that Petitioner manages, and (ii) if Petitioner creates or acquires an insurance agency with which it is then corporately affiliated, whether the affiliated insurance agency may receive commissions or other compensation shared with it by the insurance agencies or insurers placing insurance policies for the condominium associations that Petitioner manages. Progressive Community Management, Inc.’s petition was filed with the agency clerk on January 22, 2014.

A copy 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, Telephone: (850)921-0342, email: [AGC.Filing@myfloridalicense.com](mailto:AGC.Filing@myfloridalicense.com).

Please refer all comments to: John MacIver, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street Suite 42, Tallahassee, Florida 32399, (850)488-0062.

Except for good cause shown, motions for leave to intervene must be filed within 21 days of this notice.

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

NOTICE IS HEREBY GIVEN that the Regulatory Council for Community Association Managers has received the petition for declaratory statement from Travis L. Miller, Esq. on behalf of Progressive Community Management, Inc., filed on January 22, 2014. The petition seeks the agency’s opinion as to the applicability of Chapter 718.111(1)(a), Florida Statutes, as it applies to the petitioner.

The Petitioner seeks the Board to interpret Chapter 718.111(1)(a), Florida Statutes, and whether the Petitioner is prohibited from receiving commissions or other compensation from an insurance agency or insurer, either directly or through an affiliated entity, on insurance policies written by the insurance agency or insurer for the condominium associations for which Petitioner provides professional management services. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Daniel Biggins, Executive Director, Regulatory Council for Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762 or at [www.MyFloridaLicense.com](http://www.MyFloridaLicense.com) > Our Businesses & Professions > Community Association Managers and Firms.

Please refer all comments to: Regulatory Council for Community Association Managers within 14 days of publication of this notice.

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

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

NONE

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

NONE

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

NONE

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

NONE

Section XI  
Notices Regarding Bids, Proposals and  
Purchasing

NONE

Section XII  
Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
State Revolving Fund Program  
NOTICE OF AVAILABILITY  
FLORIDA CATEGORICAL EXCLUSION NOTICE  
City of Williston

The Florida Department of Environmental Protection (DEP) has determined that the City of Williston’s project involving the rehabilitation of portions of the existing sanitary sewer system will not adversely affect the environment. The total estimated construction cost is \$8,914,111. The project may qualify for a State Revolving Fund loan composed of federal and state matching funds. DEP will consider public comments about the environmental impacts of the proposed project that are postmarked or delivered at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: David O’Brien, State Revolving Fund Program, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400, by calling (850)245-8367 or by emailing david.o'brien@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
RULE NO.: RULE TITLE:  
62-296.415 Soil Thermal Treatment Facilities  
STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection (Department) gives notice of its intent to grant a variance under Section 403.201, Florida Statutes (F.S.), from the provisions of Rule 62-296.415, Florida Administrative Code (F.A.C.), to Clark Environmental Inc., a soil thermal treatment facility located at 755 Prairie Industrial Parkway, Mulberry, Florida, in Polk County. This proposal (OCG No.14-0001) is to allow relief from the minimum exhaust gas temperature requirements of Rule 62-296.415, F.A.C. The variance allows the petitioner to operate at a minimum exhaust gas temperature of 1,350 degrees Fahrenheit. The Department’s file on this matter is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Division of Air Resource Management, Office of Business Planning, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone: (850)717-9023.

The Department will grant the proposed variance unless a timely petition for administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department’s action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the notice or receipt of written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice regardless of the date of publication. At the time of filing, the petitioner shall also mail a copy of the petition to the applicant at the following address: Clark Environmental Inc., 755 Prairie Industrial Parkway, Mulberry, Florida 32860. The failure of any person to file a petition for

an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged

facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

Because the administrative hearing process is designed to determine final agency action on the application, the filing of a petition for an administrative hearing may be different from the position taken in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573, F.S., is not available.

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### Section XIII

#### Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

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