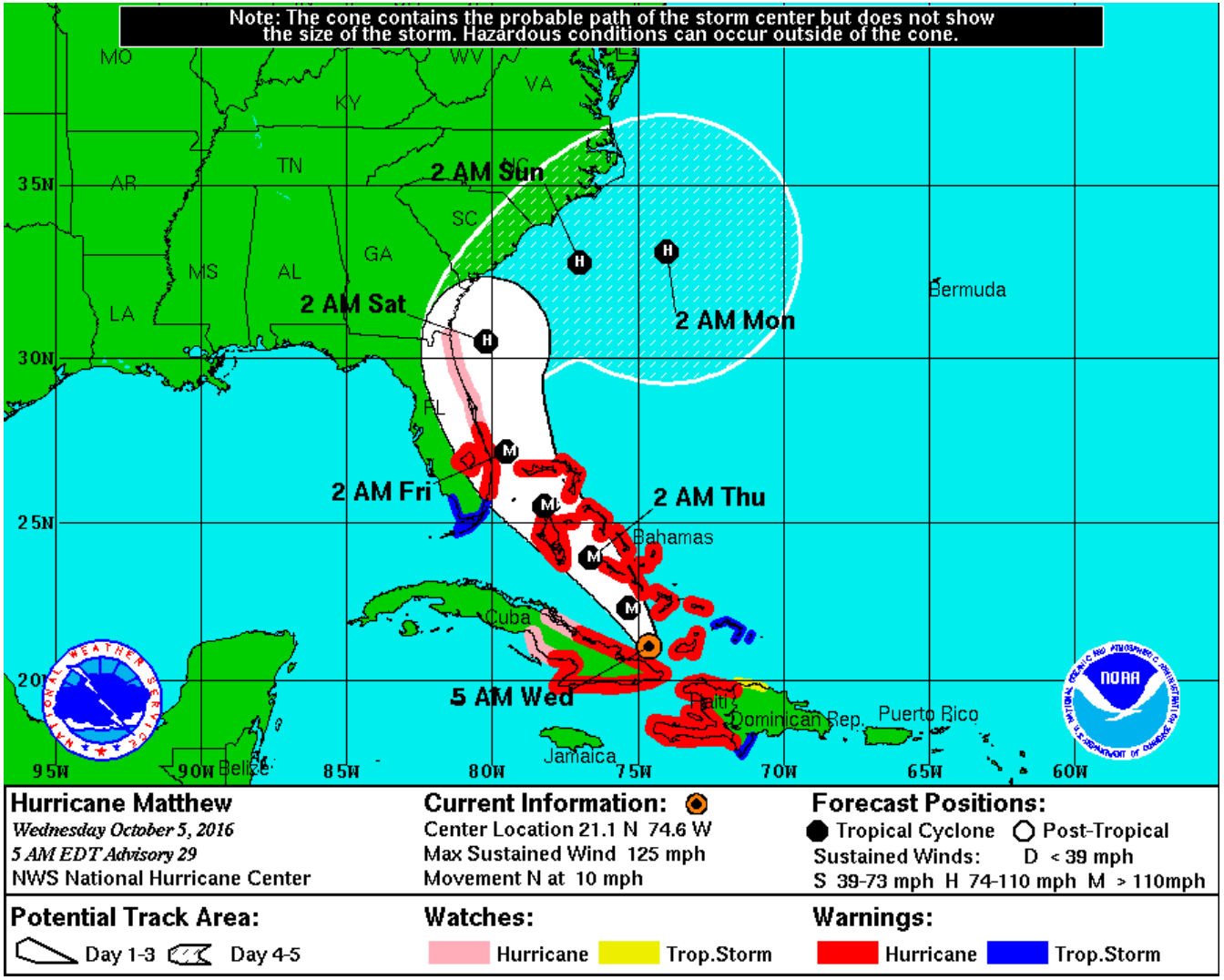
10/5 Board Workshop

Hurricane Matthew

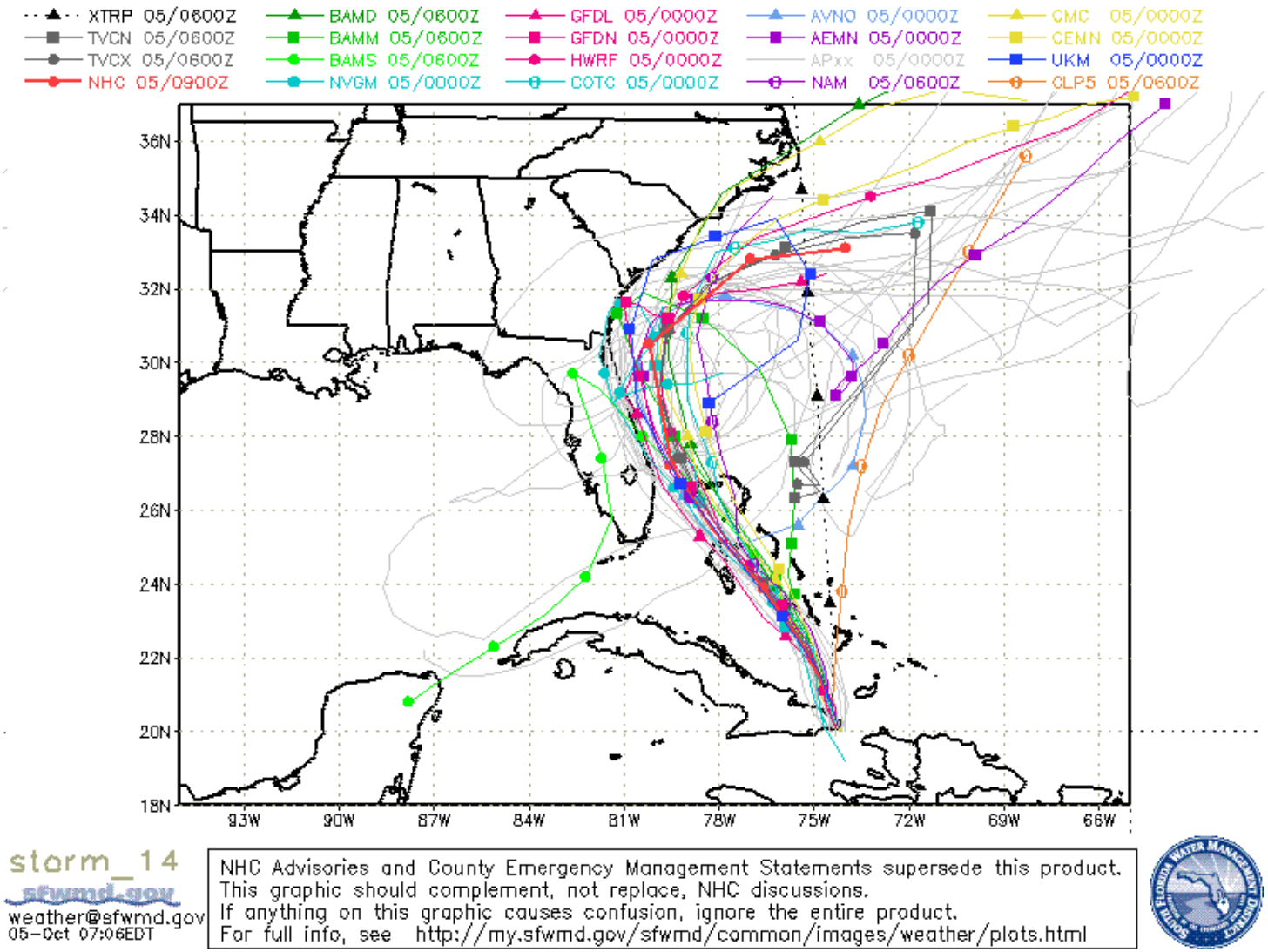
LWDD Hurricane Response

Current Position

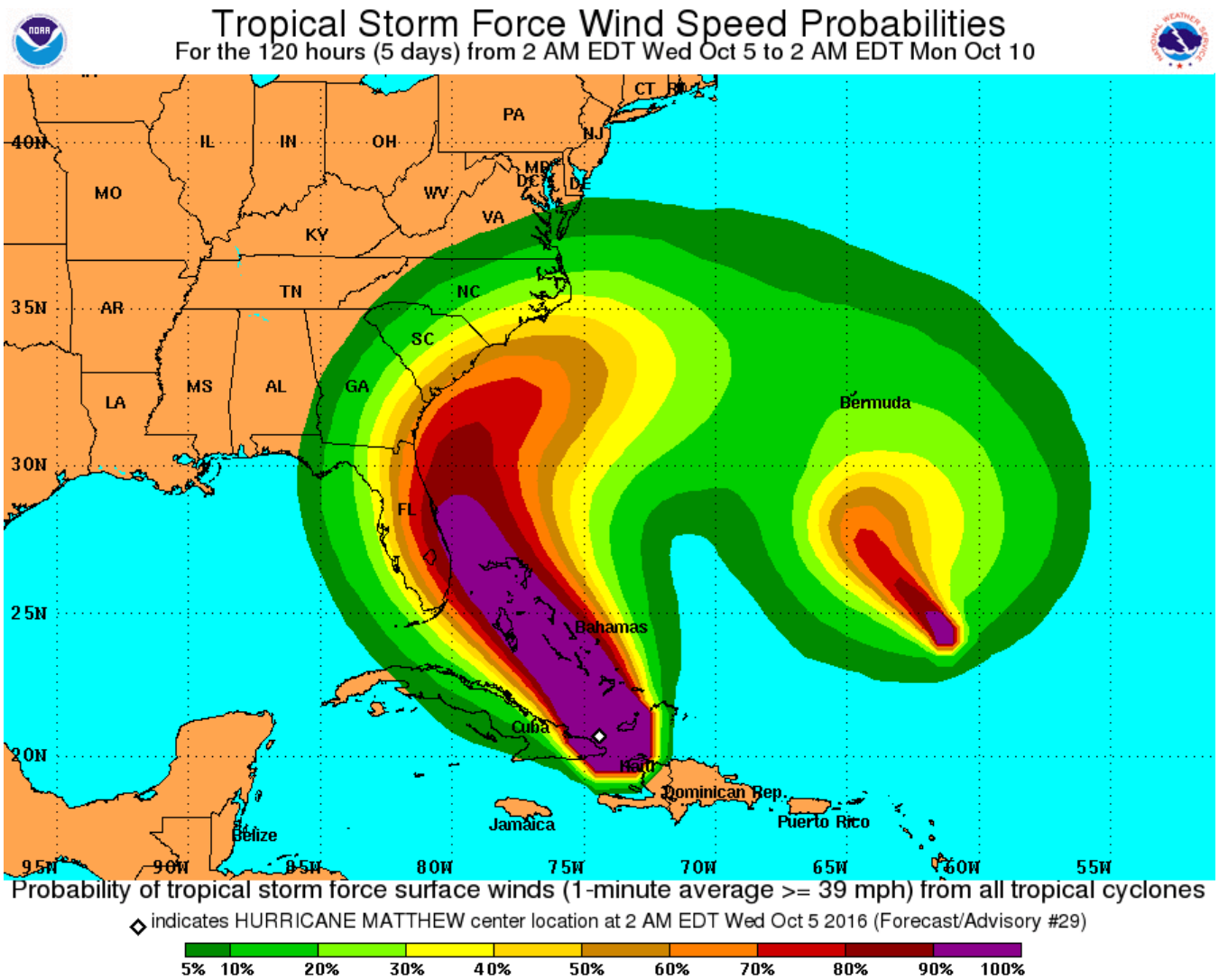
Forecast Track



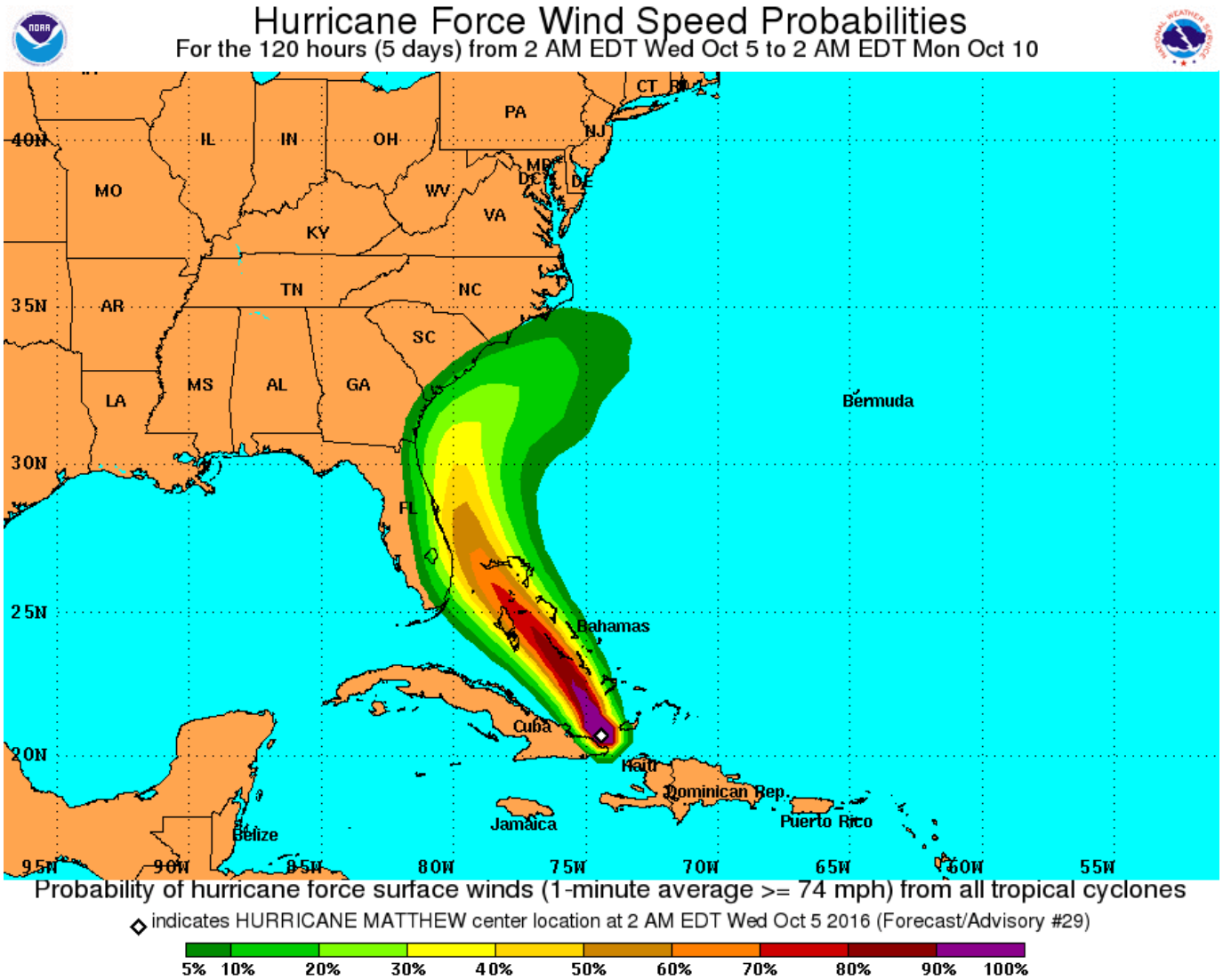
Forecast Models



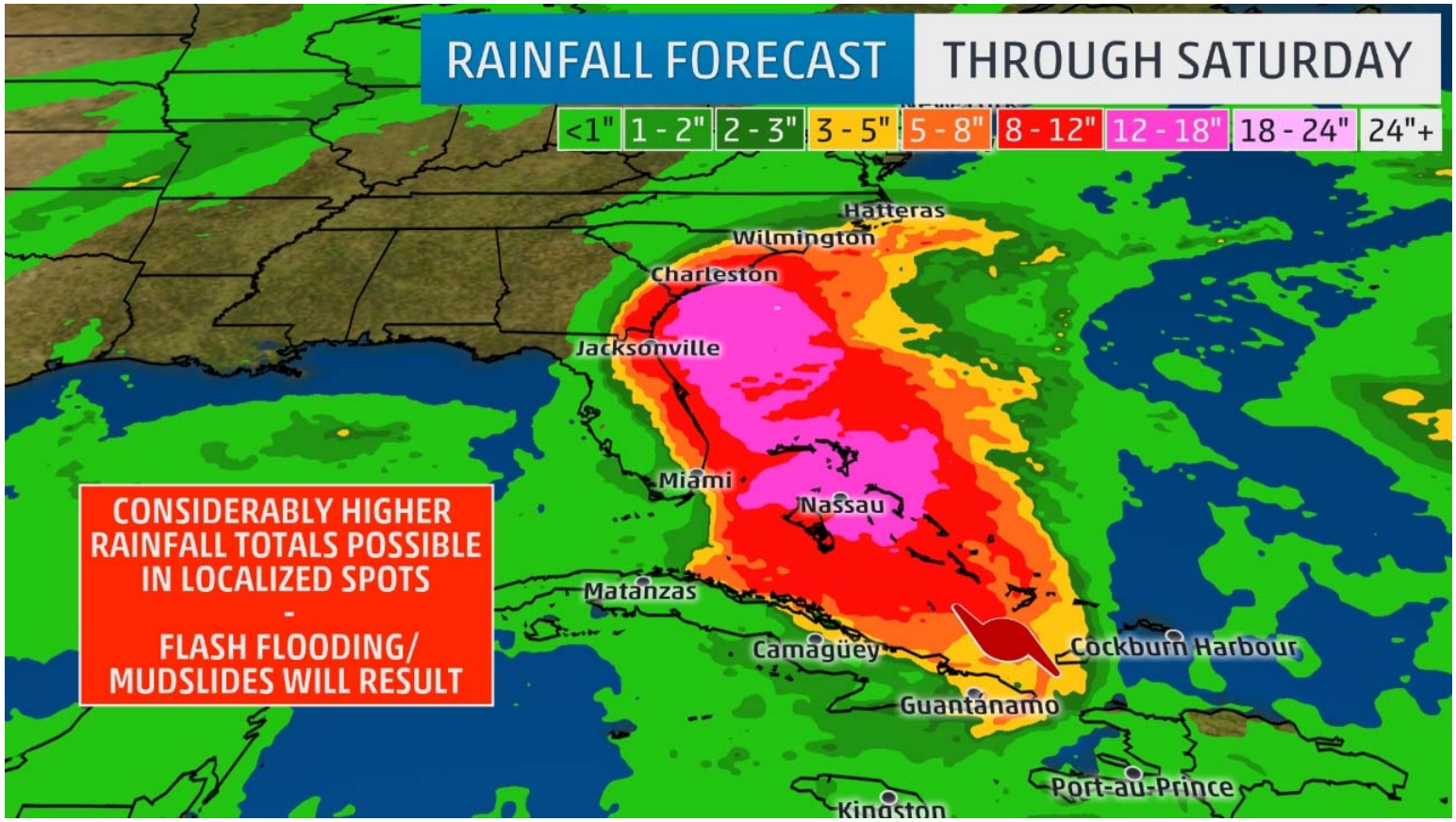
Tropical Force Wind Probabilities



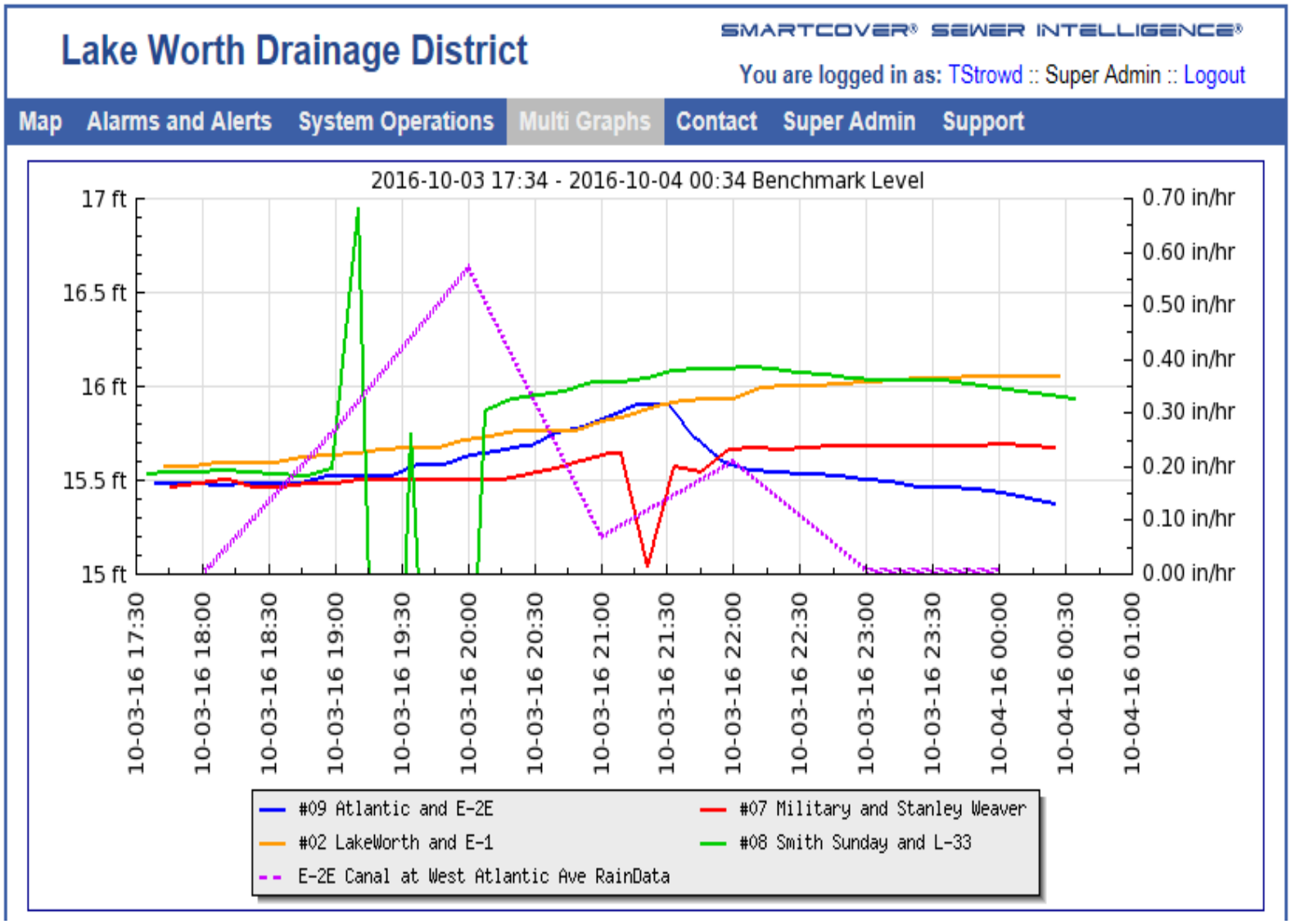
Hurricane Force Wind Probabilities



Rainfall Probabilities

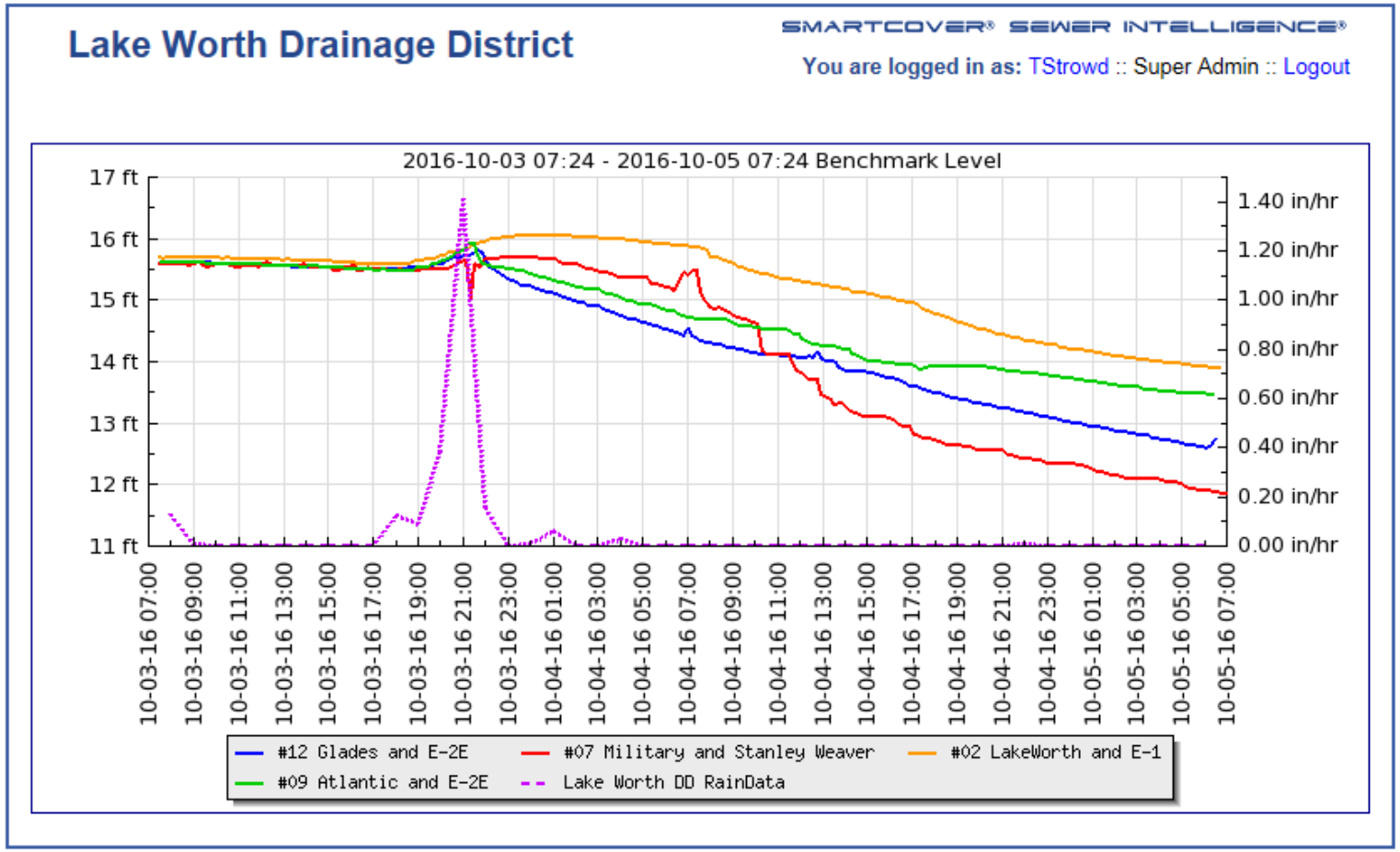


Water Levels



CS#9 North Gate

Water Levels



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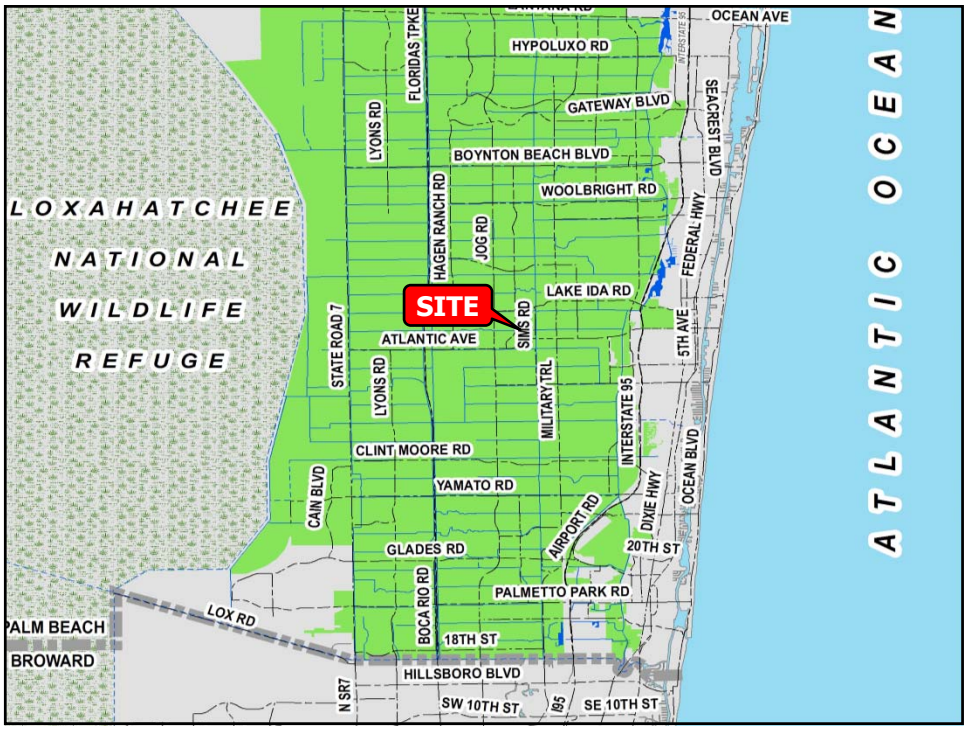
Approval to issue a Quit Claim Deed for Lots 95, Block "C" within Plat No.1 of Delray Villas and to property owners within Plat No.1 of Delray Villas Adjacent to the L-33 Canal

16-720P.15

Kelsey Smith, SIT
Project Surveyor

October 5, 2016



SUBJECT PROPERTY
LWDD L-33
LWDD E-3
LA PALMA LN
KINGS GATE CIR
POINTE REGAL CIR
POINTE REGAL CIR
POINTE REGAL CIR
POINTE PLEASANT CIR
ROYAL MANOR CIR
HUNTINGTON POINTE DR
N ORIOLE BLVD
MILLINGTON WAY
ROYAL VISTA DR
SUNRISE POINTE CT
SUNNY POINTE CIR
FLORA WAY
EL CLAIVE WAY
N AMAPOLA WAY
AMAPOLA PL
AMAPOLA WAY
CAMPANELLI DR
VIA FLORA
ASPEN RIDGE CT
ASPEN GREEN CT
ASPEN RIDGE CIR
PARKER RIDGE CT
EMERALD PLACE WAY
FROST LN
NEPSA WAY
SWIS RD
CANALVIEW DR
AMERICAN CIR
AMERICAN CIR
ATLANTIC AVE
WINDING BROOK WAY
WHISPERING WIND WAY
SLEEPY WILLOW WAY
COUNTRY WOOD WAY
COUNTRY LN
COUNTRY SIDE LN
SPRINGSIDE LN
SUNNY WATERS LN
SHADOW WOOD LN
HIDEAWAY LAKE LN
EL CLAIR RANCH RD
S ORIOLE BLVD
HITCHIN POST WAY
HERITAGE PARK WAY
HERITAGE PARK WAY
CANDY WAY
CONNIE BLVD
LUCY DR
DORIS CT
EDNA WAY
WANDA LN
MORNINGSTAR CIR

Plat 1 of
Delray Villas
Plat Book 37, Page 4
LOT 88
QCD
JAN 2010
LOT 98
QCD
APRIL 2010
LOT 102
QCD
MARCH 2010
LA PALMA LN
Subject Property
13.20' PER
CC407
80' ESMT ORB
3155, PG 674
LWDD L-33
CAMPANELLI DR
VIA FLORA

Background

- November 2009 - Board approved to declare south 13.2 feet of Block “C”, Plat No. 1 of Delray Villas surplus subject to fees and conveyance of 13’ easement to the District; offer extended to all property owners for period of 6 months
  - Board rescinded requirement to convey easement back to District in February 2010
- January 2010 - District issued QCD for Lot 88, Block “C”
- March 2010 - District issued QCD for Lot 102, Block “C”
- April 2010 - District issued QCD for Lot 98, Block “C”
- September 2016 -
  - District received Chancery review request: Lot 95, Block “C”, Plat No. 1 of Delray Villas, Plat Book 37, Page 4
  - Per Chancery Case 407, District owns the South 13.2 feet of the subject property
  - Jeff Levy of Grant W. Kehres, P.A. requested a quit claim deed from District on behalf of the property owner

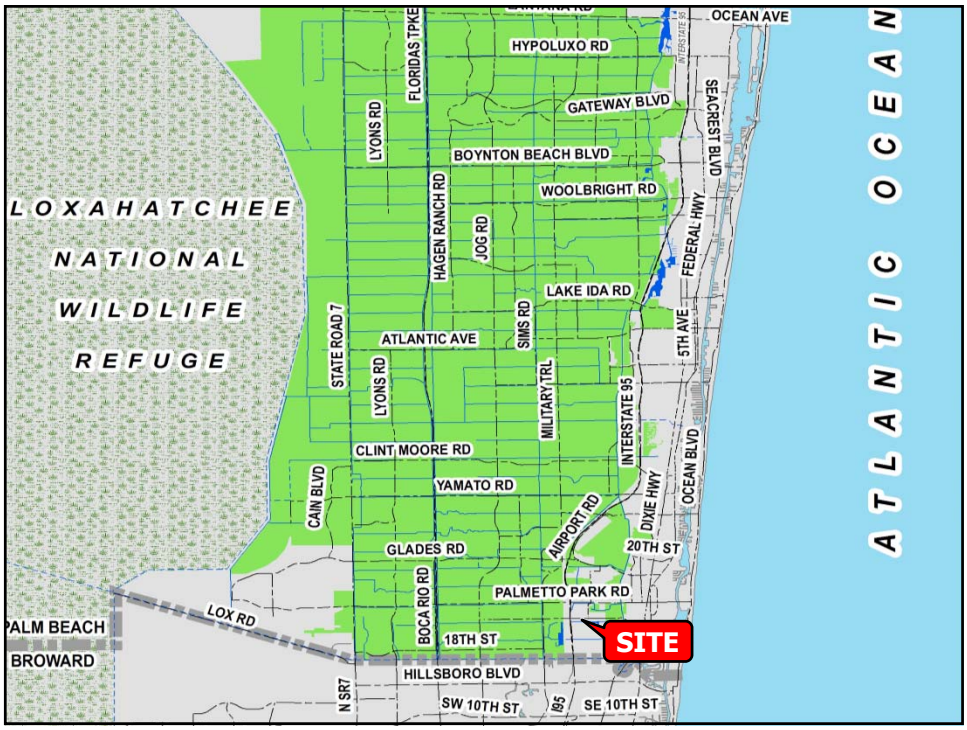
Staff Recommendation

- Approval to issue Quit Claim Deed for Lot 95, Block “C”, Plat No. 1 of Delray Villas, Plat Book 37, Page 4
- Approval to issue Quit Claim Deed to property owners of Lots adjacent to the L-33 Canal within Plat No. 1 of Delray Villas, as requested (Plat recorded in 1979)
- Subject to:
  - Certification of Title
  - $250 processing fee (subject to current fee at time of request)
  - Legal and recording fees
  - District operating policies

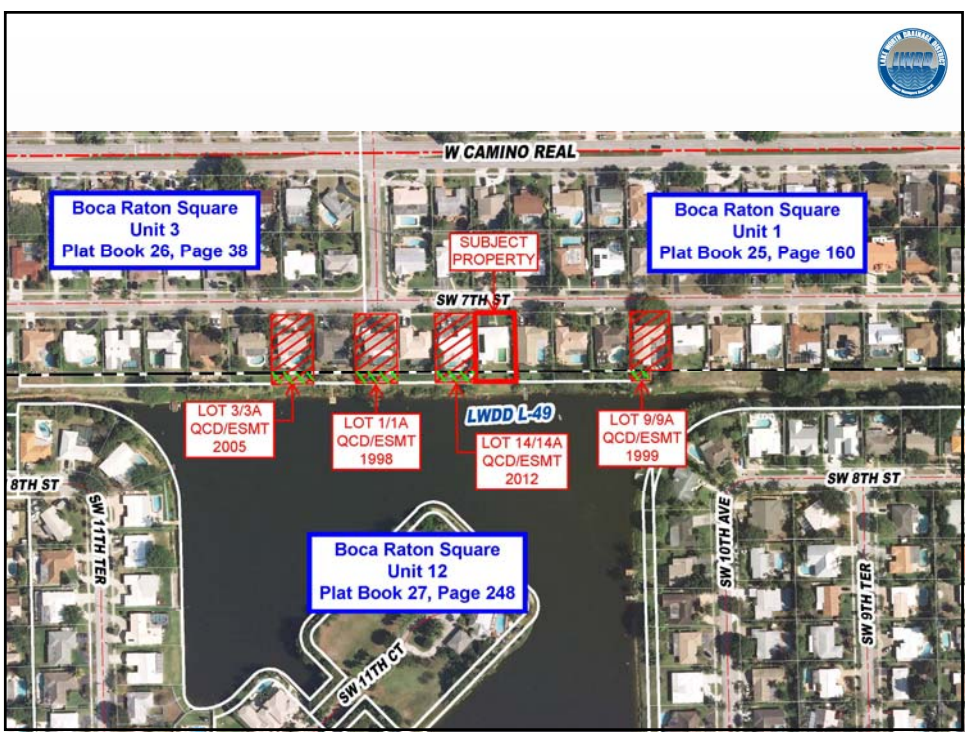
Approval to issue a Quit Claim Deed for Lots 13 and 13A within Boca Raton Square and to property owners within Boca Raton Square Adjacent to the L-49 Canal

16-4795P.23

Kelsey Smith, SIT
Project Surveyor
October 5, 2016



SUBJECT PROPERTY
LWDD L-49
W CAMINO REAL
S INTERSTATE 95
N INTERSTATE 95
SW 12TH AVE
SW 11TH AVE
SW 9TH AVE
SW 7TH ST
SW 8TH ST
SW 10TH ST
SW 11TH ST
SW 12TH ST
SW 13TH ST
SW 13TH DR
SW 13TH PL
SW 1ST ST
SW 2ND ST
SW 3RD ST
SW 4TH ST
SW 5TH ST
SW 6TH AVE
SW 6TH TER
SW 7TH TER
SW 9TH TER
SW 10TH AVE
SW 11TH TER
SW 12TH TER
SW 13TH AVE
SW 14TH AVE
SW 15TH AVE
SW 16TH AVE
SW 11TH CT
SW 10TH DR
SW 1ST WAY
SW 2ND ST
SW 3RD ST
SW 4TH ST
SW 5TH ST
SW 7TH ST
SW 8TH ST
SW 9TH ST
SW 10TH ST
SW 11TH ST
SW 12TH ST
SW 13TH ST
SW 13TH DR
SW 13TH PL
APPLE TREE LN
BAYBERRY TER
SW JUNIPER AVE
WALNUT TER
TAMARIND WAY
PEPPERRIDGE TER
MULBERRY WAY
SYCAMORE TER
SUGAR PLUM DR
PEACH TREE LN
HICKORY TER
ELDERBERRY WAY
BUTTERNUT TER
JUNEBERRY CT
HOLLY LN
MAYPOP CT
CYPRESS WAY
TULIP TREE LN
CANISTEL LN
CAMINO GARDENS BLVD
DEL RIO BLVD
PALM RD
LWDD E-4


W CAMINO REAL
Boca Raton Square
Unit 3
Plat Book 26, Page 38
SUBJECT PROPERTY
Boca Raton Square
Unit 1
Plat Book 25, Page 160
SW 7TH ST
LOT 3/3A
QCD/ESMT
2005
LOT 1/1A
QCD/ESMT
1998
LWDD L-49
LOT 14/14A
QCD/ESMT
2012
LOT 9/9A
QCD/ESMT
1999
8TH ST
SW 11TH TER
SW 8TH ST
SW 10TH AVE
SW 9TH TER
Boca Raton Square
Unit 12
Plat Book 27, Page 248
SW 11TH CT

Background

- 1998: District issued QCD for Lot 1 and 1A; received easement over 1A
- 1999: District issued QCD for Lot 9 and 9A; received easement over 9A
- 2005: District issued QCD for Lot 3 and 3A; received easement over 3A
- 2012: District issued QCD for Lot 9 and 9A; received easement over 9A
- July 2016:
  - District received Chancery review request: Lot 13, Block 8, BOCA RATON SQUARE Unit No. 1, and Lot 13-A, Block 8, BOCA RATON SQUARE Unit No. 12, Plat Book 25, Page 160 & Plat Book 27 Page 248, respectively
  - Per Chancery Case 407, District owns the South 15.18 feet of Lot 13 and all of Lot 13-A
- September 2016:
  - Jordana Sarrell, P.A. requested a Quit Claim Deed from District on behalf of the property owner

Staff Recommendation

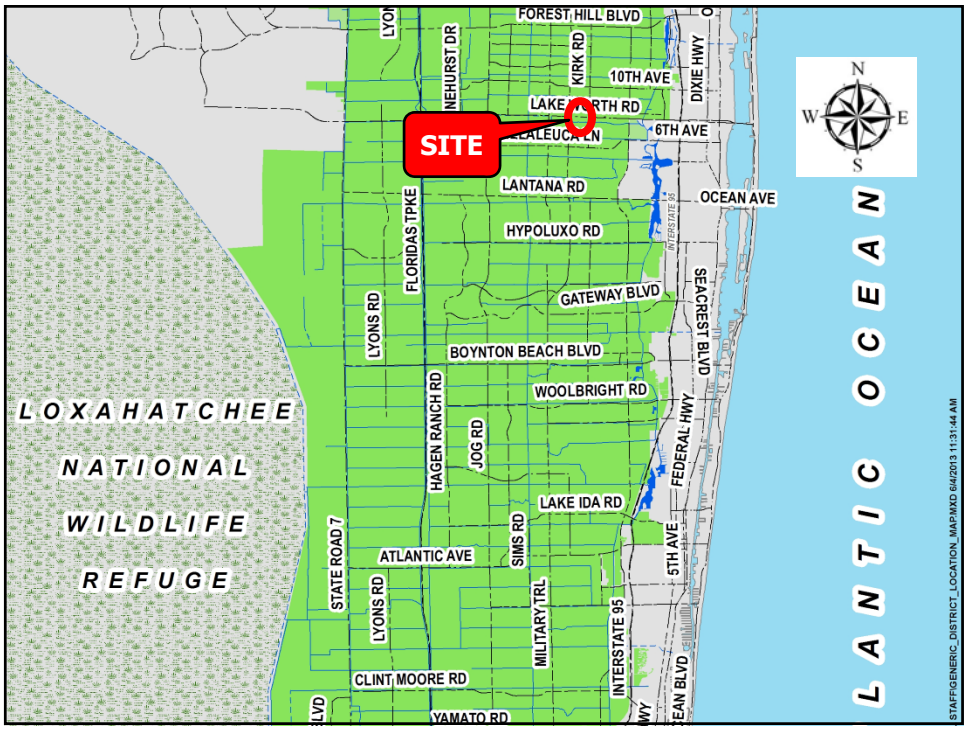
- Approval to issue Quit Claim Deed for Lot 13, Block 8, BOCA RATON SQUARE Unit No. 1, and Lot 13-A, Block 8, BOCA RATON SQUARE Unit No. 12, Plat Book 25, Page 160 & Plat Book 27 Page 248, respectively
- Approval to issue Quit Claim Deed to property owners of Lots adjacent to the L-49 Canal within Boca Raton Square Units 1, 3 and 12, as requested (Plats Recorded in 1958, 1959, and 1964 respectively)
- Subject to:
  - Certification of Title
  - $250 processing fee (subject to current fee at time of request)
  - Conveyance of a perpetual exclusive easement over “A” Lot
  - Legal and recording fees
  - District operating policies

Palm Beach County Tax Collector

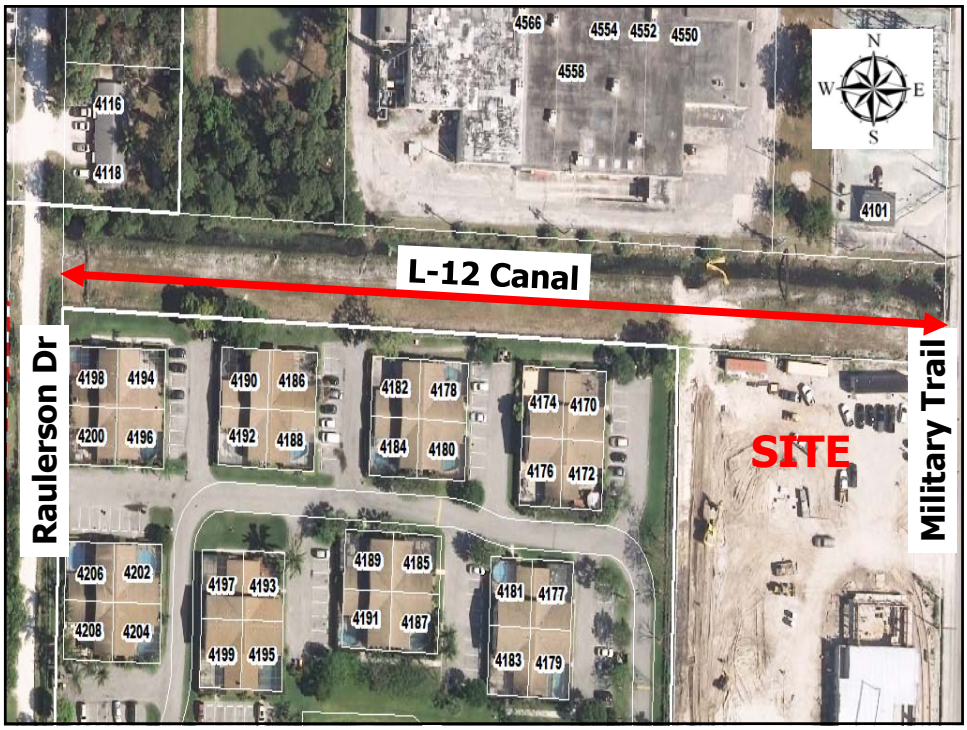
Project #16-6455H.04

Nicole Smith, Right-of-Way Permit Coordinator

October 5, 2016



Lake Worth Road
809
N
W
E
S
Childs St
Raulerson Dr
L-12 Canal
Military Trail
Landar Dr N
© 2016 Google
SITE
1995
Imagery Date: 2/16/2016 26°37'02.05" N 80°06'52.82" W elev 16 ft eye alt


4566
4554
4552
4550
4558
4116
4118
N
W
E
S
4101
L-12 Canal
Raulerson Dr
Military Trail
SITE
4198
4194
4200
4196
4190
4186
4192
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4183
4179

Background

- Palm Beach County Tax Collector Anne M. Gannon and consultants met with staff to discuss options regarding the L-12 Canal right-of-way and additional needed parking spaces for the Central Palm Beach County Service Center
- Options presented to Board at August 10, 2016 Workshop
- Project serves a public purpose and has considered all options to validate hardship
- Piping the L-12 Canal for approximately 888 feet is the preferred option
- District approval subject to permit application and meeting all required criteria

Staff Recommendation

- Authorize piping a portion of the L-12 Canal (approximately 888 feet) from Military Trail westward to Raulerson Drive
- Subject to:
  - District Operating Policies
  - Approval of all plans by District staff
  - Application Fee
    - $2.00 x 888' = $1,776.00
  - One-Time Use Fee
    - $20.00 x 888' = $17,760.00
  - Annual Fee
    - $4.00 x 888' = $3,552.00
  - Pipe inspection every 5 years

Draft - Item #3
RFP 16-9854L.01

EXHIBIT C
RATE SCHEDULE

Primary Firm Name: Mock, Roos and Associates, Inc.
Primary Contact: Alan Wertepny, P.E. **Phone:** (561) 683-3113

Civil Engineering	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Engineering Assistant	$60
	Level 2	Engineering Technician	$110
	Level 3	Engineer	$135
	Level 4	Lead Engineer	$165
	Level 5	Chief Consulting Engineer	$175
	Level 6	Principal Engineer	$195

Structural Engineering	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Engineering Assistant	$60
	Level 2	Engineering Technician	$110
	Level 3	Engineer	$135
	Level 4	Lead Engineer	$150
	Level 5	Chief Consulting Engineer	$175
	Level 6	Principal Engineer	$195

Mechanical Engineering	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Engineering Assistant	$60
	Level 2	Engineering Technician	$110
	Level 3	Engineer	$125
	Level 4	Lead Engineer	$135
	Level 5	Chief Consulting Engineer	$145
	Level 6	Principal Engineer	$150

Electrical Engineering	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Engineering Assistant	$60
	Level 2	Engineering Technician	$110
	Level 3	Engineer	$125
	Level 4	Lead Engineer	$135
	Level 5	Chief Consulting Engineer	$145
	Level 6	Principal Engineer	$150

Environmental Engineering	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Engineering Assistant	$60
	Level 2	Engineering Technician	$90
	Level 3	Engineer	$110
	Level 4	Lead Engineer	$135
	Level 5	Chief Consulting Engineer	$180
	Level 6	Principal Engineer	$210

Geotechnical Engineering	Professional Level	Position Title	Hourly Rate
	Level 1	Geotechnical Engineering Assistant	$65
	Level 2	Geotechnical Engineering Technician	$85
	Level 3	Geotechnical Engineer	$105
	Level 4	Lead Geotechnical Engineer	$125
	Level 5	Chief Consulting Geotechnical Engineer	$175
	Level 6	Principal Engineer	$180

Construction Administration	Professional Level	Position Title	Hourly Billing Rate
	Level 2	Inspection Technician	$65
	Level 3	Inspector	$90
	Level 4	Lead Inspection Representative	$135
	Level 5	Chief Inspection Representative	$155
	Level 6	Principal Inspection Representative	$175

Computer Aided Design	Professional Level	Position Title	Hourly Billing Rate
	Level 1	CADD Assistant	$60
	Level 2	CADD Technician	$65
	Level 3	Designer	$90
	Level 4	Lead Designer	$115
	Level 5	Chief Consulting Designer	$140
	Level 6	Principal Designer	$155

Architectural Services	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Architectural Assistant	$90
	Level 2	Architectural Technician	$125
	Level 3	Architect	$155
	Level 4	Lead Architect	$175
	Level 5	Chief Consulting Architect	$195
	Level 6	Principal Architect	$205

Survey Support	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Surveying Assistant	$60
	Level 2	Surveying Technician	$75
	Level 3	Surveyor	$115
	Level 4	Lead Surveyor	$125
	Level 5	Chief Surveyor	$135
	Level 6	Principal Surveyor	$200

Planning	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Planning Assistant	$60
	Level 2	Planning Technician	$90
	Level 3	Planner	$100
	Level 4	Lead Planner	$130
	Level 5	Chief Planner	$150
	Level 6	Principal Planner	$180

Technical Writing and Editing	Professional Level	Position Title	Hourly Billing Rate
	Level 3	Technical Writer/Editor	$120
	Level 4	Lead Technical Writer/Editor	$140
	Level 5	Chief Consulting Technical Writer/Editor	$150
	Level 6	Principal Technical Writer/Editor	$165

Quality Assurance/Quality Control	Professional Level	Position Title	Hourly Billing Rate
	Level 2	Quality Assurance Technician	$90
	Level 3	Quality Assurance Specialist	$100
	Level 4	Lead Quality Assurance Specialist	$110
	Level 5	Chief Quality Assurance Specialist	$125
	Level 6	Principal Quality Assurance Specialist	$150

Environmental Science and Laboratory	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Scientist/Analyst Assistant	$60
	Level 2	Scientist/Analyst Technician	$75
	Level 3	Scientist/Analyst	$100
	Level 4	Lead Scientist/Analyst	$120
	Level 5	Chief Scientist/Analyst	$140
	Level 6	Principal Scientist/Analyst	$165

Modeling	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Hydrologic Modeling Assistant	$60
	Level 2	Hydrologic Modeling Technician	$110
	Level 3	Hydrologic Modeler	$135
	Level 4	Lead Hydrologic Modeler	$145
	Level 5	Chief Consulting Hydrologic Modeler	$150
	Level 6	Principal Hydrologic Modeler	$165

Hydrogeology	Professional Level	Position Title	Hourly Billing Rate
	Level 1	Hydrogeologic Assistant	$60
	Level 2	Hydrogeologic Technician	$80
	Level 3	Hydrogeologist	$100
	Level 4	Lead Hydrogeologist	$120
	Level 5	Chief Consulting Hydrogeologist	$150
	Level 6	Principal Hydrogeologist	$165

GIS/RS	Professional Level	Position Title	Hourly Billing Rate
	Level 1	GIS/RS Assistant	$60
	Level 2	GIS/RS Technician	$90
	Level 3	GIS/RS Analyst	$110
	Level 4	Lead GIS/RS Analyst	$130
	Level 5	Chief Consulting GIS/RS Analyst	$150
	Level 6	Principal GIS/RS Analyst	$165

Program Controls	Professional Level	Position Title	Hourly Billing Rate
(includes scheduling and cost estimating)	Level 3	Program Controls Specialist	$135
	Level 4	Lead Controls Specialist	$190

ADDED:

Administrative Support	Professional Level	Position Title	Hourly Billing Rate
	Level 3	Administrative Associate	$60
	Level 4	Sr. Admin. Associate	$75

Qualifications by Professional Level and Position Title

Professional Level	Qualifications	Experience
Level 1	Associates Degree(1)	0-2 Years
Level 2	Associates Degree(1)	0-7 Years
Level 3	BS Degree(1)(2)(3)	4-12 Years
Level 4	BS Degree(1)(2)(3)	>12 Years
Level 5	MS Degree(1)(4)	>12 Years
Level 6	MS Degree(1)(4)	>15 Years

(1) Valid State of Florida Class-D D.L.
(2) MS Degree Preferred
(3) Florida PE, PG, Preferred
(4) Florida PE, PG, Required

Item #4

FOR IMMEDIATE RELEASE
September 26, 2016

CONTACT: GOVERNOR'S PRESS OFFICE

(850) 717-9282
media@eog.myflorida.com

GOV. SCOTT: I AM DIRECTING IMMEDIATE CHANGE TO PUBLIC NOTIFICATION LAWS FOLLOWING POLLUTION INCIDENTS

TALLAHASSEE, Fla. – Today, following the sewage spill in Pinellas County and the sinkhole at Mosaic's New Wales facility, Governor Scott is directing Florida Department of Environmental Protection (DEP) Secretary Jon Steverson to issue an emergency rule that establishes new requirements for public notification of pollution incidents to take effect immediately. This emergency rule will ensure the public, local governments and DEP are notified within 24 hours by all responsible parties following a pollution incident.

Governor Scott will also propose legislation during the next legislative session to ensure the public is kept informed of incidents of pollution that may cause a threat to public health and to Florida's air and water resources. This legislation will amend current law which only requires public notification when pollution moves off-site of where the incident took place and threatens public health. This legislation will put the 24-hour public notification requirements into law as well as increase the fine amounts and penalties on any violators.

Governor Scott said, "It does not make sense that the public is not immediately notified when pollution incidents occur and that is why I am directing DEP to immediately issue an emergency rule implementing strict requirements for public notification within 24 hours. Today, I am demanding any business, county or city government responsible for a pollution incident to immediately tell the public. That is common sense and our residents deserve that.

"While DEP was on-site to investigate the situation at Mosaic in less than 24 hours and followed current state laws to notify the public, our laws are outdated and must immediately be changed. When we find laws, rules and regulations that aren't common sense, it is incumbent on us to immediately make changes like we are doing today. Not only am I directing an emergency rule to begin today, but I will fight for legislation next session to ensure the 24-hour public notification requirements are codified in law and the penalties to any violators are severely strengthened.

"Tomorrow, I will be at Mosaic's New Wales facility to get a briefing from company officials and to view the sinkhole. Last week, I directed DEP to immediately investigate the sewage spill in Pinellas County and also to expedite their investigation into the sinkhole at Mosaic. I also directed DOH to immediately assist DEP to ensure our drinking water is safe. Both of these investigations are still ongoing, and should a violation be found, all responsible parties will be held accountable with appropriate penalties and sanctions once DEP concludes their work. We must do everything we can to ensure residents and visitors have access to clean and safe water, and are informed when incidents occur that could potentially have an impact on their health."

As directed by Governor Scott, the emergency rule will require the owner or operator of any facility, including a city or county government, to provide notification of incidents of pollution within 24-hours to DEP, local governments and the general public through the media.

The new rule will apply regardless of whether the impacts of the pollution remain on-site or not. This will apply to any pollution affecting Florida's air or water resources, such as unauthorized discharges of treated and untreated wastewater and industrial wastewater releases. The emergency rule will last for 90 days. DEP will also simultaneously begin the formal rulemaking process to gather public input and make the rule change permanent.

Secretary Jon Steverson said, "The safety of Floridians and our environment is always a top priority of the department. It is extremely important that Floridians are quickly notified of incidents of pollution that could potentially affect public health and the environment, and this emergency rule will give DEP the authority needed to ensure the public is kept informed when these instances occur."

The following outlines the new notification requirements directed by Governor Scott that will begin immediately:

- Within 24 hours, DEP, local governments and the general public must be notified of pollution by any and all responsible parties;
- Within 48 hours, DEP, local governments and the general public must be notified of any potential risks to public health, safety or welfare and to surrounding areas by any and all responsible parties; and
- Within 24 hours of becoming aware pollution has affected areas off-site, adjacent and nearby property owners, in addition to DEP and local governments, must be notified of any potential health risks by any and all responsible parties.

###

Florida Department of Environmental Protection

Notice of an Incident or Discovery of Pollution

Governor Scott has directed the Florida Department of Environmental Protection (DEP) to issue an emergency rule that establishes new requirements for public notification of pollution incidents to take effect immediately. This emergency rule will require the owner, operator of any facility, including a city or county government, to provide notification of incidents or discovery of pollution within 24 hours to DEP, local governments and the general public through the media.

The new rule will apply regardless of whether the impacts of the pollution remain on-site or not. This will apply to any pollution affecting Florida's air or water resources, such as unauthorized discharges of treated and untreated wastewater and industrial wastewater releases.

Specifically, the new emergency rule requires:

- Within 24 hours, DEP, local governments and the general public through the media must be notified of pollution by any and all responsible parties;
- Within 48 hours, DEP, local governments and the general public through the media must be notified of any potential risks to public health, safety or welfare and to surrounding areas by any and all responsible parties; and
- Within 24 hours of becoming aware pollution has affected areas off-site, affected property owners, in addition to DEP and local governments, must be notified of any potential health risks by any and all responsible parties.

To provide notice to the Florida Department of Environmental Protection of any incident, or discovery, of pollution, reports should be emailed to pollution.notice@dep.state.fl.us. These reports, at minimum, should include the following information:

- Name of reporting party
- Installation Name
- Installation Address
- Installation Location

- Contact person for further information
- Permit Number (if facility/installation holds a permit)
- Date and time of the incident or discovery
- Location of the incident or discovery
- Suspected source and cause of incident or discovery
- Type of pollution, including substance or contaminant name (s)
- Amount of pollution, including substance or contaminant name(s)
- Medium (e.g. land, water, air) affected by pollution
- Potentially affected areas beyond installation property boundary
- Potential risk to the public health, safety, or welfare
- Identification of other parties notified of incident and time notification occurred
- Any other information that may be helpful

As the department is notified of events we will post the collected information to this web page on a daily basis.

Public notification under the emergency rule:

Responsible parties are required to notify local broadcast television affiliates and a newspaper of general circulation in the area of the contamination. Notification does not mean formal notice under Chapter 50, Florida Statutes. For purposes of this emergency rule, it can be an email. The Department of State has provided a list of contacts for newspapers throughout the state here.

The emergency rule will last for 90 days, during which time DEP will also simultaneously begin the formal rulemaking process to gather public input and make the rule change permanent.

Governor Scott will also propose legislation during the next legislative session to ensure the public is kept informed of incidents of pollution that may cause a threat to public health and to Florida's air and water resources. This legislation will put the 24-hour public notification requirements into law as well as increase the fine amounts and penalties on any violators.

- Notice of Development of Rulemaking
- Notice of Proposed Rule
- Notice of Rule Workshops

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Emergency Rule 62ER 16-01
Frequently Asked Questions

How quickly does the rule require public notification?

Under the new rule, a responsible party must:

- Notify DEP, the local government and the general public of the pollution incident within 24 hours.
- Notify DEP, the local government and the general public of any potential risks to public health, safety or welfare and to surrounding areas within 48 hours of the pollution incident.
- Notify affected property owners, DEP and the local government within 24 hours of becoming aware that pollution has affected areas off-site.

How are owners or operators required to notify the public?

Owners or operators are required to notify the local media. The Department has provided several points of contact for newspapers throughout the state at dep.state.fl.us/pollutionnotice.

During formal rulemaking, the Department will have the opportunity to further define the manner of notification.

What does the Department mean by pollution?

Pollution is defined in Chapter 403.031, Florida Statutes. It is the presence of any substance at levels that may be harmful to human health or welfare, or interfere with the enjoyment of life or property.

How are owners or operators required to notify DEP? Will the public have access to these notices?

Owners or operators are required to provide written notice to DEP at pollution.notice@dep.state.fl.us. DEP will post these notices to their website at dep.state.fl.us/pollutionnotice.

What is the difference between the emergency rule and the proposed legislation?

This emergency rule puts the new notification requirements into place immediately, and expires in 90 days.

In addition to issuing the emergency rule, DEP will also complete regular agency rulemaking to gather public input and make the rule change permanent.

Governor Scott will propose legislation during the next legislative session to ensure the public is kept informed of incidents of pollution that may cause a threat to public health and to Florida's air and water resources. This legislation will amend current law which only requires public notification when pollution moves off-site of where the incident took place and threatens public health. This legislation will put the 24-hour public notification requirements into law as well as increase the fine amounts and penalties on any violators.

What types of pollution will require this public notification?

Any substance at levels that may be harmful to human health or welfare, or interfere with the enjoyment of life or property would constitute pollution, including unauthorized discharges of treated and untreated wastewater and industrial wastewater releases.

If an entity is discharging within its permit limits, would those discharges be subject to this notification process?

No.

Is there a threshold for reporting?

There isn't a numerical threshold in the emergency rule. However, thresholds could be considered during the formal rulemaking.

What specific steps is DEP taking to put these rules into place?

1. DEP has issued an emergency rule with these public notification requirements. These will take effect immediately and this emergency rule will expire pursuant to statute in 90 days.
2. DEP will complete regular agency rulemaking to ensure a rule is in place after the emergency rule expires.
3. DEP, at the direction of the Governor, will pursue statutory changes to place these notification requirements and increase the fine amounts in law during the next legislative session.

What are the Department's next steps to make this rule a part of the Department's everyday authority?

We have already initiated the formal rulemaking process through the issuance of a notice of rule development. Seven rule workshops have been scheduled across the state.

What are the new fine amounts? What are the current amounts?

Currently, failure to submit required notification to DEP is subject to a one-time administrative fine of $1,000.

Under the proposed legislation, failure to comply with these notification requirements will be subject to penalties from DEP, including fines up to $10,000 per violation per day and other legal actions. These increased fines will not take effect until statutory changes take effect.

Does this replace current reporting requirements in permits, etc.?

No. This reporting requirements is separate from and in addition to any current reporting requirements. During rulemaking, the Department will review whether separate reporting is necessary.