

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.027 RULE TITLE: Clear Indication of Voter’s Choice on a Ballot

PURPOSE AND EFFECT: The purpose of the amendments to the rule is to clarify the criteria or standards for determining whether a voter has clearly indicated his or her choice on a ballot for purposes of a manual recount or other event requiring such determination. The amendments to the rule add samples of the votes that will or will not count to facilitate the determination by the county or local canvassing board.

SUBJECT AREA TO BE ADDRESSED: Clear Indication of a Voter Choice on a Ballot.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 102.166 FS.

LAW IMPLEMENTED: 102.166 FS.

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

DATE AND TIME: Monday, May 12, 2008, 2:00 p.m.

PLACE: Room 307, R.A. Gray Building, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nolah Shotwell, Office of General Counsel, Florida Department of State at: nlshotwell@dos.state.fl.us; (850)245-6536. 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: Maria Matthews, Assistant General Counsel, Florida Department of State at mimatthews@dos.state.fl.us; (850)245-6536, or Donald Palmer, Director, Division of Elections at: DLPalmer@dos.state.fl.us or (850)245-6200

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

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.034 RULE TITLE: Polling Place Procedures Manual

PURPOSE AND EFFECT: The changes proposed are to the polling place procedures manual, DS-DE 11, incorporated by reference in the rule, and which is used as a guide for poll

workers during the early voting period and election day. The changes are necessary to effectuate the changes to the Florida Election Code with the enactment of Chapter 2007-30, Laws of Florida, that affect provisions in the manual relating to but not limited to ballot accounting, voting by persons with disabilities, and provisional ballot voters.

SUBJECT AREA TO BE ADDRESSED: Polling Place Procedures.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 102.014(5) FS.

LAW IMPLEMENTED: 102.014(5) FS.

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

DATE AND TIME: Monday, May 12, 2008, 2:00 p.m.

PLACE: Room 307, R. A. Gray Building, Florida Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399

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DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.042 RULE TITLE: Third-Party Voter Registration Organizations

PURPOSE AND EFFECT: The primary purpose of the proposed new rule is to implement law regarding third-party voter registration organizations consistent with the requirements of Chapters 2005-278 and 2007-30, Laws of Florida.

SUBJECT AREA TO BE ADDRESSED: Third-party voter registration organizations.

SPECIFIC AUTHORITY: 20.10(3), 97.0575(1), (4), (8) FS.

LAW IMPLEMENTED: 97.021(36), 97.0575 FS.

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

DATE AND TIME: Monday, May 12, 2008, 2:00 p.m.

PLACE: Room 307, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gary J. Holland, Assistant General Counsel, Office of General Counsel, Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250; telephone: (850)245-6536; e-mail: gjholland@dos.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Gary J. Holland, Assistant General Counsel, Office of General Counsel, Department of State, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250; telephone: (850)245-6536; e-mail: gjholland@dos.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

1S-2.042 Third-Party Voter Registration Organizations.

(1) Forms. The following forms are hereby incorporated by reference and available from the Division of Elections, R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by contact at (850)245-6200, or by download from the Division of Elections' rules webpage at: <http://election.dos.state.fl.us/index.html>:

(a) Form DS DE 106 (eff. ___ / ___), entitled "Third-Party Voter Registration Organization Registration Form."

(b) Form DS DE 107 (eff. ___ / ___), entitled "Quarterly Report Form for Organized Voter Registration Drives by Third-Party Voter Registration Organization."

(c) Form DS DE 108 (eff. ___ / ___), entitled "Form for Complaint Against Third-Party Voter Registration Organization."

(2) Registration.

(a) A third-party voter registration organization shall complete and file Form DS DE 106 with the Division of Elections prior to conducting any voter registration activities. If the third-party voter registration organization is an affiliate of another organization (e.g., state or national), the third-party voter registration organization shall file Form DS DE 106 even if its affiliated organization filed a separate form for its own voter registration activities.

(b) The registered agent of a third-party voter registration organization must satisfy the requirements of a registered agent specified in Section 617.0501(1)(b), F.S.

(c) The Division of Elections shall assign a unique identification number to the third-party voter registration organization and shall provide the identification number to the organization's registered agent.

(d) A third-party voter registration organization shall use Form DS DE 106 to update or withdraw its registration. The third-party voter registration organization shall submit the updated DS DE 106 within 10 days of the effective date of any change.

(3) Voter Registration Drive Quarterly Report.

(a) A third-party voter registration organization shall use Form DS DE 107 to file a report with the Division of Elections at the end of each calendar quarter providing the date and location of any organized voter registration drives conducted in the preceding calendar quarter. If the third-party voter registration organization did not conduct an organized voter registration drive in the preceding calendar quarter, the organization need not file Form DS DE 107 for that quarter.

(b) "Organized voter registration drive" means any voter registration activity that is coordinated with, or directed by, a third-party voter registration organization and where one or more persons solicit or collect voter registration applications on behalf of the third-party voter registration organization.

(c) The quarterly reports shall be filed no later than April 15, July 15, October 15, and January 15 to cover the preceding calendar quarter, respectively. If a due date falls on a Saturday, Sunday or legal holiday, the report is due on the next day which is not a Saturday, Sunday or legal holiday.

(4) Voter Registration Applications Submitted by a Third-Party Voter Registration Organization. The following procedures apply in processing voter registration applications submitted by a third-party voter registration organization:

(a) When submitting a completed voter registration application by hand-delivery, mail, or other means, a third-party voter registration organization shall clearly indicate its identification number (or for a third-party voter registration organization that fails to register in accordance with Section 97.0575(1), F.S., its name and complete mailing address) on each voter registration application in the right hand side of the bottom margin on either Form DS-DE 39, entitled, "Florida Voter Registration Application," incorporated by reference in Rule 1S-2.040, F.A.C.; on the National Mail Voter Registration Form; or on the Federal Post Card Application, as applicable. The third-party voter registration organization shall preface its identification number on the form with "3d PVRO #," which stands for Third Party Voter Registration Organization Number.

(b) The Division of Elections or the voter registration official, as applicable, shall stamp or mark the front of the voter registration application submitted by or on behalf of the third-party voter registration organization with the registration date as determined by Section 97.053, F.S.

(5) Complaints, Investigations, and Fines.

(a) Any person claiming to have been registered by a third-party voter registration organization but whose name does not appear as an active voter on the voter registration rolls shall use Form DS DE 108 to file the complaint.

(b) A supervisor of elections may report to the Division of Elections any potential violation of Section 97.0575(3), F.S. The supervisor of elections shall submit the report using Form DS-DE 34, entitled "Elections Fraud Complaint" incorporated by reference in Rule 1S-2.025, F.A.C., and attach copies of all supporting documentation. The supervisor of elections shall retain the original voter registration documentation in his or her office records.

(c) Following its investigation, the Division of Elections shall determine if the third-party registration organization is liable for a civil fine pursuant to the provisions of Section 97.0575, F.S. The Division, acting on behalf of the Secretary of State, shall waive the imposition of any applicable fine upon a showing that the third-party voter registration organization's failure to deliver the application by the applicable deadline was due to force majeure or impossibility of performance. The Division shall also determine if the third-party voter registration organization is entitled to a fine reduction in accordance with Section 97.0575(3), F.S. A fine reduction shall occur if the organization was properly registered and submitted a timely report for the quarterly report period corresponding to the voter registration application that is the subject of the investigation.

(d) If the Division of Elections determines that a fine should be imposed on a third-party voter registration organization, the Division shall serve an administrative complaint pursuant to Rule 28-106.2015, F.A.C., upon the registered agent of the third-party voter registration organization by personal delivery or certified mail, return receipt requested. If the third-party voter registration organization did not designate a registered agent under Section 97.0575(1), F.S., the Division shall serve the administrative complaint upon the mailing address for the third-party voter registration organization by personal delivery or certified mail, return receipt requested. Within 21 days from receipt of the administrative complaint, the third-party registration organization may request a hearing in accordance with Sections 120.569 and 120.57, F.S., or within 30 days from receipt of the administrative complaint, the third-party voter registration organization shall pay the designated fine. When submitting a request for a hearing, the third-party voter registration organization shall comply with the requirements of subsection 28-106.2015(5), F.A.C.

Specific Authority 20.10(3), 97.0575(1), (4), (8), FS. Law Implemented 97.021(36), 97.053, 97.0575, FS. History—New

DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-2.043
 RULE TITLE: Report Requirements for Elections Results and Voting Activity

PURPOSE AND EFFECT: The primary purpose of the proposed new rule is to formalize the uniform content and format in which certain reports or data required under the Florida Election Code are currently submitted by the supervisors of elections on such matters as voting history, precinct-level election results, street addresses for registration, and other statistical data regarding voting or election activity.

SUBJECT AREA TO BE ADDRESSED: Reporting format and content requirements for election results, voting history activity, and other statistical data regarding voting or election activity.

SPECIFIC AUTHORITY: 20.10(3), 98.015(12), 101.001(3), 101.573(2), 101.62(3), 101.657(2), 102.141(9) FS.

LAW IMPLEMENTED: 98.015(12), 98.0981, 101.001, 101.62, 101.657, 101.573, 102.141(9) FS.

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Maria Matthews, Assistant General Counsel, Florida Department of State at: MIMatthews@dos.state.fl.us or (850)245-6536, or Donald Palmer, Director, Division of Elections, Florida Department of State at: DLPalmer@dos.state.fl.us or (850)245-6200

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DEPARTMENT OF STATE

Division of Elections

RULE NO.: 1S-5.026
 RULE TITLE: Voting System Audit

PURPOSE AND EFFECT: The proposed rule is to implement Section 8 of Chapter 2007-30, Laws of Florida, which becomes effective July 1, 2008. The law requires a county or other local

canvassing board to conduct after certification of an election a manual public audit of a voting system, publicize the results, and submit an audit report to the Department of State This rule is required to provide the necessary uniform procedures for conducting the manual audit including providing a format for the audit report.

SUBJECT AREA TO BE ADDRESSED: Voting System Audit.

SPECIFIC AUTHORITY: 20.10(3), 97.012(1), 101.591, 101.5911 FS.

LAW IMPLEMENTED: 101.591 FS.

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

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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."

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-4.002	Application and Scope
25-4.003	Definitions
25-4.006	Issuance of Certificate in the Event of Failure to Furnish Adequate Service
25-4.007	Reference to Commission

25-4.008	Streamlined Regulation for Telecommunications Markets and Companies
25-4.017	Uniform System of Accounts
25-4.0174	Uniform System and Classification of Accounts – Depreciation
25-4.0175	Depreciation
25-4.0178	Retirement Units
25-4.019	Records and Reports in General
25-4.021	System Maps and Records
25-4.022	Complaint – Trouble Reports, Etc
25-4.024	Held Applications for Service
25-4.034	Tariffs
25-4.039	Traffic
25-4.040	Telephone Directories; Directory Assistance
25-4.046	Incremental Cost Data Submitted by Local Exchange Companies
25-4.067	Extension of Facilities – Contributions in Aid of Construction
25-4.077	Metering and Recording Equipment
25-4.079	Hearing/Speech Impaired Persons
25-4.116	Telephone Number Assignment Procedure
25-4.215	Limited Scope Proceedings
PURPOSE AND EFFECT: The purposes of the rule amendments are to delete any provisions that are obsolete; to create a market test which, if met, would provide for streamlined regulation in which 53 rules would not apply; to clarify when the rule applies only to rate-of-return regulated local exchange telecommunication companies; to better reflect the telecommunications industry state of competition; and to address certain matters on a complaint basis. Under the new rule proposal for Rule 25-4.008, F.A.C., on Streamlined Regulation for Telecommunications Markets and Companies, the companies meeting the test for competitive markets or streamlined regulation would not be subject to the following rules: Rule 25-4.0185, F.A.C., Periodic Reports; Rule 25-4.0201, F.A.C., Audit Access to Records; Rule 25-4.021, F.A.C., System Maps and Records; Rule 25-4.023, F.A.C., Report of Interruptions; Rule 25-4.066, Availability of Service; Rule 25-4.069, F.A.C., Maintenance of Plant and Equipment; Rule 25-4.070, F.A.C., Customer Trouble Reports; Rule 25-4.071, F.A.C., Adequacy of Service; Rule 25-4.072, F.A.C., Transmission Requirements; Rule 25-4.073, F.A.C., Answering Time; Rule 25-4.074, F.A.C., Intercept Service; Rule 25-4.077, F.A.C., Metering and Recording Equipment; Rule 25-4.083, F.A.C., Preferred Carrier Freeze; Rule 25-4.085, F.A.C., Service Guarantee Program; Rule 25-4.107, F.A.C., Information to Customers; Rule 25-4.108, F.A.C., Initiation of Service; Rule 25-4.109, Customer Deposits; Rule 25-4.110, F.A.C., Customer Billing for Local Exchange Telecommunications Companies; Rule 25-4.112, F.A.C.,	

Termination of Service by Customer; Rule 25-4.113, F.A.C., Refusal or Discontinuance of Service by Company; Rule 25-4.114, F.A.C., Refunds; Rule 25-4.115, F.A.C., Directory Assistance; Rule 25-4.117, F.A.C., 800 Service; Rule 25-4.200, F.A.C., Application and Scope; Rule 25-4.202, F.A.C., Construction; Rule 25-4.210, F.A.C., Service Evaluation and Investigations; Rule 25-4.214, F.A.C., Tariff Filings; Rule 25-4.215, F.A.C., Limited Scope Proceedings; Rule 25-9.005, F.A.C., Information to Accompany Filings; Rule 25-9.020, F.A.C., Front Cover; Rule 25-9.021, F.A.C., Title Page; Rule 25-9.022, F.A.C., Table of Contents; Rule 25-9.023, F.A.C., Description of Territory Served; Rule 25-9.024, F.A.C., Miscellaneous; Rule 25-9.025, F.A.C., Technical Terms and Abbreviations; Rule 25-9.026, F.A.C., Index of Rules and Regulations; Rule 25-9.027, F.A.C., Rules and Regulations; Rule 25-9.029, F.A.C., Index of Rate or Exchange Schedules; Rule 25-9.030, F.A.C., Rate Schedules-General; Rule 25-9.032, F.A.C., Telephone Utility Exchange Schedules; Rule 25-9.045, F.A.C., Withdrawal of Tariffs. Also none of the rules from Chapter 25-14, F.A.C., would apply if such test is met. Docket No. 080159-TP.

SUBJECT AREA TO BE ADDRESSED: Telecommunications regulation.

SPECIFIC AUTHORITY: 350.127(2), 364.10, 364.17 FS.

LAW IMPLEMENTED: 350.115, 364.01, 364.02, 364.025, 364.0251, 364.03, 364.04, 364.08, 364.14, 364.15, 364.16, 364.17, 364.051, 364.163, 364.18, 364.183, 364.20, 364.28, 364.335, 364.3381, 364.385, 364.386, 365.171, 395.1027 FS.

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

DATE AND TIME: May 14, 2008, 9:00 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL 32399-0850

One or more Commissioners may be in attendance and participate at the workshop.

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: Office of Commission Clerk, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6770. 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: Cindy Miller, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us. The agenda for the workshop will be available after April 29, 2008

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

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-9.001	Application and Scope
25-9.034	Contracts and Agreements
25-9.044	Change of Ownership

PURPOSE AND EFFECT: The revised rule in Rule 25-9.001, F.A.C., clarifies what rules apply to local exchange telecommunications companies. The revised rule in Rule 25-9.034, F.A.C., would expressly provide that the rule does not apply to agreements entered into by telecommunications companies. This would limit the scope of the rule to the regulated entities, such as electric and water industries. The revision in Rule 25-9.044, F.A.C., would state that the rule only applies to rate-of-return regulated local exchange telecommunications companies. Docket No. 080159-TP.

SUBJECT AREA TO BE ADDRESSED: Telecommunications regulation.

SPECIFIC AUTHORITY: 366.05(1), 350.127(2), 364.335, 367.121 FS.

LAW IMPLEMENTED: 364.03, 364.04, 364.05, 364.08, 366.04(2)(b), 366.05(1), 367.041, 367.091, 367.101 FS.

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PUBLIC SERVICE COMMISSION

RULE NO.: 25-14.001
 RULE TITLE: In General

PURPOSE AND EFFECT: The rule revision would clarify that the rules in Chapter 25-14, F.A.C., do not apply to competitive local exchange companies or price regulated local exchange companies. Docket No. 080159-TP.

SUBJECT AREA TO BE ADDRESSED: Telecommunications regulation.

SPECIFIC AUTHORITY: 350.127(2), 366.05(1), 367.121 FS.
 LAW IMPLEMENTED: 364.03, 364.05, 364.337, 366.04, 366.041, 366.05, 367.121 FS.

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

DATE AND TIME: May 14, 2008, 9:00 a.m.
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WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.: 40D-22.201
 RULE TITLES: Year-Round Water Conservation Measures
 40D-22.401 Enforcement

PURPOSE AND EFFECT: To make more consistent the year-round water conservation regulations relating to landscape irrigation among the District, the St. Johns River Water Management District and the South Florida Water Management District. Consistency of regulations will promote compliance and more efficient enforcement of the regulations especially in areas where counties or municipalities are located in more than one water management district.

SUBJECT AREA TO BE ADDRESSED: The hours and number of days per week to be allowed for landscape irrigation, clarification of plant establishment irrigation and other exemptions, local government enforcement, and efficient use of reclaimed water under the District's year round conservation measures. Other items may be addressed based on public input and as rulemaking develops.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.
 LAW IMPLEMENTED: 373.119, 373.171, 373.175, 373.223, 373.246, 373.603, 373.609 FS.

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

DATE AND TIME: May 12, 2008, 10:00 a.m.
 PLACE: Southwest Florida Water Management District Headquarters, Conference Rooms A/B, 2379 Broad Street, Brooksville, FL 34604-6899

DATE AND TIME: May 14, 2008, 1:30 p.m.
 PLACE: Southwest Florida Water Management District Tampa Service Office, Governing Board Room, 7601 Highway 301 North, Tampa, FL 33637-6759

DATE AND TIME: May 15, 2008, 1:30 p.m.
 PLACE: Southwest Florida Water Management District Bartow Service Office, Board Room, 170 Century Blvd., Bartow, FL 33830-7700

DATE AND TIME: May 16, 2008, 10:00 a.m.
 PLACE: Southwest Florida Water Management District Sarasota Service Office, Governing Board Room, 6750 Fruitville Road, Sarasota, FL 34240-9711

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee at (352)796-7211 or 1(800)423-1476, extension 4658; TDD only number 1(800)231-6103; FAX number (352)754-6878. 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 IS: Jeanette Houser, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211 or 1(800)423-1476, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 40D-22.201 Year-Round Water Conservation Measures.
 - (1) through (2) No change.
 - (3)(a) No change.
 - (b) Irrigation systems may be operated during restricted days and/or times for cleaning and maintenance purposes with an attendant on site in the area being tested. Irrigation systems

may routinely be operated for such purposes no more than once per week, ~~and~~ the run time for any one test ~~shall should~~ not exceed 10 minutes, ~~and~~ the total run time shall not exceed 10 minutes per hour per zone.

(c) Irrigation for the purpose of chemigation, fertigation or watering-in of applied fertilizers, insecticides, fungicides and herbicides, where such watering-in is required by the manufacturer, or by federal, state or local law, or by applicable best management practices shall not be restricted, with two exceptions when associated with a Lawn or Landscape: In the absence of specific alternative instructions from the manufacturer, such watering-in shall be limited to one application of one-quarter inches within 24 hours of the application; and, such watering-in shall be accomplished during allowable watering hours times unless a professional applicator has posted a temporary sign containing the date of application and the date(s) of needed watering-in activity and has also provided instructions listing the chemicals used and stating that the watering-in must occur immediately rather than during allowable watering hours.

(d) through (f) No change.

(g) New Plant Material shall only be irrigated as follows:

1. Any New Plant Material may be irrigated ~~on any day of the week as needed~~, for the purpose of maintaining plant health and encouraging root grow-in, during a 60-day establishment period. From day 1 through day 30 of this establishment period, irrigation may occur on any day of the week. From day 31 through day 60 of this establishment period, irrigation is limited to one application on each of three specified days, except as otherwise provided herein. The three allowable days shall be as follows: Even Numbered Addresses may provide establishment period irrigation on Tuesday, Thursday and Saturday and Odd Numbered Addresses may provide establishment period irrigation on Wednesday, Friday and Sunday.

2. through 7. No change.

(h) through (j) No change.

(4) Lawn and Landscape Use – The following additional requirements or exceptions to subsections 40D-22.201(1)-(3), F.A.C., shall apply to the Irrigation of Lawns and Landscape.

(a) Except as otherwise specified in this Chapter, Even Numbered Addresses may accomplish necessary Lawn and Landscape Irrigation on only Tuesday and/or Saturday during the months of March through November.

(b) Except as otherwise specified in this Chapter, Odd Numbered Addresses and rights-of-way or other locations without an Address may accomplish necessary Lawn and Landscape Irrigation on only Wednesday and/or Sunday during the months of March through November.

(c) Except as otherwise specified in this Chapter, properties may only accomplish necessary Lawn and Landscape Irrigation in accordance with the following schedule during the months of December, January and February:

1. Addresses with a house number ending in 0 or 1 may only water on Monday;

2. Addresses ending with a 2 or 3, on Tuesday;

3. Addresses ending with a 4 or 5, on Wednesday;

4. Addresses ending with a 6 or 7, on Thursday;

5. Addresses ending with an 8 or 9 and locations with a mix of addresses, rights-of-ways, and other locations for which an address cannot be determined (such as common areas associated with a subdivision), on Friday.

~~(d)(e)~~ Cemeteries and other Users irrigating property two acres or greater in size may accomplish necessary Lawn and Landscape Irrigation as follows:

1. During the months of March through November, may water one-half of the property on the days allowed for Even Numbered Addresses;

2. During the months of March through November, and may water the remaining one-half on the days allowed for Odd Numbered Addresses;-

3. During the months of December, January and February, water the “Even” portion of the property on Tuesday and water the “Odd” portion on Wednesday.

4. If the property cannot be watered in accordance with subparagraphs 40D-22.201(4)(d)1.-3., F.A.C., apply for a variance from Chapter 40D-22, F.A.C., in order to register an alternative irrigation schedule acceptable to the District.

5. Each such User that divides its property into two or more pieces for watering purpose is required to maintain a map or sketch on site that indicates which day(s) days each part of the property will be watered, and the District or applicable local government may require that a copy of this same map or sketch be provided for verification or enforcement purposes. If a specific property is unable to comply with this schedule, the variance process may be used to register an alternative schedule acceptable to the District.

(e) In addition to following the applicable allowable watering days and times, irrigation is limited to only the amount of water necessary for efficient utilization.

(f) Irrigation of a lawn with an automatic sprinkler system installed after May 1, 1991, shall include the proper installation, maintenance and operation of a rain sensor device or switch that automatically overrides the irrigation system when adequate rainfall has occurred.

(5) through (7) No change.

(8) Other Use – The following additional requirements or exceptions to subsections 40D-22.201(1)-(2), F.A.C., shall apply to other uses as specified:

(a) Operation of water fountains, waterfalls and other artistic or recreational water features is allowed, provided the following conditions are met: The water is recirculated, there is no off-site discharge and the water feature is properly installed, maintained and operated to ensure that a minimal amount of water is used.

(b) Water may be used to create a containment and impoundment facility for aesthetic purposes, provided the facility is not augmented thereafter from any ground or off-site surface water source.

(c) Water body augmentation is allowed, provided the water use is either authorized by a Water Use Permit specific to the augmentation activity or, in the absence of a Water Use Permit, the following conditions are met:

1. The water body is one-half acre in size or less;
2. The water for augmentation is withdrawn from a well with an inside diameter of the largest permanent water bearing casing of no more than 2 inches;
3. Augmentation must not occur if the water body is discharging offsite, except that augmentation may occur flush a pond a maximum of twice per year if the pond is not a natural water body nor part of a stormwater management system; and

4. Augmentation must not occur if the water body's water level is above the average water table condition for the site or minimum management level established for proper operation of the stormwater management system, whichever is lower.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.171, 373.223 FS. History--New 3-24-92, Amended 9-15-03,_____.

40D-22.401 Enforcement.

(1) through (2) No change.

(3) Irrigation of Lawns and Landscapes, as described in this Chapter, may be further restricted by local governments in response to a local water supply system concern. In the event any county or city within the District ~~endeavors to adopt~~ ~~adopts~~ ~~or implements~~ such local measures, the measures contained therein shall be at least as restrictive as those imposed by this Chapter and the county or city shall provide a draft ordinance to the District for review and approval at least 30 days prior to considering adoption of the ordinance. The ordinance must be adopted as approved. Once such an ordinance has been adopted, the county or city shall promptly notify the District of all local measures imposed and the effective implementation date. ~~Irrigation of established lawns and landscaping, as established above, may be further restricted by local governments.~~

(4) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.119, 373.171, 373.175, 373.246, 373.603, 373.609 FS. History--New 3-24-92, Amended 9-15-03,_____.

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 JUVENILE JUSTICE

Residential Services

RULE NOS.:	RULE TITLES:
63E-7.001	Purpose and Scope
63E-7.002	Definitions
63E-7.004	Youth Intake
63E-7.008	Facility and Food Services
63E-7.009	Behavior Management
63E-7.012	Transfer, Release and Discharge
63E-7.013	Safety and Security
63E-7.016	Program Administration

PURPOSE AND EFFECT: The amendments update and clarify various portions of the rule governing the operation of residential commitment programs as follows: The amendments expand the scope of the rule to cover sex offender programs. They add and revise definitions, eliminate an unnecessary medical authorization form, and clarify references to "treatment," so as to differentiate criminogenic intervention from clinical treatment. Intake classification factors are clarified in Section 7.004(8), and consistent amendments are made in 7.013(7). The need for digital video cameras and recording equipment in Section 7.008 is modified to accommodate smaller facilities.

SUBJECT AREA TO BE ADDRESSED: The amended rule expands the scope to cover sex offender programs, clarifies the distinction between treatment and intervention, modifies youth classification, incorporates revised definitions, and modifies facility requirements for video recording.

SPECIFIC AUTHORITY: 20.316, 985.64, 985.601(3)(a) FS.

LAW IMPLEMENTED: 985.601(3)(a), 985.03(44), 985.441(1)(b), 984.48 FS.

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

DATE AND TIME: Tuesday, May 13, 2008, 10:00 a.m.

PLACE: DJJ Headquarters, 2737 Centerview Dr., General Counsel's Conference Room 3223, Tallahassee, Florida

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

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

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: RULE TITLE:

64B-9.001 Biennial Licensing

PURPOSE AND EFFECT: To update the rule to inform of consequences of noncompliance after renewal or citation.

SUBJECT AREA TO BE ADDRESSED: Biennial Licensing.

SPECIFIC AUTHORITY: 456.004(1) FS.

LAW IMPLEMENTED: 456.004(1), 456.013, 456.036(5), 456.039, 456.0391, 456.077 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: Lola Pouncey, Bureau Chief, 4052 Bald Cypress Way, Bin #C10, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B-9.001 Biennial Licensing.

(1) through (5) No change.

(6) Renewal.

(a) Licensees who renew to an active status license and are subsequently found to be out of compliance with the requirements for that renewal or the requirements set forth in a citation final order shall not be permitted to renew during the subsequent renewal cycle or thereafter until they have:

1. Satisfied any deficiencies in continuing education requirements, financial responsibility requirements, and any other conditions for renewal set forth in statute or rule; and

2. Paid any money owed for a citation in which a final order has been issued.

(b) A licensee who disputes the continuing existence of a deficiency in fact or as a matter of law may request a section 120.57, Florida Statutes, hearing within 21 days of receipt of notification of denial of the renewal application.

Specific Authority 456.004(1) FS. Law Implemented 456.004(1), 456.013, 456.036(5), 456.039, 456.0391, 456.077 FS. History—New 11-5-00, Amended 11-24-05, 11-8-07, _____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

PURPOSE AND EFFECT: Examination Requirements for Optometry Clinical Examination defines areas that must be covered by the examination and also identifies the exact percentage of items that should be devoted to each area. Both

stipulations are intended to reflect the current knowledge needed by optometry practitioners in order to protect the health and welfare of the public.

The knowledge in a field like optometry changes over time. Consequently, a new task analysis of the profession is conducted and modification of the examination is made as needed. In between task analyses, subject matter experts are engaged on a yearly basis to review the existing composition of the examination and identify areas that may need minor modification in order to keep the examination up to date, to help ensure that the examination is both current and valid.

Theoretically, every time subject matter experts identify even small needed medications, a rule change should be proposed to the Board to authorize this revision. However, making rule changes is a relatively complex undertaking and may take several months.

Therefore, the Board is specifying percentage ranges for the various items in the examination, rather than exact percentages, in the examination rule.

SUBJECT AREA TO BE ADDRESSED: Examination Requirements.

SPECIFIC AUTHORITY: 456.017(2), 463.005, 463.006(2) FS.

LAW IMPLEMENTED: 456.017(2), 463.006(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 IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-4.001 Examination Requirements.

The examination for licensure shall consist of the National Board of Examiners in Optometry examination (hereafter NBEO examination), and Parts I and II of the state examination for licensure. The examination for certification of a licensee shall consist of the Treatment and Management of Ocular Disease (hereafter TMOD) part of the NBEO.

(1) No change.

(2) State Examination.

(a) through (c) No change.

(d) Part II of the state examination shall consist of a clinical portion and a pharmacology/ocular disease portion.

1. The subject areas and associated weights for the clinical portion of the practical examination shall be as follows:

a. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting Visual Field Recognition, Location, and Disease Process)	7-12% 9%
b. Muscle Balance and Motility	2-7% 4%
c. Pupillary Examination	8-13% 8%
d. Objective Examination (Retinoscopy)	1-6% 2%
e. Subjective Refraction	1-6% 3%
f. Internal Examination by Means of Binocular Indirect Ophthalmoscopy	15-20% 18.5%
g. Biomicroscopy Anterior	17-22% 21.5%
h. Biomicroscopy Posterior (Fundus Lens)	16-21% 17%
i. Goldmann Tonometry	9-14% 10%
j. Gonioscopy	6-11% 7%

2. The grading criteria for each subject area and the points associated with each criterion shall be as follows:

a. Confrontation Visual Field Testing for Neurologic Deficit (Finger Counting and Visual Field Defect Recognition, Location, and Disease Process)	6-11 9
1.1. Conducts specified visual field test in a manner consistent with obtaining accurate findings. Accurately identify visual field defect name, location, and disease process.	
b. Muscle Balance and Motility Testing	3-8 4
1.1. Conducts examinations in a manner that will allow for evaluation of any phoric and or tropic posture, deficiencies in extra ocular muscles, or cranial nerve paresis.	
c. Pupillary Examination	5-10 8
1.1. Conducts pupillary tests in a manner consistent with obtaining accurate findings.	
d. Objective Examination (Retinoscopy)	2-7 2
1.1. Conducts Retinoscopy in a manner capable of obtaining a visual acuity of 20/30	
e. Subjective Refraction	2-7 3
1.1. Conducts refraction in a manner capable of obtaining a visual acuity of 20/20	
f. Internal Examination by Means of Binocular Indirect Ophthalmoscopy	16-21 18.5
1.1. Accurately views and evaluates retinal landmark as requested	
g. Biomicroscopy (Anterior)	20-25 24.5
1.1. Uses proper technique to demonstrate requested views of anterior structures of eye	
h. Biomicroscopy Posterior (Fundus lens.)	16-21 17
1.1. Accurately views and evaluates posterior landmarks as requested.	
i. Tonometry	7-12 10
1.1. Demonstrates accurate technique	

for the measurement of intra-ocular pressure
 j. Gonioscopy **4-9 7**
 1.1. Demonstrates accurate technique for identifying angle structures
 3. through 6. No change.
 (3) No change.

Specific Authority 456.017(2), 463.005, 463.006(2) FS. Law Implemented 456.017(2), 463.006(2) FS. History—New 11-13-79, Amended 5-28-80, 7-10-80, 8-20-81, 2-14-82, 6-6-82, 10-3-82, 4-10-84, 5-29-85, Formerly 21Q-4.01, Amended 7-21-86, 11-20-86, 7-27-87, 7-11-88, 7-18-91, 4-14-92, Formerly 21Q-4.001, Amended 2-14-94, Formerly 61F8-4.001, Amended 8-8-94, 11-21-94, 4-21-96, Formerly 59V-4.001, Amended 7-27-99, 7-15-02, 3-8-04_____.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: 64B13-15.009
 RULE TITLE: Citations
 PURPOSE AND EFFECT: To add an additional violation for which a citation is an appropriate penalty.
 SUBJECT AREA TO BE ADDRESSED: Citations.
 SPECIFIC AUTHORITY: 456.077, 463.005 FS.
 LAW IMPLEMENTED: 456.077 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: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-15.009 Citations.
 (1) through (5) No change.
(6) Tendering a check payable to the Board of Optometry or to the Department of Health that is dishonored by the institution upon which it is drawn shall result in a fine of \$100 and payment of the check within 30 days.

Specific Authority 456.077, 463.005 FS. Law Implemented 456.077 FS. History—New 1-1-92, Formerly 21Q-15.009, 61F8-15.009, 59V-15.009, Amended 3-21-00, 4-17-01, 12-26-01, 5-1-02, 7-15-02, 6-13-04, 11-16-05, 11-5-07_____.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-5.001
 RULE TITLE: Requirements for Reactivation of an Inactive License

PURPOSE AND EFFECT: The Board proposes the rule amendment for consideration of the requirements for reactivation of an inactive or retired license.

SUBJECT AREA TO BE ADDRESSED: Requirements for Reactivation of an Inactive or Retired License.

SPECIFIC AUTHORITY: 456.036, 486.025, 486.085(2), (4)(a), 486.108(2) FS.

LAW IMPLEMENTED: 456.036, 486.085, 486.108 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: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-8.002
 RULE TITLE: Requirements for Prevention of Medical Errors Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to add another way for courses to be approved by the Board.

SUBJECT AREA TO BE ADDRESSED: Requirements for Prevention of Medical Errors Education.

SPECIFIC AUTHORITY: 456.013(7) FS.

LAW IMPLEMENTED: 456.013(7) 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: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

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

**Section II
 Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE NO.: 5E-9.028
 RULE TITLE: License Fees

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to increase license renewal fees to the maximum allowed by statute.

SUMMARY: License renewal fees.

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: 487.045, 487.048(1), 570.07(23) FS.

LAW IMPLEMENTED: 487.045, 487.048(1) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Bruce Nicely, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399, (850)488-8731

THE FULL TEXT OF THE PROPOSED RULE IS:

5E-9.028 License Fees.

(1) Private and public pesticide applicator license. The fee for either initial licensure or license renewal is ~~\$100~~ \$60, with no additional fee for added categories.

(2) Commercial pesticide applicator license. The fee for either initial licensure or license renewal is ~~\$250~~ \$160, with no additional fee for added categories.

(3) Pesticide dealer license. The fee for either initial licensure or license renewal is ~~\$250~~ \$175.

(4) Fee submission. All fees shall be submitted to the Pesticide Certification Office, P. O. Box 6710, Tallahassee, Florida 32314-6710. Checks or money orders shall be payable to the Florida Department of Agriculture and Consumer Services.

Specific Authority 487.045, 487.048(1), 570.07(23) FS. Law Implemented 487.045, 487.048(1) FS. History–New 6-9-94, Amended 7-2-95, 9-24-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Bruce Nicely
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Mr. Anderson H. "Andy" Rackley
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: April 10, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: March 7, 2008

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-51.010	Purpose
14-51.011	Definitions
14-51.014	General Criteria
14-51.061	TODS Program Implementation
14-51.062	General Criteria for TODS on the SHS
14-51.063	TODS Location and Placement
14-51.064	Trailblazers
14-51.065	Design

PURPOSE AND EFFECT: A new Part VI Tourist-Oriented Directional Signs is being adopted to implement provisions of Section 479.262, F.S. In addition to adding the new requirements for TODS on the State Highway System, there are some required amendments to Part I, including revising the Purpose, Definitions, and General Criteria rules. Some documents incorporated by reference under subsection 14-51.014(8), F.A.C., are revised and updated, requiring the revised documents to be incorporated by reference.

SUMMARY: This rule chapter amendment adopts a new Part VI Tourist-Oriented Directional Signs to implement provisions of Section 479.262, F.S., and amends some existing rules in Part I.

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: 316.0745, 479.262 FS.

LAW IMPLEMENTED: 316.0745, 479.262 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-51.010 Purpose.

(1) This rule chapter will provide for a system of supplemental guide signing that will perform the following functions:

(a) Inform and guide motorists to the needed signed facilities and services.

(b) Improve traffic flow at interchanges or intersections near destinations that generate a large volume of traffic.

(c) Establish criteria for the erection of supplemental guide signs and general service signs.

(2) This rule chapter applies follows the requirements for supplemental guide signs, and general service signs, wayfinding guide signs, and tourist-oriented directional signs, as stated in the applicable sSections 2D, 2E, 2F, and 2H of the *Manual on Uniform Traffic Control Devices*.

Specific Authority 316.0745 FS. Law Implemented 316.0745 FS. History–New 3-27-05, Amended_____.

14-51.011 Definitions.

As used in this rule chapter, the following words and phrases shall have the following meanings.

(1) through (16) No change.

(17) “Tourist-Oriented Directional Signs” are guide sign assemblies that display individual sign panels providing business identity of and directional information for business, service, and activity facilities.

~~(18)~~(17) “Trailblazers” means signs erected at strategic locations, usually along major urban arterials in conjunction with the signing of a major destination, tourist attraction, or general service facility on a limited access facility.

~~(19)~~(18) “Unincorporated Area” means as defined in Section 153.53(1), F.S.

~~(20)~~(19) “Wayfinding Sign” means a directional guide sign that guides the traveling public to key civic, cultural, visitor, and recreational destinations within a specific region.

~~(21)~~(20) “Wayfinding Sign System Plan” means the location area, design, engineering, and sign plan submitted to the Department for approval.

Specific Authority 316.0745 FS. Law Implemented 316.0745 FS. History–New 3-27-05, Amended 5-8-06,_____.

14-51.014 General Criteria.

(1) through (7) No change.

(8) The proposed design, location, materials, and support structure must fully comply with current Department’s Design Standards Indices Numbered ~~9535, 11860, 11861, 11862, 11863, 11864, 11865,~~ and 17302, and Sections 700 and 994, “Retroreflective and Nonreflective Sign Sheeting,” from the *Standard Specifications for Road and Bridge Construction*, 2004 edition. These documents, incorporated herein by reference, can be downloaded at the following locations: <http://www.dot.state.fl.us/rddesign/rd/RTDS/08/11200.pdf>.

<http://www.dot.state.fl.us/rddesign/rd/RTDS/04/9535.pdf>;
<http://www.dot.state.fl.us/rddesign/rd/RTDS/08/11860.pdf>;
<http://www.dot.state.fl.us/rddesign/rd/RTDS/04/11860.pdf>;
<http://www.dot.state.fl.us/rddesign/rd/RTDS/04/11861.pdf>;
<http://www.dot.state.fl.us/rddesign/rd/RTDS/04/11862.pdf>;
<http://www.dot.state.fl.us/rddesign/rd/RTDS/04/11863.pdf>;
<http://www.dot.state.fl.us/rddesign/rd/RTDS/04/11864.pdf>;
<http://www.dot.state.fl.us/rddesign/rd/RTDS/04/11865.pdf>;
<http://www.dot.state.fl.us/rddesign/rd/RTDS/04/17302.pdf>;
<http://www.dot.state.fl.us/specificationsoffice/2007BK/994.pdf>;
<http://www.dot.state.fl.us/specificationsoffice/2007BK/JanWorkBook2008/SS9940304.pdf>;
<http://www.dot.state.fl.us/specificationsoffice/2004BK/D994.doc.pdf>.

Specific Authority 316.0745 FS. Law Implemented 316.0745 FS. History–New 3-27-05, Amended _____.

PART VI TOURIST-ORIENTED DIRECTIONAL SIGNS (TODS)

14-51.061 TODS Program Implementation.

(1) Part VI of this rule chapter provides to local governments criteria for Tourist-Oriented Directional signs (TODS) and guidance for the installation of TODS on the State Highway System (SHS) in accordance with the MUTCD.

(2) Prior to the installation of a TODS on the SHS, the Department must approve by permit the design, location, and placement for TODS based on the criteria established in this rule chapter.

(3) Prior to requesting a permit for TODS on the SHS, a local government shall have established by ordinance criteria for TODS program eligibility including participant qualifications and location regulations.

Specific Authority 479.262 FS. Law Implemented 479.262 FS. History–New _____.

14-51.062 General Criteria for TODS on the SHS.

(1) Participation in a TODS program on the SHS is limited to tourist-oriented businesses, services, and activities, including those involving seasonal agricultural products, that:

(a) are physically located in rural counties meeting the criteria and population as referenced in Section 288.0656, F.S., and

(b) have obtained a TODS permit from their local government.

(2) To qualify as a TODS destination on the SHS, the tourist-oriented businesses, services, or activities shall meet the following minimum conditions:

(a) The major portion (51%) of income or visitors during the normal business season shall be from users not residing in the area (distance greater than 20 miles) of the destination. A business shall not qualify if admission or access is based on a membership fee or other means of exclusive admission, or where minors are excluded.

(b) All state and local building and occupational permits, licensing, and registrations shall be current and in good standing.

Specific Authority 479.262 FS. Law Implemented 479.262 FS. History–New _____.

14-51.063 TODS Location and Placement.

(1) TODS may be installed on the SHS only after permit issuance by the Department.

(a) TODS on the SHS shall not be permitted by the Department if they interfere with the effectiveness of other traffic control devices.

(b) TODS shall only be permitted on the SHS at the nearest intersection providing the most practical route to the eligible facility. An additional sign may be approved at the closest SHS intersection with a roadway on the Strategic Intermodal System (SIS) when the nearest SHS intersection is not on a SIS facility.

(c) Each destination is limited to one sign panel in each direction of travel on the SHS.

(d) The maximum distance from the business to where a TODS may be placed on the SHS shall be 25 miles.

(e) If a facility with state road frontage is more than 10 miles from the nearest SHS intersection suitable for TODS installation, the jurisdiction with TODS authority may apply for a permit to sign for this facility with a “ONE MILE” advanced TODS sign on the SHS. This is the only instance an advanced sign may be permitted on the SHS.

(2) TODS on the SHS shall be limited to placement on rural conventional roads, as stated in the MUTCD. TODS shall not be placed within the right of way of limited access facilities. TODS shall not be located in the right of way of an expressway or freeway interchange regardless of jurisdiction or local road classification.

(3) The location of other official traffic control devices shall take precedence over the location of TODS. TODS shall have standard spacing with other traffic control devices shown in Table 2, subsection 14-51.014(7), F.A.C.

(4) The Department will remove without notice, and with no obligation to relocate the sign or compensate for its removal, any TODS on the SHS for highway safety or operational purposes or activities including construction, reconstruction, maintenance, or safety.

Specific Authority 479.262 FS. Law Implemented 479.262 FS. History–New _____.

14-51.064 Trailblazers.

(1) In accordance with Rule 14-51.012, F.A.C., trailblazers shall be required if a motorist must navigate one or more turns to get from a local road intersection to the destination. All trailblazers required for guidance to a destination shall be in place on the local road system prior to installation of the TODS on the SHS.

(2) TODS and trailblazers, on either the state or local road system, may not be permitted within the boundaries of a Wayfinding Sign System Plan. Removal of TODS within the boundaries of a proposed Wayfinding Sign System Plan is a mandatory condition of Wayfinding Sign permit approval.

Specific Authority 479.262 FS. Law Implemented 479.262 FS. History–New _____.

14-51.065 Design.

(1) The planning, design, installation, and maintenance of TODS and their supporting structures are the responsibility of the local government and must conform to the criteria in subsection 14-51.014(8), F.A.C., and the applicable sections of the MUTCD.

(2) If different supporting structures are proposed for use on the SHS, they shall be designed, constructed, and installed to meet the Department’s clear zone and safety criteria including breakaway features. The design shall be signed and sealed by a Professional Engineer registered in the State of Florida.

(3) TODS assemblies shall have a maximum of five panels on two posts. TODS assemblies that are designed for a single post shall have a maximum of two panels. The sign panels shall be rectangular in shape and have white lettering on a blue background. The optional top panel may have the text “TOURIST ACTIVITIES” and a pictograph that identifies the TODS program jurisdiction. The other four panels are reserved for qualifying destinations. The panel legend is limited to one destination identification, a pictograph or in its place a cultural, recreational, or general service symbol, the directional arrow, and destination distance. There is a maximum of two lines of legend per destination panel.

(4) General service, recreational, and cultural interest symbols may not be added as individual auxiliary sign panels to the TODS assembly, but may be contained in the individual panel with the business identification text, in the place of a pictograph. No other type of sign or legend may be added to a TODS assembly.

(5) After proper notice to the local government, the Department will remove any non-conforming panel.

Specific Authority 316.0745, 479.262 FS. Law Implemented 316.0745, 479.262 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark C. Wilson, P.E., Deputy State Traffic Operations Engineer

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 29, 2008

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-90.004	Bus Transit System Operational Standards
14-90.0041	Medical Examinations for Bus Transit System Drivers
14-90.006	Operational and Driving Requirements
14-90.007	Vehicle Equipment Standards and Procurement Criteria

PURPOSE AND EFFECT: The amendment to Rule Chapter 14-90, F.A.C., removes obsolete subsections which contained language specifically referring to standards to be used on or before July 1, 2006.

SUMMARY: The amendment to Rule Chapter 14-90, F.A.C., removes obsolete language specifically referring to standards to be used on or before July 1, 2006.

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: 334.044(2), 341.061(2)(a) FS.

LAW IMPLEMENTED: 334.044(12), 341.041(3), 341.061(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-90.004 Bus Transit System Operational Standards.

(1) through (7) No change.

~~(8) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this rule.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 119.071, 341.041(3), 341.061(2) FS. History–New 9-7-87, Amended 11-10-92, 8-7-05, _____.

14-90.0041 Medical Examinations for Bus Transit System Drivers.

(1) through (4) No change.

~~(5) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this rule.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 334.044(12), 341.041(3), 341.061(2) FS. History—New 11-10-92, Amended 8-7-05,_____.

14-90.006 Operational and Driving Requirements.

(1) through (15) No change.

~~(16) On or before July 1, 2006, every bus transit system shall comply with the 2005 amendments to this rule.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History—New 9-7-87, Amended 5-31-89, 11-10-92, 8-7-05,_____.

14-90.007 Vehicle Equipment Standards and Procurement Criteria.

(1) through (15) No change.

~~(16) On or before July 1, 2006, every bus transit system and manufacturer shall comply with the 2005 amendments to this rule.~~

Specific Authority 334.044(2), 341.061(2)(a) FS. Law Implemented 341.041(3), 341.061(2) FS. History—New 9-7-87, Amended 11-10-92, 8-2-94, 8-7-05,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James Mike Johnson, Administrator, Transit Operations, Public Transit Office

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 28, 2008

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."

STATE BOARD OF ADMINISTRATION

RULE NO.: 19-8.028
RULE TITLE: Reimbursement Premium Formula

PURPOSE AND EFFECT: This rule is promulgated to implement Section 215.555, Florida Statutes, regarding the Florida Hurricane Catastrophe Fund, for the 2008-2009 contract year.

SUMMARY: The Board has prepared a statement and found the cost to be minimal. 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.

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: 215.555(3) FS.
LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7) FS.
IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jack E. Nicholson, Senior FHCF Officer of the Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300; telephone (850)413-1340

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.028 Reimbursement Premium Formula.

(1) through (2)(c) No change.

(d) Contract Year means the time period which begins at 12:00:01 Eastern Time on June 1 of each calendar year and ends at 12:00 p.m. midnight on May 31 of the following calendar year.

(e) through (l) No change.

(3) The Premium Formula.

(a) Because of the diversity of the insurers and the risks they insure which are affected by Section 215.555, F.S., the Premium Formula is adopted in this subsection and special circumstances are addressed in subsection (4), below. The Formula for determining the Actuarially Indicated Premium to be paid to the Fund, as required by Section 215.555(5)(b), F.S., is the rate times the exposure per \$1,000 of insured value and this equals the Premium to be paid in dollars. The rates adopted below were determined by taking into account ~~four factors:~~ geographic location by zip code; construction type; policy deductible; ~~and~~ type of insurance and other such factors deemed by the Board to be appropriate. The Formula is developed by an Independent Consultant selected by the Board, as required by Section 215.555(5)(b), F.S.

(b) For the 1999-2000 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 1999 Ratemaking Formula Report to the Florida State Board of Administration, March 5, 1999," which is supplemented by the "Florida Hurricane Catastrophe Fund Addendum to the March 5, 1999 Ratemaking Report, May 26, 1999," both of which are hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on May 11, 1999, are hereby adopted and incorporated by reference in Form FHCF-Rates1999, "Florida Hurricane Catastrophe Fund/1999-2000 Rates," rev. 08/99.

(c) For the 2000-2001 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2000 Ratemaking Formula Report to the Florida State Board of Administration, March 2, 2000," and the addendum thereto, "Florida Hurricane Catastrophe Fund: Addendum to the March 2, 2000 Ratemaking Report, April 6, 2000," are hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 25, 2000, are hereby adopted and incorporated by reference in Form FHCF-Rates 2000, "Florida Hurricane Catastrophe Fund/2000-2001 Rates," rev. 05/00.

(d) For the 2001-2002 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2001 Ratemaking Formula Report to the Florida State Board of Administration, March 15, 2001, as revised May 4, 2001" and the "Addendum to the March 15, 2001 Ratemaking Report," are hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on May 30, 2001, are hereby adopted and incorporated by reference in Form FHCF-Rates 2001, "Florida Hurricane Catastrophe Fund/2001-2002 Rates," rev. 05/01.

(e) through (j) No change.

(k) For the 2008-2009 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2008 Ratemaking Formula Report to the State Board of Administration of Florida, March 26, 2008" is hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 15, 2008, are hereby adopted and incorporated by reference in Form FHCF-Rates 2008, "Florida Hurricane Catastrophe Fund Proposed 2008 Rates, March 26, 2008." These incorporated documents may be obtained directly from the SBA website, www.sbafla.com/fhcf or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.

(4) through (5) No change.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7) FS. History--New 9-20-99, Amended 7-3-00, 9-17-01, 7-17-02, 7-2-03, 7-29-04, 7-17-05, 7-6-06, 7-17-07, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jack E. Nicholson, Senior FHCF Officer, Florida Hurricane Catastrophe Fund, State Board of Administration of Florida
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 15, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 28, 2007, Vol. 33, No. 52

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-602.210
 RULE TITLE: Use of Force

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to address those situations when, on the same shift, an inmate resumes disruption after the camera operator has left the area. The rule provides for deference to the judgment of the supervisor as to whether return of the camera will be counterproductive to his efforts to regain control of the situation. The rule specifies that new initiation of video recording is required if shift change or other staff change occurs after the camera and operator left the area. The purpose and effect of the amendments to Form DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, is to provide for the use of CIT intervention techniques prior to application of chemical agents for designated inmates at Florida State Prison and Union Correctional Institution.

SUMMARY: The rule provides for deference to the judgment of the supervisor as to whether return of the camera will be counterproductive to his efforts to regain control of the situation when, on the same shift, an inmate resumes disruption after the camera operator has left the area. The rule specifies that new initiation of video recording is required if shift change or other staff change occurs after the camera and operator left the area. The amendments to Form DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, provide for the use of Crisis Intervention Team intervention techniques prior to application of chemical agents for designated inmates at Florida State Prison and Union Correctional Institution.

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: 944.09 FS.

LAW IMPLEMENTED: 776.07, 944.09, 944.35 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.210 Use of Force.

(1) through (3) No change.

(4) Physical force shall be employed only as a last resort when it reasonably appears that other alternatives are not feasible to control the situation and will not be used solely in response to verbal abuse that does not rise to a level of a disturbance. When the use of force is justified, only that amount and type of force that reasonably appears necessary to accomplish the authorized objective shall be used.

(a) All authorized use of force incidents will be video recorded.

(b) 1. The administration of chemical agents on an inmate creating a disturbance in his or her cell when the officer is attempting to resolve the situation without extracting the inmate from the cell will also be video recorded. The video recording will include: a specific introductory statement; the attempts to resolve the situation without the use of chemical agents; the final order by the supervisor; an advisement to the inmate that chemical agents will be administered if he or she continues the disruptive behavior; an additional advisement to the inmate that this warning will not be repeated prior to the application of chemical agents should he or she become disruptive again after the supervisor, camera and camera operator have left the area; and any response made by the inmate. The video recording will also include the actual application of chemical agents, the offer of a decontaminating shower and medical examination, and the inmate's return to a secure, decontaminated cell. Should the inmate refuse the shower for decontamination purposes or refuse the medical examination, both the staff providing the opportunity in each case and the inmate's responses will be recorded.

2. If, during the same shift, the inmate should cease the conduct creating the disturbance while the supervisor, camera and camera operator are present, but resume such conduct after the supervisor, camera and camera operator have left the area, videotaping of the actual application of the chemical agents is not required will not be videotaped. The department will defer to the judgment of the supervisor as to whether the reintroduction of the camera and operator at the scene of the disruptive conduct to videotape the actual application of the chemical agents will be counterproductive to his or her efforts to regain control of the situation. If the determination is made to return the camera and operator to the scene, the warning that chemical agents will be administered if he or she continues the disruptive behavior and application of the chemical agents will be recorded. If the determination is made not to videotape the actual application of the chemical agents, the original video recording will resume following the final exposure to chemical agents, include a statement referring to the originating incident, and continue from this point until the decontaminating shower and medical examination are offered and the inmate is returned to secure, decontaminated housing.

3. If a different supervisor takes command of the incident due to shift change or other circumstances in which there is a staff change, a new video recording will be initiated and the requirements in subparagraphs 1. and 2. above will be repeated.

(c) through (d) No change.

(5) through (21) No change.

(22) The following forms are hereby incorporated by reference. Copies of these forms are available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(a) through (m) No change.

(n) DC4-650B, Risk Assessment for the Use of Chemical Restraint Agents and Electronic Immobilization Devices, effective March 2, 2006.

Specific Authority 944.09 FS. Law Implemented 776.07, 944.09, 944.35 FS. History—New 4-8-81, Amended 10-10-83, 9-28-85, Formerly 33-3.066, Amended 3-26-86, 11-21-86, 4-21-93, 7-26-93, 11-2-94, 2-12-97, 11-8-98, Formerly 33-3.0066, Amended 10-6-99, 2-7-00, 7-25-02, 8-25-03, 2-25-04, 11-7-04, 4-17-05, 8-1-05, 3-2-06, 9-18-06, 10-4-07, 3-3-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard D. Davison, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 11, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 28, 2008

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-602.220	Administrative Confinement
33-602.222	Disciplinary Confinement

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the rule language and provide consistency regarding canteen purchases and the property allowed for inmates in confinement.

SUMMARY: The proposed rule amends the rule as follows: increases the number of security pens an inmate in administrative or disciplinary confinement can possess from one (1) to four (4); clarifies the method for counting non-food canteen items; Form DC6-295 is amended to remove employee social security number and replace with "Staff Lookup ID;" allows inmates in disciplinary confinement to purchase deodorant and shower shoes, restricts canteen purchases for inmates in disciplinary confinement to every other week.

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: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 945.04 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jamie Leigh Jordan, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULES IS:

33-602.220 Administrative Confinement.

(1) through (4) No change.

(5) Conditions and Privileges.

(a) through (f) No change.

(g) Canteen Items – inmates in administrative confinement shall be allowed to make canteen purchases once every other week. Items sold to administrative confinement inmates shall be restricted when reasonably necessary for institutional safety and security.

1. No change.

2. Inmates in administrative confinement shall be allowed to purchase a maximum of five non-food canteen items. ~~In making this determination, with the exception of stamps, envelopes, security pens, and notebook paper, each count as one it is the number of non food items that is counted, not the type of item.~~ For example, three security pens counts as ~~three items, not~~ one item. Twenty-five stamps or fewer shall count as one item and two packages or less of notebook paper shall count as one item.

(h) through (l) No change.

(m) Writing utensils – inmates in administrative confinement ~~may shall~~ possess ~~a maximum of four (4) only a~~ security pens. Other types of pens and pencils shall be confiscated and stored until the inmate is released from administrative confinement status. Inmates who are in possession of working pens or pencils when placed in administrative confinement will be issued a security pen. Inmates who are not indigent must purchase additional pens when needed from the canteen. If security pens are unavailable, the inmate shall be allowed to sign out a regular pen from the confinement housing officer. All care shall be taken to ensure that an indigent inmate who requests access to a pen in order to prepare legal documents or legal mail or to file a grievance with the department has access to a pen for a time period sufficient to prepare the legal mail, documents, or

grievances. An inmate who has been provided a “writer/reader” shall be allowed access to such for the purpose of reading or preparing correspondence.

(n) Reading materials – inmates in administrative confinement shall be provided access to admissible reading material as provided reading materials, including scriptural and devotional materials and books that are in compliance with admissibility requirements in Rule 33-501.401, F.A.C., shall be permitted for those inmates in administrative confinement units unless there is an indication of a threat to the safety, security or sanitation of the institution. If it is determined that there is a safety, security or sanitation risk, the items will be removed. Such removal of reading materials shall be documented on Form DC6-229 in accordance with paragraph (9)(c) of this rule. An inmate who receives services from the Bureau of Braille and Talking Book Library shall be allowed to have his or her tape player and devotional and scriptural materials and any other books on tape that are in compliance with admissibility requirements in Rule 33-501.401, F.A.C.

(o) Library – only one book at a time may be checked out. Books shall be checked out once weekly and inmates may possess no more than one soft-back book at any given time. An inmate who receives services from the Bureau of Braille and Talking Book Library shall be allowed to have his or her tape player and devotional and scriptural materials and any other books on tape that are in compliance with admissibility requirements in Rule 33-501.401, F.A.C. Inmates ~~who receive services from the Bureau of Braille and Talking Book Library~~ will be allowed to check out one book on tape per week and possess no more than one at any given time. The actual number of tapes may be more than one per book.

(p) through (q) No change.

(6) through (11) No change.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09, 945.04 FS. History–New 4-7-81, Amended 6-23-83, 3-12-84, Formerly 33-3.081, Amended 4-22-87, 8-27-87, 7-10-90, 12-4-90, 3-24-97, 4-26-98, 10-5-98, Formerly 33-3.0081, Amended 2-12-01, 2-5-02, 1-19-03, 4-1-04, 3-5-06, 10-31-06, _____.

33-602.222 Disciplinary Confinement.

(1) through (3) No change.

(4) Conditions and Privileges.

(a) through (f) No change.

(g) Canteen Items. Inmates in disciplinary confinement shall be allowed to make prohibited from purchasing canteen purchases once ever other week. Items sold to inmates in disciplinary confinement shall be restricted for institutional safety and security items while in disciplinary confinement. However, Non-indigent inmates shall be allowed to purchase deodorant, shower shoes, stamps, envelopes, security pens and paper for preparation of legal documents, including inmate grievances, and for mail to notify visitors of his or her confinement status.

(h) through (m) No change.

(n) Writing utensils. Inmates in disciplinary confinement ~~may shall~~ possess a maximum of four (4) ~~only one~~ security pens. Inmates who are in possession of working pens or pencils when placed in disciplinary confinement shall be issued a security pen. Inmates who are not indigent must purchase additional security pens when needed from the canteen. If no security pens are available, the inmate shall be allowed to sign out a regular pen from the confinement housing officer. All care shall be taken to ensure that an indigent inmate who requests a pen has access to a pen for a time period sufficient to prepare legal documents or legal mail, to file a grievance, or to notify family of confinement status. An inmate who has been provided a "writer/reader" shall be allowed access to such for the purpose of reading or preparing correspondence.

(o) through (r) No change.

(5) through (13) No change.

(14) Forms. Form DC6-295, Special Housing Unit Rotation Review, is hereby incorporated by reference. A copy of this form is available from the Forms Control Administrator, Office of Research, Planning and Support Services, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of Form DC6-295 is January 16, 2006.

Specific Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 3-12-84, Formerly 33-3.084, Amended 7-10-90, 4-28-96, 12-7-97, 3-23-99, Formerly 33-3.0084, Amended 2-12-01, 2-15-02, 4-1-04, 1-16-06, 10-31-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Richard D. Davison, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 7, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: 58A-6.003 RULE TITLE: Licensure Application Procedures

PURPOSE AND EFFECT: This rule amendment involves Adult Day Care Centers. The purpose of the proposed rule amendment is to comply with Sections 408.809 and 429.919, F.S., regarding background screening requirements for staff working in adult day care centers.

SUMMARY: This rule amendment includes the provision for proof of compliance with background screening requirements, pursuant to Sections 408.809 and 429.919, F.S., as part of the licensure application procedures for adult day care centers.

Additionally, the rule amendment provides the electronic method for obtaining an adult day care center license application form.

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: 429.929 FS.

LAW IMPLEMENTED: 408.809, 429.909, 429.913(1)(b), 429.915, 429.919, 429.929, 435.04(5) 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: May 21, 2008, 9:30 a.m. – 10:30 a.m., EDST.

PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399-7000

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 72 hours before the workshop/meeting by contacting: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000; Telephone: (850)414-2000; Email address: crochetj@elderaffairs.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Crochet, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000; telephone: (850)414-2000; Email address: crochetj@elderaffairs.org

THE FULL TEXT OF THE PROPOSED RULE IS:

58A-6.003 Licensure Application Procedures.

(1) through (4) No change.

(5) Owners or operators of adult day care centers subject to licensure shall submit a completed application for a license through the Agency for Health Care Administration, 2727 Mahan Dr., Tallahassee, FL 32308. The Licensure Application for Adult Day Care Center, ADCC Form-1, dated December 2003, which is incorporated by reference, may be obtained from the Agency for Health Care Administration AHCA, Adult Day Care Program, 2727 Mahan Drive, Tallahassee, Florida 32308. The application may be also obtained from the AHCA Website at: http://ahca.myflorida.com/MCHQ/Long_Term_Care/Assisted_living/adcc/ADCC_Application.pdf. ~~The~~

~~cost of the application package, which includes Chapter 429, Part III, F.S., and this rule chapter, is \$5.00, in accordance with Section 429.929(3), F.S.~~ Attached to the application shall be:

- (a) through (b) No change.
- (c) Proof of compliance with background screening requirements pursuant to Sections 408.809 and 429.919, F.S.
- (6) through (7) No change.

Specific Authority ~~429.929 FS. Law Implemented 408.809, 429.909, 429.913(1)(b), 429.915(+), 429.919, 429.929 (±), 435.04(5) FS. History—New 7-8-81, Amended 2-27-84, Formerly 10A-6.03, 10A-6.003, 59A-16.003, Amended 11-9-95, 3-29-98, 10-23-01, 2-19-04,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Crochet
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: E. Douglas Beach Ph.D., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 7, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 28, 2008

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

Division of Beaches and Shores

RULE NOS.:	RULE TITLES:
62B-33.002	Definitions
62B-33.0051	Coastal Armoring and Related Structures

PURPOSE AND EFFECT: Laws of Florida Chapter 2007-99 amended Chapter 161.085 of the Florida Statutes relating to rigid coastal armoring structures in order to provide criteria to permit sand-filled geotextile containers used as the core of a reconstructed dune. This led to the development of Chapter 62B-56, F.A.C., entitled "Rules and Procedures for Using Sand-Filled Geotextile Dune Cores (Permits for Construction and Maintenance)". The proposed changes to Chapter 62B-33, F.A.C. will bring the chapter into conformity with section 161.085, Florida Statute, and Chapter 62B-56, F.A.C. These changes shall be made simultaneously with the creation of Chapter 62B-56, F.A.C.

SUMMARY: The proposed changes to Chapter 62B-33, F.A.C. will clarify that Chapter 62B-56, F.A.C. will govern the use of all sand-filled geotextile containers as the core of a reconstructed dune and that sand-filled geotextile containers shall not be authorized by local governments as an emergency armoring structure.

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: 161.053, 161.0535, 161.085 FS.
LAW IMPLEMENTED: 161.021, 161.053, 161.0535, 161.054, 161.085 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: May 30, 2008, 9:00 a.m. – 12:00 Noon, in conjunction with the hearing for New Chapter 62B-56, F.A.C.
PLACE: Bureau of Beaches and Coastal Systems, Building B, Room 309 (Training Room), 5050 West Tennessee Street, Tallahassee, FL

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: Rosaline Beckham, Environmental Specialist III, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Mail Station #300, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, call (850)488-7815 or e-mail: rosaline.beckham@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Rosaline Beckham as cited above.

THE FULL TEXT OF THE PROPOSED RULES IS:

- 62B-33.002 Definitions.
- (1) through (26) No change.
- (27) "Geotextile container" is a bag or tube, made of blanket-like synthetic fibers manufactured in a woven or loose nonwoven manner, used as an agent to hold together a large mass of sand forming a rigid tubular structure.

(27) through (63) renumbered (28) through (64) No change.

Specific Authority 161.053 FS. Law Implemented 161.052, 161.053, 161.0535, 161.054, 161.061, 161.071, 161.081, 161.085 FS. History—New 11-18-80, Amended 3-17-85, 11-10-85, Formerly 16B-33.02, Amended 5-12-92, Formerly 16B-33.002, Amended 9-12-96, 1-26-98, 8-27-00, 7-1-01, 12-31-01, 6-13-04, 5-31-07,_____.

- 62B-33.0051 Coastal Armoring and Related Structures.
- (1) General Armoring Criteria. In determining the appropriate means to protect existing private structures and public infrastructure from damage from frequent coastal

storms, applicants should be aware that armoring may not be the only option for providing protection. Applicants are encouraged to evaluate other protection methods such as foundation modification, structure relocation, and dune restoration. If armoring (other than through the use of geotextile containers as the core of a reconstructed dune, which are governed exclusively by Chapter 62B-56, F.A.C.), is the selected option, the following siting, design, and construction criteria shall apply in order to minimize potential adverse impacts to the beach and dune system:

(a) through (d) No change.

(2) No change.

(a) through (b) No change.

1. through 6. No change.

(7) Armoring, which utilizes ~~subsurface~~ sand-filled geotextile containers as the ~~subsurface~~ core of a reconstructed dune for dune stabilization or restoration activities are not authorized under this rule. These structures are governed under Chapter 62B-56, F.A.C. is acceptable where it can be demonstrated that there is no unauthorized take of marine turtles or marine turtle habitat, and the shoreline conditions are such that sufficient sand cover over the structure will be retained except when the structure interacts with waves or wave uprush during low frequency or high energy storm events.

(c) No change.

(3) through (4) No change.

(5) Emergency Protection. Upon the occurrence of a coastal storm which causes erosion of the beach and dune system such that existing structures have either become damaged or vulnerable to damage from a subsequent frequent coastal storm, pursuant to Section 162.085, F.S., the governmental entity may take emergency protection measures to protect public infrastructure and private structures within its jurisdiction. Alternatively, upon declaring a shoreline emergency and providing notification to affected property owners and to the Department, the governmental entity may issue permits authorizing private property owners within their jurisdiction to protect their private structures. Local governments shall not authorize the use of geotextile containers. Emergency protection measures shall be subject to the following:

(a) through (b) No change.

1. through 2. No change.

(c) through (d) No change.

1. Temporary reinforcement of foundations, placement of sandbags, and construction of protective sand berms. Sand used to fill sandbags or construct protective berms shall be beach compatible material and be obtained from an upland source. Excavation of the beach face or near shore area shall require a permit from the Department, pursuant to this rule chapter. Any excavation that occurs below the mean high water line on sovereignty lands is subject to the provision of Section

161.041 and Chapter 253, F.S. Sand-filled geotextile containers used as the core of a reconstructed dune for dune stabilization or restoration activities are not authorized under this rule. These structures are governed under Chapter 62B-56, F.A.C.

2. No change.

(e) through (m) No change.

(6) No change.

Specific Authority 161.053, 161.085 FS. Law Implemented 161.052, 161.053, 161.085 FS. History—New 9-12-96, Amended 1-26-98, 8-27-00, 7-1-01, 6-13-04, 7-3-05, 5-31-07,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet G. Llewellyn, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 7, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Beaches and Shores

RULE NOS.:	RULE TITLES:
62B-56.010	Scope
62B-56.020	Definitions
62B-56.030	Permit Criteria for Construction
62B-56.040	Consultations
62B-56.050	Permit Application Requirements and Procedures
62B-56.060	Electronic Submittal
62B-56.070	Public Comment and Noticing Requirements and Procedures
62B-56.080	Survey Requirements
62B-56.090	Financial Assurances
62B-56.100	Duration of Permits
62B-56.110	Permit Modifications
62B-56.120	Permit Transfers
62B-56.130	Construction and Maintenance Permit Fees
62B-56.140	Conversion and Maintenance
62B-56.150	General Permit Conditions
62B-56.160	Revocations, Suspensions and Removal
62B-56.900	Forms

PURPOSE AND EFFECT: Laws of Florida Chapter 2007-99 amended Chapter 161.085 of the Florida Statutes relating to rigid coastal armoring structures in order to provide criteria to permit sand-filled geotextile containers used as the core of reconstructed dune. This led to the development of Chapter 62B-56, F.A.C., entitled “Rules and Procedures for Using Sand-Filled Geotextile Dune Cores (Permits for Construction

and Maintenance)”. This new chapter will provide the criteria for constructing and maintaining sand-filled geotextile containers used as dune core structures for coastal armoring and establish rules to reflect the recent legislative changes. In addition, conforming changes will simultaneously be made to Chapter 62B-33, F.A.C. to clarify that all geotextile containers as the core of a reconstructed dune shall be governed by the new Chapter 62B-56, F.A.C.

SUMMARY: The new chapter covers all sand-filled geotextile containers used to protect upland structures. It includes requirements and procedures for issuance, denial, transfer, modification, suspension, and revocation of Construction and Maintenance Permits for sand-filled geotextile containers used as the core of a reconstructed dune. It also includes criteria and financial assurance requirements for the removal of such structures.

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: 1 61.053, 161.0535, 161.085 FS.

LAW IMPLEMENTED: 1 20,60, 161.021, 161.053, 161.0535, 161.054, 161.085 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: May 30, 2008, 9:00 a.m. – 12:00 Noon

PLACE: Bureau of Beaches and Coastal Systems, Building B, Room 309 (Training Room), 5050 West Tennessee Street, Tallahassee, FL

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: Rosaline Beckham, Environmental Specialist III, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Mail Station #300, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, call (850)488-7815 or e-mail: rosaline.beckham@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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Rosaline Beckham as cited above.

THE FULL TEXT OF THE PROPOSED RULES IS:

**BUREAU OF BEACHES AND COASTAL SYSTEMS –
RULES AND PROCEDURES FOR USING SAND-FILLED
GEOTEXTILE DUNE CORES (PERMITS FOR
CONSTRUCTION AND MAINTENANCE)**

62B-56.010 Scope.

This chapter covers all sand-filled geotextile containers used to protect upland structures. It includes requirements and procedures for issuance, denial, transfer, modification, revocation, and suspension of Construction and Maintenance Permits for sand-filled geotextile containers as the core of a reconstructed dune feature. It also includes criteria and financial assurance requirements for the removal of such structures. Only the Department may authorize a reconstructed dune using sand-filled geotextile containers as the core of a reconstructed dune feature. Sand-filled geotextile containers that are not used as the core of a reconstructed dune shall not be permitted under this chapter.

Specific Authority 161.053, 161.085 FS. Law Implemented 161.053, 161.085 FS. History–New _____.

62B-56.020 Definitions.

(1) “Access” or “public access” as used in Section 161.053, F.S., means the public’s right to laterally traverse the sandy beaches of this state where such access exists on or after July 1, 1987, or where the public has established a shore normal accessway through private lands to lands seaward of the mean high tide or water line by prescription, prescriptive easement, or any other legal means.

(2) “Adjacent properties” are properties next to the property where the construction activity is to take place, including those properties separated by a road, right-of-way, or access way, in all directions.

(3) “Agent” is any person with the written power or authority to act on behalf of the responsible entity for purposes of an application submitted under Chapter 161, F.S.

(4) “Applicant” is any person, firm, corporation, county, municipality, township, special district, homeowners association, or public agency, requesting a permit to reconstruct a dune system seaward of the CCCL. The applicant must be a responsible entity and the owner of record, leaseholder, or holder of any legal instrument which gives the holder legal authority to undertake the construction for which a permit is sought.

(5) “Beach” is the zone of unconsolidated material that extends landward from the mean low water line to the place where there is marked change in material or physiographic form, or to the line of permanent vegetation.

(6) “Beach-dune System” is that portion of the coastal system where there has been or there is expected to be, over time and as a matter of natural occurrence, cyclical and dynamic emergence, destruction, and reemergence of beaches and dunes.

(7) “Beach quality sand,” means sand that maintains the general appearance, and the engineering and ecological functions of the native sand occurring on the beach and in the adjacent dune and coastal system. Such sand shall be predominately of carbonate, quartz or similar material with a particle size distribution ranging between 0.062mm (4.0phi) and 4.76mm (-2.25phi) (classified as sand by either the Unified Soils or the Wentworth classification), shall be similar in color and grain size distribution (sand grain frequency, mean and median grain size and sorting coefficient) to the material present on the beach berm seaward of the project site and shall not contain:

(a) Greater than five percent by weight of silt, clay or colloids passing the #230-sieve (4.0phi);

(b) Greater than five percent by weight of fine gravel retained on the #4-sieve (-2.25phi);

(c) Coarse gravel, cobbles or material retained on the three-quarter inch sieve in a percentage or size greater than found on the native beach; or,

(d) Construction debris, toxic material or other foreign matter; and shall not result in cementation of the beach.

(8) “Beach scraping” is the process of excavating or relocating sand from the foreshore or below mean high water and placing it on the beach berm to facilitate dune recovery.

(9) “Bureau” is the Bureau of Beaches and Coastal Systems of the Department of Environmental Protection.

(10) “Coastal Construction Control Line” (CCCL) is the line established pursuant to the provisions of Section 161.053, F.S., and recorded in the official records of the county, which defines that portion of the beach-dune system subject to severe fluctuations based on a One-hundred-year storm surge, storm waves, or other predictable weather conditions.

(11) “Coastal system” includes: the beach and adjacent upland dune system and vegetation seaward of the CCCL; swash zone; surf zone; breaker zone; offshore and longshore shoals; reefs and bars; tidal, wind, and wave driven currents; longshore and onshore/offshore drift of sediment materials; inlets and their ebb and flood tide shoals and zones of primary tidal influence; and all other associated natural and manmade topographic features and coastal construction.

(12) “Construction” is any work or activity, including those activities specified in Section 161.085(9), F.S., that may have an impact as defined in this rule.

(13) “Construction debris” is discarded material resulting from the installation of a reconstructed dune or demolition of a structure.

(14) “Core of a reconstructed dune” is a sand-filled geotextile container used as the base structural component of a reconstructed dune project.

(15) “Department” is the Florida Department of Environmental Protection.

(16) “Dune” is a mound, bluff or ridge of unconsolidated sediment, usually sand-sized sediment, lying upland of the beach and deposited by any natural or artificial mechanism, which may be bare or covered with vegetation and is subject to fluctuations in configuration and location. Types of dunes include:

(a) “Primary dune” is a significant dune which has sufficient alongshore continuity to offer protective value to upland property. The primary dune may be separated from the frontal dune by an interdunal trough; however, the primary dune may be considered the frontal dune if located immediately landward of the beach.

(b) “Reconstructed dune” is a man-made dune feature that has a sand-filled geotextile container as its core that is continuously covered with a minimum of three feet of sand, meets the specific design and siting criteria of this chapter, is contoured to minimize erosive effects, and is vegetated with native beach-dune plants.

(c) “Significant dune” is a dune that has sufficient height and configuration or vegetation to offer a level of protection to the beach-dune system.

(17) “Erosion” is the wearing away of land or the removal of consolidated or unconsolidated material from the beach-dune system by wind, water, or wave action. Erosion includes:

(a) Landward horizontal movement of the line of mean high water or beach-dune system profile; and,

(b) Vertical lowering or volumetric loss of sediment from the beach-dune system or the offshore profile.

(18) “Excavation” is any mechanical or manual removal or alteration of consolidated or unconsolidated soil or rock material from or within the beach-dune system.

(19) “Financial assurance” is defined as a fully funded trust account for the benefit of the Department, a surety payment bond or performance bond issued to the Department by a licensed bonding company and accompanied by a standby trust agreement, or a letter of credit to the Department issued by a financial institution authorized to do business in the State of Florida and accompanied by a standby trust agreement.

(20) “Fixed coastal cell” is a geomorphological component of the coastal system that is closely linked internally by active physical processes and is bounded by physical features which exercise a major control on refraction patterns or which compartmentalize or severely limit longshore sediment transport such as headlands or inlets.

(21) “Foundation” is the portion of a structure that transmits the associated dead and live loads of the structure to the ground and includes, but is not limited to, spread footings, foundation walls, posts, piers, piles, beams, girders, structural slabs, cross bracing, and all related connectors. For pavements, the foundation includes the subbase and base course layers supporting the pavement layer.

(22) “Frequent coastal storm” is defined as a 25-year return interval storm event.

(23) “Frontal dune” means the first natural or manmade mound or bluff of sand which is located landward of the beach and which has sufficient vegetation, height, continuity, and configuration to offer protective value.

(24) “Geotextile container” is a bag or tube, made of blanket-like synthetic fibers manufactured in a woven or loose nonwoven manner, used as an agent to hold together a large mass of sand forming a rigid tubular structure.

(25) “Impacts” are those effects, whether direct or indirect, short or long term, which are expected to occur as a result of construction and are defined as follows:

(a) “Adverse impacts” are impacts to the coastal system that may cause a measurable interference with the natural functioning of the coastal system.

(b) “Significant adverse impacts” are adverse impacts of such magnitude that they alter the coastal system by:

1. Measurably affecting the existing shoreline change rate.

2. Significantly interfering with its ability to recover from a coastal storm.

3. Disturbing topography or vegetation such that the dune system becomes unstable or suffers catastrophic failure or the protective level of the dune system is significantly lowered, or

4. Causing a take, as defined in Section 370.12(1), F.S., unless the take is incidental pursuant to Section 370.12(1)(h), F.S.

(c) “Minor impacts” are impacts associated with construction that are not considered adverse impacts due to their magnitude or temporary nature.

(d) “Other impacts” are impacts associated with construction that may result in damage to existing structures or property or interference with public beach access.

(26) “Incidental Take Permit” is a permit issued by either the United States Fish and Wildlife Services or the Florida Fish and Wildlife Conservation Commission.

(27) “Irreparable damage” is deterioration, destruction or impairment of the sand-filled geotextile container system that results in the failure of the structure to provide adequate protection to upland properties based on the need for repair costs exceeding 50% of the original construction cost.

(28) “Major Structures” are structures that, as a result of design, location, or size could cause an adverse impact to the beach and dune system. Major structures include:

(a) “Nonhabitable Major Structures” which are designed primarily for uses other than human occupancy. Typically included within this category are roads, bridges, storm water outfalls, bathhouses, cabanas, swimming pools, and garages.

(b) “Habitable major structures” are houses, apartment buildings, condominiums, motels, hotels, restaurants, towers, other types of residential, commercial, or public buildings, or other structures designed primarily for human occupancy.

(29) “Marine turtle” is any turtle, including all life stages from egg to adult, of the species *Caretta caretta* (loggerhead), *Chelonia mydas* (green), *Dermochelys coriacea* (leatherback), *Eretmochelys imbricata* (hawksbill), and *Lepidochelys kemp* (Kemp’s ridley).

(30) “Marine turtle nesting season” is the nesting period for marine turtles from May 1 through October 31 of each year for all counties except Brevard, Indian River, St. Lucie, Martin, Palm Beach, and Broward. Nesting season for these counties is the period from March 1 through October 31 of each year.

(31) “Mitigation” is an action or series of actions taken by the responsible entity that will offset impacts caused by a proposed or existing construction project.

(32) “Major modifications” are changes that will affect the engineering performance of the structure or that will increase the potential for adverse or other impacts.

(33) “Minor modifications” are changes that will not affect the engineering performance of the structure and will not increase the potential for adverse and other impacts.

(34) “Nesting state” means animals (including mammals, birds, reptiles and invertebrates) listed by the Florida Fish and Wildlife Conservation Commission as threatened or endangered and that nest, breed, den or otherwise reside for the purposes of inhabiting or raising their offspring within beach-dune, coastal berm, coastal grassland, coastal strand, hammock, or other natural communities located seaward of the CCCL. Nesting refers neither to loafing, migratory, or other casual occurrences in these communities, nor to plants (See Table 1 provided in Rule 62B-56.030, F.A.C.).

(35) “Notice to Proceed” is the formal notification from the Department authorizing all or portions of the permitted construction to commence.

(36) “One-hundred-year storm” is a shore-incident hurricane or any other storm with accompanying wind, wave, and storm surge intensity having a one percent chance of being equaled or exceeded in any given year.

(37) “One-time deferred removal cost” refers to the cost of covering a dune with three feet of sand for the duration of the marine turtle nesting season, and commencing removal and restoration after the nesting season, where it has been determined that the geotextile container shall be removed and the dune restored, but such removal and restoration coincides with the marine turtle nesting season.

(38) “Permit” is the authorization issued by the Department to conduct certain specified construction and maintenance in a specified location.

(39) “Permit condition” is a statement or stipulation issued with, and appearing in or referenced in, a permit.

(40) “Protective value” is the measurable protection level afforded by the dune system to upland property and structures from the predictable erosion and storm surge levels associated with coastal storm events.

(41) “Public infrastructure” includes those roads designated as public evacuation routes, public emergency facilities, bridges, power facilities, water or wastewater facilities, other utilities, hospitals, or major structures of local governmental, state or national significance seaward of the CCCL.

(42) “Repair” is the restoration of a portion of an existing structure, including the foundation of the structure, to its original design or an equivalent structural standard. Repair of a structure assumes that a significant portion of the structure and its foundation remains intact.

(43) “Responsible entity” is defined as a single entity with financial and legal authority to perform construction, maintenance, or other activities required by this chapter and is responsible for verifying that information in the application is accurate. These entities are:

(a) The property owner.

(b) Local governmental units including counties, municipalities, and Municipal Service Taxing Units.

(c) State or federal agencies; or

(d) Profit or non-profit corporations such as homeowners associations, property owners associations, condominium owners associations, or master associations.

(44) “Scour” is erosion caused by the interaction of waves and currents with man-made structures or natural features.

(45) “Shoreline” is the intersection of a specified plane of water with the beach. For example, the mean high water shoreline is the intersection of the plane of mean high water with the beach.

(46) “Shore-normal” is a directional reference meaning approximately perpendicular to the shoreline.

(47) “Significant beach erosion” is major erosion to the beach-dune system causing recession that significantly interferes with its ability to recover. Significant beach erosion may be seen as a significant measurable alteration in the shoreline change rate or a disturbance to topography or vegetation such that the dune system becomes unstable or suffers catastrophic failure.

(48) “Storm surge” is the rise of water above normal water level on the open coast due to a number of factors, including the action of wind stress on the water surface and the rise in water level due to atmospheric pressure reduction.

(49) “Vulnerable structure” is an existing major structure located seaward of the CCCL, that is subject to damage from frequent coastal storm events or is in danger of imminent collapse. Examples of a vulnerable structure include:

(a) Habitable major structures or public infrastructure;

(b) Nonhabitable major structures that are necessary for occupancy of a major habitable structure; and

(c) Nonhabitable major structures whose failure would cause an adjacent upland habitable major structure, public infrastructure or a nonhabitable major structure necessary for

occupancy of a habitable major structure, to become subject to damage from frequent coastal storm events or to become in danger of imminent collapse.

Specific Authority 161.053, 161.085 FS. Law Implemented 161.021, 161.053, 161.085 FS. History—New _____.

62B-56.030 Permit Criteria for Construction.

(1) The Department shall issue a permit for a reconstructed dune under the following conditions:

(a) The proposed reconstructed dune must provide for the protection of an existing vulnerable structure or a structure that is upland of a beach-dune system that has experienced significant beach erosion.

1. Vulnerability shall be certified by a professional engineer licensed in the State of Florida through one of the following methods:

a. Frequent coastal storm vulnerability test using:

(i) The report entitled “Erosion Due to High Frequency Storm Events,” by the University of Florida, dated November 22, 1995, which is incorporated herein by reference; or

(ii) Application of the SBEACH (Storm-induced BEACH Change), a numerical simulation model for predicting dune erosion or other similar models recognized by the coastal engineering profession, using the storm surge elevations of a 25-year storm event, as determined by the Department and provided in the above referenced report entitled “Erosion Due to High Frequency Storm Events”.

b. Geotechnical analysis: The applicant may provide the Department an appropriate geotechnical analysis demonstrating that the structure is in danger of imminent collapse. Imminent collapse means the structure’s foundation will fail due to its own weight under normal conditions, resulting in structural damage to the supported structure.

c. Structure vulnerability test: The applicant may demonstrate that major structures in the project vicinity may become vulnerable as a consequence of the reconstructed dune. Where there are multiple structures in close proximity to each other, but not all of the structures are vulnerable to damage from frequent storm events or in danger of imminent collapse, the professional engineer must present the results of numerical modeling and engineering analysis that demonstrate clearly to the Department that the reconstructed dune would cause the adjacent major structures to become vulnerable; or

d. Where an applicant demonstrates to the Department that another site specific circumstance exists other than listed in subparagraph 62B-56.030(1)(a)1., F.A.C.

2. If vulnerability cannot be established then the proposed reconstructed dune shall protect an existing major structure or public infrastructure located seaward of the Coastal Construction Control Line (CCCL) that is upland of a beach-dune system that has experienced significant beach erosion. Significant beach erosion is determined by the Department staff following a detailed assessment of the impact

of a storm event along Florida's beaches. The type of quantitative data and analyses considered includes, but is not limited to, beach and offshore profiles, upland topography, nearshore and offshore bathymetry, historical shoreline position changes, storm tide frequency, beach and dune erosion, and recent storm impacts to beach and dune systems, or

3. If the existing major structure or public infrastructure to be protected is not located seaward of the CCCL, the applicant may provide engineering data that shows the existing major structure or public infrastructure to be vulnerable to the storm surge with dynamic wave setup of a one-hundred-year storm or the anticipated erosion of the one-hundred-year storm.

(b) Siting and design requirements:

1. The reconstructed dune shall be sited as far landward as practicable.

2. The reconstructed dune shall be sited in a sustainable location no farther seaward than the frontal dune that existed prior to recent storm events or that would naturally develop under similar shoreline locations and conditions, whichever is farther landward.

3. The reconstructed dune core shall be designed, sited, and placed at an elevation so that the dune core is continuously covered with a minimum of three feet of native or beach-quality sand and shall be stabilized with native beach-dune vegetation.

4. The reconstructed dune core shall be designed, sited and elevated to minimize interference with movement of sediment along the beach.

5. The reconstructed dune shall be designed to facilitate easy removal of the geotextile containers.

6. The reconstructed dune shall be designed as a frontal dune having similar crest elevations, side slopes, configuration and continuity to the frontal dune that existed prior to recent storm events or that would occur under similar shoreline locations and conditions.

7. The proposed reconstructed dune shall not result in removal or disturbance of sandy soils of the beach-dune system to such a degree that a significant adverse impact to the beach-dune system would result from either reducing the existing ability of the system to resist erosion during a storm or lowering existing levels of storm protection to upland properties and structures.

8. The proposed reconstructed dune shall minimize impacts to adjacent properties.

9. The proposed reconstructed dune shall not cause an increase in structure-induced scour of such magnitude during a storm that the structure-induced scour would result in a significant adverse impact.

10. The proposed reconstructed dune shall not result in removal or destruction of native vegetation that will either destabilize a frontal, primary, or significant dune or cause a significant adverse impact to the beach-dune system.

11. The proposed reconstructed dune shall not direct discharges of fluids that would result in significant adverse impact.

12. The proposed reconstructed dune shall not cause a significant adverse impact to nesting state or federally threatened or endangered species, and nesting marine turtles; and.

13. The proposed reconstructed dune shall not interfere with public access as defined in Section 161.021, F.S.

(c) All fill shall be beach quality sand. Use of native sand seaward of the CCCL shall be limited to that which must be excavated as the minimum required to fill the core of the reconstructed dune. In the event there is any excavated sand remaining after the core of the reconstructed dune has been filled, the remaining sand must be returned to the site of the excavation. The sand shall be obtained from the footprint of the core of the reconstructed dune, not from beach scraping. All other sand necessary to construct the project shall come from upland of the CCCL. Organic or peat material shall not be considered beach compatible material suitable for placement atop the reconstructed dune.

(d) Sandy material excavated seaward of the CCCL shall be maintained on-site seaward of the CCCL and be placed in the immediate area of construction unless otherwise specifically authorized by the Department based upon sediment suitability, site constraints, and construction practices.

(e) In considering project impacts to native beach-dune vegetation, the Department shall evaluate the following:

1. Type and extent of native beach-dune vegetation.

2. The degree and extent of disturbance by invasive nuisance species.

3. The degree and extent of disturbance by other construction activities; and.

4. The protection afforded by natural plant communities.

(f) In considering project impacts, the Department shall evaluate the impacts to nesting state or federally threatened or endangered species, including nesting marine turtles and hatchlings. A list of the nesting state species that may be affected by activities regulated under the CCCL Program in the State of Florida are provided in Table 1, below. For a list of federally threatened or endangered species visit the U.S. Fish and Wildlife Service web site at: <http://www.fws.gov/endangered/policy/index.html>.

Nesting State Species			
Endangered – E, Threatened – T, Critical – C			
Scientific Name	Common Name	Classification	Nesting Dates
<u>Reptiles</u>			
<u>Drymarchon corais</u>	<u>Eastern Indigo Snake</u>	<u>I</u>	<u>Resident Population</u>
<u>Gopherus polyphemus</u>	<u>Gopher tortoise</u>	<u>I</u>	<u>Resident Population</u>
<u>Caretta caretta</u>	<u>Loggerhead Turtle</u>	<u>I</u>	<u>Mar. 1, thru. Oct 31</u> <u>(Brevard thru. Broward)</u> <u>May 1 thru. Oct 31</u> <u>(All Other Counties)</u>
<u>Chelonia mydas</u>	<u>Green Turtle</u>	<u>E</u>	
<u>Dermodochelys coriaca</u>	<u>Leatherback Turtle</u>	<u>E</u>	
<u>Eretmodochelys imbricata</u>	<u>Hawksbill Turtle</u>	<u>E</u>	
<u>Lepidochelys kempi</u>	<u>Kemp’s Ridley Turtle</u>	<u>E</u>	
<u>Birds</u>			
<u>Aphelocoma coerulescens</u>	<u>Florida Scrub Jay</u>	<u>I</u>	<u>Resident</u>
<u>Charadrius alexandrinus</u>	<u>Snowy Plover</u>	<u>I</u>	<u>Feb 1 – Sept 1</u>
<u>Haliaeetus leucocephalus</u>	<u>Bald Eagle</u>	<u>I</u>	<u>Sept 1 – May 1</u>
<u>Sterna antillarum</u>	<u>Least Tern</u>	<u>I</u>	<u>Apr 1 – Sept 1</u>
<u>Sterna dougalli</u>	<u>Roseate Tern</u>	<u>I</u>	<u>Apr 1 – Sept 1</u>
<u>Mammals</u>			
<u>Peromyscus polionotus allopkyris</u>	<u>Choctawhatchee Beach Mouse</u>	<u>E</u>	<u>Resident Populations</u>
<u>Peromyscus polionotus niveiventris</u>	<u>Southeastern Beach Mouse</u>	<u>I</u>	
<u>Peromyscus polionotus peninsularis</u>	<u>St. Andrews Beach Mouse</u>	<u>E</u>	
<u>Peromyscus polionotus phasma</u>	<u>Anastasia Beach Mouse</u>	<u>E</u>	
<u>Peromyscus polionotus trissyllepsis</u>	<u>Perdido Key Beach Mouse</u>	<u>E</u>	
<u>Insects</u>			
<u>Cyclargus (=Hermiargus) thomasi</u>	<u>Miami blue butterfly</u>	<u>C/E</u>	<u>Resident Population</u>
<u>bethunebakeri</u>			

TABLE 1

(g) The Department shall restrict activities that lower the protective value of natural and intact beach-dune, coastal strand, and maritime hammock plant communities. Activities that result in the removal of protective root systems or reduce the vegetation’s sand trapping and stabilizing properties of native beach-dune vegetation are considered to lower its protective value. Construction activities shall be located, where practicable, in previously disturbed areas or areas with nonnative vegetation in lieu of areas of native plant communities when the placement does not increase adverse impacts to the beach-dune system; and,

(h) Special conditions relative to the nature, timing, and sequence of construction shall be placed on permitted activities when necessary to protect nesting state or federally threatened or endangered species and marine turtles, their nests and nesting habitat. Sand placement during marine turtle nesting season must be undertaken in conformity with a federal incidental take authorization, if an Incidental Take Permit is required.

(2) After reviewing all information required pursuant to this chapter, the Department shall:

(a) Evaluate each application on its own merits. A decision by the Department to grant a permit shall not constitute a commitment to permit additional similar construction within the same fixed coastal cell.

(b) Deny any application for an activity that either individually or cumulatively would result in a significant adverse impact including potential cumulative effects. In assessing the cumulative effects of a proposed activity, the Department shall consider the short-term and long-term impacts and the direct and indirect impacts the activity would cause in combination with existing structures in the area and any other similar activities already permitted or for which a permit application is pending within the same fixed coastal cell; or,

(c) Deny any application for an activity where the project has not met the requirements of this chapter.

(3) No permit shall be issued under this rule where all permit criteria have been met, but a publicly funded beach nourishment, beach restoration, sand transfer, or other project which would provide protection to the vulnerable structure is scheduled for construction within nine months, and all permits and funding for the project are available.

(4) No permit shall be issued under this rule where proposed activities result in the take of nesting state or federally threatened or endangered species where such take has

not been authorized by the Florida Fish and Wildlife Conservation Commission or the U.S. Fish and Wildlife Service.

(5) The requirements set forth in Chapter 62B-56, F.A.C., and the permit shall be controlling, unless a more stringent requirement is contained in an associated Incidental Take Permit, in which case the more stringent requirements shall be controlling.

Specific Authority 161.053, 161.085 FS. Law Implemented 120.60, 161.053, 161.085 FS. History—New _____.

62B-56.040 Consultations.

(1) The applicant, or the applicant's engineer, is encouraged to consult Department personnel before submitting an application or at any other time during the application process or subsequent to permit issuance. However, any representation by the Department shall not relieve any person from any requirement of Florida law. Upon receipt of a consultation request, the Department shall notify the applicant and agent of all the statutory provisions of Section 161.085(9), F.S., and the procedural requirements of this chapter.

(2) Consultations under this chapter are provided by the Department as time is available and limited to the evaluation of data provided by the interested party, in addition to information that is generally available to the staff. Consultations will address the specific criteria applicable to the proposed activity that are of special significance to the permitting requirements. Failure to address a specific process or criterion during the consultation process shall not preclude the issue being raised during review of the application.

(3) To facilitate an effective consultation the applicant is encouraged to provide a detailed description of the proposed activity, including the following items:

(a) The location (street address and coordinates) of the proposed activity.

(b) Current topographic, vegetation and boundary survey.

(c) A plan view of the proposed activity.

(d) Typical cross-sectional views of any proposed structure(s).

(e) A biological assessment including maps or aerial photographs showing the current extent of natural communities, nesting state or federally threatened or endangered species, and habitat near the proposed activity; and

(f) Geotechnical data on any borrow source and fill site.

(4) Contingent on the nature and quality of the information submitted the Department will provide the following information to the applicant and the agent through the consultation:

(a) Procedures to obtain an Incidental Take Permit or other wildlife protection determination from the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service.

(b) Preliminary assessment of the application of the permit criteria in Section 161.085(9), F.S.

(5) Any assistance given or representation made by the Department during consultation shall not constitute the approval of the Department, shall not bind the Department and shall not relieve the applicant of the requirements of the Florida Statutes, this chapter, or other applicable provisions of state or federal law or local ordinances. If a conflict exists between any staff representation and any applicable act, law, rule, code, or ordinance, such act, law, rule, code, or ordinance shall prevail.

Specific Authority 161.053, 161.085 FS. Law Implemented 161.053, 161.085 FS. History—New _____.

62B-56.050 Permit Application Requirements and Procedures.

(1) To apply for a construction and maintenance permit under this chapter, the applicant shall submit one signed original and two paper copies of the application form and supporting documents, plus one electronic copy of the same, to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, using Form 62B-56.900(1), entitled "Permit Application for Construction and Maintenance of a Reconstructed Dune" (effective _____).

(2) Upon receipt of an application the Department shall notify the applicant or agent of all the statutory provisions of Section 161.085(9), F.S.

(3) The applicant shall provide the specific information set forth below:

(a) Name, mailing address, and telephone number of the property owner and of any duly authorized agent making the application on behalf of the owner, and the signature of the applicant.

(b) A statement describing the proposed project and providing the street address.

(c) The name and mailing address of the owners of the adjacent properties, exclusive of street-ends or easements.

(d) A Construction and Maintenance Permit application fee as set forth in Rule 62B-56.130, F.A.C.

(e) Sufficient evidence of ownership including the legal description of the property for which the permit is requested. Examples of evidence of ownership may include a copy of an executed warranty deed bearing evidence of appropriate recordation; a copy of a long term lease-purchase agreement, or contract for deed; a copy of a property tax receipt bearing the name and address of the current owner; articles of condominium bearing evidence of appropriate recordation (for condominiums); or, the cooperative documents defined in Section 719.103(13)(a), F.S. (for residential cooperatives). Other documents submitted as evidence of ownership shall be reviewed by the staff and shall be rejected if found not to be

sufficient. A copy of a quitclaim deed, a purchase contract, an affidavit from the owner, or a tax record obtained from an Internet website (unless obtained from an authenticated official county record) is not sufficient evidence of ownership. Ownership information shall include a copy of the recorded property deed, using business or person's name, the year that it was recorded, document number, and the official record book, page and parcel number.

(f) Written evidence provided by the appropriate local governmental entity, political subdivision, or municipality having jurisdiction over the activity, that the proposed activity as submitted to the Bureau does not contravene local setback requirements or zoning codes.

(g) Information concerning impacts to natural plant communities and nesting state or federally threatened or endangered species, including:

1. Two copies of a biological assessment of habitat quality of natural plant communities and potential nesting state or federally threatened or endangered species whose range includes the subject property, using Form 62B-56.900(4), entitled "Biological Assessment" (effective _____).

2. One copy of any existing Incidental Take Permits from the Florida Fish and Wildlife Conservation Commission and the U. S. Fish and Wildlife Service.

(h) Written commitment from financial institution or insurance company demonstrating that financial assurance can be obtained, and a completed copy of Form 62B-56.900(2), Financial Assurance Worksheet, pursuant to Rule 62B-56.090, F.A.C.

(i) Two original copies of a signed and sealed survey of the subject property. The information depicted on the drawing shall be from a field survey conducted not more than six months prior to the date of the application. The survey shall comply with the requirements given in Rule 62B-56.080, F.A.C.

(j) Two copies of a dimensioned site plan. The drawings shall be signed and sealed by a professional engineer licensed in the State of Florida. The site plan shall include:

1. The locations and exterior dimensions of the reconstructed dune, including the location of the dune core and all activities, and the perpendicular distances from the Coastal Construction Control Line (CCCL) to the seaward limits of the dune core, the dune toes and the reconstructed dune.

2. Dimensions and locations of the foundation outlines of any existing structures on adjacent properties and distances from the CCCL to the seaward corners of the foundations of any existing structures and the seaward limit of any coastal or shore-protection structure.

3. Dimensions and locations of the foundation outlines of any existing structures on the subject property and distances from the CCCL to the seaward corners of the foundations of any habitable major structures, public infrastructure and the seaward limit of any coastal or shore-protection structure.

4. The horizontal location of the erosion control line (if one exists), any contour lines corresponding to elevation 0.00, the approximate contour of mean high water and seasonal high water, and horizontal location of the seaward line of vegetation and outlines of existing native beach-dune vegetation.

5. The horizontal location of the CCCL for the full width of the subject property, including the location and full stamping of the two nearest Department or published second order or higher horizontal control points.

6. The location of the two nearest Department Range Monuments (DNR R-Monument).

7. The location and dimensions of the property boundary, rights of way, and easements, if any.

8. The property owner and project name, street address, scale, north arrow, sheet number, and date of drawings; and

9. The location of work limits, construction fences, and dune features and vegetation to be protected during construction.

(k) Two copies of a dimensioned grading plan including any dune and vegetation protection, clearing, demolition, grading, excavation, and fill activities. The drawings shall be signed and sealed by a professional engineer licensed in the State of Florida. The grading plan shall include the location and distances of all proposed structures on the subject and adjacent properties, and the following:

1. Existing and proposed elevations, contours and spot elevations, including the mean high water line, seasonal high water line, vegetation, seaward toe of dune, dune crest, and landward toe of dune.

2. Volumes (in cubic yards), locations and dimensions and distances (in feet) seaward of the CCCL for all permanent and temporary excavation, storage or fill and other site use or disturbance including construction limits and access.

3. A table of all permanent, temporary, and net excavation and fill volumes seaward of the CCCL.

4. Soil and geotechnical data for beach compatible imported or excavated sand proposed for placement on the project site.

5. Proposed drainage plans and dewatering activities.

6. Two copies of Form 62B-56.900(3), F.A.C., entitled "Sand Quality Assurance/Quality Control (QA/QC) Plan" (effective _____). The QA/QC plan shall detail measures for testing, screening, handling, monitoring and remediation of all excavated or filled material and shall include mechanisms to ensure that only beach compatible sand is placed on the project site; and

7. Surface area measurements (in square feet) of existing native beach-dune vegetation within the project limits, native beach-dune vegetation to be disturbed, and native beach-dune vegetation to be preserved or planted.

(l) Two copies of dimensioned cross-sections. The drawings shall be signed and sealed by a professional engineer licensed in the State of Florida. The cross-sections shall

include a typical view from the mean high water line to the CCCL depicting all structures and elevations, proposed and existing grades, subgrade construction, excavation, and fill.

(m) Two copies of detailed final construction plans and specifications for the reconstructed dune and fill material. These documents shall be signed and sealed by a professional engineer licensed in the State of Florida.

(n) An anticipated construction schedule.

(o) Two copies of detailed dune planting and maintenance plans, including the plant species and locations of existing native beach-dune vegetation, plants to be removed and proposed plants. Plans shall include a plant list with both scientific and common names. Plans shall include any structures to be constructed within the dune area, including sand fences, irrigation systems and beach access.

(p) Two copies of a dimensioned site plan drawn to an appropriate scale, on 8 1/2 by 11 inch size paper showing property boundaries, the location of the proposed structure(s), the proposed construction limits, the location and volume of any proposed excavation or fill, and the locations of roads, adjacent dwellings, the vegetation line, and the approximate mean high water line; and.

(q) Two copies of dimensioned cross-sections drawn to an appropriate scale, on 8 1/2 by 11 inch paper, showing:

1. All subgrade construction or excavation with elevations referenced to NAVD 88 (U.S. survey foot).
2. Typical cross-sections of the reconstructed dune depicting geotextile core and elevations.
3. Location of the CCCL or, if not established, the mean high water line.
4. Typical profile of existing and proposed grade at the site; and.
5. The location of the contour line corresponding to elevation 0.0 NAVD 88 (U.S. survey foot).

(4) The applicant shall provide other site-specific information or calculations as determined necessary by staff to ensure that the criteria of this chapter are met. The dimensions for the plans referenced in this section shall be submitted in U.S. Customary System units. Structures shall be located with distances measured perpendicular to the CCCL, or the mean high water line, as appropriate. All elevations in this rule shall be referenced to NAVD 88 (U.S. survey foot). Site, grading, drainage, and landscape plans as well as cross-sections shall be drawn to an appropriate engineering scale in the horizontal dimension.

(5) The Department recognizes that certain requirements specified in subparagraph 62B-56.050(3)(k)3. through 7., paragraphs (o), (p) and (q), F.A.C., may not, due to the project specific circumstances, be applicable or necessary to ensure protection to the beach-dune system. In such cases, the applicant shall, as part of the application, identify those requirements and state the reason why they are inapplicable.

(6) The applicant shall have 180 days from the date the Department mails a timely request for additional information to submit that information to the Department. If the applicant requires additional time and provides good cause in which to respond to a request for additional information, the applicant may notify the Department in writing of the circumstances, at which time the application shall be held in active status for a period of up to 90 days. Failure of the applicant to provide the timely requested information by the applicable deadline shall result in denial of the application.

(7) If a substantial revision or major modification is made to a pending application, the application shall be deemed amended and shall be treated in all respects as a new application; and the time limits for processing applications shall be restarted, as set out in Section 120.60, F.S., following payment by the applicant of an additional processing fee, pursuant to this chapter.

(8) If site conditions change during the processing of an application to such an extent that the data already provided can no longer be used to determine consistency as provided in this chapter, then the application shall be denied unless the applicant agrees to waive the 90 day time requirements of Section 120.60, F.S., and provides the additional information required to reanalyze the application.

(9) All permit application requirements must be met and the application approved by the Department prior to the Department granting the Notice to Proceed.

Specific Authority 161.053, 161.0535, 161.085 FS. Law Implemented 120.60, 161.053, 161.085 FS. History—New _____.

62B-56.060 Electronic Submittals.

(1) Complete permit applications are to be submitted on writeable CD media, clearly labeled and protected within a case or sleeve.

(2) Digital files are to be submitted in Adobe Acrobat Portable Document Format (PDF), Version 7.0 or higher.

(3) No single electronic document is to exceed five megabytes in file size.

(4) The CD must include an index of file contents, referenced to the items on the permit application and given a distinct, identifiable name.

(5) E-mails must not exceed 10 megabytes. E-mailed documents will not be considered as formal submittals for engineering evaluation and assessment purposes.

Specific Authority 120.60, 161.053, 161.085 FS. Law Implemented 161.085 FS. History—New _____.

62B-56.070 Public Comment and Noticing Requirements and Procedures.

(1) Within ten working days of the Department receiving an application for a reconstructed dune permit, the applicant shall publish a notice requesting public comment in a newspaper of general circulation in the area affected by the

proposed reconstructed dune. The public comment request shall include the file number, the name of the applicant, the address where the proposed project is located, a description of the project, and a statement directing comments to the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399. A copy of an example notice can be obtained by contacting the Bureau at the above address.

(2) Within ten working days of the Department taking action to issue or deny the permit, the applicant shall publish a notice of the agency's action in a newspaper of general circulation in the area affected by the proposed reconstructed dune. The public notice shall include the permit number, the name of the applicant, the address where the proposed project is located, and shall include rights under Section 120.57, F.S.

(3) Proof of all publications must be provided to the Bureau in the form of a "tear sheet" (not a photocopy), i.e., the entire page must be torn from the newspaper showing the masthead of the newspaper along with the notice.

(4) Failure to publish any notice of application, or agency action required by the Department shall be an independent basis for the denial of the permit or other pertinent approval or authorization. The applicant shall submit proof of notice of agency action to the Department prior to issuance of the Notice to Proceed with construction authorized under the permit.

(5) Following issuance of the approved permit, the applicant shall record the permit and all conditions in the public record of the county where the permitted activity is located. The permit shall cross reference the recorded property deed, using business or person's name, the year that it was recorded, document number, and the official record book, page and parcel number.

(6) The applicant shall submit proof of recording of the permit and permit conditions to the Department prior to issuance of the Notice to Proceed with construction authorized under the permit.

Specific Authority 161.053, 161.085 FS, Law Implemented 120.60, 161.053, 161.085 FS, History-New _____.

62B-56.080 Survey Requirements.

(1) The certified survey of the subject property, which is required by paragraph 62B-56.050(3)(i), F.A.C., shall include the following information:

(a) The property owner's name.

(b) All vertical data specified on the survey shall be referenced to NAVD 88 (U.S. survey foot). A note clearly identifying the control monument, the setting agency, stamping, and NAVD 88 elevation shall be provided on the survey or in the surveyors report.

(c) The location of the property in relation to bordering roads and streets.

(d) The location of the two nearest Department Range Monuments (DNR R-Monument). Refer to the Department's Bureau of Beaches and Coastal Systems web page to view maps that provide the Range Monuments at: <http://www.dep.state.fl.us/beaches/data/coastmon.htm>.

(e) Property boundaries and right-of-ways.

(f) Legal description of the property.

(g) All horizontal coordinates, bearings, and distances referenced to the control provided upon the most recently recorded Map of Record for the Coastal Construction Control Line (CCCL) in the county where the subject property is located. Data should include a minimum of one benchmark as a source of horizontal measurement or any published second order or higher horizontal control point.

(h) The recording date, book, and page of the Map of Record of the CCCL as recorded in the county public records where the subject property resides.

(i) The horizontal location of the CCCL for the full width of the subject property, including the location and full stamping of the two nearest Department or published second order or higher horizontal control points.

(j) The horizontal location of the erosion control line, if one exists.

(k) The horizontal locations of the contour lines corresponding to elevation 0.00, the approximate contour of the mean high water line, and the contour of the seasonal high water line.

(l) The horizontal location of the seaward line of vegetation and outlines of existing native beach-dune vegetation. Each contiguous stand shall be circumscribed at the outermost edge of the vegetation or the drip line of a tree canopy and shall be identified as being one of the following categories:

1. Beach-dune (grasses and groundcovers).

2. Coastal strand (saw palmetto and salt pruned shrubs).

3. Hammock (overhead forest canopy).

4. Wetland (mangrove, marsh, or swamp).

5. Exotics (greater than fifty percent Australian pine, Brazilian pepper, Australian scaevola, or other invasive nuisance species).

(m) When the topographic contours of the subject property are uniform in nature in the shore-normal direction throughout the project area show: a minimum of three transects; one transect per lot line; and one transect per 100-feet of shore-normal direction, with data points at 25-foot intervals and at one-foot or greater changes in elevation on each transect. In project areas that are irregular or not uniform in nature or where abnormal topographic entities exist in a beach-dune system, provide sufficient transect data points and elevations to establish a two-foot contour interval throughout the beach-dune system.

(n) Dimensions and locations of the foundation outlines of any existing structures on the subject property and the bearings and distances perpendicular from the CCCL to the seaward corners of the foundations of any habitable major structures and public infrastructure or the seaward limit of the crest or cap at the extremities of any coastal or shore protection structure; and.

(o) Dimensions and locations of the foundation outlines of any existing structures on adjacent properties and distances from the CCCL to the seaward corners of the foundations of any existing structures or the seaward limit of any coastal or shore-protection structure.

(2) When conventional route surveying is used to locate the CCCL the following information shall be shown, reported, and become a part of the drawing:

(a) The location traverse showing all adjusted angles, distances, and directions.

(b) At least two CCCL Map of Record control points or any two published second order or higher horizontal control points shall be used in the location traverse. The bearing and distance from the nearest control monuments to the points of intersection on the CCCL; and.

(c) The survey shall provide the Florida State Plane Coordinates referenced to NAD 83/90 (U.S. survey foot) for two consecutive property corners on the subject property and the perpendicular bearings and distances to the most recently recorded CCCL, including the down-line bearing and distance from the nearest point of intersection of the CCCL and the established perpendicular intersection.

(3) When Global Positioning Systems (GPS) are used, the following must be shown, reported, and become a part of the drawing:

(a) A tabular listing of all Geodetic Control Stations occupied and checked into, along with their latitude, longitude, State Plane Coordinate, zone, and specifications of units (U.S. survey foot).

(b) The software brand and version number used for the baseline or real-time processing and or adjustment.

(c) Identification of the Geodetic Control that was held fixed or used as Base Station installation. The Geodetic Control that was checked or allowed to take adjustment. When using real-time kinematic carrier phase processing, at least one additional control monument shall be occupied and a statistical comparison to the published values.

(d) A general statement of accuracy for each newly established coordinate.

(e) A graphic representation of the final fixed position data depicting the three-dimensional vector baseline established between the control station and the newly established stations, including three-dimensional loop closure statistics on the checked monumentation.

(f) A tabular listing of all newly established positions obtained from the final fixed vectors which includes their latitude, longitude, State Plane Coordinate, zone, grid Azimuth (convergence angle), scale factor, and specification of units (U.S. survey foot). Newly established stations shall be identified as such. The number of decimal places displayed shall reflect the level of precision of the work performed; and.

(g) The survey drawings shall include the following notes or equivalent:

1. The procedures and or network design meet the Geodetic Accuracy Standards and Specifications for using GPS Related Positioning as set forth by the Federal Geodetic Control Subcommittee in their most current publication for 3rd order class 1 horizontal control survey or provide the horizontal accuracy for all new positions established as a positional tolerance.

2. The vertical accuracy for all new positions established as a positional tolerance.

3. The survey shall provide the Florida State Plane Coordinates referenced to NAD 83/90 (U.S. survey foot) for two consecutive property corners on the subject property and the perpendicular bearings and distances to the most recently recorded CCCL, including the down line bearing and distance from the nearest point of intersection of the CCCL and the established perpendicular intersection; and.

4. For general location purposes, the survey shall provide a bearing and distance from the State Plane Coordinated property corners to the nearest Department range baseline monitoring location.

Specific Authority 161.053, 161.085 FS. Law Implemented 161.053, 161.085 FS. History—New _____.

62B-56.090 Financial Assurances.

(1) Prior to issuance of a Notice to Proceed, the responsible entity shall provide the Department with financial assurance, as defined in Rule 62B-56.020, F.A.C., in an amount sufficient to cover the cost of dune core removal and restoration of the project site, including topography and native beach dune vegetation, and a one-time deferred removal cost, as defined in Rule 62B-56.020, F.A.C. In the event the responsible entity fails to remove and restore pursuant to Rule 62B-56.160, F.A.C., the financial assurance shall be used to conduct such removal and restoration.

(2) Proof of financial assurance shall be submitted on Forms 62B-56.900(10) "Trust Fund Agreement"; 62B-56.900(11), "Payment Bond"; 62B-56.900(12), "Performance Bond"; 62B-56.900(13), "Letter of Credit"; or 62B-56.900(14) "Standby Trust Agreement" (effective date _____), as appropriate. A standby trust agreement must accompany any surety payment bond or performance bond or letter of credit.

(3) The amount of the financial assurance shall be based on a cost estimate provided by a professional engineer licensed in the State of Florida, who is not the applicant or an employee of the applicant, or associated with the sale, installation, or contract for removal, of the geotextile container to be permitted under this chapter. The estimate shall include the costs associated with removal of the geotextile container and restoration of the project site, including topography and native beach dune vegetation, and the cost of a one-time deferred removal, consistent with subsection 62B-56.160(6), F.A.C. The costs shall be estimated on a per unit basis, with the description of the estimates indicated, and shall be submitted on Form 62B-56.900(2), "Financial Assurance Worksheet", as part of the permit application.

(4) As part of the permit application, the applicant must also submit a written commitment from the financial institution or insurance company providing or acting as Trustee of the financial assurance that such funds or instruments in the amount estimated on Form 62B-56.900(2), "Financial Assurance Worksheet", will be made available to the responsible entity prior to the issuance of the Notice to Proceed.

(5) The responsible entity shall revise and resubmit the cost estimate, Form 62B-56.900(2), "Financial Assurance Worksheet", every five years from the date of permit issuance to adjust for inflation or other changes in costs, and shall provide the revised financial assurance to the Department.

(6) Prior to any transfer of the permit, the new responsible entity (transferee) must provide the Department with proof of financial assurance to cover the cost of dune core removal and restoration of the project site, including topography and native beach dune vegetation, and the one-time deferred removal cost. The new responsible entity's (transferee's) financial assurance may be satisfied by proof of the continuation of the existing financial assurance.

Specific Authority 161.053, 161.085 FS. Law Implemented 161.053, 161.085 FS. History–New _____.

62B-56.100 Duration of Permits.

(1) Unless revoked or otherwise modified, the duration of a permit under this chapter is as follows:

(a) Construction shall be completed no more than two years after issuance of permit.

(b) Perpetual for the maintenance phase of a coastal construction permit for a reconstructed dune structure. Unless otherwise specified in the permit, the maintenance phase of a permit shall not become effective until:

1. The responsible entity, within 30 days after completion of the permitted activity, has filed a written statement of completion and certification by a professional engineer licensed in the State of Florida; and,

2. The Department has inspected and determined that the permitted system meets all the provisions of the permit.

(2) If a permit expires without construction activity having been completed, all construction activity must cease and the site must be restored, including topography and native beach-dune vegetation. Failure to restore the site shall result in an order by the Department. Failure to comply with the terms of the order will provide grounds for the Department to use the financial assurance.

Specific Authority 161.053, 161.085 FS. Law Implemented 120.60, 161.053, 161.085 FS. History–New _____.

62B-56.110 Permit Modifications.

(1) Requests for major permit modifications, including additions, revisions, or structural modifications of the permitted project or activities, shall be reviewed and processed in the same manner as the initial application.

(2) Minor changes or modifications shall be made upon request of the applicant. They do not require the same review as major modifications because they do not increase the risk of adverse impacts. Minor modifications are not required to adhere to the noticing requirements contained in Rule 62B-56.070, F.A.C.

(3) Modifications shall be charged a fee pursuant to Rule 62B-56.130, F.A.C., and subject to Rule 62B-56.090, F.A.C.

Specific Authority 161.053, 161.085 FS. Law Implemented 120.60, 161.053, 161.085 FS. History–New _____.

62B-56.120 Permit Transfers.

(1) Permits issued to the applicant are not valid for any other person unless formally transferred.

(2) At least 30 days prior to any transfer of ownership or control of the land on which the reconstructed dune is located or where any permitted activity is located, the responsible entity shall submit an executed Form 62B-56.900(5), entitled "Permit Transfer Agreement" (effective date _____). This form must contain original signatures of both the current and the proposed responsible entity. The submittal must include the permit transfer fee specified in Rule 62B-56.130, F.A.C.

(3) The proposed responsible entity must meet the definition of a responsible entity, as provided in Rules 62B-56.020 and 62B-56.050, F.A.C.

(4) The Department shall approve a request for transfer of a permit if the proposed responsible entity provides reasonable assurance that it can construct and maintain the permitted structure in conformance with the terms and conditions of the permit, including the financial assurances required under Rule 62B-56.090, F.A.C. If the Department proposes to deny the transfer, it shall provide both the current and proposed responsible entities a written notice of denial of such transfer, which will include the reasons for the denial.

(5) Until a transfer is approved by the Department, the permittee is the responsible entity and shall be liable for compliance with the terms and conditions of the permit, and

may be liable for any corrective actions required because of any violations of the permit prior to the approval of the transfer by the Department.

(6) Once the request to transfer the permit has been approved by the Department, the new responsible entity shall be liable for compliance with all the terms and conditions of the permit for the life of the reconstructed dune.

(7) A copy of the transfer notification shall be displayed on the construction site along with the permit where construction has not been completed. An expired construction permit shall not be transferred.

Specific Authority 161.053, 161.085 FS. Law Implemented 120.60, 161.053, 161.085 FS. History—New _____.

62B-56.130 Construction and Maintenance Permit Fees.

(1) Each application for a new permit, major modification, or transfer to be considered by the Department pursuant to Section 161.085(9), F.S., and this chapter, shall be accompanied by a processing fee. Monies from fees assessed pursuant to this chapter shall be deposited into the Florida Permit Fee Trust Fund.

(2) The appropriate fee is to be submitted to the Department at the time of application. No permit application shall be considered complete until the required fee has been received by the Department. The fee schedule is as follows:

(a) Reconstructed dune: \$3,500 each for structures up to 100 feet in length, plus \$500 for each additional 50 feet of length or portion thereof. For fee payment purposes, the length of the structure shall include returns.

(b) Major Modifications of Approved Permits: The fee for a major modification to a permit, which does not affect the length of a reconstructed dune feature, is \$500.

(c) Major modifications to a permit, which affect the length of a reconstructed dune, are \$500 for each additional 50 feet of length or portion thereof.

(d) Minor Modifications of Approved Permits: The fee for a minor modification to a permit is \$250.

(e) Conversion to Maintenance Permit: The fee for processing the conversion of a permit from the construction to the maintenance and for post-construction monitoring of a reconstructed dune is \$1,500 or ten percent of the original permit fee, whichever is greater.

(f) Permit Transfer Fee: \$500.

Specific Authority 161.053, 161.0535, 161.085 FS. Law Implemented 161.053, 161.0535, 161.085 FS. History—New _____.

62B-56.140 Conversion and Maintenance.

(1) Upon completion of a reconstructed dune authorized under this chapter, the permit must be converted from a construction permit to a maintenance permit.

(2) Completion of construction shall be certified as follows:

(a) Within 30 days after completion of construction in conformance with an individual permit issued under this chapter, the responsible entity shall submit two copies of a signed and sealed as-built survey of the reconstructed dune. The information depicted on the drawing shall be from a field survey conducted not more than fourteen days following completion of construction. The survey shall comply with the requirements given in Rule 62B-56.080, F.A.C.; and

(b) Within 30 days after completion of construction, the responsible entity shall submit a completed Form 62B-56.900(6), entitled Final Construction Certification of Reconstructed Dune” (effective date _____).

(3) Within 30 days after completion of construction, the responsible entity shall also submit Form 62B-56.900(7), entitled “Conversion of Permit for a Reconstructed Dune from Construction Phase to Maintenance Phase” (effective date _____). Such submittal shall include confirmation of financial assurances, and plans for annual maintenance and monitoring. Upon receipt and review of the information, the Department shall determine compliance with the terms and conditions of the permit and this chapter and notify the responsible entity whether the conversion to the maintenance phase will become effective. The submittal of the permit conversion and maintenance documentation requires a fee as specified in paragraph 62B-56.130(2)(e), F.A.C., but does not require processing as a permit modification.

(4) The maintenance phase of an individual permit shall not become effective if the Department determines that the activity authorized by the permit is not in substantial compliance with all the plans, specifications, terms, and conditions of the permit. In such case, the responsible entity shall be responsible for any necessary modifications, alterations, maintenance or repairs to bring the system into such compliance.

(5) Once the maintenance phase of the project has been initiated, the responsible entity shall provide an annual inspection report to the Department. This report shall be filed with the Department within 30 days after the inspection. The inspection shall be conducted as specified in the permit and include the following:

(a) The depth of sand cover over the geotextile core of the reconstructed dune shall be surveyed no earlier than 30 days before the start of the marine turtle nesting season and in consideration of other protected species. The sand depth shall be measured at 50-foot intervals along the seaward edge of the reconstructed dune and at 10-foot intervals along each profile line at 50-foot intervals from the seaward edge of the reconstructed dune to its landward limit. If there is less than three feet of sand cover over the core structure, the responsible entity shall place beach compatible sand over the core structure to reestablish the three feet of sand cover prior to the start of

the marine turtle nesting season. The sand placement shall be in accordance with the terms and conditions of the approved permit; and,

(b) A vegetation survey including the species, coverage and condition of native beach-dune vegetation and the degree and extent of disturbance of the vegetation. The responsible entity shall replant damaged or lost vegetation in accordance with the terms and conditions of the permit.

(6) If the permit holder demonstrates that the core of the reconstructed dune does not require continued maintenance in order to maintain a minimum of three feet of continuous sand coverage, and established beach-dune vegetation, then the Department shall release the permittee from this annual inspection requirement.

(7) If a coastal storm, an act of vandalism, or other event, damages or uncovers the geotextile container, the responsible entity shall submit a report within 14 days of the occurrence. The report shall identify all corrective actions that are needed to bring the system back into compliance, including a proposed construction schedule. No corrective actions shall be taken by the responsible entity until the Department provides them with written authorization to proceed with the required maintenance.

(8) The reporting activities described above shall be filed with the Department using Form 62B-56.900(7), entitled "Maintenance Inspection Report" (effective date _____).

Specific Authority 161.053, 161.085 FS. Law Implemented 161.085 FS. History—New _____.

62B-56.150 General Permit Conditions.

(1) The following general permit conditions shall apply, unless superseded by the Department or modified by the permit as a special permit condition:

(a) The responsible entity shall perform all construction activities in accordance with the plans and specifications that were approved by the Department. Any deviations without written approval from the Department shall be grounds for suspension of the work or revocation of the permit pursuant to Section 120.60(5), F.S. and Rule 62B-56.160, F.A.C., and shall result in assessment of administrative fines or issuance of an order to alter or remove the unauthorized work, or both. No other construction or activities shall be conducted. No modifications to project size, location, or structural design are authorized without prior written approval from the Department. A copy of the Notice to Proceed shall be conspicuously displayed at the project site. Approved plans shall be available for inspection by a Department representative.

(b) The responsible entity shall use extreme care during construction to prevent any adverse impacts to the beach-dune system, native coastal vegetation, nesting state or federally threatened or endangered species, and nesting marine turtles and their hatchlings, or adjacent property and structures.

(c) The responsible entity shall allow any duly identified and authorized member of the Department to access the project site to document compliance with the terms of the permit and with the rules of the Department.

(d) The responsible entity shall hold and save the State of Florida, the Department, and its officers and employees harmless from any damages, no matter how occasioned and no matter what the amount, to persons or property that might result from the construction or activity authorized under the permit and from any and all claims and judgments resulting from such damages.

(e) Construction activity authorized by this permit shall not begin until:

1. The time provided in the public notice for the public to exercise any rights, given under Chapter 120, F.S., has expired, or if a hearing is requested, final disposition of the hearing request has been made.

2. A Notice to Proceed placard has been issued by the Department. The issuance of the placard acknowledges that the permit holder has met the permit conditions and rule requirements applicable prior to the pre-construction conference described below. Prior to issuance of a notice to proceed with construction, the permit holder must submit, where applicable, and the Department must accept the following documents: proof of publication of the public notice pursuant to subsection 62B-56.070(3), F.A.C.; proof of the recording of the permit and the permit conditions with the clerk of the county court pursuant to subsection 62B-56.070(6), F.A.C.; executed financial assurance forms pursuant to Rule 62B-56.090, F.A.C.; incidental take permit(s) pursuant to subsection 62B-56.030(5), F.A.C.; and other permits, licenses, agreements or approvals specified in the special permit conditions.

3. A preconstruction conference has been held on site with the contractor, the responsible entity, or agent and a field representative of the Department to establish a mutual understanding of the items specified in the special and general conditions of the permit. The locations of all proposed structures and construction limits shall be staked out prior to the conference; and,

4. Measures have been taken that provide maximum protection to the coastal system, native coastal vegetation, nesting state or federally threatened or endangered species, and nesting marine turtles and their hatchlings, public access, and adjacent properties, including installation of temporary construction fencing, and designation of access and vehicle/equipment storage areas, as required.

(f) All imported sand shall meet the definition of beach quality sand in Rule 62B-56.020, F.A.C., and be obtained from a source landward of the Coastal Construction Control Line (CCCL). Prior to the sand placement authorized by this permit, the permittee shall provide the Department's field representative with three benchmark samples of sand used in

completing Form 62B-56.900(2), entitled "Sand Quality Assurance/Quality Control Plan". One sample shall be retained by the Department's field representative, one by the permittee and one will remain on site, for permit compliance.

(g) Sand excavated seaward of the CCCL shall remain on site seaward of the CCCL and be placed in the immediate area of construction unless otherwise specifically authorized by the Department. Beach scraping is prohibited.

(h) All construction debris shall be removed and disposed at a location landward of the CCCL.

(i) Extreme care is to be exercised to ensure minimal disturbance of existing vegetation during construction. Protection of existing native vegetation, planting of reconstructed dunes and revegetation during maintenance of a reconstructed dune or following the removal of a dune core shall meet the following requirements:

1. Prior to construction, a Department representative shall determine, using best horticultural practices, the feasibility of transplanting disturbed native vegetation to suitable bare areas seaward of the CCCL. All transplanted vegetation shall be maintained, irrigated and/or fertilized to ensure a seventy-five percent survival rate for a minimum of one growing season.

2. Disturbed vegetated areas, seaward of the CCCL are to be stabilized by planting a minimum of eighty percent of the area with native salt-tolerant, sand-stabilizing perennial grasses indigenous to the native plant communities existing on or near the site. Plantings shall include a mix of a minimum of three plant species indigenous to the project shoreline, including: perennial grasses such as sea oats (*Uniola paniculata*); beach panicum (*Panicum amarum*); marsh hay cordgrass (*Spartina patens*); or other sand stabilizing native species approved by the Department and grown from stock indigenous to the region in which the project is located.

3. Soil stabilizing native grasses are to be spaced throughout the project area in staggered rows a maximum distance of 18 inches on center for four inch wide root balls or smaller plugs, or up to 36 inches on center for one-gallon size planting units. Grass planting units are to be planted a minimum of six inches deep with slow-release pelletized fertilizer in the planting holes. All planting units shall be fertilized and watered-in at the time of installation and thereafter irrigated and fertilized as necessary to meet the following survival criteria. Within 180 days, a minimum eighty percent overall survival rate of the planting units must be established, eighty percent of the planted area covered with the grass species and no shore parallel gaps present. Plants shall be considered to be healthy and surviving if they show clearly vigorous rhizomes and white, turgid roots. Survival rates shall be determined by observing a minimum of 24 healthy out of 30 randomly selected, planting units. All deficient areas shall be replanted and the plantings maintained until the above success criterion are met.

4. Irrigation systems are to be designed, installed and maintained to avoid interference with nesting species. Irrigation pipes shall be buried and maintained a minimum of three inches below the surface. Irrigation shall be directed away from nesting species. Irrigation systems and other structures placed during plant installation shall be removed after the plantings are established.

5. The reconstructed dunes are to be protected from foot traffic or other encroachments. Signs, rope and bollard barriers, or sand fencing shall be constructed and maintained in accordance with Department guidelines and shall be constructed and maintained as necessary to prevent trampling of vegetation and erosion of the dune feature.

(j) If not specifically authorized elsewhere in the permit, no construction activities including the installation of construction fences, and no operation, transportation, or storage of equipment or materials are authorized within or seaward of nesting species habitats during the nesting seasons of state and federally threatened or endangered species.

(k) If not specifically authorized in the permit, no temporary lighting of the construction area is authorized at any time during the marine turtle nesting season.

(l) The responsible entity shall immediately inform the Bureau of any change of mailing address of the responsible entity and any authorized agent.

(m) The responsible entity shall submit to the Bureau monthly periodic progress reports beginning at the start of construction and continuing until all construction and restoration work has been completed. Reports shall be certified by a professional engineer licensed in the State of Florida. The engineer shall certify that as of the date of each report all construction has been performed in compliance with the plans and project description approved as a part of the permit and with all conditions of the permit, or shall specify any deviation from the plans, project description, or conditions of the permit. The report shall include photographic documentation of site conditions and state the percent of completion of the project and each major individual component. The reports shall be provided to the Bureau using Form 62B-56.900(9) entitled "Periodic Progress Report" (effective date _____).

(n) Within 30 days of construction completion, the responsible entity shall submit two copies of a signed and sealed as-built survey and a completed Form 62B-56.900(6), entitled "Final Construction Certification of Reconstructed Dune" (effective date _____), both prepared pursuant to Rule 62B-56.140, F.A.C., of this chapter.

(o) Continuous sand coverage of at least three feet of sand shall be maintained over the dune core and stabilized with native beach-dune vegetation unless otherwise specified by state or federal habitat protection requirements.

(p) Following conversion to a maintenance permit, the responsible entity shall submit to the Bureau annual reports, as required by the permit or by Chapter 62B-56, F.A.C. The

completed reports shall be provided to the Bureau using Form 62B-56.900(8), entitled "Maintenance Inspection Report" (effective date _____).

(q) Authorization for construction is based on an engineering review and assessment of the design and anticipated performance and impact of the structure as a complete unit. Construction of anything less than the complete structure, as approved by the Department, is not authorized and may result in the issuance of an order to remove the partially constructed structure. Modifications to the project size, location, or structural design will be processed by the Department in accordance with Rule 62B-56.110, F.A.C., and shall require payment of the major modification fee.

(2) The responsible entity shall not commence any excavation, construction, or other physical activity on or encroaching on the sovereignty land of Florida until they have received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use.

(3) The responsible entity shall inform the Bureau of any impending change in its legal status pursuant to subsection 62B-56.050(4), F.A.C., and within 30 days prior to the effect of the change, present documentation of how its legal responsibilities for the permit will be maintained.

(4) The requirements set forth in this chapter, and the permit shall apply, unless a more stringent requirement is contained in any associated Incidental Take Permit.

(5) Any permit issued under this rule does not exempt any party from complying with the applicable requirements of federal, state, county, or municipal law.

(6) This permit does not authorize trespass onto other property.

Specific Authority 161.053, 161.085 FS. Law Implemented 161.053, 161.085 FS. History—New _____.

62B-56.160 Revocations, Suspensions and Removal.

(1) Subject to the provisions of subsection (3) below and in accordance with Sections 161.085, and 120.60, F.S., the Department shall order the revocation of the permit and removal of the structure and restoration of the project site, in accordance with subsection (6), below, upon its determination that one or more of the following permit conditions have been violated:

(a) Financial assurances are invalid or inadequate.

(b) Responsible entity has failed to maintain continuous cover of at least three feet of sand over the dune core stabilized with native beach-dune vegetation unless precluded by state or federal habitat protection requirements.

(c) Project has suffered irreparable damage or fails to perform as the core of a frontal dune feature.

(d) Project has caused a significant adverse impact to the beach-dune system; or,

(e) The Incidental Take Permit has been revoked.

(2) Subject to the provisions of subsection (3) below, the Department shall order the suspension of the permit upon its determination that the responsible entity failed to meet any of the requirements under Rule 62B-56.030, F.A.C. Upon receipt of an order of suspension, the responsible entity shall immediately cease all construction activities unless otherwise directed by the Department.

(3) The following factors shall be considered in determining whether to suspend or revoke a permit or other authorization:

(a) The severity of the conduct.

(b) The danger to the public created or occasioned by the conduct.

(c) Attempts by the responsible entity to correct or prevent violations, or the refusal or failure of the responsible entity to take reasonable measures to correct or prevent violations; and,

(d) Any other mitigating or aggravating factors.

(4) Responsible entities whose permits have been suspended shall have up to 60 days to submit a written plan to correct the deficiencies that resulted in the suspension. The Department shall review the deficiency plan within 60 days of receipt and advise the responsible entity of whether it is acceptable and take action as follows:

(a) If the Department determines that the plan for corrective action is adequate, the Department will withdraw the suspension and direct the responsible entity to proceed with the construction; or

(b) If the Department determines that the plan for corrective action is inadequate, the Department shall revoke the permit.

(5) Before revoking or suspending a permit, the Department shall give written notice to the responsible entity. The notice shall specify the provision of the law, or rule or permit condition alleged to be violated, and the facts alleged to constitute a violation thereof. Within 21 days of receipt of notification, the responsible entity may petition for an administrative hearing under Sections 120.569 and 120.57, F.S.

(6) Following the Department's final order upholding revocation, the responsible entity shall remove the structure. All removals, mandated or voluntary, shall be conducted pursuant to the following:

(a) The responsible entity shall remove all debris and structural material, including fabric from geotextile containers, from the site and deposit offsite, as determined by the Department. To the extent possible, removal of failed structures will take place outside the nesting season for nesting state or federally threatened or endangered species, and nesting marine turtles, unless it is determined by the Department to be less harmful to the species to remove the structures and debris during nesting season.

(b) The responsible entity shall restore beach-dune contours to a condition appropriate to the beach-dune system.

(c) The responsible entity shall revegetate the area disturbed by removal of the dune core structure by reestablishing native beach-dune vegetation indigenous to the area as approved by the Department; and.

(d) The responsible entity shall notify the Department within 14 days of the completion of removal, restoration and revegetation activities.

(7) Permits that have been revoked shall be returned to the Department within 30 days after the official notification.

Specific Authority 161.053, 161.085 FS. Law Implemented 120.60, 161.053, 161.054, 161.085 FS. History--New _____.

62B-56.900 Forms.

The forms used by the Department in the Coastal Construction Control Line program are adopted and incorporated by reference in this rule. Each form is listed by rule number, which is also the form number, and with the subject, title, and effective date. Copies of forms may be obtained by writing to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, MS 300, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000; or on our web site at: www.dep.state.fl.us/beaches

(1) Form 62B-56.900(1), Permit Application for Construction and Maintenance of a Reconstructed Dune (effective date _____).

(2) Form 62B-56.900(2), Financial Assurance Worksheet (effective date _____).

(3) Form 62B-56.900(3), Sand Sediment Quality Assurance/Quality Control (QA/QC) Plan (effective date _____).

(4) Form 62B-56.900(4), Biological Assessment (effective _____).

(5) Form 62B-56.900(5), Permit Transfer Agreement (effective date _____).

(6) Form 62B-56.900(6), Final Construction Certification of Reconstructed Dune (effective date _____).

(7) Form 62B-56.900(7), Conversion of Permit for a Reconstructed Dune from Construction Phase to Maintenance Phase (effective date _____).

(8) Form 62B-56.900(8), Maintenance Inspection Report (effective date _____).

(9) Form 62B-56.900(9), Periodic Progress Report (effective date _____).

(10) Form 62B-56.900(10), Trust Fund Agreement (effective date _____).

(11) Form 62B-56.900(11), Payment Bond (effective date _____).

(12) Form 62B-56.900(12), Performance Bond (effective date _____).

(13) Form 62B-56.900(13), Letter of Credit (effective date _____).

(14) Form 62B-56.900(14), Standby Trust Agreement (effective date _____).

Specific Authority 120.60, 161.053, 161.085 FS. Law Implemented 161.085 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Janet G. Llewellyn, Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 12, 2007

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.:

RULE TITLE:

64B-3.005

Counterfeit-Resistant Prescription Blanks for Controlled Substance Prescribing

PURPOSE AND EFFECT: The Department proposes to promulgate a new rule to address the creation and content of counterfeit-resistant prescription blanks in accordance with Section 893.065, Florida Statutes (2007).

SUMMARY: The proposed rule will provide the form and content for a counterfeit-resistant prescription blank which may be used by practitioners for the purpose of prescribing a controlled substance listed in Schedule II, Schedule III, or Schedule IV of Section 893.03, Florida Statutes. The rule provides for security features that must be present on the blanks, limits the transfer of the blanks and prohibits their use by someone other than the prescribing practitioner.

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: 893.065 FS.

LAW IMPLEMENTED: 893.065 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, R.Ph., Executive Director, Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, Mail Bin C-04, Tallahassee, Florida 32399, (850)245-4292

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-3.005 Counterfeit-Resistant Prescription Blanks For Controlled Substance Prescribing.

(1) A practitioner authorized in this state to prescribe prescription drugs (hereinafter referred to as “prescribing practitioner” may use a counterfeit-resistant prescription blank when writing hard copy prescription(s) for controlled substances listed in Schedule II, Schedule III, or Schedule IV of Section 893.03, Florida Statutes.

(2) The counterfeit-resistant prescription blank must contain the following security features which must be present on the blank:

1. The background color must be blue or green and resist reproduction;
2. The blank must be printed on watermarked paper;
3. The blank must resist erasures and alterations and;
4. The word “void” or “illegal” must appear on any photocopy or other reproduction of the blank. This language shall not obstruct or render illegible any portion of the drug name, quantity or directions for use.

(3) The counterfeit-resistant prescription blank must contain the following information:

1. The preprinted name, address and category of professional licensure of the prescribing practitioner and;
2. A space for the prescribing practitioner’s federal Drug Enforcement Administration registration number for controlled substances.

(4) The counterfeit-resistant prescription blank is not transferable and shall not be used by any person other than the prescribing practitioner.

Specific Authority 893.065 FS. Law Implemented 893.065 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rebecca Poston
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Rebecca Poston
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 24, 2008
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2007

DEPARTMENT OF HEALTH

Office of Statewide Research

RULE NO.: 64H-2.002
RULE TITLE: Institutional Review Board Applications

PURPOSE AND EFFECT: The purpose of this rule is to provide an application mechanism and fee schedule requesting IRB review pursuant to the provisions of Section 381.86(5), F.S.

SUMMARY: Rule 64H 2.002, F.A.C., adopts a fee schedule for review of human subjects research pursuant to Section 381.86(5), F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Number of people affected: 46; Number of entities affected: 10; Dollar impact \$26,400; Cost to agency: \$10,000 first year and \$7,000 thereafter;

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: 381.86 FS.

LAW IMPLEMENTED: 381.86(5) FS.

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

DATE AND TIME: May 8, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Room 280N, 4030 Esplanade Way, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ronique Hall, Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Mail Bin A24, Tallahassee, FL 32399, (850)245-4444, x3927

THE FULL TEXT OF THE PROPOSED RULE IS:

64H-2.002 Institutional Review Board Applications.

(1) Requests for Institutional Review Board review shall be submitted electronically using the IRB Wise system available at the program’s website <http://FLpublichealthETHICS.net/>. The website address is also available by contacting: Office of Public Health Research, Department of Health, 4052 Bald Cypress Way, Bin #A-24, Tallahassee, Florida 32399, (850)245-4585.

(2) A fee shall be charged for review of each study according to the following schedule: Initial Requests for full board or expedited review \$500, Amendments \$100, and Continuing Reviews \$500. Requests for continuing review are due 60 days prior to study expiration; requests for review after a study has expired will be assessed a \$1,000 fee.

Fees are due at the time a request for review is made. IRB determinations will not be granted until payment is received by the department. Fees are nonrefundable, except if the investigator pays a fee when none is due. Specific instructions on how to pay the fee are available at the website indicated in subsection (1).

Fees do not apply to Department of Health employees, including contracted employees, or investigators conducting research involving human subjects at the request of the Department under a contract, memorandum of understanding, or similar agreement. Fees are waived for any student who is a candidate for a degree at a university regardless of location.

Specific Authority 381.86 FS. Law Implemented 381.86(5) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Robert Hood, Assistant Director, Office of Public Health Research

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Susan Phillips, Director, Office of Public Health Research

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 20, 2007

Section III Notices of Changes, Corrections and Withdrawals

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."

STATE BOARD OF ADMINISTRATION

RULE NOS.:	RULE TITLES:
19-8.010	Reimbursement Contract
19-8.012	Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund Due to Limited Exposure due to Limited Exposure
19-8.013	Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.
19-8.029	Insurer Reporting Requirements

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. 34, No. 16, April 18, 2008 issue of the Florida Administrative Weekly.

NOTICE IS HEREBY GIVEN by the State Board of Administration of Florida, in accordance with subparagraph 120.54(3)(d)1., F.S., that the changes to Rules 19-8.012 and 19-8.013, F.A.C. and changes to forms incorporated into Rules 19-8.010 and 19-8.029, F.A.C., which changes are listed below, have been made since the publication of the above-listed rules in the Florida Administrative Weekly (FAW) on February 15, 2005, in Vol. 34, No. 7. The changes noticed are numbered 1. through 9., below.

19-8.010 Reimbursement Contract.

The rule has not changed; however the following changes have been made to the Reimbursement Contract incorporated into this rule:

1. Article X(2)(a), in the Reimbursement Contract, form FHCF-2008K, has been amended to remove the reference to "regulatory supervision" and the following new sentence has been added to the end of the paragraph:

Such acceleration will not apply when the receiver or rehabilitator provides a letter of assurance to the FHCF that the Company will have the resources to pay the premium in installments in accordance with the contractual provisions.

2. Article X(3)(b)5.b. and (4)(e)8., in the Reimbursement Contract, which is given the form identification of FHCF-2008K: The word "self-insured" has been replaced with the word "self-insurance" in each subparagraph.

3. Article X(4)(f) in the Reimbursement Contract, form FHCF-2008K, has been stricken in its entirety.

4. The statutory citation in Appendix A to Addendum No. 3 to Reimbursement Contract has changed from 215.555(5)(2) to 215.555(5)(e).

19-8.012 Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund Due to Limited Exposure.

5. Subsection (3)(a) of Rule 19-8.012, F.A.C. has had the following underlined language added to it:

(3) Procedures to Determine Exemption from the Fund Due to Limited Exposure.

(a) An insurer requesting exemption from participation in the Fund because its exposure for covered policies, as defined in Section 215.555(2)(c), F.S., and in Article V of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., is less than \$10 million in the aggregate shall submit a written request for a determination regarding such an exemption no later than June 1 of the upcoming contract year. If requested within thirty days of writing its first covered policy, a new participant, as defined in Article V of the reimbursement contract, may request exemption if its exposure is less than \$10 million in the aggregate and is expected to remain less than \$10 million in the aggregate for the remainder of the contract year. The request shall be sent to the Fund's Administrator, Paragon Strategic Solutions Inc., at 3600 American Boulevard West, Suite 700, Minneapolis, Minnesota 55431. The insurer shall submit the following information no later than June 30 of the upcoming contract year:

Specific Authority 215.555(3) FS. Law Implemented 215.555(2)(c), (3), (4), (5) FS. History—New 2-17-97, Amended 6-2-02, 5-13-03, 5-19-04, 5-29-05, 5-10-06,_____.

19-8.013 Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.

6. The words “tax-exempt post-event” have been added in three places in (4)(c)2. since the Notice of Proposed Rulemaking was published. These words were added for clarification. In addition, Contract Year ~~2006-2007~~ was changed to read 2006/2007. This subparagraph now reads as follows:

(4)(c)2. Except as required by Section 215.555(7)(c), F.S., or as described in the following two sentences, Reimbursement Premiums, together with earnings thereon, received in a given Contract Year will be used only to pay for losses attributable to Covered Events occurring in that Contract Year or for losses attributable to Covered Events in subsequent Contract Years and will not be used to pay for past losses or for debt service on tax-exempt post-event revenue bonds. Amounts collected during the in Contract Year 2006/2007 ~~2006-2007~~ as part of the premium that are attributable to the required 25% rapid cash buildup factor, pursuant to as permitted by Section 215.555(5)(b), F.S., may be used to pay for losses attributable to prior Contract Years. Pursuant to Section 215.555(6)(a)1., F.S., Reimbursement Premiums, and earnings thereon ~~or amounts collected as part of the premium that are attributable to the rapid cash buildup factor,~~ may be used for payments relating to tax-exempt post-event revenue bonds in the event Emergency Assessments are insufficient. If Reimbursement Premiums are used for debt service on tax-exempt post-event revenue bonds, then the amount of the Reimbursement Premiums, or earnings thereon, ~~or amounts collected as part of the premium that are attributable to the rapid cash buildup factor~~ so used shall be returned, without interest, to the Fund when Emergency Assessments or other legally available funds remain available after making payments relating to such the revenue bonds and any other purposes for which Emergency Assessments were levied.

7. The language addressing federal multi-peril crop and the words “pursuant to the doctrine of federal pre-emption” which had been new language in the Notice of Proposed Rulemaking, as published, have been stricken. This paragraph now reads as follows:

(5)(b) Pursuant to the Order issued by the Office of Insurance Regulation levying the Emergency Assessment, each Assessable Insurer shall remit to the entity identified in the Order, an amount equal to the required percentage of its direct written premium for the preceding calendar quarter from all Assessable Lines. Medical malpractice is an Assessable Line of business but only as to covered events occurring on or after June 1, 2010 ~~2007~~. In addition, ~~Multi-Peril crop policies reinsured or subsidized by the Federal Government are exempt from the Emergency Assessment pursuant to a final judgment entered on March 20, 2007, in National Crop Insurance Services, Inc. et al. v. Office of Insurance Regulation, Case No. 2006-CA-2594 (Fla. 2nd Cir. Ct. 2007) and pursuant to the~~

doctrine of federal pre-emption, policies issued as part of the National Flood Insurance Program are not subject to the Emergency Assessment ~~pursuant to the doctrine of federal pre-emption~~. The required percentage will be determined in accordance with Section 215.555(6)(b), F.S., and the procedures set out in subsection (4) of this rule.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7) FS. History—New 9-18-97, Amended 12-3-98, 9-12-00, 6-1-03, 5-19-04, 5-29-05, 5-10-06, 9-5-06, _____.

8. The language addressing federal multi-peril crop in (5)(d)2.c., which had been proposed to be added to the rule have been removed.

19-8.029 Insurer Reporting Requirements.

9. Rule 19-8.029, F.A.C. has not changed; however, the Data Call, FHCF-D1A, which is incorporated into Rule 19-8.029, F.A.C. has been amended. As noticed in the Notice of Proposed Rulemaking, the Data Call had provided that Year Built, Florida Building Code Indicator, Structure Opening Protection, Roof Shape, Roof-Wall Connection, and Roof-Deck Attachment would be new rating factors for the 2008-2009 Contract Year. The Data Call has now been amended to show the factors listed above as information only fields and not rating factors.

The person to be contacted regarding these changes is Tracy L. Allen, (850)413-1341, P. O. Box 13300, Tallahassee, FL 32317

PUBLIC SERVICE COMMISSION

RULE NO.:	RULE TITLE:
25-30.4325	Water Treatment and Storage Used and Useful Calculations

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. 33, No. 23, June 8, 2007 issue of the Florida Administrative Weekly.

Docket No. 070183-WS

Strike the rule text as published and replace with the following:

25-30.4325 Water Treatment and Storage Used and Useful Calculations.

(1) Definitions.

(a) A water treatment system includes all facilities, such as wells and treatment facilities, excluding storage, and high service pumping, necessary to pump and produce, treat, ~~and deliver~~ potable water ~~to a transmission and distribution system~~.

(b) through (d) No change.

(e) Excessive unaccounted for water (EUW) is unaccounted for finished potable water produced in excess of 10 ~~40~~ percent of the amount produced ~~accounted for usage,~~ including water sold, other water used, such as for flushing or fire fighting, and water lost through line breaks.

(2) The Commission's used and useful evaluation of water treatment system and storage facilities will consider shall include a determination as to the prudence of the investment, and consideration of economies of scale, and other relevant factors including whether flows have decreased due to conservation or to a reduction in the number of customers.

(3) Separate used and useful calculations shall be made for the water treatment system and storage facilities. ~~An However, if the utility believes an alternative calculation is appropriate, such calculation may also be provided, along with supporting documentation and justification, including service area restrictions, factors involving treatment capacity, well drawdown limitations, changes in flow due to conservation or to a reduction in the number of customers, and alternative peaking factors.~~

(4) A water treatment system is considered 100 percent used and useful if:

~~(a) The system is the minimum size necessary to adequately serve existing customers plus an allowance for growth and fire flow; or~~

~~(b) The the service territory the system is designed to serve is mature or built out and there is no apparent potential for expansion of the service territory; or~~

~~(c) The the system is served by a single well.~~

(5) No change.

(6) The firm reliable capacity of a water treatment system is equivalent to the pumping capacity of the wells, excluding the largest well for those systems with more than one well. However, if the pumping capacity is restricted by a limiting factor such as the treatment capacity or draw down limitations, then the firm reliable capacity is the capacity of the limiting component or restriction of the water treatment system. ~~In a system with multiple wells, if a utility believes there is justification to consider more than one well out of service in determining firm reliable capacity, such circumstance will be considered. The utility must provide support for its position, in addition to the analysis excluding only the largest well.~~

(a) No change.

(b) Firm reliable capacity is expressed in gallons per day, based on ~~16~~ 12 hours of pumping, for systems with storage capacity.

(7) No change.

(a) Peak hour demand, expressed in gallons per minute, shall be calculated as follows:

1. The single maximum day (SMD) in the test year where there is no unless there is an unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water, divided by 1440 minutes in a day, times 2 $[\frac{SMD-EUW}{1,440} \times 2]$, or

~~2. The average of the 5 highest days (AFD) within a 30 day period in the test year, excluding any day with an unusual occurrence, less excessive unaccounted for water, divided by 1440 minutes in a day, times 2 $[\frac{AFD-EUW}{1,440} \times 2]$, or~~

~~2.3. If the actual maximum day flow data is not available, 1.1 gallons per minute per equivalent residential connection (1.1 x ERC).~~

(b) Peak day demand, expressed in gallons per day, shall be calculated as follows:

1. The single maximum day in the test year, ~~if where~~ there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water (SMD-EUW), or

~~2. The average of the 5 highest days within a 30 day period in the test year, excluding any day with an unusual occurrence, less excessive unaccounted for water (AFD-EUW), or~~

~~2.3. If the actual maximum day flow data is not available, 787.5 gallons per day per equivalent residential connection (787.5 x ERC).~~

(8) through (10) No change.

~~(11) In its used and useful evaluation, the Commission will consider other relevant factors, such as whether flows have decreased due to conservation or a reduction in the number of customers.~~

Specific Authority 350.127(2), 367.121(1)(f) FS. Law Implemented 367.081(2), (3) FS. History-New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-12.001
RULE TITLE: Incorporated and Approved Forms
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 11, March 14, 2008 issue of the Florida Administrative Weekly.

Subsections (1) and (4) are corrected as follows:

61D-12.001 Incorporated and Approved Forms.

The following is a list of all forms now incorporated which are to be used by the Division in its dealing with the cardroom operators and licensees who conduct cardroom gaming. A copy of these forms may be obtained at www.myflorida.com/dbpr/pmw or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035. The effective date of each of these forms is the promulgation date of this rule.

FORM NUMBER	SUBJECT	EFFECTIVE DATE
(1) DBPR PMW-3120	Individual Occupational License Application	3-4-07
(2) DBPR PMW-3130	Business Occupational License Application	3-4-07

(3) DBPR PMW-3150	Notification of a Card Game	3-4-07
(3)(4) DBPR PMW-3160	Permitholder Application for Annual License to Operate a Cardroom	3-4-07
(4)(5) DBPR PMW-3170	License Upgrade Application	3-4-07
(5)(6) DBPR PMW-3180	Request for Waiver	3-4-07
(6)(7) DBPR PMW-3220	List Notice of Change of Cardroom Business Occupational Licensees Providing Products and Services to a Cardroom	3-4-07
(7) DBPR PMW-3605	Daily Tracking of Cardroom Jackpot	_____
(8) DBPR PMW-3640	Cardroom Monthly Remittance Report	3-4-07
(9) DBPR PMW-3650	Cardroom Daily Control Sheet	3-4-07

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pat Whitford, Economic Self-Sufficiency Services, phone (850)410-3479

TEXT OF THE PROPOSED RULE CHANGES:

65A-1.301 Citizenship.

(1) The individual whose needs are included must meet the citizenship and noncitizen alien status established in: P.L. 104-193, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996; P.L. 105-33, the Balanced Budget Act of 1997; P.L. 105-185, the Agricultural Research, Extension, and Education Reform Act of 1998; P.L. 105-306, the Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998; P.L. 109-171, the Deficit Reduction Act of 2005; and, the Immigration and Nationality Act.

(2) For Medicaid, an individual who indicates they are a U.S. citizen, and who is not subject to an exemption as specified in 42 C.F.R. 435.406 (2007) (incorporated by reference), must provide proof of U.S. citizenship and identity as specified in 42 C.F.R. 435.407 (2007) (incorporated by reference) P.L. 109-171, the Deficit Reduction Act of 2005 as amended by P.L. 109-432, Tax Relief and Health Care Act of 2006. The Department will assist with obtaining documentation if the applicant or recipient indicates they are having a problem obtaining the documentation.

(3) The eligibility specialist must verify the immigration status of noncitizens through the United States Citizenship and Immigration Service (USCIS), formerly the United States Bureau of Citizenship and Immigration Services. Verification will be requested electronically using the alien number, or based on a USCIS or prior Immigration and Naturalization Services (INS) document provided by the applicant. The system of verification is known as the Verification Information System-Customer Processing System (VIS-CPS), which is part of the Systematic Alien Verification for Entitlements (SAVE) Program. When the noncitizen provides neither an alien number nor USCIS document to indicate their status, the noncitizen must contact the USCIS to obtain documentation or verification of noncitizen status. The department will assist in obtaining documentation if requested. If the noncitizen provides any form of USCIS documentation, regardless of the expiration date, showing an eligible Immigration Act section, the eligibility specialist must accept the documentation and verify the individual's status. Electronic verification of an eligible immigrant status is acceptable proof of the individual's eligible status for all programs. Automated verification is attempted first. If automated verification cannot be obtained, noncitizenship status must be verified manually (i.e., secondary verification) through use of a USCIS form. Benefits will not be withheld when VIS-CPS indicates secondary (i.e., manual) verification is required and response from the secondary verification is pending, provided all other technical

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-10.0014
 RULE TITLE: Requirements for Evidence of Workers' Compensation Coverage

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 21, May 26, 2006 issue of the Florida Administrative Weekly has been withdrawn.

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 CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.: 65A-1.301, 65A-1.704, 65A-1.705
 RULE TITLES: Citizenship, Family-Related Medicaid Eligibility Determination Process, Family-Related Medicaid General Eligibility Criteria

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. 33, No. 33, August 17, 2007 issue of the Florida Administrative Weekly.

IF REQUESTED WITHIN 14 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: May 14, 2008, 1:30 p.m.
 PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399

factors of eligibility are met. Benefit recovery is required when such individuals are determined to not have been in an eligible noncitizen status.

(4) Noncitizens who would experience an undue hardship in obtaining current USCIS documentation, hospitalized noncitizens or noncitizens with a medical disability will be considered eligible for benefits on the noncitizen factor of eligibility while awaiting the return of USCIS secondary or manual verification. Undue hardship includes living a prohibitive distance from the USCIS office, lack of transportation, inability to travel to or attend appointments due to a medical condition, or a long waiting period for an appointment with the USCIS. However, these individuals are subject to recoupment for any benefits issued while verification is pending should they subsequently be determined to have been in an ineligible noncitizen status.

Specific Authority 409.919, 414.45 FS. Law Implemented 409.903, 409.904, 410.033, 414.095(3), 414.31 FS. History—New 4-9-92, Amended 11-22-93, Formerly 10C-1.301, Amended 4-18-99,_____.

65A-1.704 Family-Related Medicaid Eligibility Determination Process.

(1) No change.

(2) Simplified Eligibility for Pregnant Women.

(a) The application form for a pregnant woman applying only for Medicaid and only for herself based on pregnancy is CF-ES Form 2700, Health Insurance Application for Pregnant Women, 08/2006 July 2003 (incorporated by reference).

(b) No change.

(c) The following information must be verified or obtained, as indicated below, prior to approval for Medicaid for a pregnant woman.

1. through 3. No change.

4. A declaration of citizenship is required. The applicant’s statement on the Health Insurance Application for Pregnant Woman, CF-ES 2700, 04/2007, is acceptable as a declaration of citizenship. U.S. citizens must provide proof of their U.S. citizenship and identity, if they are not subject to an exemption as specified in 42 C.F.R. 435.406 (2007) (incorporated by reference) P.L. 109-171, the Deficit Reduction Act of 2005 as amended by P.L. 109-432, Tax Relief and Health Care Act of 2006.

5. Noncitizens must provide proof of immigration status through the United States Citizenship and Immigration Service (USCIS), formerly the United States Bureau of Citizenship and Immigration Services. The department will request verification of immigration status of noncitizens electronically through the Verification Information System-Customer Processing System (VIS-CPS), which is part of the Systematic Alien Verification for Entitlements (SAVE) Program, using the noncitizen’s alien number. If the pregnant woman is a non-citizen, she may provide her alien number to the eligibility specialist on the

application. If the information is not on the application, it may be provided by telephone. The pregnant woman’s eligibility as a non-citizen will be determined in accordance with Section 1137 of the Social Security Act.

~~6.5:~~ No change.

~~7.6:~~ No change.

(d) No change.

(3) through (5) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.919 FS. History—New 10-8-97, Amended 2-7-01, 10-21-01, 4-1-03, 2-4-04,_____.

65A-1.705 Family-Related Medicaid General Eligibility Criteria.

(1) through (2) No change.

(3) The child must be living with a specified relative as defined in paragraph ~~65A-1.705(7)(a)~~ ~~65A-1.705(8)(a)~~, F.A.C., unless specified that the child may be living with a non-relative.

(4) No change.

(5) The individual must be a resident of Florida as provided by s. 1902(a) and (b) of the Social Security Act.

(6) through (7) No change.

(8) Medicaid Applications Due to KidCare.

(a) through (b) No change.

(c) Prior to approval for Medicaid,;

1. Children who are U.S. citizens must have their citizenship and identity verified unless they are exempt from the requirement as specified in 42 C.F.R. 435.406 (2007) (incorporated by reference), ~~P.L. 109-171, the Deficit Reduction Act of 2005 as amended by P.L. 109-432, Tax Relief and Health Care Act of 2006:~~

2. ~~V~~erification of immigration status will be required for children who are not citizens. Immigration status will be verified through the Verification Information System-Customer Processing System (VIS-CPS) Ssystem, which is part of the Systematic Alien Verification for Entitlements Program, and completion of a KidCare Program Immigration Status Statement, CF-ES 2083, Oct. 2002 (incorporated by reference). Information about immigration status and the receipt of Medicaid will be sent to parents when they are asked to complete the Immigration Status Statement form. If the requested information is not provided within thirty (30) days, the application will be denied, unless a request for an extension is made or there are extenuating circumstances known to the department justifying an extension. If the verification or information is difficult for the parent or caretaker to obtain, the eligibility specialist must provide assistance obtaining the verification or information when requested.

(d) through (h) No change.

(9) No change.

Specific Authority 409.8918, 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.818, 409.919 FS. History—New 10-8-97, Amended 9-28-98, 4-5-99, 11-23-99, 2-15-01, 9-24-01, 4-1-03,_____.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-24.001	Purpose and Intent
68B-24.002	Definitions
68B-24.006	Gear: Traps, Buoys, Identification Requirements, Prohibited Devices
68B-24.007	Other Prohibitions
68B-24.008	Slipper Lobster; Prohibitions Relating to Eggbearing Slipper Lobster
68B-24.009	Trap Reduction Schedule

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. 34, No. 10, March 7, 2008 issue of the Florida Administrative Weekly.

Proposed amendments to Rules 68B-24.001, 68B-24.002, 68B-24.006, 68B-24.007, and 68B-24.009, and the proposed repeal of Rule 68B-24.008, have each been changed to include a PROPOSED EFFECTIVE DATE of July 1, 2008. No other changes were made to the rule amendments or rule repeal as proposed.

**Section IV
Emergency Rules**

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."

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."

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

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on April 9, 2008, the Criminal Justice Standards and Training Commission, received a petition for permanent waiver of subsection 11B-27.00212(14), F.A.C., and CJSTC form 86A, from Michael Christoff. Petitioner wishes to waive that portion of the rule and form that requires officers to shoot from the 15 yard line at a B21E target or equivalent as partial fulfillment of the law enforcement officer firearms qualification standard.

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 32302-1489. Comments on the Petition may also be directed to the above.

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

NOTICE IS HEREBY GIVEN that on April 2, 2008, the South Florida Water Management District (SFWMD), received a petition for Variance (Application 080402-21, Permit 36-05292-P) from Riviera HFAH LLC for a project known as Rivera Marina, located in Lee County, Section 13, Township 44 South, Range 24 East. The petition seeks relief from Section 373.414, F.S., subsection 40E-4.101(2), F.A.C., pertaining to the content of permit applications and the requirement that the permit be issued to the record title holder, holder of a recorded easement, those having the right to exercise the power of eminent domain or having a contract to purchase real property.

A copy of the Petition for Variance or Waiver may be obtained by contacting Beth Colavecchio at (561)682-6905 or e-mail at bcolavec@sfwmd.gov. The SFWMD will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day from the date of publication at: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33041, Attn: District Clerk. For additional information, contact: Pierre Fortunat, Lower West

Coast Service Center, 2301 McGregor Blvd., Ft. Myers, FL 33901, (239)338-2929, Extension 7713 or e-mail pfortuna@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on April 10, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on March 18, 2008, for a Petition for an Emergency Variance for paragraphs 61C-1.004(1)(a), 61C-1.004 (1)(d) and subsection 61C-4.010(6), Florida Administrative Code (F.A.C.s), from Sara’s Hershey Ice Cream located in St. Petersburg. The above referenced F.A.C.s state the water supply shall meet the standards provided in Chapters 64E-8, 62-550 and 62-555 F.A.C., that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601, F.A.C., and physical facilities at public food service establishments shall be subject to the provisions of Chapter 6 of the Food Code. The Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal and obtaining potable water.

This variance request was approved and is contingent upon Petitioner using an adequately sized potable water tank and utilizing a wastewater holding tank that is at least 15% larger than the potable water holding tank. Water and wastewater holding tanks are to be emptied at least twice a day. Petitioner must adhere strictly to the following operating procedures: adhere to the current menu; utilize single-service utensils only for customers; supply for potable water tank must be from an approved source with written documentation provided; sanitize the fresh water and wastewater tanks at least once every 24 hours. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001 Food Code, Section 2-301.14. Water must be provided to the three-compartment sink via a food-grade extendable hose that is extended only during the brief time needed to fill the three compartments. If any sanitary nuisance is documented during inspections, this variance request will be re-evaluated. All provisos shall be complied with prior to final licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

A copy of the Order may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 1, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Heavenly Treasures and Angel Tea Room located in Dade City. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of thirty-four (34).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 1, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code from Socris Grill Restaurant located in Miami. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of twenty (20).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 8, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Galley Catering LLC located in Davie. The above referenced F.A.C. states that all bathrooms shall be of easy and convenient access to both patrons and employees...They are requesting a variance to use public bathrooms located in a hallway twenty feet away and have seating for twenty-five.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 11, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Big Tomato located in Miami. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The proposed establishment has one bathroom for patrons and they are requesting a variance to have a seating capacity of nineteen (19).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Xenia.Bailey@dbpr.state.fl.us.

NOTICE IS HEREBY GIVEN THAT on April 8, 2008, the Board of Accountancy, received a petition for Kenneth R. Walters, seeking a variance from subsection 61H1-33.006(2), Florida Administrative Code, which requires that an applicant for reactivation demonstrate successful completion of the required number of continuing professional education hours.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607, (352)333-2505. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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."

NOTICE IS HEREBY GIVEN THAT on March 27, 2008, the Bureau of Beaches and Coastal Systems, received a petition for a variance, pursuant to section 120.542, Florida Statutes, and Rule 28-104, F.A.C., from subsections 62B-33.002(18), (19), F.A.C., which defines "eligible structures" and "emergency protection", and from subparagraph 62B-33.0051(1)(a)1., F.A.C., which provides the conditions where construction of armoring shall be authorized. The petition was received from Keith R. Jackson, regarding WL-999 AR V. The property is located at 122 Sandcliffs Drive, Santa Rosa Beach, in Walton County.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rosaline Beckham at (850)488-7815 or by e-mail at: rosaline.beckham@dep.state.fl.us.

DEPARTMENT OF HEALTH

AMENDED NOTICE OF DISPOSITION – The Board of Hearing Aid Specialists hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Rick Stegbauer. The Notice of Petition for Variance or Waiver was published in Vol. 34, No. 8, of the February 22, 2008, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed telephonic public meeting held on March 14, 2008.

The Board's Order, filed on March 28, 2008, denies the Petition for Variance or Waiver of subsection 64B6-8.003(5), Florida Administrative Code, that states in pertinent part, that a trainee take the first available licensure examination upon completion of the training program. The Board finds that the Petitioner has not complied with Section 120.542(2), Florida

Statutes, and that the Petition for Waiver and Variance should be denied on the following grounds: Petitioner failed to demonstrate that full application of subsection 64B6-8.004(5), F.A.C., to his circumstances would violate principles of fairness or create substantial hardship.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN THAT on April 7, 2008, the Board of Pharmacy, received a petition for Tency P. Meleth, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 8, 2008, the Board of Pharmacy, received a petition for Saurin C. Modi, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 8, 2008, the Board of Pharmacy, received a petition for Sandip J. Patel, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 8, 2008, the Board of Pharmacy, received a petition for Deepakkumar Shah, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 8, 2008, the Board of Pharmacy, received a petition for Ravichandran Sokkan, seeking a variance or waiver of Rule 64B16-26.2031, Florida Administrative Code, which requires that no program of work activity will be approved for any applicant until said applicant has been certified by FPGEE Foreign Pharmacy Graduate Examination Commission.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254, (850)245-4292. Comments on the petition should be filed with the Board of Pharmacy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on April 10, 2008, the the Department of Health, received a petition for variance from subsection 64E-2.002(1), F.A.C., from Anais Cadalzo Abreu. The Petition requests a variance from the rule that defines "approved program" due to the date that the program from which she graduated is anticipated to meet the parameters of the rule. Comments on the Petition should be filed with: Elizabeth B. Hines, Administrator, 4052 Bald Cypress Way, Bin #C85, Tallahassee, FL 32399-3255.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Elizabeth B. Hines, Administrator, 4052 Bald Cypress Way, Bin #C85, Tallahassee, FL 32399-3255.

Section VI

Notices of Meetings, Workshops and Public Hearings

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
Financial Services Commission
Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles

- Department of Law Enforcement
Department of Revenue
Department of Education
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection
DATE AND TIME: May 13, 2008, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular scheduled meeting of the Governor and Cabinet

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; report on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968. The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to, matters relating to rulemaking for all activities concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and for all activities relating to the regulation of banks, credit unions, other financial institutions, finance companies, and the securities industry.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or

positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, taking final action on formal and informal hearings under Chapter 120, F.S., and consideration of other matters within its authority.

The Department of Education will finalize agency action on the business of the Florida Department of Education.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters duly presented on its agenda which may include such matters as mineral leases or sales, state or sovereign land leases, sales, exchanges, dedications, and easements, Conservation and Recreation Lands (CARL) and other land purchases; land planning matters and other matters within its authority. Additionally, the Board will take action on matters presented by the Marine Fisheries Commission as set forth in Sections 370.025, 370.026 and 370.027, F.S., and matters pertaining to the Office of Greenways Management, the Office responsible for the management of lands which formerly fell within the Cross Florida Barge Canal project corridor.

The Department of Environmental Protection, while not a Cabinet agency, will present for consideration on its agenda those matters required by law to be reviewed by the Governor and Cabinet and those pertaining to the siting of power plants, electric and natural gas transmission lines and hazardous waste facilities; coastal zone management consistency and standards adopted by the Environmental Regulation Commission.

A copy of any of the above agendas (when applicable) may be obtained by contacting each agency.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify the Governor's Cabinet Office, (850)488-5152.

The Governor and Cabinet will proceed through each agenda, item by item, in the order given above.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida. The purpose of this briefing is to review and gather information regarding each agenda to be considered by the Governor and Cabinet.

DEPARTMENT OF STATE

The **Division of Elections** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 5, 2008, 9:00 a.m.

PLACE: Division of Elections Conference Room, 3rd Floor, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pursuant to Section 105.041(2)(b)1., Florida Statutes, the Director, Division of Elections, shall determine by lot the order that the names of candidates for circuit judge shall be listed on the ballot for the primary election to be held on August 26, 2008.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sarah Jane Bradshaw, Assistant Director, Division of Elections, Department of State at (850)245-6200. 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: Sarah Jane Bradshaw, Assistant Director, Division of Elections, R. A. Gray Building, Room 316, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6200 or via email at sjbradshaw@dos.state.fl.us.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Executive Committee of the Florida **State Fair Authority Board** announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2008, 10:00 a.m.

PLACE: Florida State Fairgrounds in Tampa, FL

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

A copy of the agenda may be obtained by contacting: Kathleen Fisher at (813)627-4221.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Kathleen Fisher at (813)627-4221. 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 Kathleen Fisher at (813)627-4221.

The **Florida Agricultural Horse Park and Agricultural Center Authority** announces a public meeting to which all persons are invited.

DATE AND TIMES: Wednesday, May 14, 2008, 3:00 p.m. and 5:30 p.m.

PLACE: Golden Ocala, 8300 N. W. 31st Lane Rd., Ocala, Florida 34482, (352)622-0100

GENERAL SUBJECT MATTER TO BE CONSIDERED: The 3:00 p.m. meeting is for the various committees of the authority. The 5:30 p.m. meeting is a full board meeting to discuss general authority business.

A copy of the agenda may be obtained by contacting: Richard Gunnels at (850)488-3022 or gunnelr@doacs.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 2 days before the workshop/meeting by contacting: Richard Gunnels at (850)488-3022 or gunnelr@doacs.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).

The **Florida Peanut Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 15, 2008, 11:00 a.m. – 1:00 p.m. (Eastern Standard Time)

PLACE: Conference Call: Local: (850)617-7630, or Toll Free 1(866)543-7534, or Outside the US: (850)617-7630, Conference Call pin number is 8051

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Florida Peanut Advisory Council.

For more information, you may contact: Jose Rodriguez, 407 South Calhoun Street, Room 427A, Mayo Building, Tallahassee, Florida 32399-0800, (850)921-7916 or Rodrigj2@doacs.state.fl.us.

The **Florida Viticulture Advisory Council** announces a public meeting to which all persons are invited.

DATES AND TIMES: May 5, 2008, 2:30 p.m. – 5:30 p.m.; May 6, 2008, 9:00 a.m. – 2:00 p.m.

PLACE: The Center for Viticulture Sciences and Small Fruit Research, Florida A & M University, 6505 Mahan Road, Tallahassee, Florida 32317, (850)599-3996

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is for general business and budget planning for the 2008/2009 Fiscal Year.

For more information, you may contact: Tom Thomas at (850)922-9827 or Lacoadia Burkes at (850)922-1850.

DEPARTMENT OF EDUCATION

The Research and Economic Development Committee and the Board of Governors, **State University System of Florida** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 8, 2008, 9:00 a.m. – 11:30 a.m.

PLACE: 1605 Turlington Building, 325 W. Gaines St., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Centers of Excellence Recommendations from the Florida Technology, Research and Scholarship Board (FTRSB); Report on Research Commercialization Grants awarded by the FTRSB; Notice of Intent to Promulgate Board of Governors (BOG) Regulation 10.014, Academic Infrastructure Support Organizations; Notice of Intent to Amend BOG Regulation 6.003, Entering or Transferring Graduate Students and Post-Baccalaureate Professional Students; Notice of Intent to Repeal Former Board of Regents rules relating to the Community Hospital Education Program: Rule 6C-11.011, F.A.C., Offices; Rule 6C-11.012, F.A.C., The Council; Rule 6C-11.0125, F.A.C., Powers and Duties; Rule 6C-11.013, F.A.C., The Staff Director; Rule 6C-11.014, F.A.C., Meetings and Agenda; Rule 6C-11.015, F.A.C., Administration, Travel and Consultants; Status Report, BOG Operational Audit; Approval, BOG Regulation 9.017, Faculty Practice Plans; Authorization to implement a Guaranteed Energy Performance Program, Sarasota Campus, FSU; Discussion, Board of Governors and University Boards of Trustees: Scope of Authority; and other matters pertaining to the Board of Governors.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Office of Access and Equity, DOE at

(850)245-9531, Voice. 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.

The **Florida Schools of Excellence Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 9, 2008, 10:00 a.m. – 12:00 Noon

PLACE: 1(888)808-6959, Passcode 2450861

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the legislative, budget and legal subcommittees.

A copy of the agenda may be obtained by contacting Rudy.Rodriguez@fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. 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 Rudy.Rodriguez@fldoe.org.

The **Division of Blind Services**, Business Enterprises Program and State Committee of Vendors announces a public meeting to which all persons are invited.

DATES AND TIMES: May 9, 2008, 10:00 a.m. until all business is concluded; May 10, 2008, 9:00 a.m. – 12:00 Noon

PLACE: Embassy Suites South, 8978 International Drive, Orlando, Florida. Room Reservations: (407)352-1400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Administration for the Business Enterprises Program will discuss: Selection Panel appointment of an alternate member and other topics as needed.

The State Committee of Vendors will present reports from their subcommittees: General Topics and General Topics of interest brought up by the District Representatives at the meeting.

A copy of the agenda may be obtained when available: <http://dbs.myflorida.com/bep/>.

For more information, you may call (850)245-0300.

The **Commission for Independent Education** announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2008, 9:00 a.m.

PLACE: The Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: Disciplinary Matters, Informal Hearings, Settlement Agreements, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Application for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent Training Programs, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Applications for Exemption for Religious Colleges.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. 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: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

The **Florida Community College at Jacksonville District**, Board of Trustees announces the following meetings to which the public is invited.

STRATEGIC CONVERSATION

DATE AND TIME: May 6, 2008, 12:00 Noon – 2:00 p.m.

PLACE: Advanced Technology Center, Room T-140, 401 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Communniversity Continuation.

REGULAR MONTHLY BOARD MEETING

DATE AND TIME: May 6, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: Donald T. Martin Center for College Services, Boardroom 451, 501 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS, TIME PERMITTING

DATE AND TIME: May 6, 2008, 3:00 p.m. – 5:00 p.m.

PLACE: Donald T. Martin Center for College Services, Room 462, 501 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

Copies of the agenda for the regular monthly Board meeting will be available for inspection on and after Tuesday, April 29, 2008, and copies will be provided upon written request and the payment of approved duplicating charges.

Any person wishing to address agenda items at the Board of Trustees meeting will be provided an opportunity to do so by appearing before the Board at the meeting. All objections to this notice or the propriety of the scheduled public meetings should be filed in writing with the College President, Florida Community College at Jacksonville, on or before May 6, 2008. All legal issues should be brought to the College’s attention and an attempt made to resolve them prior to the public meeting.

Any person wishing to appeal a decision made by the Board with respect to any matter considered at this meeting will need a record of the proceeding for such an appeal and may, therefore, need to ensure that a verbatim record is made.

Through the months of May and June, 2008, the Board will hold informal meetings each Thursday from 12:00 Noon – 4:00 p.m. at the Donald T. Martin Center for College Services, Room 462, for the purpose of discussing College business as appropriate.

FCCJ does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

The Florida **Community College at Jacksonville District**, Board of Trustees announces the following budget workshop/meeting to which the public is invited.

BUDGET WORKSHOP

DATE AND TIME: May 29, 2008, 12:00 Noon – 2:00 p.m.

PLACE: Donald T. Martin Center for College Services, Boardroom 451, 501 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

DISCUSSION OF COLLEGE OPERATIONAL MATTERS, TIME PERMITTING

DATE AND TIME: May 29, 2008, 2:00 p.m. – 4:00 p.m.

PLACE: Donald T. Martin Center for College Services, Room 462, 501 West State Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: College operational matters.

All objections to this notice or the propriety of the scheduled public meetings should be filed in writing with the College President, Florida Community College at Jacksonville, on or before May 29, 2008. All legal issues should be brought to the College’s attention and an attempt made to resolve them prior to the public meeting. FCCJ does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise human resources 24 hours in advance of the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission**, “the Commission” announces a public meeting to which all persons are invited.

DATES AND TIME: May 5-7, 2008, 8:00 a.m. – completion

PLACE: Crowne Plaza Melbourne Oceanfront Hotel, 2605 North A1A Highway, Melbourne, FL 32903, 1(800)980-6429

GENERAL SUBJECT MATTER TO BE CONSIDERED: May 5, 2008

9:00 a.m. Meeting of the Accessibility Advisory Council to consider the following applications for waiver from the accessibility code requirements: Chiquita Animal Hospital, 3714 Chiquita Boulevard, Cape Coral; “The Ranch” Polo Pavilion, State Road 60, Indian River County; Cobb Theatre at Dolphin Mall – Revision Theatre #5, 11471 N. W. 12th Street, Miami; South County Water Reclamation Facility, 5600 Warren Street, Naples; Congo River Golf, 24270-24280 Tamiami Trail, Bonita Springs; Rosarian Academy Gymnasium and Classrooms, 821 North Flagler Drive, West Palm Beach; Vizcaya Village Phase II Restoration, 3251 South Miami Avenue, Miami; City of Weston Library Park, 4255 Bonaventure Boulevard, Weston; JADAM, 282 N. W. 36th Street, Miami; Victor Distributing Company, Global Commerce Park, Ft. Myers; Pahokee High School Stadium and Concessions, Palm Beach County; Bruce and Michelle Hazin, 224 N. W. 2nd Avenue, Gainesville; and Villages of Homestead, 3180 North Canal Drive, Homestead; Renovation to Fire Station #48, Clearwater.

9:00 a.m. Meeting of the Plumbing Technical Advisory Committee.

9:00 a.m. Meeting of the Structural Technical Advisory Committee.

10:30 a.m. Meeting of the Mechanical Technical Advisory Committee.

- 1:00 p.m. Meeting of the Product Approval/Manufactured Buildings Oversight Committee.
- 2:00 p.m. Meeting of the Energy Technical Advisory Committee.
- 3:00 p.m. Meeting of the Accessibility Technical Advisory Committee.

May 6, 2008

- 8:00 a.m. Meeting of the Mitigation Workgroup.
- 1:00 p.m. Meeting of the Education Program Oversight Committee.

May 6, 2008

- 3:00 p.m. Meeting of the Plenary Session of the Florida Building Commission.
Review and approval of the Agenda.

Review and approval of the March 18 and 19, 2008 Minutes and Facilitator’s Summary Report and January 29 and 30, 2008 Minutes.

Chair’s Discussion of Issues and Recommendations.

Review and Update of Commission Workplan

Consideration of requests for waiver from accessibility code requirements: Chiquita Animal Hospital, 3714 Chiquita Boulevard, Cape Coral; “The Ranch” Polo Pavilion, State Road 60, Indian River County; Cobb Theatre at Dolphin Mall – Revision Theatre #5, 11471 N. W. 12th Street, Miami; South County Water Reclamation Facility, 5600 Warren Street, Naples; Congo River Golf, 24270-24280 Tamiami Trail, Bonita Springs; Rosarian Academy Gymnasium and Classrooms, 821 North Flagler Drive, West Palm Beach; Vizcaya Village Phase II Restoration, 3251 South Miami Avenue, Miami; City of Weston Library Park, 4255 Bonaventure Boulevard, Weston; JADAM, 282 N. W. 36th Street, Miami; Victor Distributing Company, Global Commerce Park, Ft. Myers; Pahokee High School Stadium and Concessions, Palm Beach County; Bruce and Michelle Hazin, 224 N. W. 2nd Avenue, Gainesville; and Villages of Homestead, 3180 North Canal Drive, Homestead; Renovation to Fire Station #48, Clearwater.

Consideration of Applications for Product and Entity Approval.

Consideration of Legal Issues, Binding Interpretations, and Petitions for Declaratory Statement

Binding Interpretations: Report(s) Only.

Petition 35: Section 2002.3.3 of the 2004 Florida Building Code, Building.

Petition 36: Section 1025 of the 2004 Florida Building Code, Building.

Declaratory Statements:

Recommend Order of Dismissal:

DCA08-DEC-001 by Karen Kalman

Second Hearing:

DCA08-DEC-047 by Abe Sacks, Chairman, Structa Wire Corp.

First Hearing:

DCA07-DEC-085 by Walter A. Tillit, Jr., PE, TilTeco Inc.

DCA08-DEC-002 by Scott Hampton P.E.

DCA08-DEC-071 by G. David Rogers, Executive Vice President, FPGA

DCA08-DEC-083 by Steven M. Sincere, PE

DCA08-DEC-085 by Robert A. Walz, PE, Walz Engineering, LLC

DCA08-DEC-086 by Ruben Fabian Arroyo, Arroyo Enterprises, Inc.

DCA08-DEC-087 by Joseph Hermann, Arroyo Enterprises, Inc.

DCA08-DEC-108 by Ruben Fabian Arroyo, Arroyo Enterprises, Inc.

DCA08-DEC-112 by Lee Arseneault, The Vintage Group, Inc.

Recess

May 7, 2008

- 8:30 a.m. Reconvene the Plenary Session of the Florida Building Commission.

Consideration of Committee Reports and Recommendations: Accessibility TAC Report; Energy TAC Report; Mechanical TAC Report; Plumbing TAC Report; Structural TAC Report; Education POC Report; Product Approval/Manufactured Buildings POC Report; Mitigation Workgroup Report.

Legislative Report

Rule Adoption Hearing on Rule 9B-13, Energy Code.

Rule Adoption Hearing on Rule 9B-3.050, Amendments to the Florida Building Code.

Rule Adoption Hearing on Rule 9B-3.053, Alternate Plans Review and Inspection forms.

Notice of Change for Rule 9B-70.002, F.A.C., Commission Approval and Accreditation of Advanced Building Code Training Course (Notice appeared in FAW April 11, 2008)

Commission Member Comments and Issues

General Public Comment

Review Committee Assignments and Issues for the June 23-25, 2008 Commission Meeting.

Summary Review of Meeting Work Products

Adjourn.

May 7, 2008

1:00 p.m. Universal Bedroom Definition Workshop.

A copy of the agenda may be obtained by contacting: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824 or Fax (850)414-8436, or go to the web site at www.floridabuilding.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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824 or Fax (850)414-8436. 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: Ms. Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, or call (850)487-1824 or Fax (850)414-8436, or go to the web site at www.floridabuilding.org.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a workshop to which all persons are invited.

DATE AND TIME: May 7, 2008, 1:00 p.m. – 6:00 p.m. (or earlier based on when all participants complete their comments)

PLACE: Orlando Public Library, Albertson Room, 101 East Central Blvd., Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public workshop is being held to receive comments and suggestions on any issues relating to the local value adjustment board process, including, but not limited to: A) Current value adjustment board procedures and suggestions for improvement; B) The selection, qualifications, training, and responsibilities of Special Magistrates; C) What a “model” local value adjustment board process should include.

The Department will use these comments and suggestions to develop proposed rules for the conduct of value adjustment board hearings under current law and to provide information

for the Legislature to support additional substantive and procedural changes to the laws governing the value adjustment board hearing process.

ADDITIONAL INFORMATION: Further information on the local value adjustment board issues identified above is available at <http://www.myflorida.com/dor/property/> or may be requested from: Claudia Kemp, Florida Department of Revenue, P. O. Box 3000, Tallahassee, FL 32315-3000, KempC@dor.state.fl.us or (850)414-6109.

WRITTEN COMMENTS ARE WELCOME: Persons who are unable to attend this public workshop are encouraged to submit written comments and suggestions related to the local value adjustment board process. Please direct your written statements to: Claudia Kemp, Florida Department of Revenue, P. O. Box 3000, Tallahassee, FL 32315-3000, KempC@dor.state.fl.us.

A copy of the agenda may be obtained by contacting: Claudia Kemp at (850)414-6109.

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: Claudia Kemp at (850)414-6109. 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 Claudia Kemp at (850)414-6109.

DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2008, 9:00 a.m.

PLACE: Holiday Inn Express, 9402 Corporate Lake Drive, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or person under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

Any person aggrieved by the imposition of a civil penalty pursuant to Section 316.3025 or 316.550, Florida Statutes, may apply to the Commercial Motor Vehicle Review Board for a modification, cancellation, or revocation of the penalty.

A copy of the agenda may be obtained by contacting: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

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: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303, (850)245-7914. 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).

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."

The **Department of Environmental Protection**, Office of Coastal and Aquatic Managed Areas, acting as staff to the **Board of Trustees of the Internal Improvement Trust Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 4, 2008, 6:30 p.m.

PLACE: New Smyrna Beach Regional Library, 1001 S. Dixie Freeway, New Smyrna Beach, FL 32168

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to receive public comment on the draft Mosquito Lagoon Aquatic Preserve Management Plan. The Mosquito Lagoon Aquatic Preserve Advisory Committee will be participating.

A copy of the draft plan will be available for viewing starting May 2, 2008, at www.dep.state.fl.us/coastal.

A copy of the agenda may be obtained by contacting: Jessica Bruckler at (321)634-6148.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jessica Bruckler at (321)634-6148. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF CITRUS

The Florida **Department of Citrus**, Citrus Harvesting Research Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 6, 2008, 10:00 a.m.

PLACE: Florida's Natural Grove House, 20160 Highway 27, Lake Wales, FL 33853

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will meet to hear reports on mechanical harvesting, robotics and CMNP registration, and to discuss any other matters which might relate to this council.

A copy of the agenda may be obtained by contacting: Sandy Barros at (863)295-5932.

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: Bill Jones at (863)499-2500. 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: Sandy Barros at (863)295-5932.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 14, 2008, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)488-3417. 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: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450, (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces a prehearing conference and a hearing in the following docket to which all persons are invited.

DOCKET NO. AND TITLE: Docket Number 080148-EI – Petition for determination of need for Levy Units 1 and 2 nuclear power plants, by Progress Energy Florida, Inc.

PREHEARING CONFERENCE

DATE AND TIME: Monday, May 12, 2008, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

HEARING

DATES AND TIME: Wednesday – Friday, May 21-23, 2008, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this hearing is for the Commission to take final action to determine the need, pursuant to Section 403.519, Florida Statutes (F.S.), for Progress Energy Florida, Inc.'s (PEF) proposed nuclear power plants to be constructed in Levy County, and to consider any motions or other matters that may be pending at the time of the hearing. The Commission may rule on any such motions from the bench or may take the matters under advisement. This proceeding shall: (1) allow PEF to present evidence and testimony in support of its petition for a determination of need for its proposed electrical power plants; (2) permit any intervenors to present testimony and exhibits concerning this matter; (3) permit members of the public who are not parties to the need determination proceeding the opportunity to present testimony concerning this matter; and (4) allow for such other purposes as the Commission may deem appropriate.

Any member of the public who wishes to offer testimony should be present at the beginning of the hearing on Wednesday, May 21, 2008. By providing public testimony, a person does not become a party to the proceeding. To become an official party of record, you must file a Petition for Intervention at least five days before the final hearing, pursuant to the requirements contained in Rule 25-22.039, Florida Administrative Code (F.A.C.). All witnesses shall be subject to cross-examination at the conclusion of their testimony.

The hearing will be governed by the provisions of Chapter 120, F.S.; Section 403.519, F.S.; and Chapters 25-22 and 28-106, F.A.C. Only issues relating to the need for the electrical power

plants will be heard at the May 21-23, 2008, hearing. Separate public hearings will be held before the Division of Administrative Hearings to consider environmental and other impacts of the proposed power plants, as required by the "Power Plant Siting Act," Sections 403.501-.519, F.S.

Any person requiring some accommodation at this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850 or at (850)413-6770. 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 Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

Emergency Cancellation of Customer Meeting – If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website <http://www.psc.state.fl.us/> under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

For more information, you may contact: Florida Public Service Commission, Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

EXECUTIVE OFFICE OF THE GOVERNOR

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

DATE AND TIME: Wednesday, May 7, 2008, 12:15 p.m.

PLACE: Conference Call: 1(888)808-6959

GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve formula funding recommendations. Please note that this meeting had been previously noticed to take place on May 7, 2008 at 11:00 a.m. (notice #5286323).

A copy of the agenda may be obtained by contacting: Amieko Watson, Director of National Programs at (850)414-2976.

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 72 hours before the workshop/meeting. 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.

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

DATE AND TIME: Wednesday, May 7, 2008, 12:15 p.m. – until business is completed

PLACE: via Conference Call: 1(888)808-6959

GENERAL SUBJECT MATTER TO BE CONSIDERED: To approve formula funding recommendations and to discuss other general business matters.

A copy of the agenda may be obtained by contacting: Amieko Watson, Director of National Programs at (850)921-5172.

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 72 hours before the workshop/meeting. 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.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: May 8, 2008, 12:00 Noon

PLACE: North Central Florida Regional Planning Council Office, 2009 N. W. 67 Place, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling: (352)955-2200. 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.

The **Central Florida Regional Planning Council**, Local Emergency Planning Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2008, 9:30 a.m.

PLACE: Golden Corral Restaurant, 700 S. Parrott Avenue, Okeechobee, FL 34972

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Bi-Monthly meeting of the LEPC and its Sub-Committees, to discuss the provision of the Emergency Planning and Community Right to Know Program.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 107.

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: Chuck Carter, Program Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 107.

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

DATE AND TIME: May 14, 2008, 9:30 a.m.

PLACE: Turner Agri-Civic Center, 2250 N. E. Roan Street, Arcadia, FL 34266

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Council and/or its Executive Committee.

A copy of the agenda may be obtained by contacting: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 130.

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: Patricia M. Steed, CFRPC Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 130.

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

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

PLACE: Board Room of SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: PROPERTY TASK FORCE.

A copy of the agenda may be obtained by contacting: SFRTA Planning Office at (954)788-7916.

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: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064. 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.

WATER MANAGEMENT DISTRICTS

NOTICE OF CHANGE – The **R. O. Ranch Inc.**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: May 1, 2008, 6:30 p.m.

PLACE: R. O. Ranch, Cooks Hammock, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly Board of Directors meeting date has been changed from May 8, 2008 to May 1, 2008. The location has been changed to the R. O. Ranch. Monthly Board of Directors meeting to discuss the development of the equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.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 2 days before the workshop/meeting by contacting: Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.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: Brian Kauffman, Facilities Director at (386)362-1001 or bck@srwmd.org.

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

CENTRAL REGION RECREATIONAL PUBLIC MEETING

DATE AND TIME: Wednesday, May 7, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Blue House at Sunnyhill Restoration Area, 19561 S.E. Hwy. 42, Umatilla, FL

MANAGEMENT REVIEW TEAM TOUR:

DATE AND TIME: Wednesday, May 7, 2008, Immediately following the Public Recreational Meeting

PLACE: The tour will be held at Emeralda Marsh Conservation Area. Please RSVP by May 2, 2008 to tmashour@sjrwmd.com or call (386)329-4855 to attend meeting and tour.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Central Region.

A copy of the agenda may be obtained by contacting: Terri Mashour at (386)329-4855.

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: Karen M. Davis at (386)329-4404. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Karen M. Davis at (386)329-4404.

NOTICE OF CANCELLATION – The **St. Johns River Water Management District** is cancelling the Proposed Rule Development workshops published in the Florida Administrative Weekly, Vol. 34, No. 16, April 18, 2008, to which all interested persons are invited.

DATE AND TIME: May 7, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Seminole County Commission Chambers, 1101 East First Street, Sanford, FL 32771

DATE AND TIME: May 8, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Indian River County Commission Chambers, 1801 27th Street, Building A, Vero Beach, FL 32960

DATE AND TIME: May 21, 2008, 10:00 a.m. – 12:00 Noon

PLACE: Lake County Commission Chambers, 315 West Main St., Tavares, FL 32778

DATE AND TIME: May 28, 2008, 10:00 a.m. – 12:00 Noon
PLACE: Department of Environmental Protection, 7825 Baymeadows Way, Rooms A and B, Jacksonville, FL 32256
GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 40C-2.042, F.A.C., and the Applicant's Handbook: Consumptive Uses of Water, regarding Water Conservation/Landscape Irrigation. The District hereby withdraws this notice and has cancelled the scheduled public workshops. The District will publish a revised Notice of Proposed Rule Development along with a new schedule of public workshops in the near future.

For more information, you may contact: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 5, 2008, 3:30 p.m.

PLACE: East Hernando Branch Library, 6457 Windmere Road, Brooksville, Florida 34602

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Hernando County Task Force of the Citrus/Hernando Waterways Restoration Council. Hernando County residents are encouraged to attend and provide suggestions for restoration projects to enhance fish and wildlife habitat.

A copy of the agenda may be obtained by contacting: The Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, (352)796-7211 or 1(800)423-1476 (Florida only), extension 4227.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: 1(800)423-1476 (Florida), or (352)796-7211, extension 4226, Fax (352)797-5806, TDD ONLY 1(800)231-6103 (Florida). 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.

The **Water Resources Advisory Commission (WRAC)** announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 2008, 10:00 a.m.

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) District Website <http://www.sfwmd.gov/org/ema/toc/draftagenda.html> or (2) by writing to: South Florida Water Management District, Mail Stop 2130, P. O. Box 24680, West Palm Beach, FL 33416-4680.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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 District Clerk's Office at (561)682-2087.

**COMMISSION FOR THE TRANSPORTATION
DISADVANTAGED**

The Florida **Commission for the Transportation Disadvantaged** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 15, 2008, 10:00 a.m. – until completion

PLACE: Commission Business Office, Rhyne Building, 2740 Centerview Drive, Suite 1A, Tallahassee, FL 32301, (850)410-5700

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review grant applications and provide grant award recommendations.

A copy of the agenda may be obtained by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700. 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: Nikki Smith, 605 Suwannee Street, MS-49, Tallahassee, FL 32399, (850)410-5700.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: May 1, 2008, 12:00 Noon

PLACE: 988 Woodcock Rd., Building Conference Room

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, East Central Florida District Council Business.

A copy of the agenda may be obtained by contacting: LaShea Heidelberg at (407)228-7752.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: LaShea Heidelberg at (407)228-7752. 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 LaShea Heidelberg at (407)228-7752.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2008, 10:30 a.m.

PLACE: North Miami Beach Public Library, 1601 N. E. 164th St., North Miami Beach, Florida 33162

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, North Dade District Council Business.

A copy of the agenda may be obtained by contacting: Ramon Keppis at (786)336-1418.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Ramon Keppis at (786)336-1418. 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 Ramon Keppis at (786)336-1418.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: May 12, 2008, 8:30 a.m.

PLACE: 210 N. Palmetto, Suite #403, Daytona Beach, Florida 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, First Coast South District Council Business.

A copy of the agenda may be obtained by contacting: Michael Milliken at (386)226-7846 or (904)391-3942.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. 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 Michael Milliken at (386)226-7846 or (904)391-3942.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2008, 1:00 p.m.

PLACE: 1400 West Commercial Blvd., 2nd Floor, Fort Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Broward County District Council Business.

A copy of the agenda may be obtained by contacting: DeLois Williams at (954)747-7919.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: DeLois Williams at (954)747-7919. 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 DeLois Williams at (954)747-7919.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2008, 10:00 a.m.

PLACE: 7601 Little Rd., New Port Richey, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, District Council Business.

A copy of the agenda may be obtained by contacting: Michele Mule at (727)943-4955.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Michele Mule at (727)943-4955. 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 Michele Mule at (727)943-4955.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2008, 12:30 p.m.

PLACE: 4200 90th Boulevard, N. W., Gainesville, Florida 32606

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program North Central Florida District Council Business.

A copy of the agenda may be obtained by contacting: Lily Wilde at (352)955-5015.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lily Wilde at (352)955-5015. 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 Lily Wilde at (352)955-5015.

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2008, 1:00 p.m.

PLACE: 11351 Ulmerton Rd., Ste. #303, Rm. #136, Largo, Florida 33778

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program Mid and S. Pinellas District Council Business.

A copy of the agenda may be obtained by contacting: Betty Cambor at (727)588-6912.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Betty Cambor at (727)588-6912. 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 Betty Cambor at (727)588-6912.

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: May 7, 2008, 9:00 a.m.

PLACE: Conference call: 1(888)808-6959, Code: 8504149707

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss applications submitted to the Panel on Excellence in Long Term Care for the Gold Seal and other matters as determined necessary.

A copy of the agenda may be obtained by contacting: Barbara Dombrowski, 2727 Mahan Drive, MS #33, Tallahassee, FL 32308, (850)488-5861.

The **Agency for Health Care Administration, Division of Medicaid** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 22, 2008, 3:00 p.m. – 4:30 p.m.

PLACE: AHCA, Building 3, HSD Conference Room 2215, 2727 Mahan Drive, Tallahassee, Florida 32308. Any person interested in participating by telephone may dial in number 1(888)808-6959, Conference Code: 8509227337

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Hemophilia Medical Advisory Panel (HMAP) formed to assist with the Agency's Comprehensive Hemophilia Disease Management Programs. Business is to review the implementation of the Comprehensive Hemophilia Disease Management Program to date, discuss the procedures for clinical review of cases and guidelines, discuss any pending business, and to introduce new business. The purpose of HMAP is to develop clinical guidelines; review and

recommend care protocols; suggest appropriate outreach methods to beneficiaries; review difficult cases and make recommendations.

A copy of the agenda may be obtained by contacting: Felicia Wilhelmy, Agency for Health Care Administration, 2727 Mahan Dr., Mail Stop #50, Tallahassee, FL 32308-5403, (850)487-2355.

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: Felicia Wilhelmy, Agency for Health Care Administration, 2727 Mahan Dr., Mail Stop #50, Tallahassee, FL 32308-5403, (850)487-2355. 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: Felicia Wilhelmy, Agency for Health Care Administration, 2727 Mahan Dr., Mail Stop #50, Tallahassee, FL 32308-5403, (850)487-2355.

DEPARTMENT OF MANAGEMENT SERVICES

The **Florida E911 State Plan Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: May 20, 2008, 9:00 a.m. – until conclusion of business

PLACE: Hyatt Hotel, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to the E911 State Plan Operational and Technical Committees. Two (2) or more E911 Board Members may be in attendance.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. 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 **Florida Commission on Human Relations** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 22, 2008, 9:00 a.m.

PLACE: Florida Commission on Human Relations, Conference Call: 1(888)808-6959, when prompted enter the VCS Conference Code 1021548, followed by the # key

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be held to deliberate cases that have come before the Commission for determination.

A copy of the agenda may be obtained by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032. 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: Denise Crawford, Clerk of the Commission, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, Florida 32301, (850)488-7082, ext. 1032.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Barbers’ Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 19, 2008, 9:00 or soon thereafter

PLACE: The Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, Florida 32809

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the board to conduct regular business.

A copy of the agenda may be obtained by contacting: Department of Business and Professional Regulation, Barbers’ Board Office, 1940 North Monroe Street, Tallahassee, Florida 32399-0769, (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Barbers’ Board Office, Robyn Barineau, Executive Director at (850)922-6096. 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: William Oglo, Assistant Attorney General, Department of Legal Affairs at (850)414-3300.

The **Construction Industry Licensing Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 8, 2008, 10:00 a.m. or soon thereafter

PLACE: Via Telephone Conference Call. To connect, dial 1(888)808-6959, Conference Code: 4879516

GENERAL SUBJECT MATTER TO BE CONSIDERED: Final disciplinary action related to case numbers 2005-031745 and 2005-035401, involving Christopher A. Vitale, Respondent.

A copy of the agenda may be obtained by contacting: Amanda Abbott, Construction Industry Licensing Board, 1940 North Monroe Street, MS N-14, Tallahassee, FL 32399-1039, or by phone at (850)922-2701.

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: Amanda Abbott, Construction Industry Licensing Board, 1940 North Monroe Street, MS N-14, Tallahassee, FL 32399-1039, (850)922-2701. 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: Amanda Abbott, Construction Industry Licensing Board, 1940 North Monroe Street, MS N-14, Tallahassee, FL 32399-1039, (850)922-2701.

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, May 14, 2008, 2:00 p.m.; Thursday, May 15, 2008, 8:30 a.m.; Friday, May 16, 2008, 8:30 a.m.

PLACE: Embassy Suites Orlando – North, 225 Shorecrest Drive, Altamonte Springs, Florida 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, disciplinary actions and general session meetings of the Board.

A copy of the agenda may be obtained by contacting: Andy Janecek, Construction Industry Licensing Board, 1940 North Monroe Street, MS N-14, Tallahassee, FL 32399-1039, (850)922-2701.

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: Andy Janecek, Construction Industry Licensing Board, 1940 North Monroe Street, MS N-14, Tallahassee, FL 32399-1039, (850)922-2701. 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: Andy Janecek, Construction Industry Licensing Board, 1940 North Monroe Street, MS N-14, Tallahassee, FL 32399-1039, (850)922-2701.

The **Department of Business and Professional Regulation, Construction Industry Licensing Board** hereby gives notice that, pursuant to Section 120.54(3)(c)1., F.S., a Public Hearing will held in person on Rule 61G4-15.001, F.A.C. to which all interested persons are invited.

DATE AND TIME: Wednesday, May 14, 2008, 3:00 p.m. or as soon thereafter as possible

PLACE: Embassy Suites, Orlando-North, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed amendment to Rule 61G4-15.001, F.A.C.

Any person wishing to appear by phone must contact the Board office to have their name placed on an attendance list.

A copy of the agenda and the rule being considered by the Board may be obtained by writing: Department of Business and Professional Regulation, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399, or emailing a request to the Board Office at GW.Harrell@dbpr.state.fl.us or by calling (850)487-1395.

All written materials must be received by the Board office no later than May 7, 2008.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the workshop. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Electrical Contractors’ Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: May 14, 2008, 4:00 p.m.; May 15, 2008, 8:30 a.m.; May 16, 2008, 8:30 a.m.

PLACE: Hilton Dayton Beach Oceanfront Resort, 100 N. Atlantic Avenue, Daytona Beach, FL 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- May 14, 2008, 4:00 p.m. Probable Cause Panel (Portions closed to the public)
- May 15, 2008, 8:30 a.m. Disciplinary Hearings and General Business
- May 16, 2008, 8:30 a.m. General Business

A copy of the agenda may be obtained by contacting: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)922-5012.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0771, (850)922-5012. 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.

The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 20, 2008, 8:30 a.m.

PLACE: 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, portions of the Probable Cause Panel meeting may be closed consistent with law. The case of Irving Abcug, P.E. and Mark Stephens, P.E. will be presented as a Reconsideration of the Administrative Complaint that was filed.

A copy of the agenda may be obtained by contacting: Carrie A. Flynn.

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: Carrie A. Flynn. 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 Carrie A. Flynn.

The **Board of Veterinary Medicine** announces a telephone conference call to which all persons are invited.

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

PLACE: Access Phone: 1(888)808-6959, Conference Code: 9226020

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which are closed to the public. Agenda available on request.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 5, 2008, 9:00 a.m. or as soon thereafter as possible. Portions of the probable cause proceedings are not open to the public.

PLACE: Division of Real Estate, Conference Room N901, North Tower; 400 West Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Board members or its counsel.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632 (between the hours of 9:00 a.m. – 4:00 p.m.). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF 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."

The **Acquisition and Restoration Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 5, 2008, 6:00 p.m.

PLACE: Brevard City Commission Chambers, 555 South Washington Avenue, Titusville, FL 32796

GENERAL SUBJECT MATTER TO BE CONSIDERED: to take public testimony on all Florida Forever land acquisition projects and new proposals as follows.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brevard City Commission at (321)383-5802. 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 the office of Environmental Services at (850)245-2784.

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, May 13, 2008, 7:00 p.m.

PLACE: Melbourne Beach Community Center, 509 Ocean Avenue, Melbourne Beach, Florida 32951

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Sebastian Inlet State Park.

A copy of the management plan will be available at Sebastian Inlet State Park for review. Electronic versions of the plan are available upon request by emailing: Ms. BryAnne White at BryAnne.White@dep.state.fl.us.

A copy of the agenda may be obtained by contacting: Terence Coulliette, Park Manager at (321)984-4852.

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: Terence Coulliette, Park Manager at (321)984-4852 or email Terence.Coulliette@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).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 14, 2008, 9:00 a.m.

PLACE: Sebastian Inlet State Park, Administration Office, 9700 South A1A, Melbourne Beach, Florida 32951

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Sebastian Inlet State Park with the DEP Advisory Group.

A copy of the agenda may be obtained by contacting: Terence Coulliette, Park Manager at (321)984-4852.

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: Terence Coulliette, Park Manager at (321)984-4852 or email Terence.Coulliette@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).

DEPARTMENT OF HEALTH

The Probable Cause Panel of the **Board of Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, May 15, 2008, 10:00 a.m. or soon thereafter

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 2454587

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing to: Blake Hunter, Senior Attorney, Department of Health, Prosecution Services, 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Practitioner Regulation Section may be contacted at: 4052 Bald Cypress Way, #C-65, Tallahassee, FL 32399, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The Florida **Board of Osteopathic Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: Saturday, May 17-18, 2008, 9:00 a.m., or shortly thereafter

PLACE: Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, FL 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business.

A copy of any item on the agenda may be obtained by writing: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)245-4161. You will be charged seventeen cents per page for the number of copies desired.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Christy Robinson, (850)245-4161, at least five calendar days prior to the meeting. Persons who are hearing or speech impaired, can contact Christy Robinson using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he may need to ensure that a verbatim record of the proceedings is made, which records includes the testimony and evidence upon which the appeal is to be based.

The **Board of Speech-Language Pathology and Audiology** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 22, 2008, 9:00 a.m. or soon thereafter

PLACE: Buena Vista Suites, 8203 Would Center Drive, Orlando, FL 32821, (407)238-8000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by contacting: Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Speech-Language Pathology and Audiology, (850)245-4161, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday, May 30, 2008; Friday, July 25, 2008; Friday, September 26, 2008; Friday, November 21, 2008, 8:30 a.m.

PLACE: Lee County Human Services, 2440 Thompson Street, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Lee County Community Alliance Meeting. The Florida Department of Children and Families announces the following Circuit 20 Community Based Care Alliance Meetings to which all interested persons are invited.

A copy of the agenda may be obtained by contacting: Eileen Wickeri at (239)338-1251.

For additional information or pursuant to Section 286.26, F.S., if you are a qualified individual with a disability and need special accommodations to participate in this meeting, contact Eileen Wickeri, Department of Children and Family Services at least 48 hours in advance of the meeting.

For more information, you may contact Eileen Wickeri at (239)338-1251.

The **Council on Homelessness** announces a series of conference call meetings of its committees to which all interested parties are invited to participate. The committees are the Executive, Continuum of Care Capacity, Supportive Housing, Education, Application and Rule, and Discharge Planning.

Committee: Executive

DATES AND TIME: Monday, May 5, 2008; Monday, June 2, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760

Committee: Continuum of Care Capacity

DATES AND TIME: Tuesday, May 6, 2008; Tuesday, June 10, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760

Committee: Supportive Housing

DATES AND TIME: Wednesday, May 28, 2008; Wednesday, June 18, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760

Committee: Education

DATES AND TIME: Thursday, May 15, 2008; Thursday, June 19, 2008, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760

Committee: Discharge Planning

DATES AND TIME: Friday, May 16, 2008; Friday, June, 20, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760

Committee: Application and Rule

DATES AND TIME: Thursday, May 22, 2008; Friday, June 27, 2008, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760

Committee: Data Collection {2009 Count Issues}

DATES AND TIME: Wednesday, May 7, 2008; Wednesday, June 4, 2008, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Code 9229760

GENERAL SUBJECT MATTER TO BE CONSIDERED: These conference calls will address the committees' continued development of policy recommendations and work tasks to address the Council's Strategic Plan to reduce homelessness in Florida.

A copy of the agenda for any of the conference calls may be obtained by contacting: Tom Pierce, Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691 or email Tom_Pierce @ dcf.state.fl.us.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact the Office on Homelessness, (850)922-4691 at least 48 hours in advance of the meeting.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation**, Market Accountability Advisory Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, April 30, 2008, 8:00 a.m.

PLACE: Dial in: 1(866)526-0550

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the committee.

For additional information, please call Sara Golding at 1(800)807-7647, extension 3874.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sara Golding at 1(800)807-7647, extension 3874. 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 Sara Golding at 1(800)807-7647, extension 3874.

The **Citizens Property Insurance Corporation**, Consumer Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 30, 2008, 12:30 p.m.

PLACE: Crowne Plaza Orlando Airport, 5555 Hazeltine National Drive, Orlando, FL 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the committee.

For additional information, please call Sara Golding at 1(800)807-7647, extension 3874.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sara Golding at 1(800)807-7647, extension 3874. 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 Sara Golding at 1(800)807-7647, extension 3874.

SOIL AND WATER CONSERVATION DISTRICTS

The **Taylor County Soil and Water District**, Board of Supervisors announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 28, 2008, 3:00 p.m.

PLACE: Hampton Hotel, Meeting Room, Hwy. 19S

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuation of Annual Plan development.

A copy of the agenda may be obtained by contacting: Carole Taitt at (850)223-1390.

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 Diane V. Whitfield at (850)584-4329.

The **Clay Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 5, 2008, 1:00 p.m.

PLACE: Clay County Extension Office, 2463 State Road 16 West, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: General monthly meeting.

A copy of the agenda may be obtained by contacting: S. Pipkins, P. O. Box 278, Green Cove Springs, FL 32043.

The **Ochlockonee River Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: May 5, 2008 and June 2, 2008, 4:00 p.m.

PLACE: Leon County Agricultural Extension Office, 615 Paul Russell Road, Tallahassee FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meetings to discuss technical and administrative issues related to the District's activities. The agenda for the meeting will be available at least seven days prior to the meeting.

A copy of the agenda may be obtained by contacting: Blas Gomez, Chair at (850)933-6268.

The **Blackwater Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: May 8, 2008 and June 5, 2008, 7:30 a.m.

PLACE: 6285 Dwood Dr., Milton, FL 32570

GENERAL SUBJECT MATTER TO BE CONSIDERED: General District business.

A copy of the agenda may be obtained by contacting: Betty McGuyre-Carnley.

The **Broward Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: May 7, 2008, 5:00 p.m.

PLACE: 6191 Orange Drive, Suite 6181-P, Davie, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the Board of Supervisors, Broward Soil and Water Conservation District. Topics to be discussed include, but are not limited to, Watershed Improvement District, Beach Revegetation and Chapter 582, F.S.

A copy of the agenda may be obtained by contacting: (954)584-1306 or russell.setti@browardswcd.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. 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: (954)584-1306 or russell.setti@browardswcd.org.

TAMPA BAY ESTUARY PROGRAM

The **Tampa Bay Estuary Program** announces a workshop to which all persons are invited.

DATES AND TIMES: Thursday, May 1, 2008, 1:30 p.m. – 4:30 p.m.; Friday, May 30, 2008, 9:00 a.m. – 12:00 Noon

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Tampa Bay Estuary Program has scheduled two stakeholder workshops to continue development of regional fertilizer guidelines for the Tampa Bay area.

A copy of the agenda may be obtained by contacting: nanette@tbep.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 7 days before the workshop/meeting by contacting: nanette@tbep.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: nanette@tbep.org.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting to which all persons are invited.

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

PLACE: McEaddy Conference Room, 12th Floor, Palm Beach County Governmental Center, 301 North Olive Avenue, West Palm Beach, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting followed by Annual Membership Meeting.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy at (850)878-1874 or at the Commission's website: www.ssgfc.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, MAP Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 2, 2008, 10:00 a.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include an annual review of the FWCJUA's Market Assistance Plan; and a review of Committee duties.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website www.fwcjua.com.

The **FWCJUA Reinsurance Intermediary RFQ Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2008, 9:00 a.m.

PLACE: FWCJUA Office, 6003 Honore Avenue, Suite 204, Sarasota, FL 34238 (Please enter through Suite 203)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda will include the public oral interviews, if any, of the RFQ respondents and the selection of the respondent to be recommended to the FWCJUA Board of Governors for the FWCJUA's reinsurance intermediary.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website, www.fwcjua.com.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Policy Administration Services RFP Evaluation Committee announces a public meeting to which all persons are invited.

DATES AND TIMES: May 28, 2008, 9:00 a.m.; May 29, 2008, 9:00 a.m., as required, to address the full agenda for this meeting

PLACE: FWCJUA Office, 6003 Honore Avenue, Suite 204, Sarasota, FL 34238 (Please enter through suite 203)

GENERAL SUBJECT MATTER TO BE CONSIDERED: The agenda for this meeting will include the public oral interviews, if any, of the RFP respondents and the selection of the respondent deemed most qualified by the Evaluation Committee to be recommended to the FWCJUA Board of Governors for the FWCJUA's policy administration services provider.

A copy of the agenda may be obtained by contacting: Kathy Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

FLORIDA CENTER FOR SOLID AND HAZARDOUS WASTE MANAGEMENT

The **Hinkley Center for Solid and Hazardous Waste Management**, Research Selection Committee announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2008, 8:00 a.m. – 5:00 p.m.

PLACE: Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Research Selection Committee will meet to hear presentations from selected researchers and to formulate a funding recommendation. Please contact the Center directly at (352)392-6264, for the meeting location and agenda.

A copy of the agenda may be obtained by contacting: (352)392-6264.

For more information, you may contact: (352)392-6264.

The **William W. "Bill" Hinkley Center for Solid and Hazardous Waste Management** announces a public meeting to which all persons are invited.

DATE AND TIME: May 14, 2008, 8:30 a.m.

PLACE: Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Research Selection Committee will meet to hear proposal presentations and formulate a funding recommendation. Please contact the Hinkley Center at (352)392-6264, for exact location and time.

A copy of the agenda may be obtained by contacting: rersrd@ufl.edu.

The **William W. "Bill" Hinkley Center for Solid and Hazardous Waste Management** announces a public meeting to which all persons are invited.

DATE AND TIME: May 15, 2008, 8:30 a.m. – 1:00 p.m.

PLACE: Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hinkley Center Advisory Board will hold a meeting of its members.

For the exact location or for additional information, please contact the Center at (352)392-6264.

A copy of the agenda may be obtained by contacting rersrd@ufl.edu.

OUNCE OF PREVENTION FUND OF FLORIDA

The **Commission on Marriage and Family Support Initiatives** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, May 8, 2008, 1:00 p.m. – 5:00 p.m.; Friday, May 9, 2008, 8:30 a.m. – 4:30 p.m.

PLACE: University of Central (UCF) Florida Teaching Academy, 4000 Central Florida Blvd., Orlando, FL 32816

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission on Marriage and Family Support Initiatives announces the following meetings of the commission to which all persons are invited to attend.

MEETING TYPE: General Commission Meeting

DATE AND TIME: Thursday, May 8, 2008, 1:00 p.m. – 5:00 p.m.

PLACE: University of Central (UCF) Florida Teaching Academy, 4000 Central Florida Blvd., Orlando, FL 32816

MEETING TYPE: General Commission Meeting

DATE AND TIME: Friday, May 9, 2008, 8:30 a.m. – 4:30 p.m.

PLACE: UCF Teaching Academy, 4000 Central Florida Blvd., Orlando, FL 32816

MEETING TYPE: Executive Committee Meeting

DATE AND TIME: Thursday, May 8, 2008, 8:45 a.m. – 9:45 a.m.

PLACE: UCF Teaching Academy, 4000 Central Florida Blvd., Orlando, FL 32816

MEETING TYPE: Research and Policy Committee Meeting

DATE AND TIME: Thursday, May 8, 2008, 10:00 a.m. – 11:30 a.m.

PLACE: UCF Teaching Academy, 4000 Central Florida Blvd., Orlando, FL 32816

MEETING TYPE: Public Awareness Committee Meeting

DATE AND TIME: Thursday, May 8, 2008, 11:45 a.m. – 12:45 p.m.

PLACE: UCF Teaching Academy, 4000 Central Florida Blvd., Orlando, FL 32816

For a copy of the agendas and more information about how to attend the meetings contact JC Gamboa at jgamboa@ounce.org or (850)488-4952, ext. 149.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the commission office at the same address or telephone number above at least seven days in advance so that their needs can be accommodated.

A copy of the agenda may be obtained by contacting: Josephine (JC) Gamboa at (850)488-4952, jgamboa@ounce.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 7 days before the workshop/meeting. 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 Josephine (JC) Gamboa, (850)488-4952, jgamboa@ounce.org.

H. LEE MOFFITT CANCER CENTER AND RESEARCH AUTHORITY

The State of Florida, **Cancer Control Research and Advisory Council** announces a council meeting to which all interested persons are invited.

DATE AND TIME: Monday, May 12, 2008, 10:00 a.m. – 3:00 p.m.

PLACE: Tampa Airport Marriott, Broward Room, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Florida Cancer Control Research and Advisory Council.

A copy of the agenda may be obtained by contacting: Glendora Flanders-Ghani at (813)745-6251 or email: Glendora.Flandersghani@moffitt.org.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The Medical Advisory Committee of the **Florida Birth-Related Neurological Injury Compensation Association** announces a public meeting to which all persons are invited.

DATE AND TIME: May, 16, 2008, 1:00 p.m. – 5:00 p.m.

PLACE: The Crowne Plaza West Palm Beach, 1601 Belvedere Road, West Palm Beach, FL 33406, (561)689-6400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Advisory Committee.

A copy of the agenda may be obtained by contacting (850)488-8191.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Joseph Hermann, Production Manager, on behalf of Arroyo Enterprises, Inc., on April 3, 2008, regarding clarification of the Florida Building Code's requirements for shutters on a glass sunroom with a glass roof located in Martin County. Petitioner asks whether a sunroom is considered a separate structure; whether a sunroom must be constructed under an existing roof or deck; whether a sunroom can be built as partially enclosed; and whether a sunroom must be shuttered if the existing openings of the main structure are shuttered or have impact glass. It has been assigned the number DCA08-DEC-108.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission has received the petition for declaratory statement from Lee Arsenault on behalf of The Vintage Group, Inc. on April 10, 2008, regarding whether the Florida Building Code, Residential and Mechanical Volumes (2007 as amended) allow exhaust from mechanical bathroom ventilators to be discharged into the soffit area of a home equipped with passive soffit and off-ridge vents. It has been assigned the number DCA08-DEC-112.

A copy of the request may be obtained by writing to: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has received the petition for declaratory statement from American Health Associates Clinical Laboratory, Inc. The petition seeks the agency's opinion as to the applicability of Sections 483.201(5) and 483.245(1), Florida Statutes (2007) and Rule 59A-7.037, Florida Administrative Code, as it applies to the petitioner.

The Petition was received on April 7, 2008 and seeks the Agency's opinion as to the applicability of statutes and rules as it applies to the Petitioner. The Petition seeks interpretation of the following provisions: Sections 483.201(5) and 483.245(1), Florida Statutes (2007) and Rule 59A-7.037, Florida Administrative Code. The Petition requests a declaratory statement from the Agency regarding the statutory prohibitions as recited in Section 483.245, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

NOTICE IS HEREBY GIVEN THAT Agency for Health Care Administration has received the petition for declaratory statement from Dominion Diagnostics, LLC. The petition seeks the agency's opinion as to the applicability of Sections 483.245 and 483.825(1)(q), Florida Statutes, and subsection 59A-7.020(15) and Rule 59A-7.037, Florida Administrative Code, as it applies to the petitioner.

The Agency for Health Care Administration has received a petition for declaratory statement on April 9, 2008, from Dominion Diagnostics, LLC. The petition seeks the agency's opinion as to the applicability of statutes and rules as it applies to the petitioner. The provisions on which the declaratory statement are sought are: Sections 483.245 and 483.825(1)(q), Florida Statutes, and subsection 59A-7.020(15) and Rule 59A-7.037, Florida Administrative Code. The Petitioner is requesting that the Agency issue a declaratory statement advising whether providing specimen cups containing an instant test result violates current rules and statutes. The Petitioner has further requested that the Agency address whether providing a staff member or contractor to a physician's office also violates current rules and statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Richard J. Shoop, Esquire, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Management Services has issued an order disposing of the petition for declaratory statement filed by Ronald Futch on November 13, 2007. The following is a summary of the agency's disposition of the petition:

Even if Petitioner were now able to establish that he was previously entitled to purchase service credit to upgrade his prior Regular Class service as an emergency medical technician to Special Risk Class service (which the Division disputes), he could not now claim or purchase retirement credit for the subject period because a retirement benefit has been cashed or deposited in the DROP for him. Petitioner is not permitted to continue working for Volusia County, or any other FRS employer, after his DROP termination date and also avoid the application of that provision. The existing statutes and related rules are clear and do not permit exceptions under the circumstances advanced by Petitioner.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Management Services, Office of the General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

Please refer all comments to: Geoffrey M. Christian, Esq., Department of Management Services, Office of the General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

NOTICE IS HEREBY GIVEN THAT the Department of Management Services has issued an order disposing of the petition for declaratory statement filed by Michael Hensler on November 13, 2007. The following is a summary of the agency's disposition of the petition:

Even if Petitioner were now able to establish that he was previously entitled to purchase service credit to upgrade his prior Regular Class service as an emergency medical technician to Special Risk Class service (which the Division disputes), he could not now claim or purchase retirement credit for the subject period because a retirement benefit has been cashed or deposited in the DROP for him.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk, Department of Management Services, Office of the General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

Please refer all comments to: Geoffrey M. Christian, Esq., Department of Management Services, Office of the General Counsel, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued an order disposing of the petition for declaratory statement filed by Catherine Adolf, In RE: 2080 Ocean Drive Condominium Association, Inc., Docket No. 2008009772 on February 18, 2008. The following is a summary of the agency's disposition of the petition:

The actions of Association in maintaining the limited common elements of Ocean Drive are not inconsistent with the provisions of Section 718.113, Florida Statutes; and the Division declines to address the issue of whether the management contract is fair and reasonable under Section 718.302(4), Florida Statutes.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Rick and Christine H. Irizarry, Unit Owners, In RE: Laguna Pointe Condominium Association of Pensacola, Inc., Docket No. 2008000543 on December 27, 2007. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the issue is under investigation.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Sharon L.

Piergeorge, Petitioner, In RE: Jupiter Ocean Grande One Association, Inc., Docket No. 2008021081. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Jupiter Ocean Grande One Association, Inc. may enforce an amendment restricting leases under Section 718.110(13), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Edward A. Sheridan, In RE: Coralstone Condominium Association, Inc., Docket No. 2008008135 on February 6, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because there is an open complaint on the same issues pending before the Division.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Sun Island Association, Inc., Docket No. 2008004421 on January 23, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the Division does not have the authority to interpret ambiguous provisions in a declaration.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Michael J. Venezia, Petitioner, In RE: The Hallmark of Hollywood Condominium Association, Inc., Docket No. 2008020983. The petition seeks the agency's opinion as to the applicability of Chapter 718, Florida Statutes, as it applies to the petitioner.

Whether Section 718.404, Florida Statutes, may be retroactively applied to The Hallmark of Hollywood, a Condominium to change the percentages of ownership shares of common expenses assigned to residential and commercial units under the declaration, and whether the association may redistribute the developer assigned parking spaces from commercial owners to residential owners.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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 HEALTH

NOTICE OF WITHDRAWAL

The Board of Psychology hereby gives notice that the petition filed by Robert Henley Woody, on February 19, 2008, seeking the Board's interpretation of Sections 456.054 and paragraph 490.009(1)(j), subsection 490.012(6) F.S., has been withdrawn. The Notice of Petition for Declaratory Statement published in Vol. 34, No. 11 of the March 14, 2008, issue of the Florida Administrative Weekly.

The person to be contacted regarding this petition is: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has received the petition for declaratory statement from Stephen P. Rinaldi, Fire Marshal, Escambia County Fire Rescue, Petitioner. The petition seeks the agency's opinion as to the applicability of FFPC-NFPA 101 30.2.4.3 (1) and FFPC NFPA 301 30.3.1.3. as it applies to the petitioner.

Majestic Oaks Apartments, 7840 Lilac Lane Buildings 1-8, Pensacola, FL 32514.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604 or (850)413-4238, Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to Lesley.Mendelson@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Florida Department of Financial Services has received the petition for declaratory statement from Charles K. Bortell, Jr., 5200 N. Federal Highway, #2, Ft. Lauderdale, FL 33308. The Petition is dated April 11, 2008, and was received by the Department on April 14, 2008. The petition seeks the agency's opinion as to the applicability of issues concerning what type of insurance agent licensure is required to originate certain surplus lines insurance business as it applies to the petitioner.

The Petition states as follows concerning the ruling sought: "Petitioner respectfully requests the Florida Department of Financial Services and/or the Office of Insurance Regulation (OIR), as might be appropriate regarding jurisdiction, to provide specific and explicit declaratory authority, for all similarly licensed Florida 'Health insurance' agents, including the Petitioner, as follows: such properly licensed 'Health insurance' agents are duly authorized to originate and submit any eligible Surplus Lines coverages to a Florida surplus lines agent; providing the coverages satisfy the statutory descriptions and requisites of Sections 624.603 and 626.829, F.S."

A copy of the Petition for Declaratory Statement may be obtained by contacting: Douglas Shropshire, Staff Counsel, Department of Financial Services, Division of Legal Services, Larson Building, 6th Floor, 200 East Gaines Street, Tallahassee, Florida 32399-0333, or by email at shropshired@dfs.state.fl.us.

Persons seeking to intervene shall comply with Rule 28-105.0024, Florida Administrative Code, and rules cited thereunder. Any persons seeking to intervene should file their petition for intervention by not later than May 19, 2008, to the attention of staff counsel Douglas Shropshire, at the address given above.

FINANCIAL SERVICES COMMISSION

NOTICE IS HEREBY GIVEN THAT the Financial Services Commission, Office of Insurance Regulation has received the petition for declaratory statement from The AFP Accumulation Trust. The petition seeks the agency’s opinion as to the applicability of the Florida Viatical Settlement Act, Chapter 626, Part X, Florida Statutes, as it applies to the petitioner.

The Petitioner has withdrawn its earlier Petition, the notice of which had been published, and replaced it with this new one. The new petition sets out a more detailed recitation of the applicable facts. The petition asks how the viatical settlement act applies to a proposed financial arrangement in which a life insurance policy held by a trust is transferred by means of a transfer of ownership of the trust itself, rather than of the policy itself.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Bob Prentiss at bob.prentiss@fldfs.com.

Please refer all comments to: Bob Prentiss at bob.prentiss@fldfs.com.

NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation has received the petition for declaratory statement from James B. Coppinger. The petition seeks the agency’s opinion as to the applicability of Chapter 560, Florida Statutes as it applies to the petitioner.

OFFICE OF FINANCIAL REGULATION NOTICE IS HEREBY GIVEN THAT the Office of Financial Regulation received a petition for declaratory statement on March 28, 2008, from James B. Coppinger, Chief Executive Officer, of Transpayment, Inc. The petition seeks the Office’s opinion as to whether Transpayment and its Retail Customers must register with the Office pursuant to Chapter 560, Florida Statutes, and specifically whether their activities fall within the definitions of “Funds Transmitter” and “Money Transmitter” pursuant to Section 560.103, Florida Statutes.

A copy of the petition for declaratory statement may be obtained by writing: Agency Clerk, Office of Financial Regulation, Fletcher Building, Suite #526, 200 E. Gaines Street, Tallahassee, FL 32399-0379.

A copy of the Petition for Declaratory Statement may be obtained by contacting Sheila Harley, Assistant General Counsel at (850)410-9896

Please refer all comments to Sheila Harley.

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

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

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices 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**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

INVITATION TO BID

As a Contractor, you are invited to submit a bid to the Florida Department of Agriculture and Consumer Services, Division of Forestry, hereinafter referred to as Owner, for the construction of building facilities at Arcadia Forestry Center, located 3-miles west of Arcadia on Highway 70, DeSoto County, Florida. The Project Budget is estimated at: \$330,000.00.

The Department is seeking a Contractor for the construction of building facilities at the Arcadia Forestry Center, which includes (1) Administrative Building, 1,200 square feet, single-story frame construction, and (1) 2,500 square foot, pre-engineered metal equipment shed, with storage area and mezzanine, and site work. The Contractor shall provide all materials, labor,

equipment and inspection fees necessary for the construction of building facilities in accordance with the terms and conditions of the Invitation to Bid.

PROJECT NAME AND LOCATION: Arcadia Forestry Center, located 3-miles west of Arcadia on Highway 70, DeSoto County, Florida.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number ITB/DF-07/08-73, or by calling the Purchasing Office at (850)487-3727. Plan Room Services, Bid Assistance Companies, or subcontractors will need to obtain plan sets directly from Shawn Systma at (850)488-6399, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399, at a cost of \$50.00 per set. Contractors may contact the Myakka District Forestry Office, Vicki Lehman, 4723 53rd Avenue E., Bradenton, Florida 34203, (941)751-7627, for the plans and specifications prior to the mandatory pre-bid conference.

MANDATORY PRE-BID CONFERENCE/SITE VISIT: Each bidder must, before submitting a bid, attend the mandatory pre-bid conference/site visit. The pre-bid conference/site visit will be held on Wednesday, May 7, 2008, 10:30 a.m., at the Arcadia Forestry Center, 3-miles west of Arcadia on Highway 70, DeSoto County, Florida. During the pre-bid conference a site visit will be held for prospective bidders. It is the bidders' responsibility to consider any and all site conditions or requirements for the project. Plans and specifications will be available to Contractors at the mandatory pre-bid conference/site visit at no charge.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the

construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000.00 or less, a Performance Bond and a Labor and Material Payment Bond are not required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: June 6, 2008, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, Room SB8, Mayo Building, Tallahassee, Florida 32399, (850)487-3727.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C., by the Owner.

DEPARTMENT OF EDUCATION

REQUEST FOR QUALIFICATIONS (CONSTRUCTION)

The University of Florida, Board of Trustees, announces that General Contractor services will be required for the project listed below:

PROJECT NAME: Chilled Water Plant No. 10 (Gainesville, Florida)

BID NUMBER: ITB08SVF-287

PROJECT NUMBER: UF Work Order #863125

SCOPE OF WORK: This project entails the construction of a new 2,400 ton chilled water plant. The scope of work includes a standalone 7,000 SF 2-story building with standard building systems along with all mechanical and electrical systems to support the production of chilled water. Contractors will not commission chilled water mechanical and electrical systems. An independent consultant/contractor will handle all commissioning.

The estimated cost of construction is between \$6,000,000 and \$8,000,000. Generally, the work is expected to commence in July 2008 and be completed by March 2009. Once pre-qualified, bidders will be given instructions for obtaining copies of the Conformed Bid Documents and allowed approximately 30 days to develop firm fixed prices for the base bid. A pre-bid meeting with the architect/engineer will likely be held during this bidding period to clarify technical questions and allow bidders a chance to familiarize themselves with the site.

Work on an active campus may present some logistical challenges to the contractor. Applicants unfamiliar with work at the University of Florida (UF) are strongly urged to familiarize themselves with the UF Design and Construction Standards, the UF General Terms and Conditions, template UF contracts and other materials available on the Facilities Planning and Construction (FP&C) website at www.facilities.ufl.edu.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

PROPOSAL: The method of delivery is design-bid-build (also known as "hard bid"), with an enhanced pre-qualification process due to the nature of the work. The following criteria shall be used to pre-qualify potential bidders:

1. Past performance constructing chilled water plants of similar size. Identify in the proposal chilled water plant projects successfully completed in the last 5 years or currently under construction. Indicate size of plant in tonnage with descriptions of chillers, cooling towers, piping systems, electrical systems, and any unique features of the plant. Provide owner and architect/engineer references (names, email addresses, and current phone numbers) for each project.
2. Qualifications and experience of key personnel to be assigned to the project.
3. Financial standing (including bonding capacity).
4. Workload
5. Safety Record

Interested applicants shall retrieve the detailed Pre-Qualification Instructions and all relevant proposal forms from the UF PPD www.ppd.ufl.edu/architectureengineering.htm and Purchasing www.purchasing.ufl.edu websites. The pre-qualification proposal shall consist of a completed Statement of Qualifications form, a copy of the applicant's contracting license, proof of the applicant's corporate status in Florida (if applicable), proof of applicant's bonding capacity, resumes, and other information as outlined in the Pre-Qualification Instructions. Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned, and the University may reject all proposals and stop the selection process at any time.

PRE-PROPOSAL MEETING: A mandatory Pre-Proposal Meeting will be held at 2:00 p.m., Tuesday, May 6, 2008, in Room 101 of Elmore Hall (Building 465, Division of Purchasing), Radio Road, on the UF campus. The purpose will be to generally explain the pre-qualification process, the technical scope of work, and other project parameters such as site constraints and schedule. A site visit/tour will not be included at this time, but applicants will be provided an

opportunity to review the not-for-construction 100% Construction Documents (plans and specifications) in order to familiarize themselves with the scope of work.

PRE-SUBMISSION INQUIRIES: Submit inquiries, questions, or comments via e-mail to the University's Project Manager identified in the Statement of Qualifications instructions. All requests for information or clarification must be submitted by 5:00 p.m. (Local Time), Tuesday, May 13, 2008. Responses to questions or comments will be posted to the UF PPD and Purchasing web sites. No hard copy reply will be issued.

SUBMISSION OF QUALIFICATIONS: Proposals – one original plus five copies, plus one electronic copy on CD-ROM – shall be submitted no later than 2:00 p.m. (Local Time), Tuesday, May 20, 2008, to the UF Division of Purchasing, Attn.: Sarah Vidal-Finn, Elmore Hall, Building 465, Radio Road, Gainesville, FL 32611, (352)392-1331. Late, electronic, or facsimile (FAX) submittals are not acceptable and will not be considered.

PUBLIC ENTITY CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. Each applicant shall warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$10,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

The University of Florida is an equal opportunity institution and, as such, encourages the use of Minority Business Enterprises (MBEs) in the provision of construction related services. MBEs should have a fair and equal opportunity to compete for dollars spent by the University of Florida to procure construction-related services. Competition ensures that prices are competitive and abroad vendor base is available. MBE-related information should be sent to the Division of Small Business and Vendor Diversity Relations, P. O. Box 115250, Elmore Hall, Room 106, Gainesville, Florida 32611.

NOTICE OF BID

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB08SV-281, W/O 1022420, Pathogens Area Electrical Feed, estimated budget: \$900,000, to be opened May 27, 2008 at 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: Medium voltage cabling, ductbank, switches, etc. from Gainesville Substation to a new switchyard at the (currently in design) Pathogens building. Cable and ductbank to existing manhole 305 and cable to switches at Substation No. 6. Mandatory Pre-Bid Meeting will be held May 6, 2008, 10:00 a.m., in the PPD A/E Conference Room, Building 700, Radio Road, Gainesville, FL. Questions should be directed to Karen Olitsky, kolitsk@ufl.edu or (352)392-1331. For more information visit www.purchasing.ufl.edu.

AMERICANS WITH DISABILITY ACT OF 1991 – If special accommodations are needed in order to attend the Pre-Bid Meeting or the Bid opening, contact Purchasing, purchasing@ufl.edu or (352)392-1331 within three (3) days of the event.

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."

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 HEALTH

INVITATION TO BID

Advertisement

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF HEALTH, HEREINAFTER REFERRED TO AS OWNER, FOR THE CONSTRUCTION OF:

PROJECT NO.: DOH # 70703200
 SAMAS CODES: 64-30-03-91-400
 PROJECT NAME Bay County Health Department
 AND LOCATION: Security Shutter Project
 597 West 11th Street
 Panama City, Florida 32401-2330

FOR: State of Florida, Department of Health – Bay County Health Department

PRE-QUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489, and 633, Florida Statutes, for licensure or certification must submit pre-qualification data of their eligibility to submit proposals five (5) calendar days prior to the bid opening date if not previously qualified by the Department of Management Services for the current biennium (July 1 through June 30) of odd numbered years. Call (850)488-6233, for information on pre-qualification with the Department of Management Services. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of rule requirements is included in the Instructions To Bidders under Article B-2 "Bidders Qualification Requirements and Procedures."

REFERENCES: Each bidder shall include with his bid, a list of five (5) successfully completed projects similar in scope to this project. The bidder shall include the name of the contact person for each project listed along with their address, telephone number and email address, if available.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity.

PROJECT DESCRIPTION: The project is to install manually operated accordion and roll-up metal storm shutters on exterior openings.

PERFORMANCE BOND AND LABOR MATERIAL PAYMENT BOND: If the construction contract award amount is \$100,000 or less, a Performance Bond and a Labor Material Payment Bond are not required. If the construction contract award amount is more than \$100,000, a Performance and a Labor and Material Payment Bond SHALL be required.

MINORITY BUSINESS ENTERPRISES: The Department of Health encourages minority businesses to participate in the bidding process including any bidder's conferences, pre-solicitation or pre-bid meetings that are scheduled. The Department of Health further encourages contractors to utilize certified minority enterprises as subcontractors or sub-vendors whenever possible. Certified vendors are those firms certified by the State of Florida Minority Business Advocacy and Assistance Office, 2012 Capital Circle, S. E., Hartman Building, Suite 100, Tallahassee, Florida 32399-2152, (850)487-0915.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: May 20, 2008, 2:00 p.m. (CST)

PLACE: Bay County Health Department, Administration Building, Conference Room, 597 West 11th Street, Panama City, Florida 32401-2330

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Addenda, Bidding Conditions, and Contractual Conditions, which may be examined and obtained from the following: Bay Design Associates Architects, 720 Bayfront Parkway, Suite 200, Pensacola, FL, (850)432-0706, ext. 101, e-mail: Attention: Walter Smith, walter@baydesign.com or at the Bay County Health Department, Attention Mr. Bill McWilliams.

ARCHITECT-ENGINEER: Bay Design Associates Architects, 720 Bayfront Parkway, Suite 200, Pensacola, FL 32502.

DRAWINGS AND SPECIFICATIONS: All contractors, sub-contractors, vendors, manufacturers, etc. can obtain the required documents. There is no charge for the first set of Plans and Specifications; each additional set at \$25.00, non-refundable.

CONTRACT AWARD: The Bid Tabulation and Notice of Award Recommendation will be posted no later than 4:00 p.m. (CST), May 20, 2008, at the Bay County Health Department, Administration Building, Conference Room, 597 West 11th Street, Panama City, Florida. In the event that the Bid Tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be notified by certified United States Mail, return receipt requested. If no protest is filed per Section B-21 of the Instructions To Bidders, "Notice and Protests Procedures," the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the Owner. The qualified, responsive low bidder will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However, they will be exempt from the one per cent "fee".

DEPARTMENT OF MILITARY AFFAIRS

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED LICENSED CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR DESIGN BUILD OF:

PROJECT NUMBER: 208018

ACCOUNTING CODE: RPOM-Murtha

PROJECT NAME AND LOCATION: Design-Build of an Air Assault Tower and Obstacle Course at Camp Blanding Joint Training Center, Starke, Florida 32091

YOU MUST GO TO MYFLORIDA.COM, MYFLORIDAMARKETPLACE, VENDOR BID SYSTEM TO VIEW THE ENTIRE SOLICITATION FOR THIS PROJECT.

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489, and 633, Florida Statutes, for licensure or certification must submit prequalification data (EXPERIENCE QUESTIONNAIRE AND CONTRACTOR'S FINANCIAL STATEMENT, Form Number DBC 5085 (Exhibit 3) by May, 2008 Close of business for competitive selection by qualifications.

Experience questionnaires will be reviews and ranked according to past experience, references, key personnel, similar work, ability to meet completion schedule.

Selection of the Design-Build team will be done pursuant to Chapter 60D-13, Florida Administrative Code, on a qualifications basis. Applicants will be shortlisted and ranked. Negotiations will begin with the firm that ranks as number 1. If negotiations are unsuccessful, negotiations will be ceased with the number one ranked firm and commence with the firm ranked as number two, etc.

PROCUREMENT RULES AND INFORMATION:

Technical questions addressed to: CFMO Contracting Department at e-mail: cfmocontracting@fl.ngb.army.mil.

Required forms can be obtained by contacting our office at (904)823-0255/0256 or downloading from the Vendor Bid System on MyFlorida.com.

Any questions from proposers concerning this solicitation shall be submitted in writing, identifying the submitter, to the contact listed above at the address specified above by email no later than the date May 21, 2008, 8:00 am, local time.

All questions and answers/changes to the solicitation will be provided in writing and posted on the DMS Vendor Bid System (VBS). It is the prospective contractor's responsibility to check periodically for any information updates to the solicitations which are posted to the VBS. The Department of Military Affairs bears no responsibility for any delays, or resulting impacts, associated with a prospective contractor's failure to obtain information made available through the DMS Vendor Bid System.

INFORMATION WILL NOT BE AVAILABLE BY TELEPHONE. All information received through any oral communication shall not be binding on the Department of Military Affairs and shall not be relied upon by an offerer.

Qualifications are due no later than:

DATE AND TIME: May 28, 2008, 10:00 a.m. (Local Time)

PLACE: RFE National Guard Armory, 2305 State Road 207, Saint Augustine, Florida 32092, Attn.: Ms. Michele Dobbs, (904)823-0255

MARK ENVELOPES: DO NOT OPEN – SEALED QUALIFICATIONS for Project Number 208021 Air Assault Tower and Obstacle Course, CBJTC, Attn.: Ms. Michele Dobbs, (904)823-0255.

The Non-Technical Specifications Level IV and V are considered to be applicable to this solicitation and award of contract when made and are made a part hereof.

NO VERBAL STATEMENTS MADE BY ANY STATE OF FLORIDA EMPLOYEE OR AGENCY REPRESENTATIVE WILL OPERATE TO SUPERSEDE INFORMATION PUBLISHED IN THIS SOLICITATION. ONLY WRITTEN PUBLISHED AGENDAS, MEETING MINUTES AND ADDENDUMS ISSUED BY THE DEPARTMENT OF MILITARY AFFAIRS CONSTRUCTION AND FACILITY MANAGEMENT OFFICE OR ITS REPRESENTATIVES WILL OPERATE TO ALTER OR OTHERWISE AMEND THIS SOLICITATION.

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED LICENSED GENERAL CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR CONSTRUCTION OF:

PROJECT NUMBER: 208021

ACCOUNTING CODE: FY08 MIPR 158th

PROJECT NAME AND LOCATION: Fiber Optics Installation on Avenue "A", Camp Blanding Joint Training Center, Starke, Florida 32091

YOU MUST GO TO MYFLORIDA.COM, MYFLORIDAMARKETPLACE, VENDOR BID SYSTEM TO VIEW THE ENTIRE SOLICITATION.

FOR (PROJECT DESCRIPTION):

Work includes but is not necessarily limited to the following: placement of underground conduit, fiber optic and telephone cables to serve the 158th IN BDE Battalion locations on Palatka and Starke Streets.

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489, and 633, Florida Statutes, for licensure or certification must submit prequalification data (EXPERIENCE QUESTIONNAIRE AND CONTRACTOR'S FINANCIAL STATEMENT, Form Number DBC 5085 (Exhibit 3), of their eligibility with their bid. After the bid opening, the low bidder must qualify in accordance with Rule 60D-5.004, F.A.C. A copy of the requirements is included in the Non-Technical Specifications Level IV/V, Instructions to Bidders under Section B-2 "Bidder Qualification Requirements and Procedures". Note: A completed experience questionnaire and financial statement form number DBC 5085 (Exhibit 3).

BID SECURITY: Bids/Proposals in total excess of \$100,000.00, the bidder must provide with bid, a good faith deposit in the amount of 5% of the bid by way of a bid bond from a surety insurer authorized to do business in the STATE OF FLORIDA as surety or a certified check or cashier's check accompanying the bid.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND'S are required from any persons or parties entering into a formal contract with the STATE OF FLORIDA for contracts in total excess of \$100,000.00 for construction, additions, renovations, repairs, or demolition of any public building pursuant to Section 255.05(1)(a), Florida Statutes.

PROCUREMENT RULES AND INFORMATION:

Technical questions addressed to: CFMO Contracting Department at e-mail: cfmocontracting@fl.ngb.army.mil.

All questions and answers/changes to the solicitation will be provided in writing and posted on the DMS Vendor Bid System (VBS). It is the prospective contractor's responsibility to check periodically for any information updates to the solicitations which are posted to the VBS. The Department of Military Affairs bears no responsibility for any delays, or resulting impacts, associated with a prospective contractor's failure to obtain information made available through the DMS Vendor Bid System.

INFORMATION WILL NOT BE AVAILABLE BY TELEPHONE. All information received through any oral communication shall not be binding on the Department of Military Affairs and shall not be relied upon by an offerer.

Pursuant to Section 287.057(26), Florida Statutes, Respondents to this solicitation of persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

Sealed bids will be received, publicly opened and read aloud on:

BIDS/RESPONSES TRANSMITTED ELECTRONICALLY WILL NOT BE CONSIDERED. BIDS/RESPONSES RECEIVED AT THE LOCATION DESIGNATED AFTER THE EXACT TIME SPECIFIED FOR RECEIPT WILL NOT BE CONSIDERED.

DATE AND TIME: Wednesday, May 21, 2008, 2:00 p.m. (Local Time)

PLACE: Camp Blanding Joint Training Center, 5629 State Road 16 West, Starke, Florida 32091

MARK ENVELOPES: DO NOT OPEN – DELIVER IMMEDIATELY – SEALED BID for Project Number 208021 Fiber Optics, Avenue "A", Camp Blanding Joint Training Center, Post Headquarters, Building 2300, 5629 State Road 16 West, Starke, Florida 32091, Attn.: Major Bob Thomas, x3508.

BID/PROPOSAL: All responses must be submitted in a sealed package and shall be clearly marked on the outside of package with the above information. Department of Military Affairs is not responsible for the opening of any solicitation package which is not properly marked. It is the respondent's responsibility to assure its response is submitted in the place and time indicated in this solicitation. Also, all responses must be in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual

Conditions, and Non-Technical Specifications, which have been prepared by the Architect – Engineer as listed, and may be obtained as follows:

The Non-Technical Specifications Level IV and V are considered to be applicable to this solicitation and award of contract when made and are made a part hereof.

The State of Florida’s performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

NO VERBAL STATEMENTS MADE BY ANY STATE OF FLORIDA EMPLOYEE OR AGENCY REPRESENTATIVE WILL OPERATE TO SUPERSEDE INFORMATION PUBLISHED IN THIS SOLICITATION. ONLY WRITTEN PUBLISHED AGENDAS, MEETING MINUTES AND ADDENDUMS ISSUED BY THE DEPARTMENT OF MILITARY AFFAIRS CONSTRUCTION AND FACILITY MANAGEMENT OFFICE OR ITS REPRESENTATIVES WILL OPERATE TO ALTER OR OTHERWISE AMEND THIS SOLICITATION.

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED LICENSED GENERAL CONTRACTORS BY THE State of Florida, Department of Military Affairs HEREINAFTER REFERRED TO AS OWNER, FOR CONSTRUCTION OF:

PROJECT NUMBER: 206035

ACCOUNTING CODE: FARP FY08

PROJECT NAME AND LOCATION: Renovation of the Haines City National Guard Armory, 1107 West Commerce Avenue, Haines City, Florida 33844

YOU MUST VISIT MYFLORIDA.COM, MYFLORIDAMARKETPLACE, VENDOR BID SYSTEM TO VIEW THE ENTIRE SOLICITATION FOR THIS PROJECT.

POTENTIAL RESPONDENTS TO THE SOLICITATION ARE ENCOURAGED TO CAREFULLY REVIEW ALL THE MATERIALS CONTAINED HEREIN AND PREPARE RESPONSES ACCORDINGLY.

FOR (PROJECT DESCRIPTION):

Work includes but is not necessarily limited to the following: the Existing Armory, the Platoon Storage Building and related site-work. Portions of this work are included Additive Alternates. Construction trades and materials from most of the 16 CSI Divisions are involved.

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489 and 633, Florida Statutes, for licensure or certification must submit prequalification data (EXPERIENCE QUESTIONNAIRE AND CONTRACTOR'S FINANCIAL STATEMENT, Form Number DBC 5085 (Exhibit 3), of their eligibility prior to the bid opening and no later than May 15, 2008 before 4:30 pm, local time. After the bid opening, the low bidder must qualify in accordance with Chapter 60D-5.004. A copy of the requirements is included in the

Non-Technical Specifications Level IV/V, Instructions to Bidders under Section B-2 “Bidder Qualification Requirements and Procedures”. Note: A completed experience questionnaire and financial statement form number DBC 5085 (Exhibit 3).

BID SECURITY: Bids/Proposals in total excess of \$100,000.00, the bidder must provide with bid, a good faith deposit in the amount of 5% of the bid by way of a bid bond from a surety insurer authorized to do business in the STATE OF FLORIDA as surety or a certified check or cashier’s check accompanying the bid.

PERFORMANCE BOND AND LABOR AND MATERIAL PAYMENT BOND’S are required from any persons or parties entering into a formal contract with the STATE OF FLORIDA for contracts in total excess of \$100,000.00 for construction, additions, renovations, repairs, or demolition of any public building pursuant to Florida Statute 255.05(1)(a).

PROCUREMENT RULES AND INFORMATION:

Technical questions addressed to: Hanson Engineering Services, Attn: Zoran Aleksic at Fax: (407)622-2051 or e-mail: zaleksic@hanson-inc.com.

Any questions from proposers concerning this solicitation shall be submitted in writing, identifying the submitter, to the contact listed above at the address specified above by email no later than the date May 21, 2008, 8:00 a.m. (Local Time).

All questions and answers/changes to the solicitation will be provided in writing and posted on the DMS Vendor Bid System (VBS). It is the prospective contractor’s responsibility to check periodically for any information updates to the solicitations which are posted to the VBS. The Department of Military Affairs bears no responsibility for any delays, or resulting impacts, associated with a prospective contractor’s failure to obtain information made available through the DMS Vendor Bid System.

INFORMATION WILL NOT BE AVAILABLE BY TELEPHONE. All information received through any oral communication shall not be binding on the Department of Military Affairs and shall not be relied upon by an offerer.

MANDATORY PRE-BID MEETING:

DATE AND TIME: May 13, 2008, 10:00 am (Local Time)

PLACE: Haines City National Guard Armory, 1107 West Commerce Avenue, Haines City, Florida 33844

All Contractors and subcontractors interested in bidding on this project are invited to attend.

Sealed bids will be received, publicly opened and read aloud on:

BIDS/RESPONSES TRANSMITTED ELECTRONICALLY WILL NOT BE CONSIDERED. BIDS/RESPONSES RECEIVED AT THE LOCATION DESIGNATED AFTER THE EXACT TIME SPECIFIED FOR RECEIPT WILL NOT BE CONSIDERED.

DATE AND TIME: May 28, 2008, 10:00 a.m. (Local Time)

PLACE: Haines City National Guard Armory, 1107 West Commerce Avenue, Haines City, Florida 33844

MARK ENVELOPES: DO NOT OPEN – SEALED BID for Project Number 206035 Renovation of the Haines City National Guard Armory, 1107 West Commerce Avenue, Haines City, Florida 33844, Attn: SGM (Ret) K.C. “Butch” Hersey.

Bids submitted prior to the bid opening via courier or mail, are to be delivered in a SEALED package to: State of Florida, Department of Military Affairs-CFMO, Robert F. Ensslin, Jr. Armory, 2305 State Road 207, St. Augustine, Florida 32086 Attn: SGM (Ret) K.C. “Butch” Hersey. Early Bid shall be received at this address absolutely NO LATER THAN MAY 27, 2008, 3:00 p.m. (Local Time).

BID/PROPOSAL: All responses must be submitted in a sealed package and shall be clearly marked on the outside of package with the above information. Department of Military Affairs is not responsible for the opening of any solicitation package which is not properly marked. It is the respondent’s responsibility to assure its response is submitted in the place and time indicated in this solicitation. Also, all responses must be in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Architect – Engineer as listed, and may be obtained as follows:

ARCHITECT-ENGINEER: HANSON PROFESSIONAL SERVICES
 720 N. Maitland Avenue
 Maitland, Florida 32751
 Attn: Zoran Aleksic
 Telephone: (407)622-2050

PROPOSAL: Bids must be submitted in full in accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, and Non-Technical Specifications, which have been prepared by the Architect-Engineer as listed above, and may be obtained as follows:

Drawings and specifications may be purchased by Fax from Winter Park Blueprint, (407)647-3034, Fax (407)645-1462, 160 Candace Drive, Maitland, Florida 32751 or by visiting online at <http://wpblue.com> (select PLAN ROOM, select HANSON PROFESSIONAL SERVICES, choose SEARCH, choose PROJECT) to view and purchase full sets or individual drawings.

FULL SETS of drawings and specifications may be purchased by payment of the printing and handling cost at the rate of \$125.00 per set.

CONTRACT AWARD: The lowest bid will be the bid from the responsive bidder that has submitted the lowest price for the base bid or base bid plus the additive alternates or less the deductive alternates chosen by the Agency to be included in or excluded from the proposed contract, taken in numerical order listed in the bid documents. The order of the alternates may be selected by the Agency in any sequence so long as such

acceptance out of order does not alter the designation of the low bidder. The official Notice of Award Recommendation will be by electronic posting on the Department’s website at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, the contract will be awarded to the qualified, responsible and responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the Owner.

\The Non-Technical Specifications Level IV and V are considered to be applicable to this solicitation and award of contract when made and are made a part hereof.

Prior to entering into a contract with the State of Florida, Department of Military Affairs, the selected contractor must be registered with the Florida Department of Management Services (DMS) MyFloridaMarketPlace Vendor Registration System. Information about the registration process is available, and registration must be completed at the MyFloridaMarketPlace website (link available under BUSINESS at www.myflorida.com). Prospective contractors who do not have Internet access may request assistance from the MyFloridaMarketPlace Customer Service at 1(866)352-3776.

The State of Florida’s performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature.

NO VERBAL STATEMENTS MADE BY ANY STATE OF FLORIDA EMPLOYEE OR AGENCY REPRESENTATIVE WILL OPERATE TO SUPERSEDE INFORMATION PUBLISHED IN THIS SOLICITATION. ONLY WRITTEN PUBLISHED AGENDAS, MEETING MINUTES AND ADDENDUMS ISSUED BY THE DEPARTMENT OF MILITARY AFFAIRS CONSTRUCTION AND FACILITY MANAGEMENT OFFICE OR ITS REPRESENTATIVES WILL OPERATE TO ALTER OR OTHERWISE AMEND THIS SOLICITATION.

PETER R. BROWN CONSTRUCTION, INC.

Notice of Request for Proposals #4 REV
 USF Tampa Student Residence Facility Phase IV BR-580
 Magnolia Hall

Hillsborough County, Tampa, Florida

Peter R. Brown Construction, Inc. (CGC-061419), the Construction Manager/Design Builder for the USF Tampa Student Residence Facility Phase IV Magnolia Hall, BR-580 hereby solicits sealed proposals for the referenced project in accordance with the proposal documents to include but not limited to the following:

The Scope of Work for this project includes but is not limited to the following:

Final Cleaning, Fencing, Metal Wall Panels, Interior Casework, Interior Joint Sealants, Expansion Joint Covers, Tile, Resinous Flooring, Terrazzo, VCT and Carpet, Acoustical Treatments, Interior Painting, Visual Display Boards, TV Brackets, Toilet Compartments, Signage, Bike Racks, Lockers, Fire Extinguishers, Toilet Accessories, Postal Specialties, Storage Shelving, Residential Equipment, Wall and Corner Guards, Furnishings and Window Treatments. The project consists of a new 7-story 350,718sf pre-cast concrete structure for student apartments, support services and a dining facility. The facility is under construction and scheduled for substantial completion by May 31, 2009. Packages not listed above have been procured with previous RFP's.

A pre-proposal meeting will be held at 10:00 a.m. (Local Time), Wednesday, April 30, 2008 at the following location:

USF Tampa Campus – Corner of Magnolia Dr. and Alumni Dr.
 Peter R. Brown Construction Inc., Jobsite Office
 12030 USF Richard A. Beard Drive
 Tampa, FL 33620

Deadline for receipt of All Proposal Packages has been set for 2:00 p.m. (Local Time), May 22, 2008. Only proposals received on or before the time and date listed will be considered. All proposals received after 2:00 p.m., of the day specified above, will be returned unopened.

All interested parties must be pre-qualified or have completed the pre-qualification process within the last year. Deadline for receipt of Prequalification Packages is 4/30/08 to be considered for this project. Please contact the Cathy Hawley or Jim Cummings at (727)535-6407 to obtain additional pre-qualification information for this project.

University of South Florida and Peter R. Brown Construction, Inc. are committed to provide equal opportunity and strongly encourage all interested M/WBE and SBE firms to submit proposals.

One set of plans and specifications will be supplied to all pre-qualified trade contractors at no cost. Drawings will be available April 25, 2008. Trade contractors are responsible for the cost of shipping. Additional sets may be purchased directly from the copy center. Copy center information will be distributed with the Proposal Packages.

University of South Florida and Peter R. Brown Construction, Inc. reserve the right to accept or reject any and all proposals in whole or part and to waive informalities and irregularities.

No verbal instruction or directives will be accepted regarding this project during the proposal period. All instructions or directives must be clarified through written Addenda or Supplements. All questions regarding the work should be directed to the Construction Manager, in writing by 5/5/08. The Owner and Architect will not accept calls regarding this project.

NASSAU COUNTY SCHOOL BOARD

NOTICE OF INTENT TO BID

Sealed bids will be received by the Food Service Director of the School Board of Nassau County Florida, at 1201 Atlantic Avenue, Food Service Office, Fernandina Beach, FL 32034 up until 2:00 p.m., May 28, 2008, at which time and place bids received will be tabulated for furnishing the following for the period of July 1, 2008 through June 30, 2009.

The estimated dollar value of Ice Cream and Frozen Juice Bar Products Bid, Bid #2008-02 is \$30,000.00 annually.

This will include delivery to 16 schools.

Only vendors who request a bid package in person, in writing, or by fax will receive the complete bid package. Call (904)491-9924 or Fax (904)277-9033.

DANIS CONSTRUCTION

INVITATION TO BID

Project: UNF Hall

Phase I – Remodeling College of Health/ AT & PT Research Labs

Architect: JSA Architects

Danis Construction Company of Jacksonville, Florida, as Construction Manager, is pre-qualifying suppliers and trade contractors for remodeling of the former AOL Building, now part of University of North Florida. Phase 1 of the project involves the renovation of 6,150 sf of office space for the College of Health/ AT & PT Research Labs. Prequalification of trade contractors for the following scopes of work:

- Demolition
- Flooring
- Plumbing
- Millwork
- Painting
- HVAC
- Glass
- Drywall
- Fire Protection
- Doors & Hardware
- Specialties
- Electrical
- Herman Miller Systems Furniture

Prequalification forms are due no later than the close of business on May 1, 2008 and must be complete in their entirety. Interested parties should request a prequalification form by mail, e-mail or by faxing a letter of interest to:

Christine Brown
 Danis Construction
 10748 Deerwood Blvd., S., Suite 175
 Jacksonville, FL 32256
 Phone: (904)724-6045
 Fax: (904)726-8473
 Email: cbrown@danis.com

Only bidders meeting prequalification criteria may bid. Bid Packages will be provided by Danis Construction Company to those bidders on May 1, 2008. Construction of the 1st Phase is set to begin in late May. Additional Phases will be bid as separate projects.

Sealed bids are due in Danis' Deerwood Park Boulevard Office no later than 2:00 p.m., May 16, 2008. Each bid must be accompanied by a bid bond on the form enclosed in the prequalification package, certified check or cashiers check in an amount no less than 5% (five percent) of the total amount of the base bid as guarantee that the bidder will, if awarded the contract, enter into a written contract in the form provided in the prequalification package. Bidders shall provide Payment and Performance Bonds for all contracts in excess of \$75,000 on the forms enclosed in the prequalification package to Danis Construction in the full amount of the contract price within seven (7) days after acceptance.

A pre-bid meeting will be held on the Project Site. Date and exact location to be determined.

Participation by M/WBE subcontractors, suppliers, vendors and manufacturers is encouraged.

General Requirements:

Danis provides a safe and drug free work place and will require that all subcontractors follow these practices. For all work performed, subcontractors will be required to sign the Danis Standard Subcontract Agreement which can be viewed on our website www.danisconstruction.com.

Danis requires the following insurance coverage from all subcontractors.

Commercial Liability:	\$1,000,000
Automobile Liability:	\$1,000,000
Excess Liability:	\$2,000,000
Worker Compensation:	\$1,000,000

All quotes that exceed \$75,000 will require a bond. Please indicate the rate on your quote.

EARLY LEARNING COALITION OF PUTNAM AND ST. JOHNS COUNTIES

Request for Qualifications for External Auditing

Request for Qualifications #2008-01 for external auditing. The Early Learning Coalition of Putnam and St. Johns Counties, Inc. is requesting qualifications for external auditing. The potential auditing firm will be responsible for providing a high level of service for a reasonable cost to the Coalition. The intent of the RFQ is to select an independent auditing firm, preferably with at least two years of Florida Early Learning Coalition auditing experience, to provide basic auditing services for the Coalition's total annual budget of approximately \$13 million. The Request for Qualifications released May 5, 2008 may be obtained at www.sunkidz.net, requested by e-mail: jenawaters@bellsouth.net or requested by phone (386)328-8225. The deadline for receipt of written questions is June 6, 2008. The deadline for receipt of proposals (no exceptions) is July 2, 2008 by 4:00 p.m. (Eastern Standard

Time). Official notice of award will be mailed to all proposers. For more information contact Jena Waters, (386)328-8225, ext. 205.

**Section XII
Miscellaneous**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE OF INTENT TO FIND
PUBLIC SCHOOLS INTERLOCAL AGREEMENT
CONSISTENT WITH SECTION 163.3177(2), FLORIDA
STATUTES – DCA DOCKET NO. 13-16

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Miami-Dade County School Board and the City of Miami Beach, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the City of Miami Beach Planning Department, 1700 Convention Center Drive, Second Floor, Miami Beach, Florida 33139.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Miami-Dade County School Board, Miami Beach. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management

Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND
PUBLIC SCHOOLS INTERLOCAL AGREEMENT
CONSISTENT WITH SECTION 163.31777(2), FLORIDA
STATUTES – DCA DOCKET NO. 31-01

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Indian River County School Board and each of the following local governments: Indian River County, Fellsmere, Indian River Shores, Sebastian, Vero Beach, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Indian River County, Community Development Department, 1801 27th Street, Vero Beach, Florida 32960.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to Indian River County School Board, Indian River County, Fellsmere, Indian River Shores, Sebastian, Vero Beach. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and

testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

-s-Mike McDaniel, Chief
Office of Comprehensive Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE IS HEREBY GIVEN THAT the Building Officials Association of Florida has issued a binding interpretation pursuant to Section 553.775, Florida Statutes, filed by Dwight Holmes (party requesting the interpretation) on March 21, 2008 (BOAF’s date). The following is a summary of the interpretation:

The requirements of Section 1025 of the 2004 Florida Building Code, Building do not prohibit the installation of side hinged, in-swinging casement windows installed to meet the emergency escape and rescue window requirements in a classroom since these windows are not doors. The code does not specify the direction of swing for side swinging windows. A copy of the Interpretation may be obtained at http://www.floridabuilding.org/bi/bi_default.aspx.

DCA Final Order No.: DCA08-OR-109
In re: MONROE COUNTY AND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 001-2008

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, and Section 380.0552(9),

Florida Statutes (2007), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.
2. On February 13, 2008 the Department received for review Monroe County Ordinance No. 001-2008 (“Ord. 001-2008”), adopted by Monroe County on January 16, 2008.
3. The purpose of the Ordinance is to adopt amendments to the text of the Monroe County Code to allow for the conversion of existing recreational vehicle (RV) spaces into permanent structures for seasonal use by the owner subject to the conditions identified in a Development Agreement entered into with Monroe County, and subject to compliance with the Monroe County Comprehensive Plan and Land Development Regulations.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. Section 380.05(6), Florida Statutes, and Section 380.0552(9), Florida Statutes (2007).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. Section 380.0552, Florida Statutes (2007) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2007). The regulations adopted by Ord. 001-2008 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in Section 380.0552(7), Florida Statutes, See Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 001-2008 allows for the conversion of a RV space to a seasonal residential unit by the owner pursuant to a Development Agreement and compliance with the Monroe County Comprehensive Plan and Land Development Regulations, and is consistent with the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
 - (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
9. Ord. 001-2008 is consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern as a whole.

WHEREFORE, IT IS ORDERED that Ordinance No. 001-2008 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
 Director, Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE

REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 15th day of April, 2008.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Charles "Sonny" McCoy
Mayor of Monroe County
Florida Keys Marathon Airport
9400 Overseas Highway, Suite 210
Key West, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Andrew Trivette
Director
Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DCA Final Order No.: DCA08-OR-110
In re: MONROE COUNTY LAND
DEVELOPMENT REGULATIONS
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 002-2008

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to Section 380.05(6), Florida Statutes, and Section 380.0552(9), Florida Statutes (2007), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. The Florida Keys Area is a statutorily designated area of critical state concern, and Monroe County is a local government within the Florida Keys Area.

2. On February 13, 2008 the Department received for review Monroe County Ordinance No. 002-2008 (“Ord. 002-2008”), adopted by Monroe County on January 16, 2008.
3. The purpose of the Ordinance is to adopt amendments to the text of the Monroe County Code to provide incentives to owners of mobile home parks to maintain the property as affordable housing.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended, or rescinded by any local government in the Florida Keys Area of Critical State Concern. Section 380.05(6), Florida Statutes, and Section 380.0552(9), Florida Statutes (2007).
5. Monroe County is a local government within the Florida Keys Area of Critical State Concern. Section 380.0552, Florida Statutes (2007) and Rule 28-29.002 (superseding Chapter 27F-8), Florida Administrative Code.
6. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2007). The regulations adopted by Ord. 002-2008 are land development regulations.
7. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the “Principles”) as set forth in Section 380.0552(7), Florida Statutes, See *Rathkamp v. Department of Community Affairs*, 21 F.A.L.R. 1902 (Dec. 4, 1998), *aff’d*, 740 So. 2d 1209 (Fla. 3d DCA 1999). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions.
8. Ord. 002-2008 allows for the transfer of market rate Rate of Growth Ordinance (ROGO) exempt allocations off-site to receiving properties in exchange for maintaining an equal or greater number of deed restricted affordable dwelling units within Monroe County with the sender site either donated or sold to Monroe County, or appropriately deed-restricted. Monroe County would assign affordable housing ROGO allocations from the ROGO pool to the mobile home park in exchange for the underlying land or appropriate long-term deed-restriction.
9. Ord. 002-2008 fails to properly address the transfer of ROGO exempt units and does not limit the receiver sites to Tier III or IIIA properties identified in Section 9.5-120.3, Land Development Regulations, to ensure that no clearing of habitat is required. Ord. 002-2008 fails limit the receiver sites of the ROGO exempt units to areas not located within a Velocity Zone. Ord 002-2008 is inconsistent with the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (b) To protect shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
 - (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife and their habitat.
 - (i) To limit the adverse impacts of public investments on the environmental resources of the Florida Keys, protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
10. Ord. 002-2008 is inconsistent with the following provisions of the 2010 Monroe County Comprehensive Plan:
 Policy 101.5.8
 Policy 101.5.8 states Monroe County may develop a program, called Transfer of ROGO Exemption (TRE), that would allow for the transfer off-site of dwelling units, hotel rooms, campground/recreational vehicle spaces and/or mobile homes to another site in the same ROGO sub-area, provided that they are lawfully existing and can be accounted for in the County’s hurricane evacuation model. In addition, the receiver site shall be located within a Tier III area outside a designated Special Protection Area and for a receiver site on Big Pine Key and No Name Key; the sending site shall also be located on one of those two islands.
 Policy 101.14.1
 Monroe County shall discourage developments proposed within the Coastal High Hazard Area (CHHA).
 Objective 102.8
 Monroe County shall take actions to discourage private development in areas designated as units of the Coastal Barrier Resources System.
 Policy 102.8.1
 Monroe County shall discourage developments which are proposed in units of Coastal Barrier Resources System (CBRS)
 11. Ord. 002-2008 is inconsistent with Policy 205.2.2 because it fails to restrict transfer of development to Tier III in order to discourage the clearing of habitat.
 Policy 205.2.2

Monroe County shall discourage developments in Tier I and within tropical hardwood hammock or pinelands of one acre or more in area to protect areas of native upland vegetation.

- 12. Ord. 002-2008 is inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern and Monroe County’s Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Ordinance No. 002-2008 is found to be inconsistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is found to be inconsistent with the Monroe County Comprehensive Plan, and is hereby REJECTED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

CHARLES GAUTHIER, AICP
Director, Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 11th day of April, 2008.

Paula Ford, Agency Clerk

By U.S. Mail:
Honorable Charles "Sonny" McCoy
Mayor of Monroe County
Florida Keys Marathon Airport
9400 Overseas Highway, Suite 210
Key West, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, Florida 33040

Andrew Trivette
Director
Planning and Environmental Resources
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that United Motors of America, intends to allow the establishment of American Performance Cycles of North Florida, LLC, as a dealership for the sale of motorcycles manufactured by Sacin Motor Co. Ltd. (SKTM) at 392 Southeast James Avenue, Lake City (Columbia County), Florida 32025, on or after April 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of American Performance Cycles of North Florida, LLC are dealer operator(s): Sherman A. Stanley, Jr., 145 Southeast Mossy Court, Lake City, Florida 32025; principal investor(s): Sherman A. Stanley, Jr., 145 Southeast Mossy Court, Lake City, Florida 32025.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Elvis Valdivia, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that United Motors of America, intends to allow the establishment of American Performance Cycles of North Florida, LLC, as a dealership for the sale of motorcycles manufactured by United Motors of America, Inc. (UNMO) at 392 Southeast James Avenue, Lake City (Columbia County), Florida 32025, on or after April 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of American Performance Cycles of North Florida, LLC are dealer operator(s): Sherman A. Stanley, Jr., 145 Southeast Mossy Court, Lake City, Florida 32025; principal investor(s): Sherman A. Stanley, Jr., 145 Southeast Mossy Court, Lake City, Florida 32025.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Elvis Valdivia, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that United Motors of America, intends to allow the establishment of American Performance Cycles of North Florida, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Wangye Power Co. Ltd. (ZHEJ) at 392 Southeast James Avenue, Lake City (Columbia County), Florida 32025, on or after April 7, 2008.

The name and address of the dealer operator(s) and principal investor(s) of American Performance Cycles of North Florida, LLC are dealer operator(s): Sherman A. Stanley, Jr., 145 Southeast Mossy Court, Lake City, Florida 32025; principal investor(s): Sherman A. Stanley, Jr., 145 Southeast Mossy Court, Lake City, Florida 32025.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Elvis Valdivia, United Motors of America, 8801 Northwest 23rd Street, Miami, Florida 33172.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Verucci Motorcycles, LLC, intends to allow the establishment of Bic Consulting, LLC d/b/a Scoots USA, as a dealership for the sale of motorcycles manufactured by Chongqing Lifan Industry Group (CHOL) at 13191 56th Court, Suite #105, Clearwater (Pinellas County), Florida 33760, on or after March 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Bic Consulting, LLC d/b/a Scoots, USA are dealer operator(s): Scott Welton, 13191 56th Court, Suite #105, Clearwater, Florida 33760 and Mark Welton, 13191 56th Court, Suite #105, Clearwater, Florida 33760; principal investor(s): Scott Welton, 13191 56th Court, Suite #105, Clearwater, Florida 33760 and Mark Welton, 13191 56th Court, Suite #105, Clearwater, Florida 33760.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Joyce Haddad, General Manager, Verucci Motorcycles, LLC, 7836 Northwest 46 Street, Miami, Florida 33166.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that BRP US, Inc., intends to allow the establishment of First Coast Imports, LLC d/b/a First Coast Honda Sea-Doo Can-Am, as a dealership for the sale of motorcycles manufactured by Bombardier Recreational Products, Inc. (BMBR) at 2630 U.S. 1 South, St. Augustine (St. Johns County), Florida 32086, on or after April 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of First Coast Imports, LLC d/b/a First Coast Honda Sea-Doo Can-Am are dealer operator(s): Mark Allen, 3097 Antigua Drive, Jacksonville Beach, Florida 32250 and Jose F. Torregrosa, 285 Atlantis Circle #206G, St. Augustine, Florida 32080; principal investor(s): Mark Allen, 3097 Antigua Drive, Jacksonville Beach, Florida 32250.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Genevieve Dubois, Bombardier Recreational Products, Inc., 75 J. A. Bombardier Street, Sherbrooke, Quebec, Canada J1L 1W3.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of KH Golf Carts, Inc., as a dealership for the sale of Tomberlin golfcars (TOMB) at 13599 North Highway 441, Lady Lake (Sumter County), Florida 32159, on or after April 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of KH Golf Carts, Inc. are dealer operator(s): Kenneth Hicks, 13599 North Highway 441, Lady Lake, Florida 32519; principal investor(s): Kenneth Hicks, 13599 North Highway 441, Lady Lake, Florida 32519.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Moreland Marine International, Inc. d/b/a Island Scooter Store, as a dealership for the sale of Tomberlin golfcars (TOMB) at 5347 Gulf Drive, Unit #6, Holmes Beach (Manatee County), Florida 34217, on or after April 11, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Moreland Marine International, Inc. d/b/a Island Scooter Store are dealer operator(s): Brian Quartermain, 5347 Gulf Drive, Unit #6, Holmes Beach, Florida 34217; principal investor(s): Brian Quartermain, 5347 Gulf Drive, Unit #6, Holmes Beach, Florida 34217.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michelle Nobles, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Kawasaki Motors Corp., USA, intends to allow the establishment of Nassau Power Sports, Inc., as a dealership for the sale of Kawasaki motorcycles (KAWK) at 850816 U.S. Highway 17, Yulee (Nassau County), Florida 32097, on or after May 30, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Nassau Power Sports, Inc. are dealer operator(s): William Goetz, 1301 Oak Haven Road, Jacksonville, Florida 32207, Mark Goetz, 10657 Crooked Tree Court, Jacksonville, Florida 32256 and Glenn Goetz, 1117 Old Hickory Road, Jacksonville, Florida 32207; principal investor(s): William Goetz, 1301 Oak Haven Road, Jacksonville, Florida 32207, Mark Goetz, 10657 Crooked Tree Court, Jacksonville, Florida 32256 and Glenn Goetz, 1117 Old Hickory Road, Jacksonville, Florida 32207.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Anthony J. Kestler, Kawasaki Motors Corp., USA, 6110 Boat Rock Boulevard Southwest, Atlanta, Georgia 30336-2776.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Lance Powersports, Inc., intends to allow the establishment of Retro Unlimited, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. at 12930 34th Street North, Clearwater (Pinellas County), Florida 33762, on or after April 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Retro Unlimited, Inc. are dealer operator(s): Ed Dryer, 12930 34th Street North, Clearwater, Florida 33762; principal investor(s): Ed Dryer, 12930 34th Street North, Clearwater, Florida 33762.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gene Chang, Lance Powersports, Inc., 5200 Ontario Mills Parkway, Suite 100, Ontario, California 91764.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Lance Powersports, Inc., intends to allow the establishment of Retro Unlimited, Inc., as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. at 3200 Dr. Martin Luther King, Jr. Street North, St. Petersburg (Pinellas County), Florida 33704, on or after April 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Retro Unlimited, Inc. are dealer operator(s): Ed Dryer, 12930 34th Street North, Clearwater, Florida 33762; principal investor(s): Ed Dryer, 12930 34th Street North, Clearwater, Florida 33762.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gene Chang, Lance Powersports, Inc., 5200 Ontario Mills Parkway, Suite 100, Ontario, California 91764.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Lance Powersports, Inc., intends to allow the establishment of Scoots USA of Florida, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co., Ltd. at 13191 56th Court, #105, Clearwater (Pinellas County), Florida 33760, on or after April 1, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Bic Consulting, LLC d/b/a Scoots, USA are dealer operator(s): Scott Welton, 13191 56th Court, #105, Clearwater, Florida 33760 and Mark Welton, 13191 56th Court, #105, Clearwater, Florida 33760; principal investor(s): Scott Welton, 13191 56th Court, #105, Clearwater, Florida 33760 and Mark Welton, 13191 56th Court, #105, Clearwater, Florida 33760.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Gene Chang, Lance Powersports, Inc., 5200 Ontario Mills Parkway, Suite 100, Ontario, California 91764.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, this is to notify you that Toyota Motor Sales, USA, Inc., intends to permit the establishment of S. D. S. Autos, Inc. d/b/a Lexus of Orange Park, as an additional dealership for the sale and service of Lexus cars and trucks at 7040 Blanding Boulevard, Jacksonville, Duval County, FL 32244. The proposed dealership will open on or after June 1, 2008.

The name and address of the dealer operator of the proposed dealership is: Dano Davis, 4861 Ortega Boulevard, Jacksonville, Florida 32201. The name and address of the principal investor is A. Dano Davis, 4861 Ortega Boulevard, Jacksonville, Florida 32201.

The notice indicates an intent to establish the dealership at a location in a county of more than 300,000 population, according to the latest population estimate of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by mail to: D'Anne Duclos, General Manager, Lexus Southern Area, 11540 Great Oaks Way, Alpharetta, GA 30022.

If no petition or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group, Inc., intends to allow the establishment of Snack Attack Corp., as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacture Co. Ltd. (BASH) at 2423 South State Road #7, West Park (Broward County), Florida 33023, on or after March 14, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Snack Attack Corp. are dealer operator(s): Daniel Haspel, 2423 South State Road #7, West Park, Florida 33023; principal investor(s): Daniel Haspel, 2423 South State Road #7, West Park, Florida 33023.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lily Ji, Peace Industry Group, Inc., 6600-B Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

REVISED NOTICE OF HOSPICE PROGRAM FIXED NEED POOL

The Agency for Health Care Administration has projected a fixed need pool for hospice programs, defined in accordance with Sections 400.601-.602, Florida Statutes (F.S.) and 408.031-.045, F.S. Fixed need pool projections are for hospice programs planned for July 2009, pursuant to the provisions of Rule 59C-1.0355, Florida Administrative Code. Fixed need pool projections as published in the April 4, 2008 edition of the Florida Administrative Weekly, are being revised due to an error in the fixed need pool calculations. The fixed need pool is revised as follows:

Hospice Program Net Need	
Service Area	Net Need
Subdistrict 3B	1
Subdistrict 7A	0
State Total	1

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."

NOTICE OF RECEIPT OF APPLICATIONS FOR PERMIT COVERAGE UNDER THE GENERIC PERMIT FOR STORMWATER DISCHARGE FROM PHASE II MUNICIPAL SEPARATE STORM SEWER SYSTEMS

The Department announces the receipt of the below listed applications for permit coverage under the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4). The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Science Applications International Corporation (SAIC), 2343 Hansen Lane, Tallahassee, Florida 32301, (850)523-1449. Any comments related to the noticed applications or objections to the use of

the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice.

Phase II MS4 applications received March 25, 2008 – April 9, 2008

1. Patrick Air Force Base – FLR04E074
2. Naval Air Station Pensacola – FLR04E058
3. City of Panama City – FLR04E053
4. City of Ormond Beach – FLR04E036

Comments may be mailed to the following address:

Steven Kelly
 NPDES Stormwater Section
 2600 Blair Stone Road, MS #2500
 Tallahassee, Florida 32399-2400

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

**CPI Applications Included in FCMP 2008-09
 NOAA Application**

The Department of Environmental Protection, Florida Coastal Management Program (FCMP), announces the results of the Coastal Partnership Initiative (CPI) Evaluation Committee that met on December 13, 2007. All eligible CPI applications were reviewed by the evaluation committee using the information included in each application and according to the evaluation criteria listed in Rule 62S-4.007, Florida Administrative Code. The following list includes the applications that received a final score of at least 50 points, and, pursuant to paragraph 62S-4.007(2)(d), F.A.C., these projects are eligible to be considered for FCMP funding. For FY 08-09, the available NOAA funds are adequate to include all six ranked CPI projects in the FCMP’s annual award application, submitted on April 10, 2008. The final decision whether or not to fund these projects is made by NOAA, in or around July, 2008.

- Project/Applicant
- Grassy Key Restoration/City of Marathon
 - Big Bend Maritime Center /Fla. Foresight Inc.
 - Fort Steinhatchee Pier/Taylor County
 - Carrabelle Wharf Improvements/City of Carrabelle
 - IRL Education & Community Stewardship/Marine Discovery Center
 - Conquistadors to Astronauts Paddling Trail/Volusia County

Any person whose substantial interests are affected may request a hearing pursuant to Section 120.569, Florida Statutes, within 21 days of publication of this notice. Failure to request a

hearing within the applicable time period shall constitute a waiver of the right to a hearing. Questions regarding the CPI evaluation process should be directed to Susan Goggin at (850)245-2161 or by sending an email to Susan.Goggin@dep.state.fl.us.

DEPARTMENT OF HEALTH

On April 10, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of George Benjamin Perlin, L.C.S.W. license number LSW 5393. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 9, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Douglas Eugene Nicely, L.P.N. license number PN 1278311. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 11, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Sandra Lynn Hoffman, L.P.N. license number PN 1318171. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 11, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Dana Ann Lege, R.N. license number RN 9202526. This Emergency Suspension Order was predicated upon the Secretary’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary

determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 14, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Karen Lee Ackelson, A.R.N.P. license number RN 1015702. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 14, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Lorri P. Page, R.N. license number RN 2655232. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On April 14, 2008, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General of the Department of Health, issued an Order of Emergency Suspension with the regard to the license of Heather Lynn Rowland, L.P.N. license number PN 5144848. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

QPD List

DEPARTMENT OF FINANCIAL SERVICES

DIVISION OF TREASURY

BUREAU OF COLLATERAL MANAGEMENT

PUBLIC DEPOSITS SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER

REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THEY ARE LISTED UNDER THE STATE OF HOME OFFICE LOCATION. **INSTITUTIONS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER AND ARE NOT ACCEPTING NEW PUBLIC DEPOSIT ACCOUNTS.** DEPOSITORIES HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

ALABAMA

ATMORE

UNITED BANK

BIRMINGHAM

COMPASS BANK

REGIONS BANK

SUPERIOR BANK

MONTGOMERY

COLONIAL BANK, N.A.

DISTRICT OF COLUMBIA

WASHINGTON, DC

URBAN TRUST BANK

FLORIDA

APALACHICOLA

COASTAL COMMUNITY BANK

ARCADIA

FIRST STATE BANK OF ARCADIA

AVENTURA

TURNBERRY BANK

BARTOW

COMMUNITY NATIONAL BANK AT BARTOW

BELLE GLADE

BANK OF BELLE GLADE

BOCA RATON

EQUITABLE BANK
FIRST SOUTHERN BANK
LEGACY BANK OF FLORIDA
PARADISE BANK
SUN AMERICAN BANK

BONIFAY

BANK OF BONIFAY

BRADENTON

FIRST AMERICA BANK
FLAGSHIP NATIONAL BANK

BRANDON

PLATINUM BANK

CAPE CORAL

RIVERSIDE BANK OF THE GULF COAST

CARRABELLE

GULF STATE COMMUNITY BANK

CHIEFLAND

DRUMMOND COMMUNITY BANK

CLEWISTON

FIRST BANK
OLDE CYPRESS COMMUNITY BANK

COCOA BEACH

SUNRISE BANK

CORAL GABLES

BANKUNITED, F.S.B.
GIBRALTAR PRIVATE BANK & TRUST COMPANY
INTERNATIONAL BANK OF MIAMI, N.A.
MERCANTIL COMMERCEBANK, N.A.

CRAWFORDVILLE

WAKULLA BANK

CRESTVIEW

FIRST NATIONAL BANK OF CRESTVIEW

DADE CITY

FIRST NATIONAL BANK OF PASCO

DANIA BEACH

COMMUNITY BANK OF BROWARD

DAVIE

FLORIDIAN COMMUNITY BANK, INC.
REGENT BANK

DESTIN

DESTIN FIRST BANK
GULFSOUTH PRIVATE BANK

ENGLEWOOD

ENGLEWOOD BANK
PENINSULA BANK

FERNANDINA BEACH

FIRST COAST COMMUNITY BANK
FIRST NATIONAL BANK OF NASSAU COUNTY

FORT LAUDERDALE

BANKATLANTIC
LANDMARK BANK, N.A.
VALLEY BANK

FORT MYERS

EDISON NATIONAL BANK
FINEMARK NATIONAL BANK & TRUST
FLORIDA GULF BANK
IRONSTONE BANK
RELIANCE BANK, F.S.B.

FORT PIERCE

OCULINA BANK
RIVERSIDE NATIONAL BANK OF FLORIDA

FORT WALTON BEACH

BEACH COMMUNITY BANK
FIRST CITY BANK OF FLORIDA
FIRST NATIONAL BANK & TRUST

FROSTPROOF

CITIZENS BANK & TRUST

GAINESVILLE

FLORIDA CITIZENS BANK
MERCHANTS & SOUTHERN BANK

GRACEVILLE

BANK OF JACKSON COUNTY
PEOPLES BANK OF GRACEVILLE

HALLANDALE

DESJARDINS BANK, N.A.

HOMESTEAD

COMMUNITY BANK OF FLORIDA
1ST NATIONAL BANK OF SOUTH FLORIDA

IMMOKALEE

FLORIDA COMMUNITY BANK

INDIANTOWN

FIRST BANK AND TRUST COMPANY OF INDIANTOWN

INVERNESS

BRANNEN BANK

JACKSONVILLE

CNLBANK, FIRST COAST
EVERBANK

JACKSONVILLE BEACH

OCEANSIDE BANK

KEY LARGO

TIB BANK

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

KISSIMMEE

CENTERSTATE BANK CENTRAL FLORIDA, N.A.

LAKE CITY

COLUMBIA BANK
FIRST FEDERAL SAVINGS BANK OF FLORIDA
PEOPLES STATE BANK

LAKELAND

COMMUNITY SOUTHERN BANK

LANTANA

STERLING BANK

LONGWOOD

*ORLANDO NATIONAL BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MARATHON

MARINE BANK

MARIANNA

FIRST CAPITAL BANK

MAYO

LAFAYETTE STATE BANK

MELBOURNE

PRIME BANK

MERRITT ISLAND

COMMUNITY BANK OF THE SOUTH

MIAMI

BAC FLORIDA BANK
CITY NATIONAL BANK OF FLORIDA
COCONUT GROVE BANK
CONTINENTAL NATIONAL BANK OF MIAMI
EAGLE NATIONAL BANK OF MIAMI
EASTERN NATIONAL BANK
ESPIRITO SANTO BANK
EXECUTIVE NATIONAL BANK
GREAT FLORIDA BANK
INTERAMERICAN BANK, F.S.B.
MELLON UNITED NATIONAL BANK
METRO BANK OF DADE COUNTY
NORTHERN TRUST, N.A.
OCEAN BANK
SUNSTATE BANK
TOTALBANK
TRANSATLANTIC BANK
U.S. CENTURY BANK

MILTON

FIRST NATIONAL BANK OF FLORIDA

MONTICELLO

FARMERS & MERCHANTS BANK

MOUNT DORA

FIRST NATIONAL BANK OF MOUNT DORA

NAPLES

BANK OF NAPLES

ORION BANK

PARTNERS BANK

SHAMROCK BANK OF FLORIDA

NEW SMYRNA BEACH

FRIENDS BANK

NICEVILLE

PEOPLES NATIONAL BANK

NORTH PALM BEACH

ENTERPRISE NATIONAL BANK OF PALM BEACH

OAKLAND PARK

AMERICAN NATIONAL BANK

OCALA

ALARION BANK

COMMUNITY BANK & TRUST OF FLORIDA

GATEWAY BANK OF CENTRAL FLORIDA

INDEPENDENT NATIONAL BANK

ORANGE PARK

HERITAGE BANK OF NORTH FLORIDA

ORLANDO

CNLBANK

FLORIDA BANK OF COMMERCE

OLD SOUTHERN BANK

ORANGE BANK OF FLORIDA

SEASIDE NATIONAL BANK & TRUST

OVIEDO

CITIZENS BANK OF FLORIDA

PALATKA

FIRST FEDERAL BANK OF NORTH FLORIDA

PUTNAM STATE BANK

PANAMA CITY

BAY BANK & TRUST COMPANY

FIRST NATIONAL BANK NORTHWEST FLORIDA

PEOPLES FIRST COMMUNITY BANK

VISION BANK

PENSACOLA

BANK OF PENSACOLA

BANK OF THE SOUTH

FIRST GULF BANK, N.A.

GULF COAST COMMUNITY BANK

PERRY

CITIZENS STATE BANK

PINELLAS PARK

FIRST COMMUNITY BANK OF AMERICA

PORT CHARLOTTE

BUSEY BANK, N.A.

PORT RICHEY

REPUBLIC BANK

PORT ST. JOE

BAYSIDE SAVINGS BANK

PORT ST. LUCIE

FIRST PEOPLES BANK

ST. AUGUSTINE

BANK OF ST. AUGUSTINE

PROSPERITY BANK

ST. PETERSBURG

SYNOVUS BANK OF TAMPA BAY

SANTA ROSA BEACH

BANKTRUST

SARASOTA

LANDMARK BANK OF FLORIDA

SEBRING

HEARTLAND NATIONAL BANK

HIGHLANDS INDEPENDENT BANK

SOUTH MIAMI

FIRST NATIONAL BANK OF SOUTH MIAMI

STARKE

COMMUNITY STATE BANK

STUART

GULFSTREAM BUSINESS BANK

SEACOAST NATIONAL BANK

TALLAHASSEE

CAPITAL CITY BANK
HANCOCK BANK OF FLORIDA
PREMIER BANK
TALLAHASSEE STATE BANK
THE BANK OF TALLAHASSEE

TAMPA

AMERICAN MOMENTUM BANK
BANK OF ST. PETERSBURG
FIRST CITRUS BANK

THE VILLAGES

CITIZENS FIRST BANK

TRINITY

PATRIOT BANK

UMATILLA

UNITED SOUTHERN BANK

VALPARAISO

VANGUARD BANK & TRUST COMPANY

VENICE

COMMUNITY NATIONAL BANK OF SARASOTA COUNTY
THE BANK OF VENICE

WAUCHULA

FIRST NATIONAL BANK OF WAUCHULA
WAUCHULA STATE BANK

WEST PALM BEACH

FLAGLER BANK
GRAND BANK & TRUST OF FLORIDA

WILLISTON

PERKINS STATE BANK

WINTER HAVEN

CENTERSTATE BANK OF FLORIDA, N.A.

WINTER PARK

BANKFIRST
FIRST NATIONAL BANK OF CENTRAL FLORIDA
RIVERSIDE BANK OF CENTRAL FLORIDA

ZEPHYRHILLS

CENTERSTATE BANK, N.A.

GEORGIA

ALBANY

HERITAGEBANK OF THE SOUTH

ATLANTA

SUNTRUST BANK

COLQUITT

PEOPLESOUTH BANK

DARIEN

SOUTHEASTERN BANK

MOULTRIE

AMERIS BANK

IOWA

FORT DODGE

FIRST AMERICAN BANK

LOUISIANA

NEW ORLEANS

WHITNEY NATIONAL BANK

MASSACHUSETTS

BOSTON

ONEUNITED BANK

MICHIGAN

GRAND RAPIDS

FIFTH THIRD BANK

MISSISSIPPI

JACKSON

TRUSTMARK NATIONAL BANK

TUPELO

BANCORPSOUTH BANK

MISSOURI

CREVE COEUR

FIRST BANK

NEVADA

LAS VEGAS
CITIBANK, N.A.

NEW YORK

NEW YORK CITY
BANCO POPULAR NORTH AMERICA
INTERVEST NATIONAL BANK

NORTH CAROLINA

CHARLOTTE
BANK OF AMERICA, N.A.
WACHOVIA BANK, N.A.

RALEIGH
RBC BANK (USA)

WINSTON-SALEM
BRANCH BANKING & TRUST COMPANY

OHIO

CLEVELAND
NATIONAL CITY BANK

WILMINGTON
LIBERTY SAVINGS BANK, F.S.B.

PENNSYLVANIA

PHILADELPHIA
COMMERCE BANK, N.A.

SOUTH CAROLINA

GREENVILLE
CAROLINA FIRST BANK

WISCONSIN

MILWAUKEE
M&I MARSHALL & ILSLEY BANK

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT HAD A CHANGE SINCE THE LAST PUBLICATION OF THIS REPORT.

BANK OF INVERNESS

INVERNESS
BANK OF INVERNESS (INVERNESS) CHANGED ITS NAME TO BRANNEN BANK AFTER MERGING CRYSTAL RIVER BANK (CRYSTAL RIVER), DUNNELLON STATE BANK (DUNNELLON), HERNANDO COUNTY BANK (BROOKSVILLE), AND HOMOSASSA SPRINGS BANK (HOMOSASSA SPRINGS) INTO IT.

COMMUNITY BANK OF NAPLES, N.A.

NAPLES
COMMUNITY BANK OF NAPLES, N.A. (NAPLES) WAS MERGED WITH AND INTO RBC BANK (USA) (RALEIGH, NORTH CAROLINA) EFFECTIVE AS OF THE CLOSE OF BUSINESS APRIL 11, 2008.

CRYSTAL RIVER BANK

CRYSTAL RIVER
CRYSTAL RIVER BANK (CRYSTAL RIVER) WAS MERGED WITH AND INTO BANK OF INVERNESS EFFECTIVE AS OF FEBRUARY 1, 2008. SIMULTANEOUSLY WITH THIS MERGER, BANK OF INVERNESS CHANGED THEIR NAME TO BRANNEN BANK.

CYPRESSCOQUINA BANK

ORMOND BEACH
CYPRESSCOQUINA BANK (ORMOND BEACH) WAS MERGED WITH AND INTO RBC BANK (USA) (RALEIGH, NORTH CAROLINA) EFFECTIVE AS OF THE CLOSE OF BUSINESS APRIL 11, 2008.

DUNNELLON STATE BANK

DUNNELLON
DUNNELLON STATE BANK (DUNNELLON) WAS MERGED WITH AND INTO BANK OF INVERNESS EFFECTIVE AS OF FEBRUARY 1, 2008. SIMULTANEOUSLY WITH THIS MERGER, BANK OF INVERNESS CHANGED THEIR NAME TO BRANNEN BANK.

EQUITABLE BANK

FORT LAUDERDALE
EQUITABLE BANK CHANGED ITS NAME TO 1ST UNITED BANK. THEY CHANGED THEIR HOME OFFICE LOCATION FROM FORT LAUDERDALE TO BOCA

RATON. THESE TWO EVENTS OCCURRED SIMULTANEOUSLY WITH THE MERGER OF THE PREVIOUSLY NAMED FIRST UNITED BANK INTO EQUITABLE BANK EFFECTIVE AS OF THE CLOSE OF BUSINESS FEBRUARY 29, 2008.

FIRST NATIONAL BANK OF SOUTH FLORIDA

HOMESTEAD
FIRST NATIONAL BANK OF SOUTH FLORIDA'S NAME ON THE FLORIDA PUBLIC DEPOSIT PROGRAM'S DATABASE HAS BEEN CHANGED TO 1ST NATIONAL BANK OF SOUTH FLORIDA TO MORE ACCURATELY REFLECT THE INSTITUTION'S ACTUAL LEGAL NAME.

FIRST UNITED BANK

BOCA RATON
FIRST UNITED BANK MERGED WITH AND INTO EQUITABLE BANK (FORT LAUDERDALE) AS OF THE CLOSE OF BUSINESS FEBRUARY 29, 2008. EQUITABLE BANK SIMULTANEOUSLY CHANGED ITS NAME TO 1ST UNITED BANK AND ITS HOME OFFICE LOCATION FROM FORT LAUDERDALE TO BOCA RATON.

FLORIDA CHOICE BANK

MOUNT DORA
FLORIDA CHOICE BANK (MOUNT DORA) WAS MERGED WITH AND INTO RBC BANK (USA) (RALEIGH, NORTH CAROLINA) EFFECTIVE AS OF THE CLOSE OF BUSINESS APRIL 11, 2008.

HERNANDO COUNTY BANK

BROOKSVILLE
HERNANDO COUNTY BANK (BROOKSVILLE) WAS MERGED WITH AND INTO BANK OF INVERNESS EFFECTIVE AS OF FEBRUARY 1, 2008. SIMULTANEOUSLY WITH THIS MERGER, BANK OF INVERNESS CHANGED THEIR NAME TO BRANNEN BANK.

HOMOSASSA SPRINGS BANK

HOMOSASSA SPRINGS
HOMOSASSA SPRINGS BANK (HOMOSASSA SPRINGS) WAS MERGED WITH AND INTO BANK OF INVERNESS EFFECTIVE AS OF FEBRUARY 1, 2008. SIMULTANEOUSLY WITH THIS MERGER, BANK OF INVERNESS CHANGED THEIR NAME TO BRANNEN BANK.

INDIAN RIVER NATIONAL BANK

VERO BEACH
INDIAN RIVER NATIONAL BANK (VERO BEACH) WAS MERGED WITH AND INTO RBC BANK (USA) (RALEIGH, NORTH CAROLINA) EFFECTIVE AS OF THE CLOSE OF BUSINESS APRIL 11, 2008.

MILLENNIUM BANK

GAINESVILLE
MILLENNIUM BANK (GAINESVILLE) WAS MERGED WITH AND INTO RBC BANK (USA) (RALEIGH, NORTH CAROLINA) EFFECTIVE AS OF THE CLOSE OF BUSINESS APRIL 11, 2008.

RBC CENTURA BANK

ROCKY MOUNT, NORTH CAROLINA
RBC CENTURA BANK (ROCKY MOUNT, NORTH CAROLINA) HAS CHANGED ITS NAME TO RBC BANK (USA). IT HAS ALSO COME TO OUR ATTENTION THAT THE INSTITUTION'S HOME OFFICE LOCATION HAS CHANGED FROM ROCKY MOUNT, NORTH CAROLINA TO RALEIGH, NORTH CAROLINA.

SECURITY BANK, N.A.

NORTH LAUDERDALE
SECURITY BANK, N.A. HAS WITHDRAWN FROM THE PROGRAM EFFECTIVE FEBRUARY 8, 2008.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., May 16, 2008):

APPLICATION FOR A NEW FINANCIAL INSTITUTION
Applicant and Proposed Location: Florida Shores Bank – Gulf Coast, 12995 S. Cleveland Avenue, Suite 145, Fort Myers, Lee County, Florida 33907

Correspondent: John P. Greeley, Esquire, 255 South Orange Avenue, Suite 800, Orlando, Florida 32801

Received: April 9, 2008

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN April 7, 2008
 and April 11, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

5C-20.002	4/10/08	4/30/08	34/4	
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PUBLIC SERVICE COMMISSION

25-6.0183	4/11/08	5/1/08	34/8	
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DEPARTMENT OF CORRECTIONS

33-601.800	4/7/08	4/27/08	34/8	
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33-601.820	4/7/08	4/27/08	34/8	
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DEPARTMENT OF ELDER AFFAIRS

Administration of Federal Aging Programs

58A-14.0061	4/9/08	4/29/08	34/1	34/9
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58A-14.0062	4/9/08	4/29/08	34/1	
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58A-14.007	4/9/08	4/29/08	34/1	
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58A-14.0085	4/9/08	4/29/08	34/1	34/9
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Division of Statewide Community Based Services

58N-1.001	4/9/08	4/29/08	33/34	34/9
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58N-1.009	4/9/08	4/29/08	33/34	34/9
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58N-1.011	4/9/08	4/29/08	33/34	34/9
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58N-1.013	4/9/08	4/29/08	33/34	34/9
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58N-1.015	4/9/08	4/29/08	33/34	34/9
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58N-1.017	4/9/08	4/29/08	33/34	34/9
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58N-1.019	4/9/08	4/29/08	33/34	34/9
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DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

61G4-21.002	4/7/08	4/27/08	34/7	
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61G4-21.003	4/7/08	4/27/08	34/7	
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61G4-21.004	4/7/08	4/27/08	34/7	
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61G4-21.006	4/7/08	4/27/08	34/7	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Board of Professional Engineers

61G15-22.0105	4/8/08	4/28/08	34/9	
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Florida Real Estate Commission

61J2-3.017	4/7/08	4/27/08	34/7	
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DEPARTMENT OF HEALTH

Board of Dentistry

64B5-15.030	4/7/08	4/27/08	34/8	
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Board of Pharmacy

64B16-28.450	4/8/08	4/28/08	33/51	34/11
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Division of Children's Medical Services

64C-8.001	4/10/08	4/30/08	33/50	34/9
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64C-8.002	4/10/08	4/30/08	33/50	34/9
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64C-8.003	4/10/08	4/30/08	33/50	34/9
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64C-8.004	4/10/08	4/30/08	33/50	34/9
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

65C-20.008	4/11/08	5/1/08	33/33	34/10
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65C-20.009	4/11/08	5/1/08	33/33	
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65C-20.010	4/11/08	5/1/08	33/33	34/10
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65C-20.011	4/11/08	5/1/08	33/33	34/10
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65C-20.012	4/11/08	5/1/08	33/33	34/10
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65C-20.013	4/11/08	5/1/08	33/33	34/10
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65C-20.014	4/11/08	5/1/08	33/33	
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65C-22.001	4/11/08	5/1/08	33/33	34/10
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65C-22.003	4/11/08	5/1/08	33/33	34/10
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65C-22.004	4/11/08	5/1/08	33/33	34/10
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65C-22.006	4/11/08	5/1/08	33/33	34/10
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65C-22.008	4/11/08	5/1/08	33/33	34/10
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65C-22.009	4/11/08	5/1/08	33/33	34/10
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65C-22.010	4/11/08	5/1/08	33/33	34/10
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