

**Section I**  
**Notices of Development of Proposed Rules**  
**and Negotiated Rulemaking**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NOS.:	RULE TITLES:
5E-4.003	Noxious Weed Seed
5E-4.0041	Disposition of Seed Contaminated with Noxious Weed Seed

**PURPOSE AND EFFECT:** The purpose of the proposed action is to amend Rules 5E-4.003 and 5E-4.0041, F.A.C., to reclassify Nutgrass, cyperus rotundus, and Tropical Soda Apple, solanum viarum, from the status of prohibited noxious weed seed to restricted noxious weed seed. The proposed modifications will allow Florida grown seed lots, predominately bahiagrass and aeschynomene, found by laboratory analysis to contain a maximum of one Tropical Soda Apple seed per pound to be relabeled to explicit standards and sold only in Florida. The rule modification will also permit the sale of peanut seed lots found to be contaminated with nutgrass at a rate of one seed per pound. These modifications will provide the Florida seedsmen an option other than destruction thereby reducing the economic hardship to Florida's seed industry.

**SUBJECT AREA TO BE ADDRESSED:** The amendment to Rules 5E-4.003 and 5E-4.0041, F.A.C., to reclassify Nutgrass, cyperus rotundus, and Tropical Soda Apple, solanum viarum, from the status of prohibited noxious weed seed to restricted noxious weed seed.

**SPECIFIC AUTHORITY:** 570.07(23), 578.11(2), 578.12 FS.

**LAW IMPLEMENTED:** 578.11(3), 578.12 FS.

**IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.**

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Mr. Anderson H. "Andy" Rackley, Director, Division of Agricultural Environmental Services; Conner Building, 3125 Conner Boulevard, Room 130, Tallahassee, Florida 32399-1650; (850)488-3731

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

5E-4.003 Noxious Weed Seed.

(1) Prohibited noxious weed seed shall include:

(a) Bindweed ( <i>Convolvulus arvensis</i> )	None per pound
<del>(b) Nutgrass (<i>Cyperus rotundus</i>)</del>	<del>None per pound</del>
<del>(b)(c) Serrated tussock (<i>Nassella trichotoma</i>)</del>	<del>None per pound</del>

<del>(d) Tropical soda apple (<i>Solanum viarum</i>)</del>	<del>None per pound</del>
<del>(c)(e) Bengal dayflower (<i>Commelina benghalensis</i>)</del>	<del>None per pound</del>
(2) Restricted noxious weed seed shall include:	
(a) Annual bluegrass ( <i>Poa annua</i> )	1,000 per pound
(b) Balloonvine ( <i>Cardiospermum halicacabum</i> )	4 per pound
(c) Bermudagrass ( <i>Cynodon</i> spp.)	300 per pound
(d) Blessed thistle ( <i>Cnicus benedictus</i> )	9 per pound
(e) Buckhorn plantain ( <i>Plantago lanceolata</i> )	100 per pound
(f) Canada thistle ( <i>Cirsium arvense</i> )	100 per pound
(g) Cheat or Chess ( <i>Bromus secalinus</i> , and/or <i>commutatus</i> )	300 per pound
(h) Cocklebur ( <i>Xanthium</i> spp.)	4 per pound
(i) Corncockle ( <i>Agrostemma githago</i> )	100 per pound
(j) <i>Crotalaria</i>	
1. <i>Crotalaria spectabilis</i>	9 per pound
2. <i>Crotalaria mucronata</i> ( <i>Striata</i> )	54 per pound
(k) Darnel ( <i>Lolium temulentum</i> )	100 per pound
(l) Docks ( <i>Rumex crispus</i> , <i>obtusifolius</i> and <i>conglomeratus</i> )	100 per pound
(m) Dodders ( <i>Cuscuta</i> spp.)	100 per pound
(n) Horsenettle and Nightshades ( <i>Solanum carolinense</i> and/or <i>elaeagnifolium</i> )	100 per pound
(o) Johnson grass and Sorghum alimum ( <i>Sorghum halepense</i> and/or <i>alimum</i> )	27 per pound
<u>(p) Nutgrass (<i>Cyperus rotundus</i>)</u>	<u>1 per pound</u>
<del>(q)(r) Quack grass (<i>Agropyron repens</i>)</del>	<del>100 per pound</del>
<del>(r)(s) Red rice (<i>Oryza sativa</i>)</del>	<del>300 per pound</del>
<del>(s)(t) Sheep sorrel (<i>Rumex acetosella</i>)</del>	<del>200 per pound</del>
<u>(t) Tropical soda apple (<i>Solanum viarum</i>)</u>	<u>1 per pound</u>
<del>(u)(v) Texas millet (<i>Panicum texanum</i>)</del>	<del>9 per pound</del>
Buffalograss	
<del>(v)(w) Wild onions (<i>Allium</i> spp.)</del>	<del>27 per pound</del>
<del>(w)(x) Wild radish (<i>Raphanus raphanistrum</i>)</del>	<del>27 per pound</del>
<del>(x)(y) Wild turnip or mustard (<i>Brassica</i> spp.)</del>	<del>27 per pound</del>

(3) The total Amount of all restricted noxious weed seed shall not exceed three hundred (300) per pound exclusive of Annual bluegrass.

Specific Authority 570.07(23), 578.11(2) FS. Law Implemented 578.11(3), 578.12 FS. History—Amended 5-30-63, 8-22-68, 9-29-83, Formerly 5E-4.03, Amended 8-6-89, 11-14-04, \_\_\_\_\_.

5E-4.0041 Disposition of Seed Contaminated with Noxious Weed Seed.

(1) Seed lots containing one or more of the noxious weed seeds listed in Rule 5E-4.003, F.A.C., and found by the department to be in violation of Section 578.13, Florida Statutes, and which have been placed under stop-sale, stop-use, removal, or hold order, shall not be further subdivided or renumbered such that the integrity of the lot for identification and further inspection and testing is maintained. Within 30 days of receipt of the stop-sale, stop-use, removal, or hold order issued by the department, the owner of the seed lot shall arrange for the relabeling, reprocessing, or destruction through incineration or burial of the seed to a depth of at least 3 feet for a period of at least one year, ~~in a solid waste disposal facility for which a permit has been issued or that is exempt from the permit requirement as specified under Rule 62-701.320, F.A.C. (Effective 5-27-01), Solid Waste Management Facilities.~~

(2) Seed lots which have been reprocessed shall be re-inspected and re-tested by the department to determine if the violation of Section 578.13, Florida Statutes, has been corrected. If, after subsequent inspection and testing, the violation of Section 578.13, Florida Statutes, has ~~not~~ been corrected, the department shall issue a release for the lot under stop-sale, stop-use, removal, or hold order and the seed lot may be sold and distributed upon relabeling. If, after two consecutive attempts to reprocess the seed lot, the seed lot continues to contain excessive one or more of the noxious weed seeds listed in Rule 5E-4.003, F.A.C., the seed lot under stop-sale, stop-use, removal, or hold order shall be destroyed by incineration or burial to a depth of at least three feet for a period of at least 1 year ~~in a solid waste disposal facility for which a permit has been issued or that is exempt from the permit requirement as specified under Rule 62-701.320, F.A.C. (Effective 5-27-01), Solid Waste Management Facilities.~~ If none of the noxious weed seeds listed in Rule 5E-4.003, F.A.C., are detected during subsequent inspection and testing, the department shall issue a release for the lot under stop-sale, stop-use, removal, or hold order and the seed lot may be sold and distributed. Upon release of the stop-sale, stop-use, removal, or hold order, the seed lot may be further subdivided or assigned one or more new lot numbers.

(3) Any seed lot found to contain the restricted noxious weed seed Tropical Soda Apple, *solanum viarum*, at a rate of one seed per pound shall be labeled, in addition to the requirements listed in section 578.09, Florida Statutes, with the following information:

(a) Included on the label "Noxious Weed Seed.....1 Tropical Soda Apple per pound;

(b) Plainly printed in red ink in a permanent manner on the container in a font size no less than the largest font utilized on the existing container: "Seed in this container has been determined by laboratory analysis to be contaminated with the noxious weed Tropical Soda Apple at a rate of one seed per pound. This seed is only for distribution, sale, or planting within the State of Florida. Purchaser of this seed should follow the recommendations in the document SS-AGR-130 "Management Practices to Control Tropical Soda Apple" to prevent the establishment and spread of this noxious weed. Copies of this document can be obtained at your local UF/IFAS Extension Offices or found online at <http://edis.ifas.ufl.edu/UW188>."

(c) Documentation (such as delivery ticket or invoice) of sale or distribution of seed lots labeled to contain one tropical soda apple seed per pound shall be submitted to the Department's Seed Compliance Section immediately upon subsequent movement or distribution of seed.

Specific Authority 570.07(23), 578.11(2) FS. Law Implemented 578.11(3), 578.12 FS. History—Amended 5-30-63, 8-22-68, 9-29-83, Formerly 5E-4.03, Amended 8-6-89, 11-14-04, \_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Food Safety**

RULE NO.: 5K-4.027                      RULE TITLE: Standard of Identity – Honey

PURPOSE AND EFFECT: The purpose of this rule development is to establish a standard of identity for honey that is produced, packed, repacked, distributed and sold in Florida or from Florida. Development of this rule is meant to have the effect on controlling the pervasive, illegal practice of blending or diluting pure honey with low-cost syrups (i.e., sugar, cane, corn, etc.) thereby committing an economic fraud on both the permanent and transient residents of Florida. Preliminary guidelines have been drafted through a cooperative effort between the Department of Agriculture and Consumer Services and the Florida State Beekeepers Association to implement a needed standard of identity for honey. The rule substantially conforms to standards set forth in the "Codex Standard for Honey, 12-1981, Rev. 1(1981), Rev. 2 (2001)." This rule will have an effect on those establishments permitted by the Department of Agriculture and Consumer Services who produce local honey or sell honey from Interstate Commerce.

SUBJECT AREA TO BE ADDRESSED: This rule development will address the creation of a standard of identity for honey, comprehensive prohibitions against the deliberate addition of any food ingredient or food additives other than honey, will set maximum moisture content for honey, set parameters for sugar constituents in honey and establish honey labeling guidelines.

SPECIFIC AUTHORITY: 500.09, 570.07(23), 586.10 FS.  
LAW IMPLEMENTED: 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Paul M. Raynes, Senior Management Analyst II, Division of Food Safety, 3125 Conner Boulevard, Mail Stop C-18, Tallahassee, FL 32399-1650; Telephone: (850)245-5539

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5K-4.027 Standard of Identity – Honey.

(1) This standard applies to all honey produced by honey bees from nectar and covers all styles of honey presentation that are processed and ultimately intended for direct consumption and to all honey packed, processed or intended for sale in bulk containers as honey, that may be repacked for retail sale or for sale or use as an ingredient in other foods.

(2) “Honey” means the natural food product resulting from the harvest of nectar by honeybees and the natural activities of the honeybees in processing nectar. It consists essentially of different sugars, predominantly fructose and glucose as well as other substances such as organic acids, enzymes and solid particles derived from honey collection. The color of honey can vary from nearly colorless to dark brown. The consistency can be fluid, viscous or partially to completely crystallized. The flavor and aroma vary, but are derived from the plant’s origin.

(3) Honey sold as such shall not have added to it any food additives, as defined in Section 500.03(1)(m), F.S., nor shall any other additions be made other than honey. It shall not have begun to ferment or effervesce and no pollen or constituent unique to honey may be removed except where unavoidable in the removal of foreign matter. Chemical or biochemical treatments shall not be used to influence honey crystallization.

(a) Moisture Content – No water may be added to honey in the course of extraction or packing for sale or resale as honey. Honey shall not have a moisture content exceeding 23%.

(b) Sugar Content.

1. The ratio of fructose to glucose shall be greater than 0.9.
2. Sucrose content shall not exceed 10%, except for lavender (Lavandula spp) and borage (Borago officinalis) varieties which sucrose content shall not exceed 15%.
3. Maltose content shall not exceed 10%.
4. Oligosaccharides indicative of invert syrup indicate the presence of an adulterant.
5. The absolute value of Carbon Stable Isotope Ratio Analysis (CSIRA) must be more negative than -20.0.
6. CSIRA Internal Standard Procedure with a protein value minus honey value more negative than -1.0 indicates the presence of an adulterant.

(4) Labeling – Name of the Food.

(a) Products conforming to this Standard shall be designated ‘honey’. Foods containing honey and any flavoring, spice or food additive or if honey is processed in such a way that a modification to honey occurs that materially changes the flavor, color, viscosity or other material characteristics of pure honey, then such foods shall be distinguished in the food name from honey by declaration of the food additive or modification.

(b) Honey may be designated according to floral or plant source if it comes predominately from that particular source and has the organoleptic, physicochemical and microscopic properties corresponding with that origin.

(c) Where honey has been designated according to floral or plant source [as stated in paragraph (b)], then the common name or the botanical name of the floral source shall be in close proximity to the word “honey”.

(d) The subsidiary designations listed in paragraph (4)(e) may not be used unless the honey conforms to the appropriate description contained therein. The styles in subparagraphs (4)(f)2. & 3. shall be declared.

(e) Honey may be designated according to the method of removal from the comb.

1. Extracted Honey is honey obtained by centrifuging decapped broodless combs.
2. Pressed Honey is honey obtained by pressing broodless combs.
3. Drained Honey is honey obtained by draining decapped broodless combs.

(f) Honey may be designated according to the following styles:

1. Honey which is honey in liquid or crystalline state or a mixture of the two;
2. Comb Honey which is honey stored by bees in the cells of freshly built broodless combs and which is sold in sealed whole combs or sections of such combs;
3. Cut comb in honey, honey with comb or chunk honey which is honey containing one or more pieces of comb honey.

Specific Authority 500.09, 570.07(23), 586.10 FS. Law Implemented 500.02, 500.03, 500.04, 500.09, 500.10, 500.11, 570.07, 570.50 FS. History–New \_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Aquaculture**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
5L-1.007	Container Identification, Terminal Sale Date; Prohibitions
5L-1.008	Shellfish Handling
5L-1.013	Plant Operation

**PURPOSE AND EFFECT:** This amendment proposes to allow DACS to implement the National Shellfish Sanitation Program Vibrio parahaemolyticus Control Plan by: a) modifying the time limit harvesters have to deliver oysters to a certified shellfish dealer, b) adjusting container identification language, and c) modifying processing plant operation language.

**SUBJECT AREA TO BE ADDRESSED:** The subject area to be addressed is protection of the health of shellfish consumers by allowing DACS to implement the National Shellfish Sanitation Program Vibrio parahaemolyticus Control Plan.

**SPECIFIC AUTHORITY:** 597.020 FS.

**LAW IMPLEMENTED:** 597.020 FS.

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

**DATE AND TIME:** April 18, 2008, 4:00 p.m. – 5:00 p.m.

**PLACE:** FWRI Senator George G. Kirkpatrick Marine Research Facility Classroom, 11350 S. W. 153rd Ct., Cedar Key, Florida 32625

**DATE AND TIME:** An additional workshop will be held April 21, 2008, 4:00 p.m. – 5:00 p.m. at the location listed below:

**PLACE:** Department of Environmental Protection, Apalachicola National Estuarine Research Reserve, 261 7th Street, Apalachicola, Florida 32320

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: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301, Phone: (850)488-4033. 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: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301, phone: (850)488-4033 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Water Policy**

RULE NOS.:	RULE TITLES:
5M-9.001	Purpose
5M-9.002	Approved BMPs
5M-9.003	Presumption of Compliance
5M-9.004	Notice of Intent to Implement
5M-9.005	Record Keeping

PURPOSE AND EFFECT: The purpose of this notice is to initiate the development of a Water Quality and Quantity Best Management Practices manual for Florida Sod farms. Subsequently, the Department will initiate formal rulemaking in order to adopt these measures by rule.

SUBJECT AREA TO BE ADDRESSED: The proposed rule will address the development of practices that protect water resources, the procedures for filing a Notice of Intent to Implement, and associated recordkeeping requirements necessary for landowners to receive a presumption of compliance with state water quality standards.

SPECIFIC AUTHORITY: 403.067(7)(c)2. FS.

LAW IMPLEMENTED: 403.067(7)(c)2. FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Bartnick, Environmental Administrator, Office of Agricultural Water Policy, 1203 Governor’s Square Boulevard, Suite 200, Tallahassee, Florida 32301, (850)617-1700 or Fax (850)617-1701

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

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.: 6A-6.0573  
 RULE TITLE: Industry Certification Process  
 PURPOSE AND EFFECT: The purpose of the rule development workshops is to establish a process for creating and maintaining the “Comprehensive Industry Certification List” and the “Industry Certification Funding List,” pursuant to Section 1003.492, F.S.

SUBJECT AREA TO BE ADDRESSED: Industry-certified Career and Professional Academies.

SPECIFIC AUTHORITY: 120.536(1), 120.54 FS.

LAW IMPLEMENTED: 1003.491, 1003.492, 1003.493 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATES AND TIMES: April 18, 2008, 9:00 a.m. – Noon; April 25, 2008, 9:00 a.m. – Noon; April 28, 2008, 9:00 a.m. – Noon

PLACES: April 18, 2008 – Orange County District Office, 5400 W. Amelia Street, Orlando, FL 32801; April 25, 2008 – Sheridan Technical Center, 5400 W. Sheridan Street, Hollywood, FL 33021; April 28, 2008 – Department of Education, 325 West Gaines Street, 1721/25 Turlington Building, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Tara Goodman, Division of Workforce Education, Department of Education, 325 West Gaines Street, Tallahassee, Florida

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6A-6.0573 Industry Certification Process.  
Section 1003.492(2), Florida Statutes, requires the State Board of Education to use the expertise of Workforce Florida, Inc. and Enterprise Florida, Inc., to develop and adopt rules for implementing an industry certification process. Industry certification must be defined by the Agency for Workforce Innovation.

(1) The Agency for Workforce Innovation must create and maintain a comprehensive listing of the highest and best industry-recognized certifications. Hereafter, this list shall be known as the “Comprehensive Industry Certification List.”

(2) Workforce Florida, Inc. must approve industry certifications for posting and publish the “Comprehensive Industry Certification List” by March 1 of each calendar year.

(3) School districts and regional workforce boards will use the “Comprehensive Industry Certification List” to determine which industry certifications to include in career and

professional academies so that industry and education partners can implement curricula necessary for students to obtain industry certifications.

(4) School districts will provide education and training to prepare students for testing related to approved certifications.

(5) Regional workforce boards and career and professional academies may recommend additional industry certifications that the Agency for Workforce Innovation will review and submit, if appropriate, to Workforce Florida, Inc., for approval.

(6) "Industry Certification Funding List": The Department of Education must review the Agency for Workforce Innovation's "Comprehensive Industry Certification List" to identify program-to-certification linkages and to identify certifications deemed sufficiently rigorous academically and, thus, eligible for bonus FTE funding, pursuant to Section 1011.62(1)(q), Florida Statutes. Hereafter, this list will be known as the "Industry Certification Funding List."

(a) To be considered for bonus funding and included on the "Industry Certification Funding List" under this section, a certification must meet the following criteria for academic rigor:

1. The certification must be on the "Comprehensive Industry Certification List" currently approved by Workforce Florida, Inc., and published by the Agency for Workforce Innovation.

2. The certification must be achievable by students in a secondary level program.

3. The certification must require students to complete a minimum of one hundred fifty (150) hours of instruction.

4. The certification must have been offered for at least one year in a school district. The Commissioner of Education may waive the one year requirement when failure to do so would inhibit preparation of students for rapidly emerging workforce opportunities.

(7) The Department of Education must publish, annually, two funding lists: a preliminary "Industry Certification Funding List" and a final "Industry Certification Funding List."

(a) The preliminary "Industry Certification Funding List" must be published by March 15 and must show the program-to-certification linkages for which registered career and professional academy students may be reported for bonus funding by school districts under Section 1011.62(1)(q), Florida Statutes.

(b) Following the publication of the preliminary list, school districts must be provided a period of time to request additional program-to-certification linkages prior to publication of the final "Industry Certification Funding List" for the following school year.

(c) To add a specific program-to-certification linkage to the final "Industry Certification Funding List" for the following school year, school districts offering career and

professional academies under Section 1003.493, Florida Statutes, may submit requests, along with supporting documentation, to the Department of Education.

1. Supporting documentation should include a statement of justification and other resource material to illustrate the correlation between the program standards and the certification examination competencies.

2. Requests must be submitted no later than May 1 for inclusion on the final "Industry Certification Funding Eligibility List."

3. The Department of Education must review each request according to the above criteria and respond to the submitting school district within forty-five (45) days of receipt.

4. If the request is denied, a specific reason for denial must be included in the response to the school district.

(8) The final "Industry Certification Funding List" for the school year must be published no later than the June 15, preceding the beginning of the school year.

(9) Conditions for bonus FTE funding pursuant to Section 1011.62(1)(q), Florida Statutes.

(a) A school district may report a student for bonus FTE membership under the following conditions:

1. Student is enrolled in a registered career and professional academy.

2. Student completes a certification on the "Industry Certification Funding List."

3. The course enrollment is reported in a secondary career and technical education program which has been linked to the "Industry Certification Funding List."

4. An industry certification can only be reported once for funding.

(b) A maximum of one certification may be reported for a course.

(c) School districts may report students who complete industry certifications during the update period allowed by the Department of Education for survey 5 after an initial submission.

(10) Registration of Career and Professional Academies: The Department of Education will maintain a website for school districts to register career and professional academies that meet the requirements of Section 1003.493, Florida Statutes.

(a) School districts will be provided a reporting window of July 1 to September 15, annually, to submit up-to-date information on each career and professional academy. The required information will include, but is not limited to, the following: academy name and school, and a list of industry certifications offered to students in the academy selected from the final "Industry Certification Funding List."

(b) As part of the registration process, superintendents must certify that each academy meets all of the requirements of Section 1003.493, Florida Statutes.

(c) Eligibility for funding under Section 1011.62(1)(q), Florida Statutes, is limited to academies registered with the Department of Education.

(d) Academies must be registered by September 15 of the reporting year for their students to be eligible to generate bonus funding based on the completion of industry certifications.

(11) Performance Criteria:

(a) The performance criteria specified in Section 1003.493(5), Florida Statutes, shall be calculated in the following manner:

1. The denominator is the number of students in the career course who took the industry certification examination or who earned college credit for their enrollment in the career course:

2. The numerator is the number of students in the denominator who successfully passed an industry certification on the “Industry Certification Funding List” or who earned college credit.

(b) A school district that fails to meet the performance criteria specified in Section 1003.493(5), Florida Statutes, may not offer that industry certification in the academy in the subsequent year.

(c) In the annual registration process for the academy, the school district can no longer report an industry certification that fails to meet the performance criteria in the academy and will not be eligible to receive bonus FTE for that industry certification under the requirements of Section 1011.62(1)(q), Florida Statutes.

Specific Authority 120.536(1), 120.54 FS. Law Implemented 1003.491, 1003.492, 1003.493 FS. History—New \_\_\_\_\_.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE NOS.:	RULE TITLES:
40E-24.011	Policy and Purpose
40E-24.101	Definitions
40E-24.201	Year-Round Landscape Irrigation Measures
40E-24.301	Local Government Option
40E-24.401	Enforcement
40E-24.501	Variations and Waivers

PURPOSE AND EFFECT: To amend the year-round mandatory landscape irrigation measures currently in place in the Lower West Coast Region and to expand those measures District-wide. The purpose of these mandatory measures is to provide a framework for consistent implementation to ensure the long-term sustainability of the water resources of the

District, increase water use efficiency and prevent and curtail wasteful water use practices through the adoption of ordinances that would include these measures, variance and enforcement provisions.

SUBJECT AREA TO BE ADDRESSED: Proposed measures setting forth standards for local government’s ordinance adoption regarding specific days of the week and times of day for lawn irrigation for residential and commercial landscape and recreation areas.

SPECIFIC AUTHORITY: 120.54, 373.044, 373.113, 373.171, FS.

LAW IMPLEMENTED: 120.54, 373.042, 373.0421, 373.103, 373.117, 373.223, 373.609 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE DATES, TIMES AND PLACES SHOWN BELOW:

DATE AND TIME: April 22, 2008, 10:00 a.m.

PLACE: South Florida Water Management District, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

DATE AND TIME: Wednesday, April 23, 2008, 2:00 p.m.

PLACE: South Florida Water Management District, Lower West Coast Regional Service Center, 2301 McGregor Boulevard, Fort Myers, FL 33901

DATE AND TIME: April 25, 2008, 10:00 a.m.

PLACE: South Dade Regional Library – Auditorium, Miami-Dade Public Library System, 10750 S.W. 211 Street, Miami, FL 33189

DATE AND TIME: April 29, 2008, 2:00 p.m.

PLACE: Osceola County Library, Lillie Room, 211 East Dakin Avenue, Kissimmee, FL 34741

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk’s Office, at (561)682-2087 at least five business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Jesus Rodriguez, Lead Water Conservation Officer, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6060 or (561)682-6060, email: [jerodrig@sfwmd.gov](mailto:jerodrig@sfwmd.gov). For procedural issues contact Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, extension 6299, or (561)682-6299, email: [jsluth@sfwmd.gov](mailto:jsluth@sfwmd.gov).

THE PRELIMINARY TEXT OF THE PROPOSED RULE WILL BE AVAILABLE ON THE DISTRICT’S WEBSITE ON APRIL 15, 2008 at the following web address:

<http://www.sfwmd.gov/consERVE>. For those without internet access, the preliminary text is also available free at no charge by contacting the persons listed above.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NO.:** 62-4.050  
**RULE TITLE:** Procedures to Obtain Permits and Other Authorizations; Applications

**PURPOSE AND EFFECT:** The proposed rule development involves amendments to rule language in Chapter 62-4, F.A.C., clarifying that, for one or more emissions units, the fee for an air construction permit shall not exceed \$7,500, and the fee for an air operation permit shall not exceed \$4,000.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendments address fee requirements for air construction and operation permits.

**SPECIFIC AUTHORITY:** 403.087 FS.

**LAW IMPLEMENTED:** 403.087, 403.0872 FS.

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

**DATE AND TIME:** April 18, 2008, 10:00 a.m.

**PLACE:** The Bob Martinez Center, Room 609, 2600 Blair Stone Road, 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: Ms. Lynn Scarce at (850)921-9551. 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:** Ms. Terri Long at (850)921-9556 or [terri.long@dep.state.fl.us](mailto:terri.long@dep.state.fl.us)

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NOS.:** 62-204.200, 62-204.400, 62-204.800  
**RULE TITLES:** Definitions, Public Notice and Hearing Requirements for State Implementation Plan Revisions, Federal Regulations Adopted by Reference

**PURPOSE AND EFFECT:** The proposed rule development involves amendments to rule language in Chapter 62-204, F.A.C., Air Pollution Control – General Provisions. The amendments revise the definition of "PM10" to correct an erroneous reference to EPA rules; update the State Implementation Plan (SIP) processing rule to simply, reference the provisions of 40 CFR Part 51, Subpart F; and add clarifying language to the adoption by reference of EPA emissions test method 23.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendments address the department's general provisions for air pollution control and EPA test methods adopted by reference.

**SPECIFIC AUTHORITY:** 403.061 FS.

**LAW IMPLEMENTED:** 403.031, 403.061, 403.087 FS.

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

**DATE AND TIME:** April 18, 2008, 10:00 a.m.

**PLACE:** The Bob Martinez Center, Room 609, 2600 Blair Stone Road, 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: Ms. Lynn Scarce at (850)921-9551. 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:** Ms. Terri Long at (850)921-9556 or [terri.long@dep.state.fl.us](mailto:terri.long@dep.state.fl.us)

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**RULE NOS.:** 62-210.200, 62-210.300, 62-210.310, 62-210.350, 62-210.900  
**RULE TITLES:** Definitions, Permits Required, Air General Permits, Public Notice and Comment, Forms and Instructions

**PURPOSE AND EFFECT:** The proposed rule development involves amendments to rule language in Chapter 62-210, F.A.C., Stationary Sources – General Requirements. The amendments correct errors in the definitions of "PM10" and "Major Modification", clarify the definitions of "Permit Revision", "Regulated Air Pollutant" and "Volatile Organic Compounds", add a definition of "Nitrogen Oxides", and correct alphabetization errors in Rule 62-210.200, F.A.C. The amendments also clarify language in the printing operation exemption and general permit to include "inks" and "fountain

solutions” in material usage and to provide that “all VOC-containing” material must be accounted for. The amendments correct a typographical error in Rule 62-210.300, F.A.C., and an erroneous cross-reference in Rule 62-210.350, F.A.C., and revise the Transfer of Air Permit Form to allow out-of-state notarization.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendments address the department’s general requirements for stationary sources of air pollutant emissions.

**SPECIFIC AUTHORITY:** 403.061 FS.

**LAW IMPLEMENTED:** 403.031, 403.061, 403.087, 403.814, 403.815 FS.

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

**DATE AND TIME:** April 18, 2008, 10:00 a.m.

**PLACE:** The Bob Martinez Center, Room 609, 2600 Blair Stone Road, 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: Ms. Lynn Searce at (850)921-9551. 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:** Ms. Terri Long at (850)921-9556 or [terri.long@dep.state.fl.us](mailto:terri.long@dep.state.fl.us)

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
62-212.300	General Preconstruction Review Requirements
62-212.400	Prevention of Significant Deterioration (PSD)
62-212.720	Actuals Plantwide Applicability Limits (PALs)

**PURPOSE AND EFFECT:** The proposed rule development involves amendments to Chapter 62-212, F.A.C., Stationary Sources-Preconstruction Review. The amendments correct an erroneous cross reference in Rule 62-212.300, F.A.C.; remove an unused reference to 40 CFR 52.21(q) in Rule 62-212.400, F.A.C.; and remove a reference to a non-existent definition in Rule 62-212.720, F.A.C.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendments address the department's rule for stationary source preconstruction review.

**SPECIFIC AUTHORITY:** 403.061 FS.

**LAW IMPLEMENTED:** 403.031, 403.061, 403.087 FS.

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

**DATE AND TIME:** April 18, 2008, 10:00 a.m.

**PLACE:** The Bob Martinez Center, Room 609, 2600 Blair Stone Road, 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 days before the workshop/meeting by contacting: Ms. Lynn Searce at (850)921-9551. 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:** Terri Long at (850)921-9556 or [terri.long@dep.state.fl.us](mailto:terri.long@dep.state.fl.us)

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
62-213.900	Forms and Instructions

**PURPOSE AND EFFECT:** The proposed rule development involves an amendment to the Title V Fee Form, DEP Form No. 62-213.900(1), to clarify that the form must be postmarked by March 1.

**SUBJECT AREA TO BE ADDRESSED:** The proposed rule amendment addresses the department's Title V air permitting program.

**SPECIFIC AUTHORITY:** 403.061 FS.

**LAW IMPLEMENTED:** 403.0872 FS.

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

**DATE AND TIME:** April 18, 2008, 10:00 a.m.

**PLACE:** Bob Martinez Center, Room 609, 2600 Blair Stone Road, 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: Ms. Lynn Searce at (850)921-9551. 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:** Ms. Terri Long at (850)921-9556 or [terri.long@dep.state.fl.us](mailto:terri.long@dep.state.fl.us)



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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-256.300	Prohibitions
62-256.700	Open Burning Allowed

PURPOSE AND EFFECT: The proposed rule development involves amendments to rule language in Chapter 62-256, F.A.C., to change the terms “polyethylene black plastic mulch” and “polyethylene plastic mulch” to the term “polyethylene agricultural plastic” to be consistent with Section 403.707, F.S.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address the department’s open burning rules.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061 FS.

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

DATE AND TIME: April 18, 2008, 10:00 a.m.

PLACE: The Bob Martinez Center, Room 609, 2600 Blair Stone Road, 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: Ms. Lynn Searce at (850)921-9551. 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-257.301	Notification Procedure and Fee
62-257.900	Form

PURPOSE AND EFFECT: The proposed rule development involves amendments to rule language in Chapter 62-257, F.A.C. and to DEP Form No. 62-257.900(1) to correct an erroneous statutory reference. The amendments also revise DEP Form No. 62-257.900(1) to include information required to be listed on the notification pursuant to 40 CFR Part 61, Subpart M.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address the department's asbestos notification and fee program.

SPECIFIC AUTHORITY: 376.60, 403.061 FS.

LAW IMPLEMENTED: 376.60, 403.061 FS.

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

DATE AND TIME: April 18, 2008, 10:00 a.m.

PLACE: The Bob Martinez Center, Room 609, 2600 Blair Stone Road, 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: Ms. Lynn Searce at (850)921-9551. 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-296.100	Purpose and Scope
62-296.320	General Pollutant Emission Limiting Standards
62-296.470	Implementation of Federal Clean Air Interstate Rule
62-296.508	Petroleum Liquid Storage

PURPOSE AND EFFECT: The proposed rule development involves amendments to rule language in Chapter 62-296, F.A.C. The amendments clarify that the stationary sources must comply with any applicable EPA regulations at 40 CFR 60, 61, 63, and 65 that have been adopted by reference; revise language for consistency with open burning rule language in Chapter 62-256, F.A.C.; correct the process weight table equation to clearly show exponents; revise language in Rule 62-296.470, F.A.C., to clarify how state and federal definitions are used in the rule; and revise the rule for internal floating roof petroleum liquid storage tanks to remove an erroneous test method reference.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendments address air emission standards for stationary sources.

SPECIFIC AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.0872 FS.

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

DATE AND TIME: April 18, 2008, 10:00 a.m.

PLACE: The Bob Martinez Center, Room 609, 2600 Blair Stone Road, 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: Ms. Lynn Scarce at (850)921-9551. 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: Ms. Terri Long at (850)921-9556 or terri.long@dep.state.fl.us

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

**DEPARTMENT OF HEALTH**

**Division of Disease Control**

RULE NO.:	RULE TITLE:
64D-3.046	Immunization Requirements: Public and Nonpublic Schools, Grades Preschool, and Kindergarten Through 12, and Adult Education Classes

PURPOSE AND EFFECT: The Bureau of Immunization proposes an amendment to update forms and guidelines.

SUBJECT AREA TO BE ADDRESSED: The subject areas to be addressed include an updated DH 680 Form (Certification of Immunization) and the Immunization Guidelines for Florida Schools, Childcare Facilities and Family Day Care Homes. The guidelines will be updated to require a tetanus-diphtheria-acellular-pertussis (Tdap) vaccination rather than a tetanus-diphtheria (Td) vaccination at 7th grade entry to be implemented with the 2009-2010 school year.

SPECIFIC AUTHORITY: 381.003 FS.

LAW IMPLEMENTED: 381.003 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: April, 21, 2008, 8:30 a.m. (EDT)  
 PLACE: 2585 Merchants Row Blvd., Room 135Q, Tallahassee, FL 32399-1719

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Lincicome, Senior Management Analyst Supervisor, Department of Health, Bureau of Immunization, 4052 Bald Cypress Way, Bin #A11, Tallahassee, FL 32399-1719

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

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NOS.:	RULE TITLES:
64E-9.001	General
64E-9.002	Definitions
64E-9.003	Forms
64E-9.004	Operational Requirements
64E-9.005	Construction Plan or Modification Plan Approval
64E-9.006	Construction Plan Approval Standards
64E-9.007	Recirculation and Treatment System Requirements
64E-9.008	Supervision and Safety
64E-9.009	Wading Pools
64E-9.010	Spa Pools
64E-9.011	Water Recreation Attractions and Specialized Pools
64E-9.013	Bathing Places
64E-9.015	Fee Schedule
64E-9.016	Exemptions and Variances
64E-9.017	Enforcement
64E-9.018	Public Pool Service Technician Certification

PURPOSE AND EFFECT: Develop rules to address necessary definition changes, technical changes, and reference changes resulting from statute changes, 2004 rulemaking, and recent developments in this field.

SUBJECT AREA TO BE ADDRESSED: Definitions, engineering design, operation, disinfection, sanitary facilities, safety, approved course criteria, fees, bathing places, variances, and updating technical references.

SPECIFIC AUTHORITY: 381.0011, 381.006, 386.02, 514.021 FS.

LAW IMPLEMENTED: 381.0011, 381.006, 386.01, 386.02, 386.03, 386.041, 386.051, 514.011, 514.0115, 514.021, 514.03, 514.031, 514.033, 514.05, 514.071, 514.072, 514.075 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: The 2008 rule draft is available on the DOH webpage at: <http://www.doh.state.fl.us/Environment/water/swim/index.html>

or by contacting Bob Vincent, Environmental Administrator, DOH, 4052 Bald Cypress Way, Tallahassee 32399-1742, telephone (850)245-4240

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

**FISH AND WILDLIFE CONSERVATION COMMISSION**

RULE NO.: 68-1.009  
RULE TITLE: Delegations of Authority to the Executive Director

PURPOSE AND EFFECT: The purpose of rule development is to update the rule and to clarify the delegations of authority from the Commission to the Executive Director, which are incorporated by reference into the rule. A draft revision is to be reviewed by the Commission at its June 11-12, 2008 meeting in Dania Beach, Florida. Final public hearing on any amendments to the delegation rule or its incorporated materials will be in September, 2008. The effect of this rule development effort is to maintain transparency with respect to Commission operation.

SUBJECT AREA TO BE ADDRESSED: The rule development will address the Commission’s delegations of authority to the Executive Director.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

5E-14.110 Fumigation Requirements – Notices  
5E-14.111 Fumigation Requirements – Application; Restrictions and Precautions  
5E-14.112 Fumigation Requirements – Prefumigation Inspections, Evacuation, Warning Notices (Signs), Special Safety Precautions and Responsibilities  
5E-14.142 Responsibilities and Duties – Records, Reports, Advertising, Applications

PURPOSE AND EFFECT: To clarify the definition of a “connected structure” and delineate requirements for structural connections which have not previously been provided in rule for fumigation pest control, alert consumers to the possibility that fumigations may be performed by a subcontracted company; appropriately address the need to provide the department prior notice of a fumigation as well as set forth new requirements for emergency information required on fumigation signage; provide fumigator’s the option of using the chloropicrin warning agent at label prescribed rates; and require records be maintained with respect to cylinder usage as part of the overall fumigation record keeping.

SUMMARY: The purpose of the rule amendment is to clarify the definition of a “connected structure” and delineate requirements for structural connections which have not previously been provided in rule for fumigation pest control, alert consumers to the possibility that fumigations may be performed by a subcontracted company; appropriately address the need to provide the department prior notice of a fumigation as well as set forth new requirements for emergency information required on fumigation signage; provide fumigator’s the option of using the chloropicrin warning agent at label prescribed rates; and require records be maintained with respect to cylinder usage as part of the overall fumigation record keeping.

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

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

SPECIFIC AUTHORITY: 482.051 FS.

LAW IMPLEMENTED: 482.051, 482.051(3), 482.051(4), 482.152, 482.241, 482.071, 482.091, 482.161(1)(g), 482.226(1), (2), (4), (5), (6) FS.

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

DATE AND TIME: May 2, 2008, 9:00 a.m.

PLACE: Broward Extension Office, 3245 College Avenue, Davie, Florida 33314

**Section II  
Proposed Rules**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NOS.: 5E-14.102  
5E-14.105  
RULE TITLES: Definitions  
Contractual Agreements in Public’s Interest – Control and Preventive Treatment for Wood-Destroying Organisms