

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

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5C-29.002	General Requirements for Movement of Sheep and Goats
5C-29.003	Recordkeeping Requirements for Identification of Sheep and Goats
5C-29.004	Scrapie Free Flock/Herd Certification Programs
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5C-29.007	Florida Scrapie Certification Board
5C-29.008	Materials

PURPOSE AND EFFECT: The purpose and effect of this proposed new rule is to specify, detail, and clarify a Scrapie Control and Eradication Program in Florida. The proposed new rule adopts standards established by USDA, APHIS, under its Scrapie Eradication Uniform Methods and Rules (APHIS 91-55-079, June 1, 2005) and Voluntary Scrapie Flock Certification Program Standards (APHIS 91-55-091, June 30, 2007). Implementation of this proposed new rule will establish Florida in a Consistent State Status regarding the control and eradication of Scrapie in the U.S.

SUBJECT AREA TO BE ADDRESSED: This proposed new rule establishes general requirements, definitions, record keeping, tests and documentation for establishing and maintaining Scrapie – Free Flocks/Herds and handling infected flocks/herds in the state.

SPECIFIC AUTHORITY: 570.07(23), 570.36(2), 570.07(15), 585.002(4), 585.007 FS.

LAW IMPLEMENTED: 585.003, 585.08(1), 585.11(1), 585.14, 585.145(1),(2), 585.15, 585.16, 585.17, 585.18, 585.23, 585.40 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: Dr. William C. Jeter, Chief, Bureau of Animal Disease Control, Division of Animal Industry, Room 332, 407 South Calhoun Street, Tallahassee, FL 32399-0800; phone: (850)410-0900; fax: (850)410-0957

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5C-29.001 Definitions.

For the purpose of this chapter the following words shall have the meaning indicated:

(1) Accredited Veterinarian. A veterinarian licensed in the state of origin and approved by the United States Department of Agriculture, Animal and Plant Health Inspection Service (USDA, APHIS) to perform certain functions of federal and cooperative state-federal programs in accordance with the provisions of 9 C.F.R. §§ 160-162 (2007).

(2) Administrator. The Administrator of USDA, APHIS or any person authorized to act for the Administrator.

(3) APHIS. Animal and Plant Health Inspection Service; part of the United States Department of Agriculture; responsible for protecting and promoting U.S. agricultural health and ecosystems vulnerable to invasive pests and pathogens, administering the Animal Welfare Act, and carrying out wildlife damage management activities.

(4) Authorized Representative. An employee of the state or federal government, or a licensed veterinarian accredited by the USDA, who is authorized to conduct animal disease control and eradication activities.

(5) Certified Flock/Herd. A complete monitored category flock/herd that has been continuously participating in the USDA Voluntary Scrapie Flock Certification Program Standards (APHIS 91-55-091, June 30, 2007) and has met the provisions for 5 years or more.

(6) Commingled, commingling. Animals grouped together having physical contact with each other, including contact through a fence line or sharing the same section in a transportation unit where physical contact can occur.

(7) Division. The Division of Animal Industry of the Florida Department of Agriculture and Consumer Services.

(8) Flock or Herd. All animals maintained on a single premises and all animals under common ownership or supervision on two or more premises with animal interchange between the premises.

(9) Flock/Herd of origin. The flock/herd in which an animal most recently resided in which it either was born, gave birth, or resided during lambing or kidding.

(10) Goat. Any ruminant of the genus Capra.

(11) Intrastate. Existing or occurring within the boundaries of the state.

(12) Official Certificate of Veterinary Inspection (OCVI). A legible certificate made on an official form from the state of origin or from the USDA, issued by an authorized representative, and approved by the chief animal health official of the state of origin.

(13) Official Individual Identification. A form of unique individual animal identification, as follows:

(a) Official Eartags. A tamper-evident eartag, approved by APHIS, capable of providing a unique identification number for each animal, and capable of being recorded in a central repository. Such eartags must conform to one of the following number systems:

1. National Uniform Eartagging System;
2. Animal Identification Number (AIN);
3. Premises-based numbering system; or
4. Any other numbering system approved by APHIS.

(b) Ear, tail-web or flank tattoos, using the National Uniform Tag Code number assigned by APHIS to the state of origin; breed registration tattoos when accompanied by breed registration papers; or an official brand when accompanied by a brand registration certificate;

(c) Implanted electronic chips that conform to ISO standards with a unique number that is recorded in a single, central database.

(14) Owner. A person, partnership, company, corporation, or any legal entity that has legal or rightful title to animals.

(15) Premises. A geographically distinct place or location where livestock are housed, maintained, congregated, or kept.

(16) Premises identification number. A unique number used on official eartags and tattoos to identify the premises of origin of an animal.

(17) Recognized slaughter establishment. A slaughtering establishment operating under the provisions of the Federal Meat Inspection Act (21 U.S.C. 601 et seq.), or equivalent state meat inspection program.

(18) Scrapie. A non-febrile, transmissible, degenerative, disease of the central nervous system in sheep and goats.

(19) Scrapie Flock/Herd Certification Program (SFCP). A voluntary State-Federal-Industry cooperative effort as defined in the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007.

(20) Scrapie-positive animal. An animal for which an approved test has been conducted with positive results by NVSL or another laboratory authorized by the Administrator to conduct tests. The animal must meet the criteria of a Scrapie-positive animal as defined in 9 C.F.R. § 54.1 (2007).

(21) Sheep. Any ruminant of the genus Ovis.

(22) Source Flock/Herd. A flock/herd in which an authorized representative has determined that at least one animal was born that was diagnosed as Scrapie positive at an age of 72 months or less or in which a positive animal has resided throughout its life.

(23) Suspect animal. An animal that exhibits any clinical signs of Scrapie and that has been determined to be suspicious for Scrapie by an accredited veterinarian or by an authorized representative; an animal that has tested positive on a live animal screening test; or, an animal whose official test yielded inconclusive results.

(24) USDA. United States Department of Agriculture.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS, Law Implemented 585.003, 585.08, 585.11(1), 585.14, 585.145(1),(2), 585.15, 585.16 FS. History—New _____.

5C-29.002 General Requirements for Movement of Sheep and Goats.

(1) Identification Requirements.

(a) All sheep and goats moved intrastate or interstate for any purpose must be officially identified to their flock/herd of birth. All sheep and goats that change ownership for any purpose must be officially identified to their flock/herd of birth as required by 9 C.F.R. § 79.2 (2007). In cases where the flock/herd of birth can not be determined, the sheep and goats must be officially identified to the flock/herd of origin.

(b) Official Identification Methods: Only APHIS approved identification methods of sheep and goats as required by the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005, may be used. Such identification methods must be permanent or tamper evident, secure, carry a unique premises and individual animal number and traceable to flock/herd of birth or flock/herd of origin. Approved methods of identification include:

1. Official USDA-APHIS-VS eartags,

2. Premises identification tattoos (must be legible and contain the flock/herd number and unique animal number),

3. Official registry tattoos (must be accompanied by either official breed registration certificate or an OCVI that includes the corresponding official registration number), or

4. Electronic microchip/implant (must be accompanied by owner statement of ID numbers and chip manufacturer, and agent should have a chip reader for verification of placement).

(2) Responsibility for Identification of Sheep and Goats.

(a) Primary Responsibility. The owner of the flock/herd of origin has the primary responsibility for identification of all sheep and goats before moving their animals and involving them in intrastate commerce and before they are commingled with animals from different flocks/herds of origin. If official identification has not been placed on the sheep or goats by the owner before leaving the flock/herd of origin and moving them for the purpose of involving them in intrastate commerce, the owner must assure that the sheep or goats are officially identified before the animals are commingled with sheep and goats from different flocks/herds of origin and before change of ownership.

(b) Secondary Responsibility. Persons with secondary responsibility to identify sheep or goats include:

1. A person who delivers any sheep or goats to a place where they will be commingled must ensure that the sheep or goats are officially identified to their premises of origin before allowing contact with sheep or goats from different flocks/herds or before change of ownership.

2. A person who receives any sheep or goats that are required to be identified to their premises of origin must ensure that the sheep or goats are officially identified to their premises of origin before commingling with sheep or goats from different flocks/herds or before change of ownership.

(3) Retagging Sheep and Goats with Lost Identification.

(a) If a sheep or goat loses its identification to its flock/herd of birth or origin while in intrastate or interstate commerce the person that has control or possession of the sheep or goat is responsible for identifying the animal before commingling with sheep or goats of different flocks/herds of origin.

(b) The person retagging the sheep or goat shall record the identification number and the flock/herd of origin of the animal. If the flock/herd or origin can not be determined all possible flocks/herds of origin shall be listed in the records.

(4) Removal of Official Identification Prohibition.

(a) No person shall remove or tamper with any official identification device.

(b) Official identification devices which are damaged and are no longer functional may be replaced provided all possible flocks/herds of origin are listed in the record associated with the application of the new official identification.

(5) Violations. Sheep and goats entering the state, moving within the state, or changing ownership in violation of the provisions of this chapter may be stopped by an agent, or employee of the Division or by any FDACS law enforcement officer of the state of Florida or any subdivision of the state. Any person, firm, or association having charge, custody, or control of animals imported or moved in violation of this rule will return the animals to the state or flock/herd of origin as directed by the Division.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.003, 585.14, 585.145(1),(2), 585.15, 585.16 FS. History–New _____.

5C-29.003 Recordkeeping Requirements for Identification of Sheep and Goats.

(1) Any individual authorized to apply official identification, under the provisions of the USDA Scrapie Eradication Uniform Methods and Rules APHIS 91-55-079, June 1, 2005, must keep records of sales of all sheep and goats.

(2) Each person required to keep records under the provisions of the USDA Scrapie Eradication Uniform Methods and Rules APHIS 91-55-079, June 1, 2005, must keep records for five years even if the animal is no longer on the premises. Such records shall be available for inspection by any authorized representative of the department during ordinary business hours upon request.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.003, 585.11(1), 585.14, 585.145(1),(2) FS. History–New _____.

5C-29.004 Scrapie Free Flock/Herd Certification Programs.

(1) Complete Monitored – Producers have the opportunity to enroll their flock/herd in the APHIS sponsored program to certify their flock/herd free of Scrapie as determined by the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007. This program requires 5 years of active participation in the SFCP with annual records review.

(2) Export Monitored – Producers have the opportunity to enroll their flock/herd in the APHIS sponsored program to certify their flock/herd free of and eligible to be exported as determined by the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007. This program requires 7 years of participation in the SFCP and specified testing within herd or flock.

(3) Selective Monitored – Slaughter lamb/kid producers who wish to have an additional method of surveillance in large production flocks/herds have the opportunity to enroll their flock/herd in the APHIS sponsored program as determined by the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.00 FS. Law Implemented 585.003, 585.11(1), 585.14, 585.145(1) FS. History–New _____.

5C-29.005 Scrapie Monitoring and Surveillance.

(1) Clinical suspects and test-positive animals will be handled in accordance to the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

(2) Mature traceable animals that are dead or down at market will be sampled and tested when practical to do so in accordance to the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

(3) Sampling and testing of mature traceable sheep at slaughter will be handled by APHIS in accordance to the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.003, 585.11(1), 585.14, 585.145(1), 585.16 FS. History–New _____.

5C-29.006 Scrapie Flock/Herd Clean-up Plans.

(1) All flocks/herds determined to be infected with Scrapie shall be placed under quarantine and handled in accordance with the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

(2) All flocks/herds containing animals suspicious for, and source flocks/herds, will be placed under quarantine and investigated in accordance with the USDA Scrapie Eradication Uniform Methods and Rules, APHIS 91-55-079, June 1, 2005.

Specific Authority 570.07(23), 570.36(2), 570.07(15), 585.002(4), 585.007 FS. Law Implemented 585.03, 585.11(1), 585.145(1), 585.16, 585.17, 585.18, 585.23, 585.40 FS. History–New _____.

5C-29.007 Florida Scrapie Certification Board.

In accordance with the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007, APHIS is authorized to establish a State Certification Board. The board shall administer the USDA Voluntary Scrapie Flock Certification Program Standards, APHIS 91-55-091, June 30, 2007; review program enrollment and status advancement; review situations that may result in reduction of certification status or dismissal from the program; and educate producers regarding Scrapie.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.11(1), 585.14 FS. History— New _____.

5C-29.008 Materials.

(1) 9 C.F.R. § 54.1 (2007), 9 C.F.R. §§ 79.2-79.6 (2007) and 9 C.F.R. §§ 160-162 (2007) are hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

(2) USDA Scrapie Eradication Uniform Methods and Rules, June 1, 2005, APHIS 91-55-079, is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

(3) USDA Voluntary Scrapie Flock Certification Program Standards, June 30, 2007, APHIS 91-55-091 is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

(4) Federal Meat Inspection Act (21 U.S.C. § 601 et seq. (2007)) is hereby incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, DC 20402-9328.

Specific Authority 570.07(23), 570.36(2), 585.002(4), 585.007 FS. Law Implemented 585.08, 585.11(1), 585.15, 585.16 FS. History— New _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.0014
RULE TITLE: Comprehensive Management Information System

PURPOSE AND EFFECT: The purpose of this rule development is to amend the Data Base Manuals to reflect the collection and calculation of class size data, and, if necessary, promulgate a new rule to implement the requirements of law related to class size.

SUBJECT AREA TO BE ADDRESSED: Class size requirements.

SPECIFIC AUTHORITY: 1001.02(1), 1002.33(24), 1008.385(3) FS.

LAW IMPLEMENTED: 1003.03, 1002.33(16), 1008.385(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Champion, Deputy Commissioner for Finance and Operations, Department of Education, 325 West Gaines Street, Room 1244, Tallahassee, Florida 32399-0400; (850)245-0406

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0571
RULE TITLE: Vocational and Workforce Development Standards and Industry-Driven Benchmarks

PURPOSE AND EFFECT: The purpose of the rule development is to review the Standards, Benchmarks, and Curriculum Frameworks for career and technical and adult education to determine what changes must be initiated. The effect will be current curriculum frameworks for career and technical education and adult education.

SUBJECT AREA TO BE ADDRESSED: Curriculum Frameworks for career and technical education and adult education.

SPECIFIC AUTHORITY: 1004.92(2)(b)3. FS.

LAW IMPLEMENTED: 1004.92(2)(b)4. 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: Lynn Abbott, Office of the Commissioner, Department of Education, 325 West Gaines, Room 1514, Tallahassee, Florida 32399-0400

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED 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**St. Johns River Water Management District**

RULE NO.: 40C-2.042
 RULE TITLE: General Permit by Rule

PURPOSE AND EFFECT: The purpose of the proposed rule development is to amend the General Permit By Rule that regulates small irrigation uses below consumptive use permit thresholds in Rule 40C-2.042, F.A.C. Amendments include: repeal of the exceptions for use of reclaimed water and recycled water from wet detention treatment ponds for irrigation; amendment to the limiting conditions to prohibit chemigation and fertigation between the hours of 10:00 a.m. and 4:00 p.m.; restriction of the watering-in of chemicals to ¼ inch of water per application except as otherwise required by law; the manufacturer or best management practices; limitation of the operation of landscape irrigation systems for routine maintenance to 1 day per week; providing that where reclaimed water is available, use of private irrigation wells are not authorized; establishing a specific 2 day per week landscape irrigation schedule for the months of March through November; establishing a 1 day per week irrigation schedule for the months of December through February; providing limitations on the volume of water applied during the specified landscape irrigation days; providing that a local government landscape irrigation ordinance may not include more restrictive or expansive provisions than those set forth in paragraphs 40C-2.042(2)(a)-(c), F.A.C.; and revising the Applicant's Handbook: Consumptive Uses of Water, to reflect these changes.

SUBJECT AREA TO BE ADDRESSED: Amendments to General Permit By Rule and related Applicant's Handbook: Consumptive Uses of Water, provisions regarding irrigation regulation.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.118, 373.219, 373.223, 373.250, 373.609 FS.

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

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

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: Sandy Bertram, Asst. District Clerk, (386)329-4127. 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: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177-2529, (386)329-4459, email nmesser@sjrwmd.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-2.042 General Permit by Rule.

A general consumptive use permit by rule is hereby established for consumptive uses of water listed below that do not meet or exceed any permitting threshold under subsection 40C-2.041(1), F.A.C., except as provided in subsection (8). However, this section shall not apply to domestic uses of water by individuals, i.e., water used for the household purposes of drinking, bathing, cooking or sanitation. Persons using or proposing to use water in a manner not authorized under this section, must obtain a permit pursuant to Chapter 40C-2, 40C-20 or 40C-22, F.A.C.

(1) The Board hereby grants a general permit to each person located within the District to use, withdraw or divert water from any source of water, to irrigate agricultural crops, nursery plants, golf courses and recreational areas, provided the irrigation does not occur between the hours of 10:00 a.m. and 4:00 p.m. daily, and provided the amount of water used is limited to only that necessary for efficient utilization. Such water use shall be subject to the following exceptions:

(a) No change.

~~(b) The use of water for irrigation from a reclaimed water system is allowed anytime. For the purpose of this paragraph, a reclaimed water system includes systems in which the primary source is reclaimed water, which may or may not be supplemented by water from another source during peak demand periods.~~

~~(c) The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime provided the ponds are not augmented from any ground or off-site surface water, or public supply sources.~~

~~(d)~~ (b) Irrigation is allowed at any time of day for one 30 day period following planting of agricultural crops or nursery stock, provided that the irrigation is limited to the minimum amount necessary for crop or plant establishment. Irrigation of

new recreational areas and newly seeded or sprigged golf course areas is allowed at any time of day for one 60-day period.

~~(c)(e)~~ Chemigation and fertigation are allowed on any at any time of day one time per week, provided these activities do not occur between the hours of 10:00 a.m. and 4:00 p.m. and anytime during the normal 4:00 p.m. to 10:00 a.m. irrigation hours.

~~(d)(f)~~ Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer, or best management practices is allowed anytime within 24 hours of application. Watering in of chemicals shall not exceed 1/4 inch of water per application except as otherwise required by law, the manufacturer, or best management practices.

~~(e)(g)~~ Irrigation systems may be operated anytime of day for maintenance and repair purposes not to exceed ten minutes per hour per zone, but such operation shall not occur more than one time per week.

(h) through (n) renumbered (f) through (l) No change.

(2)(a) The Board hereby grants a general permit to each person located within the District to use, withdraw or divert water from any source of water for landscape irrigation, provided; the irrigation does not occur more than two days per week and does not occur between the hours of 10:00 a.m. and 4:00 p.m. daily. An irrigator may select the two irrigation days unless a local government adopts an ordinance identifying the specific two days irrigation is allowed pursuant to paragraph (b). A contiguous property may be divided into different zones and each zone may be irrigated on different days than other zones of the property unless a local government adopts an ordinance identifying the specific two days irrigation is allowed pursuant to paragraph (b). However, no single zone may be irrigated more than 2 days a week. Additionally, any person who irrigates landscape with an automatic lawn sprinkler system installed after May, 1991, shall install, maintain and operate a rain sensor device or switch that overrides the irrigation system when adequate rainfall has occurred. For the purpose of this rule, "landscape irrigation" means the outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential areas, cemeteries, public, commercial, and industrial establishments, and public medians and rights of way. For the purpose of this rule, "landscape irrigation" does not include golf course greens, tees, fairways, primary roughs, and vegetation associated with intensive recreational areas such as, but not limited to, playgrounds, football, baseball and soccer fields. Landscape irrigation shall be subject to the following exceptions:

1. During the months of March through November, landscape irrigation systems shall apply no more than 1/2 inch of water and shall be operated no more than 30 minutes per zone, in accordance with the following schedule:

a. For residential landscape, irrigation at even numbered addresses shall occur only on Tuesday and Saturday and not between 10:00 a.m. and 4:00 p.m.; and

b. For residential landscape, irrigation at odd numbered addresses or no address may occur only on Wednesday and Sunday and not between 10:00 a.m. and 4:00 p.m.; and

c. Non-residential landscape irrigation may occur only on Monday and Friday and not between 10:00 a.m. and 4:00 p.m.

2. During the months of December through February, landscape irrigation systems shall apply no more than 3/4 inch of water and shall be operated no more than 45 minutes per zone, in accordance with the following schedule:

a. For residential landscape, irrigation at even numbered addresses shall occur only on Tuesday and not between 10:00 a.m. and 4:00 p.m.; and

b. For residential landscape, irrigation at odd numbered addresses or no address may occur only on Wednesday and not between 10:00 a.m. and 4:00 p.m.; and

c. Non-residential landscape irrigation may occur only on Monday and not between 10:00 a.m. and 4:00 p.m.

3. All landscape irrigation shall be limited to only that needed to meet landscape needs.

4. Where reclaimed water is available, the use of private irrigation wells for landscape irrigation is not authorized under this subsection.

5. Any person who irrigates landscape with an automatic lawn sprinkler system installed after May, 1991, shall install, maintain and operate a rain sensor device or switch that overrides the irrigation system when adequate rainfall has occurred.

(b) For the purpose of this rule, "landscape irrigation" means the outside watering of plants in a landscape such as shrubbery, trees, lawns, grass, ground covers, plants, vines, gardens and other such flora that are situated in such diverse locations as residential areas, cemeteries, public, commercial, and industrial establishments, and public medians and rights of way. For the purpose of this rule, "landscape irrigation" does not include golf course greens, tees, fairways, primary roughs, and vegetation associated with intensive recreational areas such as, but not limited to, playgrounds, football, baseball and soccer fields. For purposes of this rule, a micro-irrigation system is a micro-spray, micro-jet or drip irrigation system. For the purposes of this rule, the term "residential" means any housing unit with sanitary and kitchen facilities designed to accommodate one or more residents, including multiple housing units, mobile homes and trailer spaces, but excluding commercial or transient housing units such as hotel and motel units.

(c) Landscape irrigation shall be subject to the following exceptions:

1. Irrigation using a micro-irrigation system is allowed anytime provided the amount of water used is limited to only that necessary for efficient utilization.

2. Irrigation of new landscape is allowed on Monday through Friday at any time of day ~~on any day~~ for the initial 30 days following installation and on Monday, Wednesday and Friday and every other day for the next 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.

3. Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer, or best management practices is allowed anytime within 24 hours of application. Watering in of chemicals shall not exceed 1/4 inch of water per application except as otherwise required by law, the manufacturer, or best management practices.

4. Irrigation systems may be operated anytime of day for maintenance and repair purposes not to exceed ten minutes per hour per zone but such operation shall not occur more than one time per week.

5. Irrigation using a hand-held hose equipped with an automatic shut-off nozzle is allowed anytime, provided the amount of water used is limited to only that necessary for efficient utilization.

6. No change.

7. The use of water from a reclaimed water system is allowed anytime. For the purpose of this paragraph, a reclaimed water system includes systems in which the primary source is reclaimed water, which may or may not be supplemented from another source during peak demand periods.

8. The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime ~~provided the ponds are not augmented from any ground or off site surface water, or public supply sources.~~

(d)(b)1. A local government may enforce, and is strongly encouraged to enforce, paragraphs (2)(a)-(c) within its jurisdiction by adopting a landscape irrigation ordinance that incorporates each of the provisions set forth in paragraphs (2)(a)-(c). However, a local government ordinance may not include provisions that are more restrictive or expansive than the provisions set forth in paragraphs (2)(a)-(c). If the local government chooses to identify specific days on which landscape irrigation will occur, then the schedule within the ordinance shall be:

a. ~~Landscape irrigation at odd numbered addresses must only occur on Wednesday and Saturday; and~~

b. ~~Landscape irrigation at even numbered addresses or no address must only occur on Thursday and Sunday.~~

~~e. Non-residential landscape irrigation may be designated on two alternative days other than those combinations in subparagraphs a. or b. above to address utility system-related demands.~~

2. through 3. No change.

4. Where a local government has adopted a landscape irrigation ordinance, if the strict application of the uniformly required "day of week" schedule for specified "day of week" limitations would lead to unreasonable or unfair results in particular instances, the local government may grant a variance from the specific days for landscape irrigation identified in subparagraphs (2)(a)(b)1. and 2., provided that the applicant demonstrates with particularity that compliance with the schedule of days for landscape irrigation will result in a substantial economic, health or other hardship on the applicant requesting the variance or those served by the applicant. Where a contiguous property is divided into different zones, a variance may be granted hereunder so that each zone may be irrigated on different days than other zones of the property. However, no single zone may be irrigated more than 2 days per week during the months of March through November and no more than 1 day per week during the months of December through February days a week. Local governments shall not grant a variance from any other provision of this rule.

5. No change.

~~(e) All variances for landscape irrigation from Water Shortage Order F.O.R. 2000-62 that have not expired as of the effective date of this rule shall be automatically extended for a 2-year time period in accordance with the terms and conditions of the variance. No other changes to the terms and conditions of the variances shall be allowed. Landscape irrigation activities not authorized pursuant to a variance extension or elsewhere in this rule will require a standard general permit.~~

~~(e)(d) No change.~~

(3) through (7) No change.

(8) The Board hereby grants a general permit to each person located within the District to withdraw groundwater from a well solely to irrigate a total of one acre or less of landscape on contiguous property, provided the withdrawal does not meet or exceed any thresholds of paragraphs 40C-2.041(1)(a)-(c), F.A.C. Where reclaimed water is available, the use of private irrigation wells for landscape irrigation is not authorized under this section. This permit is subject to all the requirements in paragraph (2)(a) and the exceptions in subparagraphs ~~(2)(c)1.-6. (2)(a)1.-8.~~

Specific requirements will be listed as conditions of these permits.

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.118, 373.219, 373.223, 373.250, 373.609 FS. History—New 7-23-91 Amended 1-7-99, 2-15-06, _____.

APPLICANT’S HANDBOOK SECTIONS:

16.0 General Conditions

(a) through (h) No change.

(i) All landscape irrigation shall be in conformity with the requirements set forth in District subsection 40C-2.042(2), F.A.C., unless otherwise authorized by permit.

17.0 General Conditions by Type of Use

17.1 Public Supply-Type Uses

The following general conditions are generally applied to permits for public supply-type uses:

(a) through (d) No change.

~~(e) Landscape irrigation is prohibited between the hours of 10:00 a.m. and 4:00 p.m., and shall not occur more than two days per week except as follows:~~

~~1. Irrigation using a micro irrigation system is allowed anytime.~~

~~2. The use of reclaimed water for irrigation is allowed anytime.~~

~~3. Irrigation of new landscape is allowed any time of day or any day for the initial 30 days and every other day for the next 30 days for a total of one 60 day period provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.~~

~~4. Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer, or best management practices is allowed anytime within 24 hours of application.~~

~~5. Irrigation systems may be operated anytime for maintenance and repair purposes not to exceed ten minutes per hour per zone.~~

~~(e)(f) The water conservation plan submitted to the District on (date), must be implemented in accordance with the implementation schedule contained therein.~~

17.2 and 17.3 No change.

17.4 Agricultural Uses

The following conditions are generally applied to individual permits for agricultural-type uses:

(a) The allocations stated above may be exceeded when the permittee must use water for freeze protection. Freeze protection is defined as the periodic and infrequent use of water to protect agricultural and nursery crops from permanent damage due to low temperatures. This action would be taken in response to forecasts of freezing temperatures by weather forecasting services. The permittee must maintain records of when water withdrawals for freeze protection are taking place, including the date of such withdrawal, duration of each withdrawal, and the rate at which withdrawals are taking place. These records must be submitted along with any required withdrawal records.

~~(b) Irrigation of agricultural crops is prohibited between the hours of 10:00 a.m. and 4:00 p.m., except as follows:~~

~~1. Irrigation using a micro irrigation system is allowed anytime.~~

~~2. The use of reclaimed water for irrigation is allowed anytime.~~

~~3. The use of recycled water from wet detention treatment ponds to irrigate agricultural crops is allowed anytime provided the ponds are not augmented from any ground or off-site surface water sources.~~

~~4. Irrigation is allowed any time of day for one 30 day period following planting of agricultural crops, provided that the irrigation is limited to the minimum amount necessary for crop or plant establishment.~~

~~5. Chemigation and fertigation are allowed at any time of day one time per week, and anytime during the normal 4:00 p.m. to 10:00 a.m. irrigation hours.~~

~~6. Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer or best management practices is allowed anytime within 24 hours of application.~~

~~7. Irrigation systems may be operated anytime for maintenance and repair purposes not to exceed ten minutes per hour per zone.~~

~~8. Irrigation of agricultural crops by seepage systems which regulate off-site discharges through the use of water control structures is allowed anytime, provided the discharge does not overtop the control structure by more than one-half inch, the structure is well maintained, and there is no discharge between 1:00 p.m. and 7:00 p.m. unless associated with a storm event.~~

~~9. The use of water to protect agricultural crops from frost or freeze damage is allowed when freezing temperatures or frost are predicted by an official weather forecasting service.~~

~~10. The use of water to protect agricultural crops from heat stress damage is allowed anytime, provided the watering does not exceed ten minutes per hour per zone or one twenty minute period per day, whichever is applicable.~~

~~11. Irrigation of agricultural crops by traveling volume guns which require manual repositioning is allowed anytime.~~

~~(b)(e) The water conservation plan submitted to the District on (date), must be implemented in accordance with the implementation schedule contained therein.~~

17.5 Nursery Use

The following conditions ~~is~~ are generally applied to individual permits for nursery-type uses:

~~(a) Irrigation of nursery plants is prohibited between the hours of 10:00 a.m. and 4:00 p.m., except as follows:~~

~~1. Irrigation using a micro irrigation system is allowed anytime.~~

~~2. The use of reclaimed water for irrigation is allowed anytime.~~

~~3. The use of recycled water from wet detention treatment ponds to irrigate nursery plants is allowed anytime provided the ponds are not augmented from any ground or off-site surface water sources.~~

~~4. Irrigation is allowed any time of day for one 30 day period following planting of nursery stock provided that the irrigation is limited to the minimum amount necessary for plant establishment.~~

~~5. Chemigation and fertigation are allowed at any time of day one time per week, and anytime during the normal 4:00 p.m. to 10:00 a.m. irrigation hours.~~

~~6. Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer or best management practices is allowed anytime within 24 hours of application.~~

~~7. Irrigation systems may be operated anytime for maintenance and repair purposes not to exceed ten minutes per hour per zone.~~

~~8. The use of water to protect nursery plants from frost or freeze damage is allowed when freezing temperatures or frost are predicted by an official weather forecasting service.~~

~~9. The use of water to protect nursery plants from heat stress damage is allowed anytime, provided the watering does not exceed ten minutes per hour per zone or one twenty minute period per day.~~

~~(b) The water conservation plan submitted to the District on (date), must be implemented in accordance with the implementation schedule contained therein.~~

17.6 No change.

17.7 Golf Course/Recreation Use

The following conditions ~~is~~ are generally applied to individual permits for golf course-type uses and recreation-type uses:

~~(a) Golf course and recreational irrigation is prohibited between the hours of 10:00 a.m. and 4:00 p.m., except as follows:~~

~~1. Irrigation using a micro irrigation system is allowed anytime.~~

~~2. Facilities using reclaimed water for irrigation may do so anytime.~~

~~3. The use of recycled water from wet detention treatment ponds to irrigate golf courses and recreational areas is allowed anytime provided the ponds are not augmented from any ground or off-site surface water sources.~~

~~4. Irrigation of, or in preparation for planting, new golf courses and recreational areas is allowed at any time of day for one 30 day period provided irrigation is limited to the amount necessary for plant establishment. Irrigation of newly seeded or sprigged golf course areas is allowed any time of day for one 60 day period.~~

~~5. Chemigation and fertigation are allowed at any time of day one time per week, and anytime during the normal 4:00 p.m. to 10:00 a.m. irrigation hours.~~

~~6. Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides, and herbicides when required by law, the manufacturer or best management practices is allowed anytime within 24 hours of application.~~

~~7. Irrigation systems may be operated anytime for maintenance and repair purposes not to exceed ten minutes per hour per zone.~~

~~8. The use of water to protect golf course turf from heat stress damage is allowed anytime, provided the watering does not exceed ten minutes per hour per zone.~~

~~(b) The water conservation plan submitted to the District on (date), must be implemented in accordance with the implementation schedule contained therein.~~

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.:	RULE TITLE:
40C-4.091	Publications Incorporated by Reference

PURPOSE AND EFFECT: The St. Johns River Water Management District proposes to amend the drainage basin and regional watershed figures and tables which are part of the Applicant’s Handbook: Management and Storage of Surface Waters and are relevant to the review of applications for environmental resource permits (ERP) and mitigation bank permit applications. The District proposes to amend Figure 12.2.8-1 entitled “St. Johns River Water Management District Drainage Basins” and the figure in Appendix M entitled “St. Johns River Water Management District Regional Watersheds for Mitigation Banking.” The drainage basins on Figure 12.2.8-1 define the geographical scope of the evaluation of whether a regulated activity will cause unacceptable cumulative impacts upon wetlands and other surface waters. The regional watersheds in Appendix M are used in the analysis of ecological benefits of proposed mitigation banks, are considered in the establishment of mitigation bank service areas, and are used as part of the determination of the number of mitigation credits needed to offset a given wetland impact. Specifically, the District proposes to amend drainage basin boundaries in Figure 12.2.8-1 and regional watershed boundaries in Appendix M in the following seven areas:

- (1) basin/watershed 1 (Upper St. Marys River), basin/watershed 3 (Nassau River), and basin/watershed 4 (Northern St. Johns River and Northern Coastal);
- (2) basin/watershed 4 (Northern St. Johns River and Northern Coastal), basin/watershed 5 (Six mile and Julington Creeks Nested), and basin/watershed 6 (Tolomato River and Intracoastal Nested);
- (3) basin/watershed 4 (Northern St. Johns River and Northern Coastal), basin/watershed 5 (Sixmile and Julington Creeks Nested), basin/watershed 7 (Western Etoniah

Lakes), basin/watershed 8 (St. Johns River – Welaka to Bayard), and basin/watershed 9 (Pellicer Creek and Matanzas River); (4) basin/watershed 9 (Pellicer Creek and Matanzas River), basin/watershed 16 (Crescent Lake), and basin/watershed 17 (Halifax River); (5) basin/watershed 18 (St. Johns River – Canaveral Marshes to Wekiva), basin/watershed 19 (Econlockhatchee River Nested), and basin/watershed 23 (Lake Jesup); (6) basin/watershed 18 (St. Johns River – Canaveral Marshes to Wekiva), basin/watershed 20 (Southern St. Johns River), and basin/watershed 21 (Northern Indian River Lagoon); and (7) basin/watershed 20 (Southern St. Johns River), basin/watershed 21 (Northern Indian River Lagoon), and basin/watershed 22 (Central Indian River Lagoon).

SUBJECT AREA TO BE ADDRESSED: The proposed rules amend the drainage basin and regional watershed figures (Figure 12.2.8-1 and figure in Appendix M) in the Applicant’s Handbook: Management and Storage of Surface Waters.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.414, 373.4136, 373.418 FS.

LAW IMPLEMENTED: 373.016(2), 373.413, 373.4135, 373.4136, 373.414(8), 373.416, 373.418, 373.426 FS.

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

DATE AND TIME: May 5, 2008, 10:00 a.m.

PLACE: St. Johns River Water Management District Headquarters, Governing Board Room, 4049 Reid Street, Palatka, Florida 32177

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Norma Messer, Rules Coordinator, Office of General Counsel, St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40C-4.091 Publications Incorporated by Reference.

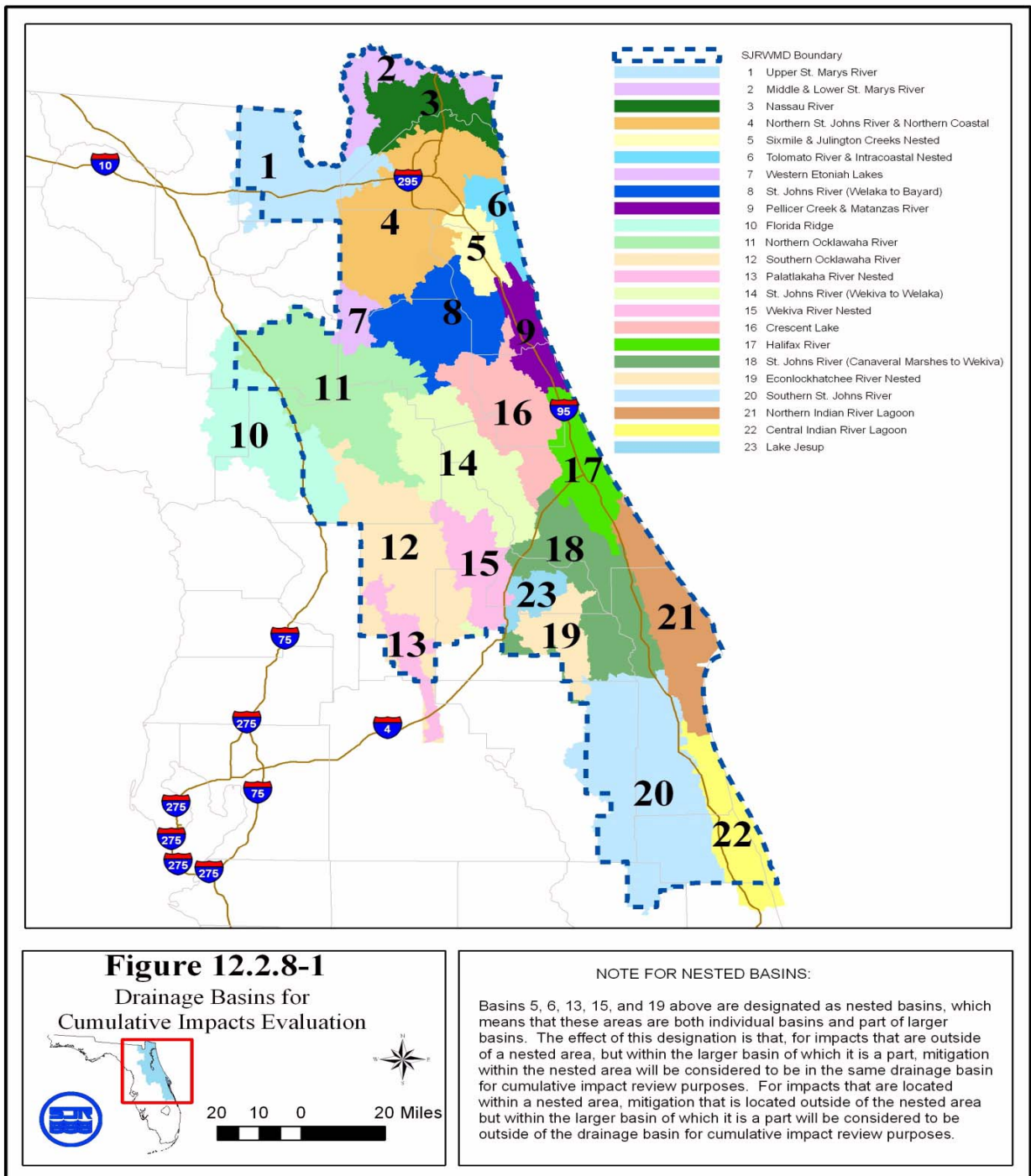
(1) The Governing Board hereby adopts by reference:

(a) Part I “Policy and Procedures,” Part II “Criteria for Evaluation,” subsections 18.0, 18.1, 18.2, and 18.3 of Part III and Appendix K “Legal Description Upper St. Johns River Hydrologic Basin,” “Legal Description Ocklawaha River Hydrologic Basin,” “Legal Description of the Wekiva River Hydrologic Basin,” “Legal Description of the Wekiva Recharge Protection Basin,” “Legal Description of the Econlockhatchee River Hydrologic Basin,” “Legal Description of the Sensitive Karst Areas Basin, Alachua County,” “Legal Description Tomoka River Hydrologic Basin,” “Legal Description Spruce Creek Hydrologic Basin,” “Legal Description of the Sensitive Karst Areas Basin, Marion County,” and “Legal Descriptions of the Lake Apopka Drainage Basin,” and Appendix M “Regional Watersheds for Mitigation Banking,” of the document entitled “Applicant’s Handbook: Management and Storage of Surface Waters,” effective July 1, 2007.

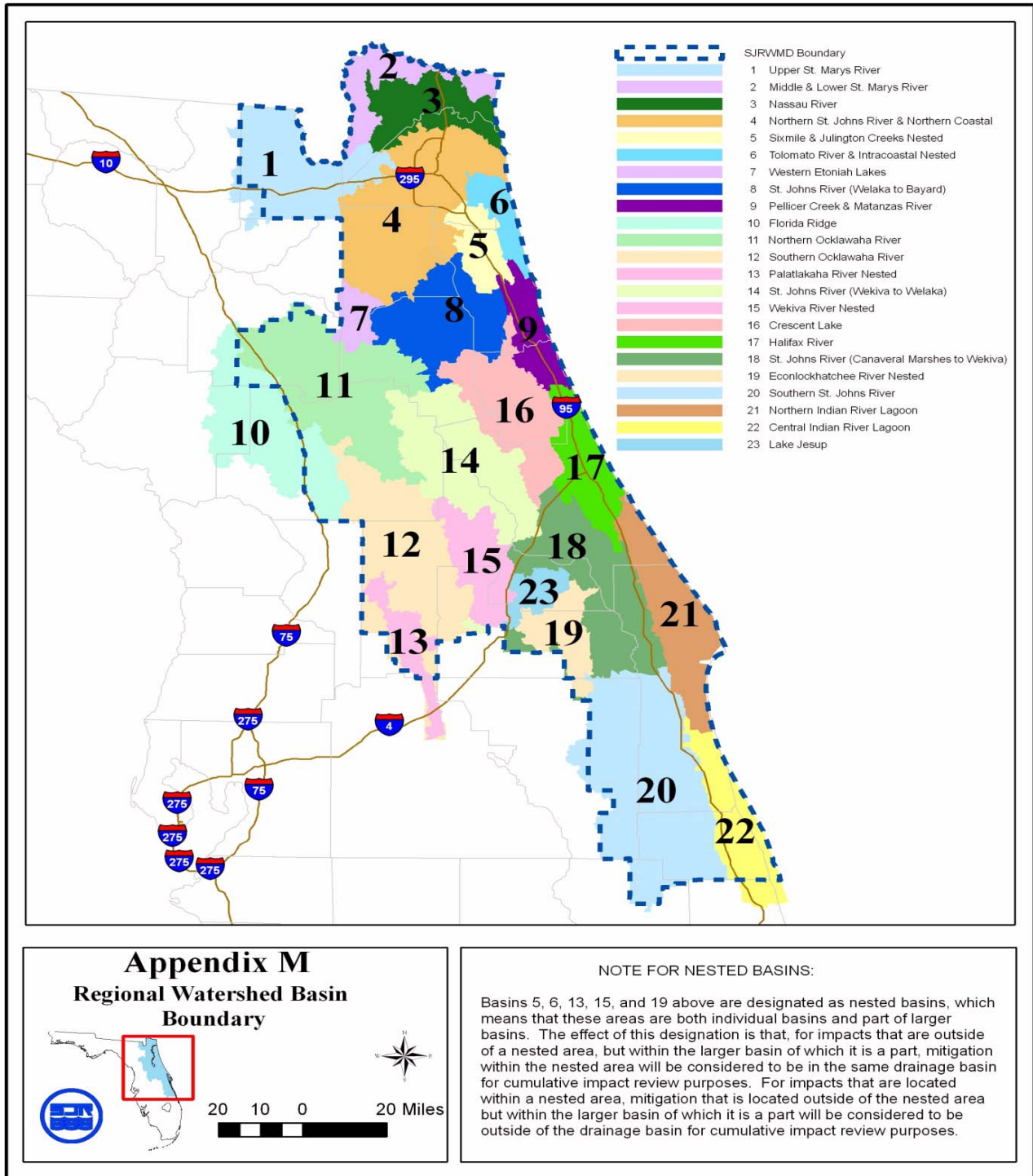
(b) through (c) No change.

(2) No change.

Specific Authority 369.318, 373.044, 373.046(4), 373.113, 373.4136, 373.414, 373.415, 373.416, 373.418, 373.421, 373.461 FS. Law Implemented 120.60, 369.316, 369.318, 373.016(2), 373.042, 373.0421, 373.046, 373.085, 373.086, 373.103, 373.109, 373.146(1), 373.406, 373.413, 373.4135, 373.4136 373.414, 373.4141, 373.415, 373.416, 373.417, 373.418, 373.421(2)-(6), 373.423, 373.426, 373.461(3), 380.06(9), 403.813(2) FS. History–New 12-7-83, Amended 10-14-84, Formerly 40C-4.091, Amended 5-17-87, Formerly 40C-4.0091, Amended 8-20-87, 10-1-87, 10-11-87, 11-26-87, 8-30-88, 1-1-89, 8-1-89, 10-19-89, 4-3-91, 9-25-91, 11-12-91, 3-1-92, 7-14-92, 9-8-92, 9-16-92, 11-12-92, 11-30-92, 1-6-93, 1-23-94, 2-27-94, 11-22-94, 10-3-95, 8-20-96, 11-25-98, 12-3-98, 1-7-99, 1-11-99, 8-21-00, 7-8-01, 10-11-01, 4-10-02, 9-26-02, 3-7-03, 11-11-03, 2-1-05, 12-3-06, 7-1-07, _____.



Revised (effective date)



Revised (effective date)

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.130
 RULE TITLE: Home Health Services

PURPOSE AND EFFECT: The purpose of this amendment is to incorporate by reference in rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2008. The handbook was revised to allow independent providers to enroll to provide personal care services. The effect will be to incorporate by reference into rule the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July 2008.

SUBJECT AREA TO BE ADDRESSED: Home Health Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908, 409.9081 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 6, 2008, 2:00 p.m. – 3:00 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen Kinser, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)410-1677, kinserk@ahca.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.130 Home Health Services.

(1) No change.

(2) All home health agency providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Home Health Services Coverage and Limitations Handbook, July ~~2007~~ 2008, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, which is incorporated in Rule 59G-4.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal website at <http://mymedicaid-florida.com>. ~~<http://floridamedicaid.aes-inc.com>~~. Click on Provider Support, and then on Handbooks. Paper copies of the handbooks may be obtained by calling the Medicaid fiscal agent at 1(800)289-7799 377-8216 and selecting Option 4.

(3) through (4) No change.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908, 409.9081 FS. History–New 1-1-77, Amended 4-1-78, 9-28-78, 1-24-79, 7-17-83, Formerly 10C-7.44, Amended 6-1-88, 4-9-89, 1-1-90, 5-26-93, Formerly 10C-7.044, Amended 3-14-95, 12-27-95, 5-7-96, 2-9-98, 5-30-00, 11-24-03, 10-30-07.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-11.004
 RULE TITLE: Examination for Licensure as a State Pilot

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Examination for Licensure as a State Pilot.

SPECIFIC AUTHORITY: 310.011, 310.185(1), 455.217 FS.

LAW IMPLEMENTED: 310.081(1), 455.217 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: 62-16.300
 RULE TITLES: Renewable Energy Technologies Grants Program
 62-16.500 Solar Energy Systems Incentives Program

PURPOSE AND EFFECT: The proposed rule amendments will clarify rules with respect to the Renewable Energy Technologies Grants Program and allow for the implementation of an online application system for the Solar Energy Systems Incentives Program.

SUBJECT AREA TO BE ADDRESSED: The subjects expected to be addressed in this rule revision are the application requirements for the Renewable Energy

Technologies Grants Program and procedures for an online application system for the Solar Energy Systems Incentives Program.

SPECIFIC AUTHORITY: 377.804(3), 377.806(7) FS.

LAW IMPLEMENTED: 377.801-377.804, 377.806 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: Matthew J. Stamatoff, Manager and Policy Advisor of Solar & Wind Programs, Florida Energy Office, Department of Environmental Protection, 2600 Blairstone Road, MS #19, Tallahassee, Florida 32399-2400, telephone: (850)245-8002, Email: Matthew.Stamatoff@dep.state.fl.us

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-4.025 RULE TITLE: Licensure Under Supervision

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address licensure under supervision.

SUBJECT AREA TO BE ADDRESSED: Licensure under supervision.

SPECIFIC AUTHORITY: 458.309 FS.

LAW IMPLEMENTED: 458.311, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-8.001 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to correct paragraph numbering and to determine appropriate penalties for certain violations.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines.

SPECIFIC AUTHORITY: 456.0375(4)(c), 456.50(2), 456.0575, 456.079, 458.309, 458.331(5) FS.

LAW IMPLEMENTED: 456.0375(4)(c), 456.50(2), 456.0575, 456.072, 456.079, 458.331(5) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-5.001 RULE TITLE: Requirements for License Renewal of an Active License; Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to add language to clarify Board approval of HIV/AIDS education courses approved by any Board within the Division of Medical Quality Assurance of the Department of Health, pursuant to Section 456.033, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Continuing education requirements for license renewal of an active license.

SPECIFIC AUTHORITY: 456.036, 468.219 FS.

LAW IMPLEMENTED: 456.013, 456.033, 456.036, 468.219 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 Occupational Therapy /MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-17.005
 RULE TITLE: Continuing Education Requirements After Initial Licensure

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirements After Initial Licensure.

SPECIFIC AUTHORITY: 456.013, 456.033, 461.005, 461.007(3) FS.

LAW IMPLEMENTED: 456.013, 461.005, 461.007(3) 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: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-11.006
 RULE TITLE: Incomplete Applications

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language regarding incomplete applications.

SUBJECT AREA TO BE ADDRESSED: Incomplete Applications.

SPECIFIC AUTHORITY: 120.60(1), 490.004(4) FS.

LAW IMPLEMENTED: 456.013(1), 490.005(1) 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: Allen Hall, Acting Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B19-11.006 Incomplete Applications.

(1) The Board will not review incomplete applications, and applications that remain incomplete for one year following a timely filed notice of deficiency shall expire and be automatically closed by the department.

(2) Applicants whose files are closed and who wish further consideration must submit new applications. Likewise, applicants who delay timely responses to notices of deficiencies may be required to update their applications with the department prior to the Board's consideration.

Specific Authority 120.60(1), 490.004(4) FS. Law Implemented 456.013(1), 490.005(1) FS. History–New 6-23-91, Formerly 21U-11.008, 61F13-11.008, 59AA-11.006, Amended _____.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-13.003
 RULE TITLE: Continuing Psychological Education Credit

PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Continuing Psychological Education Credit.

SPECIFIC AUTHORITY: 456.013(7), 490.004(4), 490.0085(4) FS.

LAW IMPLEMENTED: 456.013(7), 490.007(2), 490.0085(1), (3) 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, Acting Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Division of Disease Control

RULE NOS.:	RULE TITLES:
64D-3.028	Definitions
64D-3.029	Diseases or Conditions to be Reported
64D-3.030	Notification by Practitioners
64D-3.031	Notification by Laboratories

64D-3.040 Procedures for Control of Specific Communicable Diseases

64D-3.041 Epidemiological Investigations

64D-3.042 STD Testing Related to Pregnancy

PURPOSE AND EFFECT: To update the list of diseases and conditions to be reported and make other technical changes within the rule to make the rule more effective.

SUBJECT AREA TO BE ADDRESSED: Control of Communicable Diseases and Conditions Which May Significantly Affect Public Health.

SPECIFIC AUTHORITY: 381.0011(6), 381.0011(7), 381.0011(13), 381.003(2), 381.0031(5), 381.0031(6), 381.006(16), 382.003(7), 383.06, 384.25(1), 384.25(2), 384.33, 392.53(1), 392.53(2), 392.66 FS.

LAW IMPLEMENTED: 381.0011, 381.003, 381.0031, 381.004(3)(c), 383.06, 384.23, 384.25, 384.26, 384.27, 384.31, 385.202, 392.52, 392.53, 392.54 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: Kimberly Quinn, Department of Health, Bureau of STD Prevention and Control, 4052 Bald Cypress Way, Bin A19, Tallahassee, FL 32399-1716, (850)245-4604, Kimberly_Quinn@doh.state.fl.us

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-25.002

RULE TITLE: General Provisions for Taking, Possession and Sale of Reptiles

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to assess whether current rules are sufficient to ensure sustainability of reptile and amphibian populations.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include requirements for taking, possessing, and sale of reptiles and amphibians.

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

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

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

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

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-26.002

RULE TITLE: Regulations Relating to the Taking of Amphibians

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to assess whether current rules are sufficient to ensure sustainability of reptile and amphibian populations.

SUBJECT AREA TO BE ADDRESSED: Subject areas covered in the proposed rules include requirements for taking, possessing, and sale of reptiles and amphibians.

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

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

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

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

**Section II
Proposed Rules**

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.001

RULE TITLE: Division of Cultural Affairs

PURPOSE AND EFFECT: The purpose of this proposed amendment is to establish in rule the most recent eligibility criteria, application submission criteria including the required use of the Division’s new on-line grants system; and criteria related to compliance with and the recordation of restrictive covenants or surety bonds in compliance with Section 265.701(4), FS.

SUMMARY: The proposed rule details application submission, eligibility criteria, application procedures, matching funds, evaluation criteria, reporting requirements, and grant administration.

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: 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b), 265.2865(6), 265.605(1), 265.608(1), 265.609(1), (4), 265.701(4), 265.702(8) FS.

LAW IMPLEMENTED: 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-.603, 265.605-.607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25 FS.

IF REQUESTED WITHIN 21 DAYS OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: Monday, May 12, 2008, 10:00 a.m.

PLACE: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE FULL TEXT OF THE PROPOSED RULE IS

IT-1.001 Division of Cultural Affairs.

(1) through (15) No change.

(16) Cultural Facilities Program. The purpose of this program is to coordinate and guide the State of Florida's support and funding for the renovation, construction, or acquisition of cultural facilities. This program is not intended to fund project planning, such as feasibility studies and architectural drawings, or operational support.

(a) Administrative and Legal Eligibility. An eligible The applicant for a cultural facilities grant must:

1. Be a public entity governed by either a municipality, county, or qualified corporation as defined in Section 265.701(2), F.S.

2. Have ownership of, or have an executed lease at the time of application for the undisturbed use of the land or buildings or both associated with the land, building(s), both situated upon the property where the cultural facility for a minimum of 10 years following the recordation of the restrictive covenant or date of issue of a surety bond, is or will be located; or

3. Have an executed lease for the undisturbed use of the land, building(s), or both upon the property where the cultural facility is or will be located. In those cases where the land, or building(s); or both, are leased by an eligible the applicant, the

owner(s) must also meet the requirements of Section 265.701(2) and (4), F.S. For the purposes of this program, an eligible applicant may that leases state-owned land; or building(s); or both must not be a political subdivision of the state.

~~4. Retain ownership of all improvements to the facility and property made with grant funds for at least ten years following the execution of the grant award agreement. This paragraph does not apply to applicants that lease land and/or building(s) owned by the state.~~

~~3.5. Have satisfied the administrative requirements of previous grants received from the Division.~~

(b) Ownership of Improvements. The owner of the property or building(s) or both must retain ownership of the improvements made to the property or building(s) or both for at least 10 years following the recordation of the restrictive covenant or date of issue of a surety bond.

~~(c)(b) Application Requirements Program Eligibility. All eligible Applications shall consist of the following documents and information:~~

~~1. Until directed to submit electronically on the Division's website, applicants must submit in hard copy, A completed and signed Cultural Facilities Program Application shall be electronically submitted through the Division's on-line application website at www.florida-arts.org Form (#CA2EO20, eff. 5/06), incorporated by reference and available from the Division, including the number of required application copies, submitted to the Division on or before the application announced postmark deadline, which will be posted on the Division's website. The application is available through the Division's on-line application system.~~

2. A complete application shall include the following:

a. General identification and contact information.

~~b.2. A description of the Project Scope of Work, that shall include a project narrative, the current phases, and the prior phases of the project.~~

~~c.3. Project Budgets, including a summary and detail, a matching funds statement, a match summary chart, and a donor profile.~~

~~d.4. A description of the Need for the Project, including an operating forecast detail, a list of the organization staff, and a statement regarding ~~on~~ the fiscal stability of the organization.~~

~~e.5. A description of the project's impact on the city, county, or multi-county region.~~

3. Application Support Materials. The following support materials are required. Directions for submission of support materials shall be available through the online application system.

a.6. Documentation of unrestricted ownership or undisturbed use through an executed lease of the land or building(s) or both, related to the cultural facility and facility located upon the property; or

~~7. An executed lease agreement between the applicant and owner(s) of the land, building(s), or both located upon the property, providing for undisturbed use for a minimum of 10 years following the recording of the restrictive covenant or date of issue of a surety bond execution date of the grant award agreement. Leases conditioned on the applicant's receipt of grant funds do not qualify.~~

~~b.8. Documentation of the applicant's Total Support and Revenue and Total Expenses. Documentation shall consist of an independent certified audit or review, or certification of the organization's Total Support and Revenue and Total Expenses by an authorized official of the applicant. An authorized official shall be either the president of the board, board chair, or another board member authorized to enter into agreements for the organization. If the applicant is an entity of city or county government, the authorized official shall be an elected official of the city or county, or an individual designated by the official to act upon the behalf of the official. An independent certified audit or review of the applicant's financial records according to the following provisions:~~

~~a. Not for Profit, tax exempt Florida corporations with total support and revenue in the unrestricted column of the audit of less than \$500,000 must submit copies of the applicant organization's independent, certified audit or review for the last completed fiscal year. The publication date of the audit or review shall not be later than the date of the application deadline for which the audit or review is submitted.~~

~~b. Not for Profit, tax exempt Florida corporations with total support and revenue in the unrestricted column of the audit of \$500,000 or more must submit copies of the applicant organization's independent, certified audit for the last completed fiscal year. The publication date of the audit shall not be later than the date of the application deadline for which the audit is submitted.~~

~~c. Municipal or county governments shall submit either the audit for the last completed fiscal year, or an internally prepared financial statement of revenue and expenses.~~

~~c.9. An 8 1/2" x 11" reduction of current architectural plans.~~

~~d.10. Letters of Support: Submit letters or list of local officials lending support to this project.~~

~~e. For municipalities and counties, a copy of the approved resolution or minutes from the commission meeting showing the dollar amount dedicated and available to the project if the grant is awarded, and the date the funds will be available.~~

~~(d)(e) Funding Request.~~

~~1. The applicant shall not request more than \$500,000 in a single application. There is no minimum amount.~~

~~2. An applicant from the same organization shall not submit more than one application under a single application deadline for the same facility, project, site, or phase.~~

3. An organization ~~may~~ shall not submit a funding requests to both the Cultural Facilities Program and the Regional Cultural Facilities Program in the same fiscal year for the same project, facility, site, or phase ~~in the same fiscal year.~~

4. An entity funded by the Legislature outside of the review of the Florida Arts Council or approval by the Secretary of State shall not be eligible to receive grant support for the same renovation, acquisition, or new construction project from the Division of Cultural Affairs within the same fiscal year in which Legislative funding is appropriated.

~~(e)(d) Time Limits and Funding Cap. No project shall receive more than \$1.5 million during five (5) consecutive state fiscal years. "Receive" means measured from July 1 of the fiscal year in which grant funds for the Cultural Facilities Program were appropriated by the Legislature awarded.~~

~~(f)(e) Matching Funds.~~

1. For eligible organizations with total support and revenue ~~in the unrestricted column of the audit~~ of less than \$500,000, eligible matching funds provided by the applicant organization or by a third party shall be on at least a one-to-one match of the amount requested.

2. For eligible organizations with total support and revenue ~~in the unrestricted column of the audit~~ of \$500,000 or more, eligible matching funds provided by the applicant organization or by a third party shall be on at least a two-to-one match of the amount requested, except for eligible Rural Economic Development Initiative (REDI) applicants. REDI qualified means those counties or communities designated pursuant to Sections 288.0656 and 288.06561, F.S.

3. Eligible matching funds provided by eligible REDI applicants shall be at least a one-to-one match of the amount requested.

4. At least 50% of the required match must be in cash. For the purposes of this program, cash shall include cash-on-hand, and cash expenditures made on the project within the five-year period prior to the application deadline.

5. At least 50% of the cash match must be cash-on-hand and dedicated to the project. For the purpose of this program, cash-on-hand includes funds identified in executed award letters or contracts from third parties, provided that those funds are expressly for the project for which the grant application is submitted.

6. No more than 50% of the match may be irrevocable pledges or in-kind contributions. Irrevocable pledges and in-kind contributions must be documented in the application. For the purpose of this program, in-kind contributions by the applicant are not eligible for match.

7. Municipalities and counties must submit a copy of the approved resolution or minutes from the commission meeting, with the required support material ~~original application~~, which includes the dollar amount dedicated and available to the project if the grant is awarded and the date the funds will be available. Resolutions that have not been approved by the

application deadline cannot be used as match documentation. Local funding, as indicated by the resolution, must be made available within 90 days of state award notification.

~~(g)(f)~~ Application Review Committee.

1. The application review committee shall review each eligible application based on the following criteria: Scope of Work (up to 15 points), Project Budget and Matching Funds (up to 25 points), Need for Program and Operating Forecast (up to 30 points), and Project Impact (up to 30 points).

2. All applications that receive an average score of at least of 75 out of 100 possible points will be recommended for funding.

3. The committee shall develop a priority list based on the average score for each application.

4. The committee shall submit the priority list to the Florida Arts Council for review and recommendation.

~~(h)(g)~~ The Florida Arts Council shall review the priority list and submit the recommendations to the Secretary of State.

~~(i)(h)~~ The Secretary of State shall review the recommendations of the Council and provide the Legislature with an approved priority list with funding recommendations.

~~(j)(i)~~ Retaining Projects on the next grant cycle priority list.

1. Projects that are approved and recommended by the Secretary but are not funded by the Legislature shall be retained on the priority list for the next grant cycle only.

2. All applicants with projects that are retained on the priority list shall be required by the Division to submit the information in subparagraphs ~~(c)2.a.-c.(b)1.-3.~~ above ~~in order to report~~ reflect the ~~most~~ current status of the project.

3. The deadline for the receipt of updated information and directions for submission shall be posted on the Division's website ~~the same annual deadline as for new applications.~~

4. ~~Rollover U~~updated projects on the priority list shall ~~will~~ not be re-scored, but will retain their original scores and recommended funding amounts, and be ~~rather~~ merged with the new applications for that year using the original scores and recommended funding.

5. Projects that are rolled over to the priority list shall be ineligible for a grant if the updated information includes a change in scope, venue, or funding amount; or if all of the required update information is not provided by the deadline. Rollover updates that are determined by the Division to be incomplete or ineligible, changed in scope or venue, or increased the funding request shall be removed from the priority list.

~~(k)(j)~~ No changes in project scope or venue will be permitted.

~~(l)(k)~~ Grant Award Agreement. The Grant Award Agreement (CA2EO38, eff. 5/08~~6~~) incorporated by reference and available from the Division, is the document by which the organization enters into a contract with the State of Florida for the management of grant funds which shall include:

1. An update of the application project narrative and budget.

2. A completed Assurance of Compliance and Signature Authorization Form (Form CA2E059, eff. 6/00, incorporated by reference and available from the Division at www.florida-arts.org).

3. Other provisions that shall be agreed to by both the grantee and the state.

~~(m)~~ Grant Encumbrance Period and Expenditure Date.

1. Encumbrance Period.

a. For the purpose of this program, the encumbrance period is the state fiscal year in which grant funds are appropriated by the Legislature.

b. During the encumbrance period, but not later than the end date of the encumbrance period, the grantee shall execute all required contracts for all work to be accomplished with grant funds.

c. The Division will not release more than 25% of the total grant amount until the executed contract with an architect or contractor has been submitted. The Division shall maintain the signed contract in the grant files. The contract shall reference an amount equal to or in excess of the grant amount and shall be signed and dated by the grantee and the architect or contractor. Acquisition grants that were awarded for the purchase of land on which the cultural facility will be built or for the purchase of a facility are exempt from this provision.

d. Grant funds shall not be used for project expenditures that were incurred prior to the execution of the Grant Award Agreement.

e. The maximum extension of the encumbrance period is 120 days.

2. Expenditure Date.

a. Grant funds must be expended by April 1 of the fiscal year following the fiscal year in which grant funds were appropriated by the Legislature.

b. Grant funds shall not be used for project expenditures that were incurred later than the approved expenditure deadline.

c. The maximum extension of the expenditure date shall be 120 days.

~~3.(f)~~ The Division may ~~will~~ further extend the encumbrance and expenditure deadlines by not more than an additional 120 days each, provisions in section (10) of the Agreement in the event that the grantee can clearly demonstrate extenuating circumstances. Extenuating circumstances encompass situations beyond the control of the grantee that prevent the timely completion of the project. Such

circumstances include natural disaster, death or serious illness of the individual responsible for the completion of the project, litigation, or failure of the contractor or architect to provide the services for which they were hired. Extenuating circumstances do not include failure to read or understand grant administrative requirements or failure to raise sufficient matching funds.

~~(n)(m)~~ Reporting Requirements.

1. Interim Reports shall be submitted at six-month intervals until the project is complete. For the purpose of this program, a project is considered complete when all grant and match funds have been expended. The first Interim Report is due on January 31 of the state fiscal year in which the grant was awarded.

2. Final Report. A Final Report shall be submitted 45 days after the expenditure of grant and match completion of the project.

3. All reports shall include the following ~~information~~:

- a. A description of the work completed.
- b. A financial statement showing the expenditure of grant and match.
- c. A state grant expenditure log that includes check number, amount of check, date of check, name of payee, and a description of the expenditure.

~~(o)(n)~~ Definitions. For the purposes of this program, paragraphs (n), (o) and (p) of section (17) of this rule, a “grantee” is an applicant that has received a Cultural Facilities Program Grant Award. “Property owner” refers to the owners of land; or building(s); or both, and all improvements made with grant funds situated upon the property. Section 265.701(4), F.S., requires that the grantee and the property owner either record a restrictive covenant or purchase a surety bond to ensure that the facility is used as a cultural facility for (10) years following the recordation of the restrictive covenant or date of issue of the surety bond execution date of the grant award agreement. A “cultural facility” is “a building which shall be used primarily for the programming, production, presentation, exhibition or any combination of the above functions of any of the cultural disciplines, such as: music, dance, theatre, creative writing, literature, painting, sculpture, folk arts, photography, crafts, media arts, and historical and science museums.”

~~(p)(o)~~ Restrictive Covenant.

1. If the grantee chooses to recordation of a restrictive covenant, is chosen by the grantee, and the property owner(s); if the land or buildings or both are leased by the grantee, shall a completed and executed and file a Restrictive cCovenants Form must be filed with the Clerk of the Circuit Court in the county where the property is located, prior to release of the grant funds.

2. The restrictive covenant shall include the following provisions: grantee’s legal interest in the land and/or building(s) determines which of the four restrictive covenant forms described below must be used:

a. The restrictive covenant shall run with title to the building(s) and the associated land and improvements made by grant funds, shall encumber them, and shall be binding upon the grantee and the owners, if different, and the successors in interest for (10) ten years from the date of the recordation of the restrictive covenant. A grantee that owns the land and the building(s) upon the property where the cultural facility is or will be located must complete Restrictive Covenant Addendum 1-A, Form CA2E108, eff. 5/06, incorporated by reference and available from the Division:

b. The owner of the improvements made to the building(s) and associated land funded in whole or in part by grant funds shall also execute the restrictive covenant. A grantee that owns the building(s) upon the property where the cultural facility is or will be located, but leases the underlying land, must complete Restrictive Covenant Addendum 1-B, Form CA2E110, eff. 5/06, incorporated by reference and available from the Division:

c. The grantee shall permit the Division to inspect the facility and associated land at all reasonable times to determine whether the grantee is in compliance with the grant award agreement and the restrictive covenant or surety bond. A grantee that leases the land and the building(s) upon the property where the cultural facility is or will be located must complete Restrictive Covenant Addendum 1-C, Form CA2E111, eff. 5/06, incorporated by reference and available from the Division:

d. The grantee shall maintain the building(s) as a “cultural facility.” For the purposes of this program, a “cultural facility” is a building which shall be used primarily for the programming, production, presentation, exhibition or any combination of the foregoing for any of the following cultural disciplines: music, dance, theatre, creative writing, literature, painting, sculpture, folk arts, photography, crafts, media arts, and historical and science museums. A grantee that owns the land where the cultural facility is or will be located, but leases the building(s) upon the property where the cultural facility is or will be located must complete Restrictive Covenant Addendum 1-D, Form CA2E0112, eff 5/06, incorporated by reference and available from the Division:

e. The restrictive covenant shall also contain an amortization and schedule of the repayment of grant funds, should the grantee or owners or their successors in interest violate the restrictive covenant.

f. Other provisions as agreed upon by the Division and the grantee.

3. If the restrictive covenant is violated, the grantee shall reimburse the Division pursuant to the following amortization schedule:

a. If the violation occurs within five (5) years following the recordation of the restrictive covenant, 100% of the grant amount;

b. If the violation occurs more than five (5) but less than six (6) years following the recordation of the restrictive covenant, 80% of the grant amount;

c. If the violation occurs more than six (6) but less than seven (7) years following the recordation of the restrictive covenant, 65% of the grant amount;

d. If the violation occurs more than seven (7) but less than eight (8) years following the recordation of the restrictive covenant, 50% of the grant amount;

e. If the violation occurs more than eight (8) but less than nine (9) years following the recordation of the restrictive covenant, 35% of the grant amount; and

f. If the violation occurs more than nine (9) but less than ten (10) years following the recordation of the restrictive covenant, 20% of the grant amount.

(q)(p) Surety Bond.

1. If a surety bond is chosen in lieu of recording a restrictive covenant, the grantee must:

a. Purchase a surety bond ~~prior to the release of grant funds~~ from an insurer authorized to do business in Florida as a surety; and

b. Include ~~the sSurety bBond Addendum #2, Form CA2E109, eff. 5/06, incorporated by reference and available from the Division,~~ as an addendum to the grant award agreement;

~~2.e.~~ The following shall be included in the surety bond:

~~a.~~ That the facility described in the grant award agreement will be used as a cultural facility for (10) ten years following the date of issue of the surety bond ~~execution date of the grant award agreement,~~ and that failure to do so shall constitute a violation of the surety bond;

~~b.d. Include in the bond~~ That in the event of violation, the surety shall reimburse the Division pursuant to the amortization schedule set forth below.

~~3.2.~~ A certified copy of the surety bond must be provided to the Division prior to the release of grant award funds.

~~4.3.~~ If the surety bond is violated, the surety shall reimburse the Division pursuant to the following amortization schedule:

a. If a violation occurs within three (3) years following the date of issue of the surety bond ~~execution of the grant award agreement,~~ 100% of the grant amount;

b. If a violation occurs more than three (3) but less than four (4) years following the ~~date of issue of the surety bond execution of the grant award agreement,~~ 80% of the grant amount;

c. If a violation occurs more than four (4) but less than five (5) years following the ~~date of issue of the surety bond execution of the grant award agreement,~~ 70% of the grant amount;

d. If a violation occurs more than five (5) but less than six (6) years following the ~~date of issue of the surety bond execution of the grant award agreement,~~ 60% of the grant amount;

e. If a violation occurs more than six (6) but less than seven (7) years following the ~~date of issue of the surety bond execution of the grant award agreement,~~ 50% of the grant amount;

f. If a violation occurs more than seven (7) but less than eight (8) years following the ~~date of issue of the surety bond execution of the grant award agreement,~~ 40% of the grant amount.

g. If a violation occurs more than eight (8) but less than nine (9) years following the ~~date of issue of the surety bond execution of the grant award agreement,~~ 30% of the grant amount; and

h. If a violation occurs more than nine (9) but less than ten (10) years following the ~~date of issue of the surety bond execution of the grant award agreement,~~ 20% of the grant amount.

Specific Authority 255.043(4), 265.284(5)(d), 265.285(1)(c), 265.286(1), (4), (6), 265.2861(2)(b), 265.2865(6), 265.605(1), 265.608(1), 265.609(1), (4), 265.701(4), 265.702(8) FS. Law Implemented 215.97, 255.043, 265.284, 265.285, 265.286, 265.2861, 265.2865, 265.601-603, 265.605-607, 265.608, 265.609, 265.701, 265.702, 286.011, 286.012, 286.25 FS. History—New 11-23-82, Formerly IT-1.01, Amended 10-1-96, 10-31-96, 2-2-97, 6-2-97, 7-17-97, 9-10-97, 1-4-98, 7-26-98, 8-2-98, 10-5-98, 10-25-98, 8-17-99, 8-1-02, 12-29-02, 10-14-03(17), 10-14-03(20), 11-16-03, 2-2-05, 5-16-05, 6-21-05, 12-20-05, 5-22-06, 6-5-06, 6-27-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Donald R. Blancett

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 31, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 34, No. 8, February 22, 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."

LAND AND WATER ADJUDICATORY COMMISSION

Palm Coast Park Community Development District

RULE NO.: RULE TITLE:

42AAA-1.002 Boundary

PURPOSE AND EFFECT: The Petition was filed by the Palm Coast Park Community Development District. The Petition proposes to modify the land area presently serviced by the District by amending its boundary to contract approximately 59 acres from the District located entirely within the City of Palm Coast and Flagler County, Florida. The District currently covers approximately 4,778 acres of land and after amendment the District will encompass approximately 4,719 acres.

SUMMARY: The Petition was filed by the Palm Coast Park Community Development District. The Petition proposes to modify the land area presently serviced by the District by amending its boundary to contract approximately 59 acres from the District located entirely within the City of Palm Coast and Flagler County, Florida. The District currently covers approximately 4,778 acres of land and after amendment the District will encompass approximately 4,719 acres.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: In association with the Petition, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with Section 120.541, F.S. The complete text of the SERC is contained at Exhibit "5" to the Petition. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule are the District, current and future property owners of District lands, the state, the City of Palm Coast, and Flagler County, Florida. The SERC estimates that rule amendment implementation and enforcement costs to the above-described entities will be minimal and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no negative impact on state and local revenues from the proposed amendment of the rule. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC indicates that transactional costs are nominal. Additionally, the SERC indicates that the landowner is funding the boundary amendment process so it is not a cost to the District. Finally, the SERC concludes that the amendment of the District's boundary will have no impact on small businesses and should not have a negative impact on small counties and cities as defined in Section 120.52, F.S. Flagler County is not defined as a small county and the City of Palm Coast is not defined as a small city as set forth in Section 120.52, F.S. According to the SERC, certain data was provided by the developer/petitioner and represents the best information available at the time. Other data was based on observation, analysis and experience with private development and other community development districts in various stages of existence.

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: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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:

DATE AND TIME: Wednesday, May 14, 2008, 2:00 p.m. – 4:00 p.m.

PLACE: Room 2103, The Capitol, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884. 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: Barbara Leighty, Florida Land and Water Adjudicatory Commission, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, telephone (850)487-1884

THE FULL TEXT OF THE PROPOSED RULE IS:

42AAA-1.002 Boundary.

The boundaries of the District are as follows:

PARCEL 902

THAT PORTION OF GOVERNMENT SECTION 3, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, LYING EAST OF U.S. HIGHWAY NO. 1 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A POINT OF REFERENCE BEING THE NORTHWEST CORNER OF GOVERNMENT SECTION 3, TOWNSHIP 11 SOUTH, RANGE 30 EAST, SOUTH 01°19'10" EAST ALONG THE WEST LINE OF SECTION 3 A DISTANCE OF 128.57 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID WEST LINE OF SECTION 3 RUN NORTH 83°28'00" EAST ALONG THE APPROXIMATE LOCATION OF A DIRT ROAD A DISTANCE OF 506.42 FEET, THENCE SOUTH 82°42'27" WEST A DISTANCE OF 1150.71 FEET, THENCE SOUTH 87°43'37" EAST A DISTANCE OF 949.77 FEET, THENCE SOUTH 70°53'54" EAST A DISTANCE OF 935.38 FEET, THENCE DEPARTING SAID APPROXIMATE DIRT ROAD SOUTH 20°16'51" EAST ALONG THE WESTERLY LINE OF THE SCHOOL BOARD PARCEL RECORDED IN ORB

519, PAGES 903 AND 904 A DISTANCE OF 2337.19 FEET, THENCE DEPARTING SAID SCHOOL PARCEL SOUTH 69°43'09" WEST ALONG THE BOUNDARY LINE OF LAND RECORDED IN ORB 536, PAGES 1389 THROUGH 1392 A DISTANCE OF 500.00 FEET, THENCE SOUTH 12°47'58" EAST A DISTANCE OF 2317.70 FEET TO A POINT ON THE SOUTH LINE OF SECTION 3, THENCE DEPARTING LAND RECORDED IN ORB 536, PAGES 1389-1392 SOUTH 88°44'12" WEST A DISTANCE OF 1570.76 FEET, THENCE SOUTH 88°44'12" WEST ALONG THE SOUTH LINE OF SECTION 3 A DISTANCE OF 1993.22 FEET TO A POINT ON THE BOUNDARY OF WELL SITE SW-35, THENCE NORTH 67°12'42" EAST A DISTANCE OF 2.34 FEET, THENCE NORTH 22°47'18" WEST A DISTANCE OF 100.00 FEET, THENCE SOUTH 67°12'42" WEST ALONG SAID WELL BOUNDARY A DISTANCE OF 150.00 FEET, THENCE SOUTH 22°47'17" EAST A DISTANCE OF 41.76 FEET, THENCE SOUTH 88°44'12" WEST ALONG THE SOUTH LINE OF SECTION 3 A DISTANCE OF 239.87 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE NORTH 22°47'18" WEST A DISTANCE OF 688.01 FEET TO A POINT ON THE WEST LINE OF SECTION 3, THENCE DEPARTING U.S. HIGHWAY NO. 1 NORTH 01°19'10" WEST ALONG THE WEST LINE OF SECTION 3 A DISTANCE OF 4512.19 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF GOVERNMENT SECTION 4, TOWNSHIP 11 SOUTH, RANGE 30 EAST, LYING EAST OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5), FLAGLER COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING PORTION OF GOVERNMENT SECTION 4, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A POINT OF BEGINNING BEING THE NORTHEAST CORNER OF SAID SECTION 4, THENCE SOUTH 01°19'10" EAST ALONG THE EAST LINE OF SECTION 4 A DISTANCE OF 128.57 FEET TO A POINT BEING THE APPROXIMATE LOCATION OF A DIRT ROAD RUNNING WESTERLY, THENCE SOUTH 83°28'00" WEST ALONG SAID DIRT ROAD A DISTANCE OF 1337.89 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE NORTH 14°05'29" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 274.49 FEET TO A POINT ON THE NORTH LINE OF SECTION 4, THENCE DEPARTING U.S. HIGHWAY NO. 1 NORTH 89°24'09" EAST ALONG THE NORTH LINE OF SECTION 4 A DISTANCE OF 1393.14 FEET TO THE POINT OF BEGINNING.

EXCEPTION CONTAINING 6.2344 ACRES MORE OR LESS.

ALSO LESS AND EXCEPT THE FOLLOWING PALM COAST UTILITY CORP. (FLORIDA WATER SERVICES CORP.) WELL SITE SW-36. DESCRIPTION AS RECORDED IN OFFICIAL RECORDS BOOK 641, PAGES 1051 THROUGH 1221, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL RP 0142:

A PARCEL OF LAND IN GOVERNMENT SECTION 4, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, AS A POINT OF REFERENCE BEING THE SOUTHEAST CORNER OF SAID SECTION 4, THENCE NORTH 01°19'11" WEST ALONG THE EASTERLY LINE OF SAID SECTION 4 1693.85 FEET; THENCE SOUTH 88°40'49" WEST 13.49 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 22°47'18" WEST 100.00 FEET; THENCE SOUTH 67°12'42" WEST 150.00 FEET; THENCE SOUTH 22°47'18" EAST 100.00 FEET, THENCE NORTH 67°12'42" EAST 150.00 FEET TO THE POINT OF BEGINNING OF THE DESCRIPTION.

WELL PARCEL CONTAINING .34 ACRES MORE OR LESS.

TOGETHER WITH THE FOLLOWING PORTION OF SECTION 10, A POINT OF REFERENCE BEING THE NORTHEAST CORNER OF GOVERNMENT SECTION 10, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE SOUTH 00°59'54" EAST ALONG THE EAST LINE OF SECTION 10 A DISTANCE OF 617.50 FEET, THENCE DEPARTING SAID LINE SOUTH 67°12'21" WEST A DISTANCE OF 939.17 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE CONTINUE SOUTH 67°12'21" WEST A DISTANCE OF 3540.82 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE NORTH 22°47'15" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 2431.20 FEET TO A POINT ON THE NORTH LINE OF SECTION 10, THENCE DEPARTING SAID RIGHT-OF-WAY NORTH 88°44'12" EAST ALONG THE NORTH LINE OF SECTION 10 A DISTANCE OF 266.63 FEET, THENCE DEPARTING SAID SECTION LINE SOUTH 22°47'18" EAST ALONG THE BOUNDARY OF WELL SITE SW-35 A DISTANCE OF 58.24 FEET, THENCE NORTH 67°12'42" EAST A DISTANCE OF 147.66 FEET, THENCE DEPARTING SAID WELL SITE NORTH 88°44'12" EAST ALONG THE NORTH LINE OF SECTION 10 A DISTANCE OF 3563.98 FEET, THENCE SOUTH 12°47'58" EAST A DISTANCE OF 982.01 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING PALM COAST UTILITY CORP. (FLORIDA WATER SERVICES CORP.) WELL SITE SW-34, (DESCRIPTION FURNISHED BY OWNER):

A PARCEL OF LAND IN GOVERNMENT SECTION 10, TOWNSHIP 11 SOUTH, RANGE 30 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: AS A POINT OF REFERENCE BEING THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 10, THENCE SOUTH 88°33'54" WEST ALONG THE SOUTHERLY LINE OF THE NORTHWEST 1/4 1042.43 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF A 50.00 FEET PIPE LINE EASEMENT EAST OF AND PARALLEL WITH U.S. HIGHWAY NO. 1 (300 FEET RIGHT-OF-WAY); THENCE NORTH 22°47'18" WEST 955.79 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 67°12'42" EAST 150.00 FEET; THENCE NORTH 22°47'18" WEST 100.00 FEET; THENCE SOUTH 67°12'42" WEST 150.00 FEET; THENCE SOUTH 22°47'18" EAST 100.00 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

WELL PARCEL CONTAINING .34 ACRES MORE OR LESS.

ALSO LESS AND EXCEPT THE FOLLOWING PALM COAST UTILITY CORP. (FLORIDA WATER SERVICES CORP.) WELL SITE SW-35. DESCRIPTION AS RECORDED IN OFFICIAL RECORDS BOOK 641, PAGES 1051 THROUGH 1221, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL RP 0141:

A PARCEL OF LAND IN GOVERNMENT SECTIONS 10 AND 3, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE BEING A P.R.M. AT THE NORTHWEST CORNER OF SAID SECTION 10; THENCE NORTH 88°44'12" EAST ALONG THE NORTHERLY LINE OF SECTION 10, 491.68 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 22°47'18" EAST 58.34 FEET, THENCE NORTH 67°12'42" EAST 150.00 FEET, THENCE NORTH 22°47'18" WEST 100.00 FEET, THENCE SOUTH 67°12'42" WEST 150.00 FEET, THENCE SOUTH 22°47'17" EAST 41.66 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

WELL PARCEL CONTAINING .34 ACRES MORE OR LESS.

PARCEL 1002

A PARCEL OF LAND BEING A PORTION OF THAT LAND RECORDED IN OFFICIAL RECORDS BOOK 507, PAGES 1592 THROUGH 1609 TOGETHER WITH A PORTION OF THAT LAND RECORDED IN OFFICIAL RECORDS BOOK 507, PAGES 1620 THROUGH 1626 LYING IN GOVERNMENT SECTIONS 15, 16, 21 AND 22, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PORTION OF SECTION 15, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING TEN (10) FEET WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE-95; LESS AND EXCEPT THAT PORTION TAKEN BY THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY ASSOCIATED WITH THE INTERSTATE-95 OLD KINGS ROAD OVERPASS;

ALSO LESS AND EXCEPT OLD KINGS ROAD (66' R/W); ALSO LESS AND EXCEPT THAT LAND OWNED BY FLAGLER COUNTY KNOWN AS THE AGRICULTURAL MUSEUM PARCEL, RECORDED IN OFFICIAL RECORDS BOOK (ORB) 552, PAGE 215, ORB 561, PAGE 1458, ORB 586, PAGES 1220-1223 AND ORB 586, PAGE 1227, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;

TOGETHER WITH A PARCEL OF LAND BEING A PORTION OF GOVERNMENT SECTION 16, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING EAST OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1;

LESS AND EXCEPT PARCEL 2-17E RECORDED IN OFFICIAL RECORDS BOOK 586, PAGE 1227, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, ALSO LESS AND EXCEPT OLD KINGS ROAD (66' R/W);

ALSO LESS AND EXCEPT LAND RECORDED IN OFFICIAL RECORDS BOOK 574, PAGES 1429 THROUGH 1431, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;

ALSO LESS AND EXCEPT A PORTION OF SECTIONS 15 AND 16, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM A POINT OF REFERENCE BEING THE NORTHEAST CORNER OF SAID SECTION 16, BEAR SOUTH 00°44'07" EAST ALONG THE EAST LINE OF SECTION 16, A DISTANCE OF 813.40 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 84°40'51" EAST, DEPARTING SAID EAST LINE, A DISTANCE OF 475.04 FEET; THENCE SOUTH 71°59'32" EAST A DISTANCE OF 299.56 FEET; THENCE SOUTH 17°24'50" WEST, A DISTANCE OF 29.54 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 83.00 FEET, THENCE ALONG THE ARC OF SAID CURVE 38.98 FEET THROUGH A CENTRAL ANGLE OF 26°54'21", A CHORD BEARING OF SOUTH 03°57'39" WEST AND A CHORD DISTANCE OF 38.62 FEET; THENCE NORTH 71°59'32" WEST, A DISTANCE OF 299.56 FEET, THENCE NORTH 84°40'51" WEST, A DISTANCE OF 1587.76 FEET; THENCE NORTH 73°25'25" WEST, A DISTANCE OF 1342.39 FEET; THENCE NORTH 83°06'27" WEST, A DISTANCE OF 1013.64 FEET; THENCE NORTH 08°29'47" WEST, A DISTANCE OF 69.49 FEET, THENCE SOUTH 83°06'27" EAST, A DISTANCE OF 1037.76 FEET; THENCE SOUTH 73°25'25" EAST, A

DISTANCE OF 1341.46 FEET, THENCE SOUTH 84°40'51" EAST, A DISTANCE OF 1113.57 FEET TO THE POINT OF BEGINNING.

EXCEPTION CONTAINING 6.543 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING PORTION OF GOVERNMENT SECTION 21 LYING EAST OF U.S. HIGHWAY NO. 1:

BEGINNING FROM THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 10 SOUTH, RANGE 30 EAST; THENCE SOUTH 00°28'10" EAST ALONG THE EASTERLY LINE OF SECTION 21 A DISTANCE OF 1117.09 FEET, THENCE DEPARTING SAID LINE SOUTH 61°12'56" WEST A DISTANCE OF 748.34 FEET, THENCE NORTH 00°29'04" WEST A DISTANCE OF 149.94 FEET, THENCE SOUTH 89°23'31" WEST A DISTANCE OF 658.86 FEET, THENCE NORTH 00°29'57" WEST A DISTANCE OF 1319.38 FEET, THENCE NORTH 89°20'34" EAST ALONG THE NORTH LINE OF SECTION 21 A DISTANCE OF 1318.40 FEET TO THE POINT OF BEGINNING.

ALSO TOGETHER WITH THE FOLLOWING PORTION OF SECTION 22, TOWNSHIP 10 SOUTH, RANGE 30 EAST, BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 22, THENCE NORTH 89°41'29" EAST ALONG THE NORTH LINE OF SECTION 22 A DISTANCE OF 2630.63 FEET TO THE NORTH QUARTER (1/4) CORNER, THENCE NORTH 88°58'06" EAST ALONG THE NORTH LINE OF SECTION 22 A DISTANCE OF 880.17 FEET, THENCE SOUTH 25°15'02" EAST ALONG A LINE LYING TEN (10) FEET WEST OF AND PARALLEL TO THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE-95 A DISTANCE OF 899.05 FEET, THENCE DEPARTING SAID LINE ALONG THE NORTH BOUNDARY OF PARCEL 211 ORB 553, PAGE 1713 RUN SOUTH 64°44'58" WEST A DISTANCE OF 1000.18 FEET, THENCE NORTH 60°29'04" WEST A DISTANCE OF 932.59 FEET, THENCE SOUTH 29°30'56" WEST A DISTANCE OF 299.31 FEET, THENCE DEPARTING PARCEL 211 ALONG THE NORTH LINE OF (PCCSC) PARCEL RECORDED IN ORB 549, PAGES 969 AND 970, SAID NORTH LINE BEING COMMON AS THE SOUTH LINE OF ORB 507, PAGES 1592-1609, RUN NORTH 59°53'04" WEST A DISTANCE OF 811.19 FEET, THENCE SOUTH 85°54'56" WEST A DISTANCE OF 570.00 FEET, THENCE SOUTH 43°24'56" WEST A DISTANCE OF 565.00 FEET, THENCE SOUTH 81°42'56" WEST A DISTANCE OF 343.00 FEET, THENCE SOUTH 61°12'56" WEST A DISTANCE OF 26.65 FEET TO A POINT ON THE WEST LINE OF SECTION 22, THENCE DEPARTING SAID (PCCSC) PARCEL NORTH 00°28'10" WEST ALONG THE WEST LINE OF SECTION 22 A DISTANCE OF 1117.09 FEET TO THE POINT OF BEGINNING.

PARCEL 1003

A PARCEL OF LAND BEING A PORTION OF THAT LAND RECORDED IN OFFICIAL RECORDS BOOK 507, PAGES 1592 THROUGH 1609, LYING IN GOVERNMENT SECTIONS 27, 28, 33 AND 34, TOWNSHIP 10 SOUTH, RANGE 30 EAST, SECTIONS 3 AND 4, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 27, TOWNSHIP 10 SOUTH, RANGE 30 EAST, THENCE NORTH 00°32'09" WEST ALONG THE WEST LINE OF SECTION 27 A DISTANCE OF 2074.30 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MATANZAS WOODS BOULEVARD (124' R/W), THENCE SOUTH 81°24'11" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 2323.41 FEET TO A POINT OF CURVATURE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1876.00 FEET AND A CENTRAL ANGLE OF 03°51'30", THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 126.34 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS SOUTH 79°28'26" EAST A DISTANCE OF 126.31 FEET TO A POINT BEING THE NORTHWEST CORNER OF A PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK (ORB) 574, PAGES 1417 THROUGH 1419, THENCE DEPARTING MATANZAS WOODS PARKWAY SOUTH 12°27'19" WEST ALONG THE WESTERLY BOUNDARY OF SAID PARCEL RECORDED IN ORB 574, PAGES 1417-1419, A DISTANCE OF 403.35 FEET, THENCE SOUTH 77°32'41" EAST A DISTANCE OF 99.32 FEET, THENCE SOUTH 22°57'24" EAST A DISTANCE OF 813.78 FEET, THENCE SOUTH 16°18'50" WEST A DISTANCE OF 134.50 FEET, THENCE SOUTH 73°41'10" EAST A DISTANCE OF 400.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF BELLE TERRE PARKWAY (124' R/W), THENCE DEPARTING SAID PARCEL RECORDED IN ORB 574, PAGES 1417-1419 SOUTH 16°18'50" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF BELLE TERRE PARKWAY ACCORDING TO THE PLAT BELLE TERRE SECTION 35 MAP BOOK 11, PAGES 2 THROUGH 26, A DISTANCE OF 266.77 FEET TO A POINT ON THE SOUTH LINE OF SECTION 27, THENCE SOUTH 89°12'10" WEST ALONG THE SOUTH LINE OF SECTION 27 A DISTANCE OF 3000.95 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH THE FOLLOWING PORTION OF SECTION 28 LYING EAST OF U.S. HIGHWAY NO. 1, BEGINNING AT THE SOUTHEAST CORNER OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, THENCE NORTH 89°28'59" WEST ALONG THE SOUTH LINE OF SECTION 28 A DISTANCE OF 2640.46 FEET TO THE SOUTH QUARTER CORNER OF SECTION 27, THENCE SOUTH 89°01'24" WEST A DISTANCE OF 55.72 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF

U.S. HIGHWAY NO. 1, THENCE DEPARTING SAID SECTION LINE NORTH 14°05'30" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 553.77 FEET TO THE BEGINNING OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 1785.08 FEET AND A CENTRAL ANGLE OF 24°05'00", THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 750.33 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 02°02'59" WEST A DISTANCE OF 744.82 FEET TO THE CURVE'S END, THENCE NORTH 09°59'31" EAST A DISTANCE OF 756.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MATANZAS WOODS BOULEVARD, THENCE SOUTH 80°00'29" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 896.08 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 1124.00 FEET AND A CENTRAL ANGLE OF 24°05'00", THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 472.46 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 87°57'01" EAST A DISTANCE OF 468.99 FEET TO THE CURVE'S END, THENCE NORTH 75°54'31" EAST A DISTANCE OF 569.81 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1875.00 FEET AND A CENTRAL ANGLE OF 22°41'18", THENCE EASTERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT A DISTANCE OF 742.48 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 87°15'10" EAST A DISTANCE OF 737.64 FEET TO THE CURVE'S END, THENCE SOUTH 81°24'11" EAST A DISTANCE OF 67.08 FEET TO A POINT ON THE EAST LINE OF SECTION 28, THENCE DEPARTING MATANZAS WOODS BOULEVARD SOUTH 00°32'09" EAST ALONG THE EAST LINE OF SECTION 28 A DISTANCE OF 2074.30 FEET TO THE POINT OF BEGINNING;

ALSO LESS AND EXCEPT FLORIDA WATER SERVICES CORP. WELL SITE SW-42, A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 832, PAGE 991, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; LESS AND EXCEPT FLORIDA WATER SERVICES CORP. WELL SITE SW-43, A 100' x 150' PARCEL RECORDED IN OFFICIAL RECORDS BOOK 110, PAGE 283, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;

TOGETHER WITH THAT PORTION OF GOVERNMENT SECTION 33, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, LYING EAST OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5);

LESS AND EXCEPT FLORIDA WATER SERVICES CORP. WELL SITE SW-41, A PARCEL RECORDED IN OFFICIAL RECORDS BOOK 832, PAGE 991, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;

TOGETHER WITH THAT PORTION OF GOVERNMENT SECTION 34, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF BELLE TERRE PARKWAY ACCORDING TO THE PLAT BELLE TERRE SECTION 35, MAP BOOK 11, PAGES 2 THROUGH 26, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;

LESS AND EXCEPT THAT LAND RECORDED IN OFFICIAL RECORDS BOOK 594, PAGES 856 AND 857, ALSO LESS AND EXCEPT LAND RECORDED IN OFFICIAL RECORDS BOOK 625, PAGES 1596 AND 1597 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;

TOGETHER WITH THE FOLLOWING PORTION OF GOVERNMENT SECTION 3, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A POINT OF BEGINNING BEING THE NORTHWEST CORNER OF SAID SECTION 3, THENCE NORTH 88°47'06" EAST ALONG THE NORTH LINE OF SECTION 3 A DISTANCE OF 3195.30 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF LAND RECORDED IN OFFICIAL RECORDS BOOK (ORB) 594, PAGES 856 AND 857, THENCE SOUTH 50°36'55" WEST ALONG SAID NORTHERLY BOUNDARY A DISTANCE OF 156.95 FEET. THENCE SOUTH 39°23'05" EAST ALONG THE WESTERLY BOUNDARY LINE OF SAID LAND A DISTANCE OF 606.62 FEET TO A POINT BEING THE NORTHWEST CORNER OF LAND RECORDED IN ORB 625, PAGES 1596 AND 1597, THENCE SOUTH 20°16'51" EAST A DISTANCE OF 64.03 FEET TO A POINT BEING THE NORTHWEST CORNER OF FLAGLER COUNTY SCHOOL BOARD LANDS RECORDED IN ORB 519, PAGES 903 AND 904, SAID POINT BEING THE APPROXIMATE LOCATION OF A DIRT ROAD RUNNING WESTERLY, THENCE DEPARTING SAID SCHOOL BOARD LANDS RUN NORTH 70°53'54" WEST ALONG SAID DIRT ROAD A DISTANCE OF 935.38 FEET, THENCE CONTINUING TO FOLLOW THE APPROXIMATE ROAD LOCATION RUN NORTH 87°43'37" WEST A DISTANCE OF 949.77 FEET, THENCE NORTH 82°42'27" WEST A DISTANCE OF 1150.71 FEET, THENCE SOUTH 83°28'00" WEST A DISTANCE OF 506.42 FEET TO A POINT ON THE WEST LINE OF SECTION 3, THENCE DEPARTING SAID DIRT ROAD NORTH 01°19'10" WEST ALONG THE WEST LINE OF SECTION 3 A DISTANCE OF 128.57 FEET TO THE POINT OF BEGINNING;

ALSO TOGETHER WITH THE FOLLOWING PORTION OF GOVERNMENT SECTION 4, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A POINT OF BEGINNING BEING THE NORTHEAST CORNER OF SAID SECTION 4, THENCE SOUTH 01°19'10" EAST ALONG THE EAST LINE OF SECTION 4 A DISTANCE OF 128.27 FEET TO A POINT BEING THE APPROXIMATE LOCATION OF A DIRT ROAD RUNNING WESTERLY, THENCE SOUTH 83°28'00" WEST ALONG SAID DIRT ROAD A DISTANCE OF 1337.89 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE NORTH 14°05'29" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 274.49 FEET TO A POINT ON THE NORTH LINE OF SECTION 4, THENCE DEPARTING U.S. HIGHWAY NO. 1 NORTH 89°24'09" EAST ALONG THE NORTH LINE OF SECTION 4 A DISTANCE OF 1393.14 FEET.

PARCEL 201

A PARCEL OF LAND INCLUDING THAT LAND RECORDED AT PAGE 1706 OF OFFICIAL RECORDS BOOK 553, PAGES 1539 THROUGH 1840, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, LYING WEST OF U.S. HIGHWAY NO. 1 WITHIN GOVERNMENT SECTIONS 9 AND 10, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A POINT OF REFERENCE BEING SOUTHWEST CORNER OF SAID GOVERNMENT SECTION 10, THENCE NORTH 02°39'55" EAST ALONG THE WEST LINE OF SECTION 10 A DISTANCE OF 1048.75 FEET, THENCE DEPARTING SAID WEST LINE OF SECTION 10 NORTH 67°38'10" EAST A DISTANCE OF 129.55 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE NORTH 19°01'15" WEST A DISTANCE OF 1352.35 FEET; THENCE NORTH 57°12'21" EAST A DISTANCE OF 1050.00 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE FLAGLER COUNTY MAINTENANCE YARD LANDS RECORDED IN OFFICIAL RECORDS BOOK 352, PAGES 134 THROUGH 136, THENCE SOUTH 22°47'15" EAST ALONG SAID MAINTENANCE YARD BOUNDARY A DISTANCE OF 708.34 FEET; THENCE NORTH 67°12'45" EAST ALONG THE SOUTH BOUNDARY LINE OF SAID MAINTENANCE YARD LANDS A DISTANCE OF 400.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1; THENCE SOUTH 22°47'15" EAST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 674.16 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF LOT 4, PALM COAST INDUSTRIAL PARK, MAP BOOK 26, PAGES 62 AND 63, THENCE DEPARTING U.S. HIGHWAY NO. 1 SOUTH 70°12'45" WEST ALONG THE NORTHERLY LINE OF LOT 4 A DISTANCE OF 480.00 FEET TO THE NORTHWEST CORNER OF LOT 4, THENCE DEPARTING

PALM COAST INDUSTRIAL PARK SOUTH 67°38'10" WEST A DISTANCE OF 1059.53 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINING 40.1127 ACRES MORE OR LESS.
PARCEL 211

A PARCEL OF LAND LYING IN GOVERNMENT SECTION 22, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF SECTION 22, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, THENCE RUN S88°53'06"W ALONG THE NORTH LINE OF SAID SECTION 22 A DISTANCE OF 1759.19 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE-95; THENCE S25°15'01"E ALONG SAID WESTERLY RIGHT-OF-WAY LINE 894.55 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE S25°15'01"E 1663.74 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 975.00 FEET AND A CENTRAL ANGLE OF 64°01'49"; THENCE FROM A CHORD BEARING OF N57°15'57"W RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE 1089.60 FEET TO THE POINT OF TANGENCY; THENCE N89°16'51"W 869.88 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 525.00 FEET AND A CENTRAL ANGLE OF 34°53'44"; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE 319.75 FEET TO THE POINT OF TANGENCY; THENCE N54°23'07"W 585.58 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 975.00 FEET; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE 178.16 FEET THROUGH A CENTRAL ANGLE OF 10°28'11" TO A POINT ON THE WESTERLY LINE OF PARCEL "E", LAKEVIEW – SECTION 37, AS RECORDED IN MAP BOOK 13, PAGE 28, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA; THENCE N26°32'17"E, ALONG SAID WESTERLY LINE AND AN EXTENSION THEREOF 288.73 FEET; THENCE S60°29'04"E 350.00 FEET; THENCE N29°30'56"E 207.20 FEET; THENCE S60°29'04"E 582.59 FEET; THENCE N64°44'58"E 1010.18 FEET TO THE POINT OF BEGINNING:

TOGETHER WITH A PARCEL OF LAND LYING WITHIN GOVERNMENT SECTION 22, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, CONVEYED BY QUIT CLAIM DEED FROM SUNSPORT RECREATION, INC., ET AL, AS GRANTORS, TO

FLORIDA LANDMARK COMMUNITIES, INC., AS GRANTEE, IN OFFICIAL RECORDS BOOK 846, PAGE 1584, DESCRIBED AS FOLLOWS:

A POINT OF REFERENCE BEING THE NORTHEAST CORNER OF SAID GOVERNMENT SECTION 22, THENCE SOUTH 88°58'06" WEST ALONG THE NORTH LINE OF SAID GOVERNMENT SECTION 22, A DISTANCE OF 1759.20 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE-95 (300' R/W), THENCE DEPARTING SAID NORTH LINE OF SECTION 22 SOUTH 25°15'02" EAST ALONG THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE-95 A DISTANCE OF 894.55 FEET, THENCE DEPARTING INTERSTATE-95 SOUTH 64°44'58" WEST ALONG THE NORTH LINE OF PARCEL 211 RECORDED IN OFFICIAL RECORDS BOOK 553, PAGES 1539 THROUGH 1840 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, A DISTANCE OF 1010.18 FEET, THENCE NORTH 60°29'04" WEST A DISTANCE OF 582.59 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE SOUTH 29°30'56" WEST ALONG SAID BOUNDARY OF PARCEL 211 A DISTANCE OF 207.20 FEET, THENCE NORTH 60°29'04" WEST A DISTANCE OF 350.00 FEET TO A POINT ON THE BOUNDARY LINE OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 507, PAGES 1620 THROUGH 1626 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, THENCE DEPARTING SAID BOUNDARY LINE OF PARCEL 211 NORTH 29°30'56" EAST ALONG SAID BOUNDARY LINE OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 507, PAGES 1620 THROUGH 1626, A DISTANCE OF 207.20 FEET, THENCE SOUTH 60°29'04" EAST A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.6649 ACRES MORE OR LESS.

LESS AND EXCEPT THE FOLLOWING DESCRIBED AREA, CONVEYED BY WARRANTY DEED FROM FLORIDA LANDMARK COMMUNITIES, INC., AS GRANTOR, TO STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, AS GRANTEE, DESCRIBED AS FOLLOWS:

COMMENCE AT A RECOVERED 6" X 6" CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF THE NORTHEAST 1/4, SECTION 22, TOWNSHIP 10 SOUTH, RANGE 30 EAST; THENCE RUN S88°58'16"W, ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 1759.44 FEET TO THE SOUTHWESTERLY EXISTING LIMITED ACCESS RIGHT-OF-WAY LINE OF STATE ROAD 9 (INTERSTATE-95) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION 73001, F.P. NO. 242341-1; THENCE DEPARTING SAID NORTH LINE, RUN S25°15'15"E ALONG SAID SOUTHWESTERLY EXISTING

LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 1450.68 FEET FOR A POINT OF BEGINNING; THENCE CONTINUE S25°15'15"E ALONG SAID SOUTHWESTERLY EXISTING LIMITED ACCESS RIGHT-OF-WAY LINE, A DISTANCE OF 1107.55 FEET; THENCE DEPARTING SAID SOUTHWESTERLY EXISTING LIMITED ACCESS RIGHT-OF-WAY RUN S64°44'58"W, A DISTANCE OF 10.00 FEET TO A POINT ON THE NORTHEASTERLY LINE OF THE JEFFERSON DAVIS WATERWAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 549, PAGE 966, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, SAID POINT BEING ON A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 975.00 FEET AND A CENTRAL ANGLE OF 43°00'34"; THENCE FROM A CHORD BEARING OF N46°45'19"W, RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 731.89 FEET; THENCE DEPARTING SAID CURVE AND SAID NORTHEASTERLY LINE, RUN N25°15'15"W, PARALLEL WITH SOUTHWESTERLY EXISTING LIMITED ACCESS RIGHT-OF-WAY LINE A DISTANCE OF 442.47 FEET; THENCE RUN NORTH 64°44'45"E, A DISTANCE OF 272.00 FEET TO THE POINT OF BEGINNING. EXCEPTION CONTAINING 4.168 ACRES, MORE OR LESS.

~~PARCEL 214~~

~~RESERVED PARCEL 26-1, PER THE PLAT OF LAKEVIEW SECTION 37, AS RECORDED IN MAP BOOK 13, PAGE 26, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.~~

~~CONTAINING 38.357 ACRES MORE OR LESS.~~

~~TOGETHER WITH A PARCEL OF LAND BEING ALL OF ASHWOOD WATERWAY (300 FEET WIDE) AND THAT PORTION OF LONDON WATERWAY (100 FEET WIDE AND APPROXIMATELY 785 FEET IN LENGTH) LYING NORTH OF ASHWOOD WATERWAY AND SOUTH OF LONDON DRIVE ALL ACCORDING TO THE SUBDIVISION PLAT LAKEVIEW SECTION 37, PALM COAST, RECORDED IN MAP BOOK 13, PAGES 1 THROUGH 29, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.~~

~~SUBJECT TO DRAINAGE EASEMENTS RECORDED IN OFFICIAL RECORDS BOOK 549, PAGES 991 THROUGH 1047 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.~~

PARCEL 217

FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTH 1/4 CORNER OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA. THENCE RUN S89°01'24"W ALONG THE SOUTH LINE OF SAID SECTION 28 A DISTANCE OF 235.41 FEET FOR A POINT OF BEGINNING ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY

NO. 1; THENCE CONTINUE S89°01'24"W ALONG SAID SOUTH LINE 550.83 FEET; THENCE N86°54'42"W 166.65 FEET TO A POINT ON A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 545.00 FEET AND A CENTRAL ANGLE OF 12°15'15"; THENCE FROM A CHORD BEARING OF N03°02'19"W RUN NORTHERLY ALONG THE ARC OF SAID CURVE 116.56 FEET TO A POINT; THENCE S80°50'04"W 200.00 FEET TO A POINT ON A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1000.00 FEET AND A CENTRAL ANGLE OF 11°49'46"; THENCE FROM A CHORD BEARING OF N03°15'03"W RUN NORTHERLY ALONG THE ARC OF SAID CURVE 206.46 FEET TO THE POINT OF TANGENCY; THENCE N09°09'56"W 1825.00 FEET; THENCE S80°50'04"W 1535.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILROAD; THENCE N09°09'56"W ALONG SAID EASTERLY RIGHT-OF-WAY LINE 1821.28 FEET; THENCE N80°50'46"E 180.00 FEET; THENCE N09°09'13"W 35.17 FEET; THENCE N80°50'46"E 1070.48 FEET; THENCE N65°50'47"E 898.31 FEET; THENCE S24°09'14"E 267.00 FEET; THENCE N65°50'47"E 560.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90°00'00"; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE 78.54 FEET TO THE POINT OF TANGENCY; THENCE S24°09'13"E 667.23 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE WESTERLY HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 34°08'45"; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE 89.39 FEET TO THE POINT OF TANGENCY; THENCE S09°59'31"W 217.87 FEET; THENCE S80°00'29"E 325.00 FEET TO THE AFOREMENTIONED WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1; THENCE CONTINUE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE THE FOLLOWING THREE COURSES: S09°59'31"W 2217.47 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE EASTERLY HAVING A RADIUS OF 1960.08 FEET AND A CENTRAL ANGLE OF 24°05'00"; THENCE RUN SOUTHERLY ALONG THE ARC OF SAID CURVE 823.89 FEET TO THE POINT OF TANGENCY; THENCE S14°05'30"E 513.00 FEET TO THE POINT OF BEGINNING.

CONTAINING THEREIN 194.759 ACRES, MORE OR LESS.

PARCEL 800.08

A PARCEL OF LAND LYING WEST OF U.S. HIGHWAY NO. 1 IN GOVERNMENT SECTIONS 3, 4, 9, AND 10, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A POINT OF REFERENCE BEING THE NORTHEAST CORNER OF GOVERNMENT SECTION 9, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE NORTH 88°44'12" EAST A DISTANCE OF 63.80 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE SOUTH 22°47'15" EAST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 1706.64 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY SOUTH 67°12'45" WEST A DISTANCE OF 600.00 FEET, THENCE SOUTH 22°47'15" EAST A DISTANCE OF 385.00 FEET, THENCE NORTH 67°12'45" EAST A DISTANCE OF 600.00 FEET, THENCE SOUTH 22°47'15" EAST ALONG THE WEST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1 A DISTANCE OF 100.00 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY SOUTH 67°12'45" WEST ALONG THE NORTHERLY LINE OF LANDS RECORDED IN OFFICIAL RECORDS BOOK 352, PAGES 134 THROUGH 136, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, A DISTANCE OF 450.00 FEET, THENCE SOUTH 22°47'15" EAST A DISTANCE OF 298.90 FEET, THENCE SOUTH 67°12'21" WEST A DISTANCE OF 1050.00 FEET, THENCE SOUTH 19°01'15" EAST A DISTANCE OF 1352.35 FEET, THENCE SOUTH 67°38'10" WEST A DISTANCE OF 461.22 FEET, THENCE NORTH 22°47'18" WEST A DISTANCE OF 4506.98 FEET, THENCE NORTH 67°12'42" EAST A DISTANCE OF 2000.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE SOUTH 22°47'18" EAST ALONG SAID RIGHT-OF-WAY A DISTANCE OF 623.41 FEET TO A POINT ON THE EAST LINE OF GOVERNMENT SECTION 4, THENCE NORTH 01°19'10" WEST ALONG SAID EAST LINE OF SECTION 4 A DISTANCE OF 136.90 FEET, THENCE DEPARTING THE EAST LINE OF SECTION 4 SOUTH 22°47'18" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 174.33 FEET TO THE POINT OF BEGINNING.

CONTAINING 155.3747 ACRES MORE OR LESS.

TOGETHER WITH A PORTION OF LAND DEEDED BY RAYONIER, INC. AS GRANTOR TO PALM COAST HOLDINGS, INC. AS GRANTEE, RECORDED IN OFFICIAL RECORDS BOOK 602, PAGES 1833 THROUGH 1835 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING WEST OF U.S. HIGHWAY NO. 1, WITHIN GOVERNMENT SECTION 3, TOWNSHIP 11 SOUTH, RANGE 30 EAST, A POINT OF BEGINNING BEING THE SOUTHWEST CORNER OF GOVERNMENT SECTION 3, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE NORTH 01°19'10" WEST ALONG THE WEST LINE OF SECTION 3 A DISTANCE OF 162.17 FEET, THENCE SOUTH 22°47'18" EAST A DISTANCE OF 174.33

FEET TO A POINT ON THE SOUTH LINE OF SECTION 3, THENCE SOUTH 88°44'12" WEST ALONG THE SOUTH LINE OF SECTION 3 A DISTANCE OF 63.80 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.1188 ACRES MORE OR LESS.

PARCEL 901

A PARCEL OF LAND LYING EAST OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD RIGHT-OF-WAY AND WEST OF U.S. HIGHWAY NO. 1 (STATE ROAD NO. 5) BEING A PORTION OF THAT LAND RECORDED IN OFFICIAL RECORDS BOOK (ORB) 507, PAGES 1592 THROUGH 1617 AND ORB 552, PAGE 1341 AND LYING WITHIN GOVERNMENT SECTIONS 28, 29, 32 AND 33, TOWNSHIP 10 SOUTH, RANGE 30 EAST, AND GOVERNMENT SECTIONS 4, 9 AND 16, TOWNSHIP 11 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND WITHIN SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING WEST OF U.S. HIGHWAY NO. 1, BEGINNING AT THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, THENCE NORTH 00°42'44" WEST ALONG THE WEST LINE OF SECTION 28 A DISTANCE OF 1944.87 FEET, THENCE DEPARTING SAID WEST LINE NORTH 80°50'04" EAST A DISTANCE OF 1173.01 FEET, THENCE SOUTH 09°09'56" EAST A DISTANCE OF 1825.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1000.00 FEET AND A CENTRAL ANGLE OF 11°49'46", THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, A DISTANCE OF 206.46 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS SOUTH 03°15'03" EAST, A DISTANCE OF 206.01 FEET TO THE POINT OF INTERSECTION WITH A NON-TANGENT LINE, THENCE NORTH 80°50'04" EAST A DISTANCE OF 200.00 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT CURVE CONCAVE WESTERLY, HAVING A RADIUS OF 545.00 FEET AND A CENTRAL ANGLE OF 12°15'15", THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE RIGHT, FROM WHICH THE LOCAL TANGENT AT THE BEGINNING POINT BEARS SOUTH 09°09'56" EAST, A DISTANCE OF 116.56 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS SOUTH 03°02'19" EAST, A DISTANCE OF 116.34 FEET TO THE POINT OF INTERSECTION WITH A NON-TANGENT LINE, THENCE SOUTH 86°54'42" EAST A DISTANCE OF 166.65 FEET TO A POINT ON THE SOUTH LINE OF SECTION 28, THENCE SOUTH 89°01'23" WEST ALONG THE SOUTH LINE OF SECTION 28 A DISTANCE OF 1806.53 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING PORTION OF SECTION 29 LYING EAST OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD RIGHT-OF-WAY, BEGINNING AT THE SOUTHEAST CORNER OF SECTION 29, TOWNSHIP 10 SOUTH, RANGE 30 EAST, THENCE SOUTH 89°48'20" WEST ALONG THE SOUTH LINE OF SECTION 29 A DISTANCE OF 77.03 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SAID RAILROAD, THENCE DEPARTING SAID SOUTH LINE OF SECTION 29 NORTH 09°09'56" WEST ALONG THE EAST LINE OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY A DISTANCE OF 1911.73 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY NORTH 80°50'04" EAST A DISTANCE OF 361.99 FEET TO A POINT ON THE EASTERLY LINE OF SECTION 29, THENCE SOUTH 00°42'44" EAST ALONG THE EAST LINE OF SECTION 29 A DISTANCE OF 1944.87 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THAT PORTION OF SECTION 32, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING EAST OF THE RIGHT-OF-WAY OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD;

TOGETHER WITH THAT PORTION OF SECTION 33, TOWNSHIP 10 SOUTH, RANGE 30 EAST; LYING EAST OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY AND WEST OF U.S. HIGHWAY NO. 1; LESS AND EXCEPT THE NE 1/4 OF NE 1/4 OF NW 1/4 OF SECTION 33;

ALSO LESS AND EXCEPT THE FOLLOWING PORTION OF SECTION 33, A POINT OF REFERENCE BEING THE NORTHWEST CORNER OF SECTION 33, TOWNSHIP 10 SOUTH, RANGE 30 EAST, THENCE SOUTH 00°40'43" EAST ALONG THE WEST LINE OF SECTION 33 A DISTANCE OF 515.56 FEET, THENCE DEPARTING SAID WEST LINE SOUTH 09°09'56" EAST ALONG THE EAST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY (150'R/W) A DISTANCE OF 947.65 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE SOUTH 86°20'16" EAST A DISTANCE OF 884.48 FEET, THENCE SOUTH 09°09'56" EAST A DISTANCE OF 3673.91 FEET TO A POINT ON THE SOUTH LINE OF SECTION 33, THENCE SOUTH 89°02'28" WEST ALONG SAID SOUTH LINE OF SECTION 33 A DISTANCE OF 871.33 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF RAILROAD, THENCE NORTH 09°09'56" WEST A DISTANCE OF 3745.90 FEET TO THE POINT OF BEGINNING,

EXCEPTION CONTAINING 73.4488 ACRES OF LAND MORE OR LESS;

ALSO LESS AND EXCEPT THE FOLLOWING PORTION OF SECTION 33, TOWNSHIP 10 SOUTH, RANGE 30 EAST, A POINT OF REFERENCE BEING THE NORTHWEST CORNER OF SAID GOVERNMENT

SECTION 33, THENCE SOUTH 00°40'43" EAST ALONG THE WEST LINE OF SECTION 33 A DISTANCE OF 515.56 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD, THENCE DEPARTING SAID WEST LINE OF SECTION 33, RUN SOUTH 09°09'56" EAST ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID RAILROAD A DISTANCE OF 509.76 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE DEPARTING SAID RAILROAD RIGHT-OF-WAY RUN NORTH 80°50'04" EAST A DISTANCE OF 375.00 FEET, THENCE SOUTH 09°09'56" EAST A DISTANCE OF 472.00 FEET TO A POINT ON A LINE LYING 10 FEET NORTH OF AND PARALLEL TO THE NORTHERLY LINE OF PEAVY GRADE ACCORDING TO EASEMENT OF PEAVY GRADE RECORDED AT OFFICIAL RECORDS BOOK 586, PAGES 1501 THROUGH 1512 AND OFFICIAL RECORDS BOOK 592, PAGES 382 THROUGH 395, THENCE NORTH 86°20'16" WEST ALONG SAID LINE BEING 10 FEET NORTH OF AND PARALLEL TO SAID NORTHERLY LINE OF PEAVY GRADE A DISTANCE OF 384.60 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID RAILROAD, THENCE DEPARTING SAID LINE AT PEAVY GRADE NORTH 09°09'56" WEST ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF RAILROAD A DISTANCE OF 386.61 FEET TO THE POINT OF BEGINNING, EXCEPTION CONTAINING 3.6958 ACRES MORE OR LESS.

TOGETHER WITH THE FOLLOWING PORTION OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 30 EAST, LYING EAST OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD RIGHT-OF-WAY AND WEST OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, A POINT OF REFERENCE BEING THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE NORTH 89°02'28" EAST ALONG THE NORTH LINE OF SECTION 4 A DISTANCE OF 1564.04 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE CONTINUE NORTH 89°02'28" EAST ALONG THE NORTH LINE OF SECTION 4 A DISTANCE OF 1083.47 FEET TO THE NORTH QUARTER (1/4) CORNER OF SECTION 4, THENCE NORTH 89°24'09" EAST ALONG THE NORTH LINE OF SECTION 4 A DISTANCE OF 889.37 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE SOUTH 14°05'29" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 1857.38 FEET TO A POINT OF CURVATURE, CONCAVE EASTERLY, HAVING A RADIUS OF 5829.65 FEET AND A CENTRAL ANGLE OF 08°41'49", THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, A DISTANCE OF 884.87 FEET, SAID ARC SUBTENDED BY A CHORD WHICH

BEARS SOUTH 18°26'24" EAST, A DISTANCE OF 884.02 FEET TO A POINT OF TANGENCY, THENCE SOUTH 22°47'18" EAST A DISTANCE OF 2192.67 FEET TO A POINT ON THE NORTH LINE OF PARCEL 800-08, OFFICIAL RECORDS BOOK 553, PAGES 1539 THROUGH 1840, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, THENCE DEPARTING U.S. HIGHWAY NO. 1 SOUTH 67°12'42" WEST ALONG SAID NORTH LINE OF PARCEL 800-08 A DISTANCE OF 1558.51 FEET TO A POINT ON THE SOUTH LINE OF SECTION 4, THENCE DEPARTING SAID PARCEL 800-08 SOUTH 89°52'32" WEST ALONG THE SOUTH LINE OF SECTION 4 A DISTANCE OF 998.75 FEET TO THE SOUTH QUARTER (1/4) CORNER OF SECTION 4, THENCE SOUTH 89°51'30" WEST ALONG THE SOUTH LINE OF SECTION 4 A DISTANCE OF 1145.78 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF RAILROAD, THENCE NORTH 09°09'56" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY A DISTANCE OF 3249.03 FEET TO THE SOUTHWEST CORNER OF PARCEL 800-07, OFFICIAL RECORDS BOOK 553, PAGES 1539 THROUGH 1840, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, THENCE DEPARTING SAID RAILWAY NORTH 57°08'17" EAST ALONG THE SOUTH LINE OF PARCEL 800-07 A DISTANCE OF 941.81 FEET, THENCE NORTH 09°09'56" WEST ALONG THE EAST LINE OF PARCEL 800-07 A DISTANCE OF 1544.01 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING PORTION OF SECTION 9, TOWNSHIP 11 SOUTH, RANGE 30 EAST, LYING EAST OF THE FLORIDA EAST COAST RAILROAD RIGHT-OF-WAY AND WEST OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, A POINT OF REFERENCE BEING THE SOUTHWEST CORNER OF SECTION 9, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE NORTH 89°07'56" EAST ALONG THE SOUTH LINE OF SECTION 9 A DISTANCE OF 2374.90 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY (150' R/W) AND THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE DEPARTING THE SOUTH LINE OF SECTION 9, NORTH 09°09'56" WEST ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 5354.70 FEET TO A POINT ON THE NORTH LINE OF SECTION 9, THENCE DEPARTING SAID RAILWAY NORTH 89°51'30" EAST ALONG THE NORTH LINE OF THE NW 1/4 OF SECTION 9 A DISTANCE OF 1145.78 FEET TO THE NORTH QUARTER (1/4) CORNER OF SECTION 9, THENCE NORTH 89°52'32" EAST ALONG THE NORTH LINE OF SECTION 9 A DISTANCE OF 998.75 FEET TO A POINT ON THE NORTH LINE OF PARCEL 800-08, OFFICIAL RECORDS BOOK 553, PAGES 1539 THROUGH 1840, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA,

THENCE SOUTH 67°12'42" WEST ALONG THE NORTH LINE OF PARCEL 800-08 A DISTANCE OF 441.49 FEET, THENCE SOUTH 22°47'18" EAST ALONG THE WEST LINE OF PARCEL 800-08 A DISTANCE OF 4506.98 FEET, THENCE SOUTH 67°38'10" WEST A DISTANCE OF 2524.88 FEET TO A POINT ON THE SOUTH LINE OF SECTION 9, THENCE SOUTH 89°07'56" WEST ALONG THE SOUTH LINE OF SECTION 9 A DISTANCE OF 295.30 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT WELL SITE SW-61, A 60'X60' PARCEL OF LAND WITHIN SECTION 9, TOWNSHIP 11 SOUTH, RANGE 30 EAST, RECORDED IN OFFICIAL RECORDS BOOK 566, PAGE 872, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;

ALSO LESS AND EXCEPT WELL SITE SW-62, A 60'x60' PARCEL OF LAND WITHIN SECTION 9, TOWNSHIP 11 SOUTH, RANGE 30 EAST, RECORDED IN OFFICIAL RECORDS BOOK 566, PAGE 857, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;

TOGETHER WITH THE FOLLOWING PORTION OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 30 EAST, LYING EAST OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD RIGHT-OF-WAY:

A POINT OF REFERENCE BEING THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 11 SOUTH, RANGE 30 EAST, THENCE NORTH 89°07'56" EAST ALONG THE NORTH LINE OF SECTION 16 A DISTANCE OF 2374.90 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY (150' R/W) AND THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE CONTINUE NORTH 89°07'56" EAST ALONG THE NORTH LINE OF SECTION 16 A DISTANCE OF 295.30 FEET TO A POINT ON THE NORTH LINE OF PARCEL 101, RECORDED IN OFFICIAL RECORDS BOOK 553, PAGES 1539 THROUGH 1840, PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, THENCE SOUTH 67°38'10" WEST A DISTANCE OF 300.13 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF THE FLORIDA EAST COAST RAILWAY, THENCE NORTH 09°09'56" WEST ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 111.14 FEET TO THE POINT OF BEGINNING,

PARCEL CONTAINING 0.3728 ACRES OF LAND MORE OR LESS.

PARCEL 1001

A PARCEL OF LAND BEING A PORTION OF THAT LAND RECORDED IN OFFICIAL RECORDS BOOK 507, PAGES 1592 THROUGH 1609, LYING IN GOVERNMENT SECTIONS 9, 16, 17, 20, 21, 28, 29 AND 47, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PART OF GOVERNMENT SECTION 9, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING WEST OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1, AND SOUTH OF THE SOUTHERLY BOUNDARY LINE OF PARCEL CMP 2-17 RECORDED IN OFFICIAL RECORDS BOOK 546, PAGES 1197 THROUGH 1221, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING PARCEL OF LAND LYING WEST OF U.S. HIGHWAY NO. 1 IN GOVERNMENT SECTION 9, TOWNSHIP 10 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

AS A POINT OF REFERENCE BEING THE SOUTHEAST CORNER OF SAID SECTION 9 TOWNSHIP 10 SOUTH, RANGE 30 EAST, THENCE SOUTH 89°30'58" WEST ALONG THE SOUTHERLY LINE OF SECTION 9 A DISTANCE OF 2657.97 FEET TO THE SOUTH QUARTER (1/4) CORNER OF SECTION 9, THENCE SOUTH 89°54'17" WEST ALONG THE SOUTH LINE OF SECTION 9 A DISTANCE OF 984.19 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, SAID POINT BEING THE POINT OF BEGINNING OF THIS DESCRIPTION, THENCE CONTINUE SOUTH 89°54'17" WEST ALONG THE SOUTHERLY LINE OF SECTION 9 A DISTANCE OF 74.52 FEET, THENCE DEPARTING SAID SOUTHERLY LINE OF SECTION 9 NORTH 08°29'47" WEST A DISTANCE OF 88.69 FEET, THENCE NORTH 20°56'30" EAST A DISTANCE OF 150.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, SOUTH 08°29'47" EAST ALONG THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1 A DISTANCE OF 230.21 FEET TO THE POINT OF BEGINNING;

TOGETHER WITH ALL THAT PART OF GOVERNMENT SECTION 47, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING EAST OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD RIGHT-OF-WAY, WEST OF THE RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1 AND SOUTH OF THE SOUTHERLY BOUNDARY LINE OF PARCEL CMP 2-17 RECORDED IN OFFICIAL RECORDS BOOK 546, PAGES 1197 THROUGH 1221, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA;

ALSO TOGETHER WITH THAT PORTION OF SECTION 16, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING WEST OF THE RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1;

ALSO TOGETHER WITH THAT PORTION OF SECTION 17, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING EAST OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RAILROAD RIGHT-OF-WAY;

ALSO TOGETHER WITH THAT PORTION OF SECTION 20, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING EAST OF THE FLORIDA EAST COAST RAILWAY COMPANY'S RIGHT-OF-WAY, WITHIN FLAGLER COUNTY, FLORIDA;

ALSO TOGETHER WITH THAT PORTION OF SECTION 21, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING WEST OF U.S. HIGHWAY NO. 1.

LESS AND EXCEPT NE 1/4 OF NW 1/4 OF SECTION 21; LESS AND EXCEPT THAT PORTION OF SW 1/4 OF THE NE 1/4 LYING WEST OF U.S. HIGHWAY NO. 1, ALL WITHIN FLAGLER COUNTY, FLORIDA;

TOGETHER WITH THE FOLLOWING PORTION OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING WEST OF U.S. HIGHWAY NO. 1, BEGINNING AT THE NORTHWEST CORNER OF SECTION 28, TOWNSHIP 10 SOUTH, RANGE 30 EAST, THENCE NORTH 89°16'00" EAST ALONG THE NORTH LINE OF SECTION 28 A DISTANCE OF 2630.60 FEET TO THE NORTH QUARTER (1/4) CORNER OF SECTION 28, THENCE NORTH 89°43'02" EAST ALONG THE NORTH LINE OF SECTION 28 A DISTANCE OF 327.52 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1, THENCE SOUTH 09°59'31" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1758.89 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY NORTH 80°00'29" WEST A DISTANCE OF 325.00 FEET, THENCE NORTH 09°59'31" EAST A DISTANCE OF 217.87 FEET TO THE BEGINNING OF A CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 34°08'45", THENCE NORTHERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 89.39 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 07°04'51" WEST A DISTANCE OF 88.08 FEET TO A POINT OF TANGENCY, THENCE NORTH 24°09'13" WEST A DISTANCE OF 667.23 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF 90°00'00", THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT A DISTANCE OF 78.54 FEET, SAID ARC SUBTENDED BY A CHORD WHICH BEARS NORTH 69°09'13" WEST A DISTANCE OF 70.71 FEET TO A POINT OF TANGENCY, THENCE SOUTH 65°50'47" WEST A DISTANCE OF 560.00 FEET, THENCE NORTH 24°09'14" WEST A DISTANCE OF 267.00 FEET, THENCE SOUTH 65°50'47" WEST A DISTANCE OF 898.31 FEET, THENCE SOUTH 80°50'46" WEST A DISTANCE OF 573.62 FEET, THENCE NORTH 00°42'44" WEST ALONG THE WEST LINE OF SECTION 28 A DISTANCE OF 1149.03 FEET TO THE POINT OF BEGINNING;

ALSO TOGETHER WITH THE FOLLOWING PORTION OF SECTION 29, TOWNSHIP 10 SOUTH, RANGE 30 EAST, LYING EAST OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 29, TOWNSHIP 10 SOUTH, RANGE 30 EAST, THENCE SOUTH 00°42'44" EAST ALONG THE EAST LINE OF SECTION 29 A DISTANCE OF 1149.03 FEET, THENCE DEPARTING SAID LINE SOUTH 80°50'46" WEST A DISTANCE OF 496.86 FEET, THENCE SOUTH 09°09'14" EAST A DISTANCE OF 35.17 FEET, THENCE SOUTH 80°50'47" WEST A DISTANCE OF 180.00 FEET TO A POINT ON THE EAST LINE OF THE FLORIDA EAST COAST RAILWAY RIGHT-OF-WAY, THENCE NORTH 09°09'13" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1302.51 FEET, THENCE NORTH 89°38'15" EAST ALONG THE NORTH LINE OF SECTION 29 A DISTANCE OF 855.58 FEET TO THE POINT OF BEGINNING.

Specific Authority 190.005, 190.046 FS. Law Implemented 190.004, 190.005, 190.046 FS. History—New 9-13-05, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lisa Saliba, Florida Land and Water Adjudicatory Commission
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lisa Saliba, Florida Land and Water Adjudicatory Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 7, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

REGIONAL UTILITY AUTHORITIES

Big Bend Water Authority

RULE NOS.:	RULE TITLES:
49E-1.001	Agency Description
49E-1.002	Registered Office, Office Hours and Copies of Documents
49E-1.003	Boundaries
49E-1.004	Statutes and Rules Affecting Agency Operations
49E-1.005	Delegation of Authority by the Board of Directors
49E-1.006	Designation of Agency Clerk and Official Reporter
49E-1.007	Maintenance of Records
49E-1.008	General Description of Agency Operations
49E-1.009	Adoption of Model Rules of Procedure
49E-1.010	Public Information and Inspection and Copying of Records

PURPOSE AND EFFECT: To establish rules for the Big Bend Water Authority.

SUMMARY: Organizational Rules.

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: 163.01, 373.1962, 119.021, 120.53, 119.07, 118.416 FS.

LAW IMPLEMENTED: 120.53, 163.01, 189.416, 119.021, 120.525, 120.565, 120.569, 120.57 FS.

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

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: Jo Hiers. 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: Jo Hiers

THE FULL TEXT OF THE PROPOSED RULES IS:

49E-1.001 Agency Description.

(1) The Big Bend Water Authority is a public body authorized by Section 373.1962, Florida Statutes. It was created by Interlocal Agreement pursuant to Section 163.01, Florida Statutes. The counties of Dixie and Taylor are the Parties to that agreement.

(2) The Board of Directors is the head of the Big Bend Water Authority. The Board consists of three (3) representatives of each of the Parties, and each representative is appointed by and serves at the pleasure of the governing body of the Parties. A seventh board member is elected by the six (6) appointed representatives. The Board's officers consist of a Chairman, Vice-Chairman, Secretary and Treasurer, each of whom shall serve for a term of one (1) year, or until their respective successor is elected and qualified. The Board is vested with all the powers of the authority.

(3) The General Manager is the Chief Executive Staff Officer of the Big Bend Water Authority, who serves at the pleasure of the Board of Directors. The General Manager administers the Big Bend Water Authority, organizes staff efforts and employs necessary staff with Board approval.

(4) The General Counsel is the Chief Legal Officer of the Big Bend Water Authority, and also serves at the pleasure of the Board of Directors. The General Counsel provides legal advice and support to the Board of Directors and the General Manager.

Specific Authority 163.01, 373.1962 FS. Law Implemented 120.53 FS. History--New _____.

49E-1.002 Registered Office, Office Hours and Copies of Documents.

(1) The registered office of the Big Bend Water Authority is:

1313 First Avenue S. E.
Steinhatchee, Florida 32359

(2) Office Hours: Office hours are 8:00 a.m. to 4:00 p.m. each weekday, except holidays.

(3) Copies of documents: Information or requests for copies of Rules, Orders, Publications or Documents issued by the Big Bend Water Authority may be obtained in accordance with Rule 49E-1.010, F.A.C.

Specific Authority 163.01(5) FS. Law Implemented 163.01(5), 189.416 FS. History--New _____.

49E-1.003 Boundaries.

The boundaries of the Big Bend Water Authority shall consist of a portion of the unincorporated area of Taylor County, Florida, known generally as the Steinhatchee community, and a portion of the unincorporated areas of Dixie County, Florida, known generally as Jena and Rocky Creek. The legal description of the service area specifically consists of:

A governmental utility service area in Sections 20, 21, 28, 29, 30, 31, 32, 33, 34, Township 8 South, Range 10 East, Sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 28, 29, 30, 31, 32, 33, Township 9 South, Range 10 East, Sections 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, 36, Township 9 South, Range 9 East, Sections 1, 2, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, Township 10 South, Range 9 East, Sections 4, 5, 6, 7, 8, 18, Township 10 South, Range 10 East, all lands lying east of the Gulf of Mexico. The perimeter being more particularly described as follows:

Commence at the intersection of the West line of Section 27, Township 9 South, Range 9 East and the Gulf of Mexico for a point of beginning; thence run North along the West line of said Section 27, to the SW corner of Section 22; thence run north along the west line of said Section 22 to the SW corner of Section 15; thence run north along the west line of said Section 15 to the NW corner of said Section 15; thence run east along the north line of said Section 15 to the NW corner of Section 14; thence run east along the north line of said Section 14 to the SW corner of Section 12; thence run north along the west line of said Section 12 to the NW corner of said

Section 12; thence run east along the north line of said Section 12 to the SW corner of Section 6, Township 9 South, Range 10 East; thence run north along the west line of said Section 6 to the SW corner of Section 31, Township 8 South, Range 10 East; thence run north along the west line of said Section 31 to the SW corner of Section 30; thence run north along the west line of said Section 30 to the NW corner of said Section 30; thence run east along the north line of said Section 30 to the SW corner of Section 20; thence run north along the west line of said Section 20 to the NW corner of said Section 20; thence run east along the north line of said Section 20 to the NW corner of Section 21; thence run east along the north line of said Section 21 to the NE corner of said Section 21; thence run south along the east line of said Section 21 to the NE corner of Section 28; thence run south along the east line of said Section 28 to the NW corner of Section 34; thence run east along the north line of said Section 34 to the NE corner of said Section 34; thence run south along the east line of said Section 34 to the NE corner of Section 3, Township 9 South, Range 10 East; thence run south along the east line of said Section 3 to the NW corner of Section 11; thence run east along the north line of said Section 11 to the NE corner of said Section 11; thence run south along the east line of said Section 11 to the NE corner of Section 14; thence run south along the east line of said Section 14 to the SE corner of said Section 14; thence run west along the south line of said Section 14 to the NE corner of Section 22; thence run south along the east line of said Section 22 to the SE corner of said Section 22; thence run west along the south line of said Section 22 to the NE corner of Section 28, thence run south along the east line of said Section 28 to the NE corner of Section 33; thence run south along the east line of said Section 33 to the NE corner of Section 4, Township 10 South, Range 10 East; thence run south along the east line of said Section 4 to the SE corner of said Section 4; thence run west along the south line of said Section 4 to the NE corner of Section 8; thence run south along the east line of said Section 8 to the SE corner of said Section 8; thence run west along the south line of said Section 8 to the NE corner of Section 18; thence run south along the east line of said Section 18 to the SE corner of said Section 18; thence run west along the south line of said Section 18 to the NE corner of Section 24, Township 10 South, Range 9 East; thence run south along the east line of said Section 24 to the SE corner of said Section 24; thence run west along the south line of said Section 24 to the SE corner of Section 23; thence run west along the south line of said Section 23 to the SE corner of Section 22; thence run west along the south line of said Section 22 to the Gulf of Mexico; thence meander northerly along the Gulf of Mexico to the

point of beginning. All lands north of the Steinhatchee River lying in Taylor County and all lands lying south of the Steinhatchee River lying in Dixie County, Florida.

Specific Authority 163.01, 373.1962 FS. Law Implemented 120.53 FS. History–New _____.

49E-1.004 Statutes and Rules Affecting Agency Operations.

Pursuant to Sections 373.1962 and 163.01, Florida Statutes, the Big Bend Water Authority has responsibility for developing, storing and supplying water and treating wastewater for public and private purposes in such a manner as will give priority to reducing adverse and environmental effects of excessive or improper withdrawals from concentrated areas. In carrying out this responsibility, the Big Bend Water Authority is especially affected by Chapters 373 and 403, Florida Statutes, and Chapters 40D and 62, F.A.C.

Specific Authority 163.01, 373.1962 FS. Law Implemented 120.53, FS. History–New _____.

49E-1.005 Delegation of Authority by the Board of Directors.

The Board of Directors, as head of the Big Bend Water Authority has delegated authority as follows:

(1) To the General Manager to hire or terminate the employment of any employee with the consent of the Chairman, or in his absence, the Vice Chairman; to recommend and maintain personnel rules which shall be made available for public inspection; to secure services, labor or material costing \$1,000 or less; to prepare proposed budgets; to advise the Board on budget matters; to keep correct minutes and records of Board meetings; to prepare agendas; to represent the Big Bend Water Authority at public hearings; to serve as the Registered Agent of the Big Bend Water Authority.

(2) It is recognized that in making the foregoing delegations of authority, that the Board shall continue to retain and exercise general supervisory authority over the matters stated therein.

Specific Authority 163.01(5), 373.1962 FS. Law Implemented 120.53 FS. History–New _____.

49E-1.006 Designation of Agency Clerk and Official Reporter.

(1) The General Manager shall serve as the Big Bend Water Authority's Clerk. The Clerk has responsibility for filing all final agency decisions. The Clerk shall indicate the date of filing on the decision. The Clerk also has responsibility for filing all notices of appeal and for preparation of the record in all judicial reviews of agency actions pursuant to Section 120.68, Florida Statutes.

(2) The Big Bend Water Authority designates Judicial Administrative Research Associates, Inc. (JARA) and Florida Administrative Law Reports, Inc. (FALR), publishers of the

Florida Administrative Law Reports, as its official reporter for the purpose of publishing and indexing by subject matter all authority orders rendered after a proceeding which affects substantial interests has been held.

Specific Authority 163.01, 373.1962 FS. Law Implemented 120.53 FS. History–New _____.

49E-1.007 Maintenance of Records.

Final Orders that comprise final agency action and that must be indexed or listed pursuant to this Chapter shall be permanently maintained by the Big Bend Water Authority pursuant to the retention scheduled approved by the Department of State, Division of Library and Information Services.

Specific Authority 119.021, 120.53 FS. Law Implemented 119.021 FS. History–New _____.

49E-1.008 General Description of Agency Operations.

The Big Bend Water Authority’s staff is essentially composed of employees needed to operate and maintain the facilities of the Authority and an administrative staff needed to support operations, planning, design and construction of facilities. All employees of the Authority report to the General Manager. The internal structure of the staff is periodically reviewed by the General Manager and presented graphically on an organizational chart.

(1) The General Manager exercises those powers and duties delegated pursuant to subsection 49E-1.005, F.A.C. Additional functions carried out by personnel located in the General Manager’s office include the recordation of Board minutes, preparation of all necessary notices and agendas, scheduling of workshops and meetings, certification of the authenticity of documents and filing of all final Agency decisions and notices of appeal.

(2) The General Manager is also responsible for supervising the planning and construction of new facilities and the modification of existing facilities, and providing supervisory oversight for the operation of those facilities operated by the Big Bend Water Authority.

(3) Outside professional accountants may assist the General Manager in keeping the Authority’s financial records, preparing its financial statements and reports, and in preparing its proposed budgets and the annual financial audit.

Specific Authority 163.01, 373.1962 FS. Law Implemented 120.53 FS. History–New _____.

49E-1.009 Adoption of Model Rules of Procedure.

The Big Bend Water Authority adopts by reference the following Model Rules of Procedure of the Administration Commission:

(1) Chapter 2A-102, F.A.C., Agenda and Scheduling Meetings and Workshops.

(2) Chapter 2A-103, F.A.C., Rulemaking Proceedings.

(3) Chapter 2A-105, F.A.C., Declaratory Statements.

(4) Chapter 2A-106, F.A.C., Decisions Determining Substantial Interest.

Specific Authority 163.01, FS. Law Implemented 120.525, 120.565, 120.569, 120.57 FS. History–New _____.

49E-1.010 Public Information and Inspection and Copying of Records.

(1) Requests for information, disclosure of public records or copies of public records shall be directed to the General Manager of the Big Bend Water Authority at the following address:

1313 First Avenue S. E.
Steinhatchee, Florida 32359

(2) The Big Bend Water Authority will charge \$0.15 per page for standard legal or letter size copies and \$0.20 per page for two-sided copies. If special equipment, paper, materials, or services are required for reproduction for requested copies, the Big Bend Water Authority shall charge the estimated actual cost for making the copies.

(3) In addition to the actual cost of materials and supplies, a special service charge will be assessed for providing information or documents when the nature or volume of the records requested requires extensive clerical or supervisory assistance by the Big Bend Water Authority personnel. For the purpose of this Rule, “extensive” means that it will take more than fifteen (15) minutes to locate, review for confidential or exempt information, copy, and refile the requested material. The special service charge will be computed to the nearest quarter for an hour exceeding fifteen (15) minutes based on the current rate of pay for the pay grade of the person who performed the service and will be assessed when appropriate regardless of the number of individual copies made. The Big Bend Water Authority shall also charge for the cost of mailing the requested records or copies including the cost of the envelope or container and postal service or other delivery charge.

(4) Payment of costs assessed in subsection (2) and (3) above must be received before copies will be provided.

Specific Authority 163.01(5), 119.07(1), 189.416 FS. Law Implemented 163.01(5) FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Michael P. Spellman, General Counsel

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: William H. Cake, Chairman of Board of Directors

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 27, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Pilot Commissioners

RULE NO.: 61G14-19.001
 RULE TITLE: Percentage of Gross Pilotage Assessed

PURPOSE AND EFFECT: The purpose and effect is to update the percentage of gross pilotage assessed.

SUMMARY: The percentage of gross pilotage assessed is updated.

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: 310.131, 310.185 FS.

LAW IMPLEMENTED: 310.131 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: Robyn Barineau, Executive Director, Board of Pilot Commissioners, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G14-19.001 Percentage of Gross Pilotage Assessed.

(1) The Department of Business and Professional Regulation shall assess the pilots in the respective ports of the state ~~eight tenths one tenth~~ of one percent (~~.8% .1%~~) of the gross amount of pilotage earned by said pilots during each year. For the purposes of said assessment, the gross amount of pilotage earned shall be the amount of money collected by each pilot or by each entity of which the pilot is a member for piloting which shall include and not be limited to payment for piloting vessels to and from ports of this state, docking or undocking vessels, shifting vessels, running lines, delivering orders at sea, cancelled orders, boat service, detention, pilots being carried to sea, anchoring vessels, and any other related services rendered. Funds collected due under this are to be made payable to the Board and paid by the fifteenth of the following month. When received, the funds are paid into the Professional Regulation Trust Fund as created within the Department.

(2) No change.

THIS RULE SHALL TAKE EFFECT ON JULY 1, 2008.

Specific Authority 310.131, 310.185 FS. Law Implemented 310.131 FS. History—New 2-5-76, Amended 1-19-77, 1-1-78, 12-7-78, 11-1-81, 6-8-82, 8-9-82, 7-31-83, Formerly 21SS-3.01, Amended 5-30-89, 2-19-90, 12-30-91, 12-2-92, Formerly 21SS-3.001, 21SS-19.001, Amended 3-20-94, 1-5-95, 1-30-96, 3-17-96, 11-21-96, 8-25-97, 1-26-99, 1-31-01, 8-1-02, 7-8-03, 2-17-05, 10-2-05, 2-1-06, 5-1-06, 7-1-06, 1-1-07, 8-1-07, 12-16-07, 7-1-08.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pilot Commissioners

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Pilot Commissioners

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 19, 2007

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.505
 RULE TITLE: Middle St. Johns River TMDLs

PURPOSE AND EFFECT: The purpose of the rule is to adopt Total Maximum Daily Loads (TMDLs) and their allocations. The TMDLs to be adopted through this rule are for the Wekiva River (including Wekiwa Spring) and Rock Springs Run (nitrate and total phosphorus), Little Wekiva Canal (total nitrogen, total phosphorus, and biochemical oxygen demand), Little Wekiva Canal and Little Wekiva River (fecal coliform), Spring Lake (total nitrogen and total phosphorus), Lake Florida (total nitrogen and total phosphorus), Lake Orienta (total nitrogen and total phosphorus), Lake Adalaide (total nitrogen and total phosphorus), Lake Lawne (total nitrogen and total phosphorus), Silver Lake (total nitrogen and total phosphorus), and Bay Lake (total nitrogen and total phosphorus).

SUMMARY: These TMDLs address the nutrient impairments in the Wekiva River (including Wekiwa Spring), Rock Springs Run, Spring Lake, Lake Florida, Lake Orienta, Lake Adalaide, Lake Lawne, Silver Lake, and Bay Lake, nutrient and dissolved oxygen impairments in the Little Wekiva Canal, and fecal coliform impairment in the Little Wekiva Canal and the Little Wekiva River, which were verified as impaired using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code. The percent reduction method was used to develop the nitrate and total phosphorus TMDLs for the Wekiva River (including Wekiwa Spring) and Rock Springs Run, the Watershed Management Model (WMM), and Bathtub Model were used to simulate the total nitrogen and total phosphorus TMDLs for

Spring Lake, Lake Florida, Lake Orienta, Lake Adalaide, Lake Lawne, Silver Lake, and Bay Lake. The United States Environmental Protection Agency Storm Water Management Model (SWMM) was used to simulate the BOD, total nitrogen, and total phosphorus TMDLs for Little Wekiva Canal. The load duration analysis method was used to develop the fecal coliform TMDLs for the Little Wekiva Canal and the Little Wekiva River.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Department does not plan to prepare a Statement of Estimated Regulatory Cost (SERC) for this proposed Rule.

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 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 15, 2008, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Lab Building, Room A204, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. 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: Jan Mandrup-Poulsen, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3555, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8448

THE FULL TEXT OF THE PROPOSED RULE IS:

62-304.505 Middle St. Johns River Basin TMDLs.

(1) Wekiwa Spring. The Total Maximum Daily Loads for Wekiwa Spring are to achieve 0.286 mg/L nitrate and 0.065 mg/L total phosphorus for the discharge from Wekiwa Spring, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 79% reduction of nitrate and a 64% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are a 79% reduction of nitrate and a 64% reduction of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(2) Wekiva River Upstream Segment. The Total Maximum Daily Loads for the Wekiva River Upstream Segment are to achieve 0.286 mg/L nitrate and 0.065 mg/L total phosphorus in the stream segment, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources are 2,805 lbs/month of nitrate and 40 lbs/month of total phosphorus. The wasteload allocations are granted to the Wekiva Hunt Club Wastewater Treatment Facility.

(b) The Wasteload Allocations for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 68% reduction of nitrate and a 61% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are a 68% reduction of nitrate and a 61% reduction of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(3) Wekiva River Downstream Segment. The Total Maximum Daily Loads for the Wekiva River Downstream Segment are to achieve 0.286 mg/L nitrate and 0.065 mg/L total phosphorus in the stream segment, and are allocated as follows:

(a) The Wasteload Allocations for wastewater sources are 572 lbs/month of total nitrogen and 191 lbs/month of total phosphorus granted to the SCES/Yankee Lake Wastewater Reclamation Facility, and 91 lbs/month of nitrate and 26 lbs/month of total phosphorus granted to the Altamonte Springs Regional Wastewater Reclamation Facility.

(b) The Wasteload Allocations for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 47% reduction of nitrate and a 57% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are a 47% reduction of nitrate and a 57% reduction of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(4) Rock Springs. The Total Maximum Daily Loads for Rock Springs are to achieve 0.286 mg/L nitrate and 0.065 mg/L total phosphorus for the discharge from Rock Springs, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 81% reduction of nitrate and a 23% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are a 81% reduction of nitrate and a 23% reduction of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(5) Rock Springs Run. The Total Maximum Daily Loads for Rock Springs Run are to achieve 0.286 mg/L nitrate and 0.065 mg/L total phosphorus in the stream segment, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 63% reduction of nitrate and a 58% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are a 63% reduction of nitrate and a 58% reduction of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(6) Little Wekiva Canal dissolved oxygen TMDL. The Total Maximum Daily Loads to address the low dissolved oxygen condition in Little Wekiva Canal are 76,554 lbs/year of biochemical oxygen demand and 42, 624 lbs/year total nitrogen, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 11% reduction of biochemical oxygen demand and a 45% reduction of total nitrogen based on data in the period from 1997 through 2005.

(c) The Load Allocations for nonpoint sources are 76,554 lbs/year of biochemical oxygen demand and 42, 624 lbs/year total nitrogen based on data in the period from 1997 through 2005, and

(d) The Margin of Safety is implicit.

(7) Fecal Coliform TMDL for Little Wekiva Canal and Little Wekiva River: The Total Maximum Daily Load is an annual median of 2.06×10^{11} colonies/day and is allocated as follows:

(a) The Wasteload Allocation for the City of Altamonte Springs Regional Wastewater Reclamation Facility is 1.19×10^8 colonies/day.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to

address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1996 through 2003 period, will require a 43% reduction at sources contributing to exceedances of the criteria.

(c) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1996 through 2003 period, will require a 43% reduction of sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(e) While the LA and WLA for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal concentration. However, it is not the intent of the TMDL to abate natural background conditions.

(8) Spring Lake. The Total Maximum Daily Loads for Spring Lake are 8,551 lbs/year of total nitrogen and 641 lbs/year of total phosphorus, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 30% reduction of total nitrogen and a 65% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are 8,551 lbs/year of total nitrogen and 641 lbs/year of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(9) Lake Florida. The Total Maximum Daily Loads for Lake Florida are 8,377 lbs/year of total nitrogen and 571 lbs/year of total phosphorus, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 34% reduction of total nitrogen and a 69% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are 8,377 lbs/year of total nitrogen and 571 lbs/year of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(10) Lake Orienta. The Total Maximum Daily Loads for Lake Orienta are 6,092 lbs/year of total nitrogen and 451 lbs/year of total phosphorus, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department’s National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 42% reduction of total nitrogen and a 74% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are 6,092 lbs/year of total nitrogen and 451 lbs/year of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(11) Lake Adelaide. The Total Maximum Daily Loads for Lake Adelaide are 3,003 lbs/year of total nitrogen and 228 lbs/year of total phosphorus, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department’s National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 40% reduction of total nitrogen and a 72% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are 3,003 lbs/year of total nitrogen and 228 lbs/year of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(12) Lake Lawne. The Total Maximum Daily Loads for Lake Lawne are 21,692 lbs/year of total nitrogen and 2,005 lbs/year of total phosphorus, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department’s National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 26% reduction of total nitrogen and a 49% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are 21,692 lbs/year of total nitrogen and 2,005 lbs/year of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(13) Silver Lake. The Total Maximum Daily Loads for Silver Lake are 6,241 lbs/year of total nitrogen and 370 lbs/year of total phosphorus, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department’s National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 24%

reduction of total nitrogen and a 70% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are 6,241 lbs/year of total nitrogen and 370 lbs/year of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

(14) Bay Lake. The Total Maximum Daily Loads for Bay Lake are 1,428 lbs/year of total nitrogen and 109 lbs/year of total phosphorus, and are allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable.

(b) The Wasteload Allocations for discharges subject to the Department’s National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program are a 39% reduction of total nitrogen and a 66% reduction of total phosphorus based on data in the period from 1996 through 2006.

(c) The Load Allocations for nonpoint sources are 1,428 lbs/year of total nitrogen and 109 lbs/year of total phosphorus based on data in the period from 1996 through 2006, and

(d) The Margin of Safety is implicit.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.061, 403.062, 403.067 FS. History—New.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett, Deputy Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary Regulatory Programs and Energy, Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-5.0065
RULE TITLE: Exemption of Spouse of Member of Armed Forces from License Renewal Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the exemption of a spouse of a member of the armed forces from license renewal requirements.

SUMMARY: The rule amendment will clarify the exemption of a spouse of a member of the armed forces from license renewal requirements.

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: 456.024(2), 468.204, 468.219 FS.
 LAW IMPLEMENTED: 456.024(2), 468.219 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: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-5.0065 Exemption of Spouse of Member of Armed Forces from License Renewal Requirements.
 A licensee who is the spouse of a member of the Armed Forces of the United States shall be exempt from all licensure renewal provisions for any period of time which the licensee is absent from the State of Florida due to the spouse's duties with the Armed Forces. The licensee must document the absence and the spouse's military status to the Board. If the change of status occurs within the second half of the biennium, the licensee is exempt from the continuing education requirement for that biennium.

Specific Authority 456.024(2), 468.204, 468.219 FS. Law Implemented 456.024(2), 468.219 FS. History--New 12-21-99, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2008

VIOLATIONS

- (a) CME violations Podiatrist. (Section 456.077(2) and 461.013(1)(w), F.S.).
 1. Failure to document 40 of the 40 required hours.
 2. Failure to document required two (2) hour medical errors, HIV/AIDS, Florida laws and rules, or risk management CME.
 3. Documentation of some, but not all 40 hours of required CME for license renewal.
- (b) CME violations: Podiatric X-ray Assistant Failure to document required eight (8) hour recertification course.
- (c) Practice on a delinquent license for a period of up to three months. (Sections 461.012(1)(a) and

PENALTY

- \$5,000 fine and reprimand
- \$500 fine per category
- \$125 fine for each hour not documented
- \$150 fine
- \$500 fine for Podiatrist;
\$150 fine for Podiatric X-ray Assistant

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

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: 64B18-14.010
 RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to update violations and penalties.

SUMMARY: Violations and penalties will be updated.

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: 456.072, 456.077, 461.005 FS.
 LAW IMPLEMENTED: 456.057, 456.062, 456.072, 456.077, 461.012, 461.013(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: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B18-14.010 Citations.

(1) through (2) No change.

(3) The following violations may be disposed of by the Department by citation with the specified penalty:

- 461.013(1)(w), F.S.).
- (d) Failure to notify Department of change of current mailing address and place of practice. (Sections 461.013(1)(h) and 456.035(1), F.S.) \$500 fine for Podiatrist; \$150 fine for Podiatric X-ray Assistant
- (e) Failure to provide medical record of one patient in a timely manner. (Section 456.057, F.S.) \$500 fine and proof records were provided
- (f) Failure to provide the disclaimer required for free or discounted services. (Sections 456.062, 456.077(2) and 461.013(1)(w), F.S.) \$500 fine
- (g) Soliciting patients. (Sections 456.072(1)(x), 456.077(2), 461.013(1)(k), and 461.013(1)(w), F.S.) \$500 fine
- (h) Tendering a check payable to the Board of Podiatric Medicine or to the Department of Health that is dishonored by the institution upon which it is drawn. Failure to comply with the requirements of profiling or credentialing. (Section ~~456.072(1)(v) and 456.077(2), F.S.~~) \$100 fine and payment of the check within 30 days ~~\$500 fine~~
- (i) Failure to pay the one time assessment fee of \$375.00 Citation fine of \$500.00 plus payment of cost and the \$375.00 assessment fee.
- (j) Failure to pay required costs and fines. (Section 456.077(2), F.S.) \$2,500 fine and compliance of outstanding costs and fines within sixty days
- (k) Failure to comply with Sections 381.026 and 381.0261, F.S., referencing patients bill of rights. (Section 456.077(2), F.S.) \$250 fine and compliance within ten days
- (l) Failure to submit or update profiling or credentialing information ~~comply with~~ a fine of \$50.00 per day
- (Sections 456.039(3)(b) ~~and (Section 456.077(2), F.S.)~~)
- (m) 381.0261, F.S., referencing patients bill of rights. (Section 456.077(2), F.S.)

(4) through (5) No change.

Specific Authority 456.072, 456.077, 461.005 FS. Law Implemented 456.057, 456.062, 456.072, 456.077, 461.012, 461.013(7) FS. History--New 1-19-92, Formerly 21T-14.010, 61F12-14.010, Amended 3-26-95, 2-25-96, 6-17-97, Formerly 59Z-14.010, Amended 11-23-00, 8-13-02, 7-26-04, 6-14-06, 10-11-06, 10-7-07.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Podiatric Medicine
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Podiatric Medicine
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 28, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 14, 2008

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-12.0075
 RULE TITLE: Biennial Limited License Renewal Fee

PURPOSE AND EFFECT: The Board proposes the rule promulgation in order to establish the limited license renewal fee.

SUMMARY: The rule promulgation will establish the fee for a limited license renewal.

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: 456.036(3) FS.

LAW IMPLEMENTED: 456.036(3) 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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.0075 Biennial Limited License Renewal Fee.
The fee for renewal of a limited license is \$25.00.
Specific Authority 456.036(3) FS. Law Implemented 456.036(3) FS. History--New

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: 64B19-12.0085
 RULE TITLE: Delinquency Fee
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to add a delinquency fee for the limited license and to clarify language concerning delinquency fees for licensees.

SUMMARY: A delinquency fee for a limited license will be added to the rule; language will be clarified regarding delinquency fees for licensees.

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: 456.036(7) FS.
 LAW IMPLEMENTED: 456.036(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: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.0085 Delinquency Fee.

If an active or inactive license ~~license~~ is not renewed on time, the licensee shall pay a delinquency fee of \$400.00. If a limited license is not renewed on time, the licensee shall pay a delinquency fee of \$25.00.

Specific Authority 456.036(7) FS. Law Implemented 456.036(7) FS. History--New 1-7-96, Formerly 59AA-12.0085, Amended 8-8-01,

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 4, 2008
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 7, 2008

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-3.018
 RULE TITLE: One Time Fee Assessment
 PURPOSE AND EFFECT: The Department wants to create a rule to establish a one time fee assessment.

SUMMARY: The rule requires licensees to pay a one time fee of \$250.00 and provides for notification of the fee assessment.
 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: 456.025(5), 467.005, 467.0135 FS.
 LAW IMPLEMENTED: 456.025(5) 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: Pamela King, Council of Licensed Midwifery, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B24-3.018 One Time Fee Assessment.
(1) Each person with a license to practice midwifery under Chapter 467, F.S., issued on or before December 15, 2008, shall pay a one-time fee of \$250.00 to the Council of Licensed Midwifery to be received by the department no later than midnight on December 31, 2008. The fee must be paid by licensees, including those with licenses on inactive or

delinquent status, regardless of discipline imposed including suspension, but does not apply to those with a temporary certificate or retired status.

(2) Failure to timely pay the one-time assessment is a violation of Section 467.203(1)(j), F.S., and this rule. After December 31, 2008, no delinquent or inactive status license shall be reinstated or reactivated until the fee is paid.

(3) The department shall notify licensees of the assessment by postcard at their address of record no later than August 1, 2008, but not receiving notice does not excuse a failure to comply. The licensure application package shall include notice or a copy of this rule for those who are licensed between August 1 and December 15, 2008.

Specific Authority 456.025(5), 467.005, 467.0135 FS. Law Implemented 456.025(5) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pamela King

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.:	RULE TITLES:
65E-9.001	Applicability
65E-9.002	Definitions
65E-9.003	Licensure
65E-9.005	Operating Standards
65E-9.006	Program Standards
65E-9.007	Staffing
65E-9.008	Admission
65E-9.011	Discharge and Discharge Planning
65E-9.012	Rights of Children
65E-9.013	Restraint, Seclusion, and Time-Out

PURPOSE AND EFFECT: The purpose of the proposed rule is to amend the current rule to correct technical errors and statutory changes and to modify sections related to definitions, licensure, operating and program standards; staffing and admissions criteria, rights of children, and restraints and use of seclusion.

SUMMARY: These rules shall apply to all residential treatment centers, including therapeutic group homes under contract with the department or the agency to provide treatment services to children with emotional disturbances who are admitted to services pursuant to Chapter 39 or Chapter 394, Florida Statutes. These rules shall also apply to providers serving children through age 20 who have been committed to the department under Chapter 985.19, F.S.

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: 39.407, 394.875(8) FS.

LAW IMPLEMENTED: 394.875 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: Michael Sorrell, Medicaid Program Analyst, Department of Children and Families, Mental Health Program, 1317 Winewood Blvd., Building 6, Room 293, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

65E-9.001 Applicability.

These rules shall apply to all residential treatment centers, including therapeutic group homes under contract with the department or the agency to provide treatment services to children with an emotional disturbance or serious emotional disturbance who are admitted to services pursuant to Chapter 39 or Chapter 394, F.S. These rules shall also apply to providers that serve children through age 20 who are committed under Chapter 985.19 ~~223~~, F.S.

Specific Authority 39.407, 394.875(8)(10) FS. Law Implemented 394.875 FS. History—New 7-25-06, Amended _____.

65E-9.002 Definitions.

(1) through (21) No change.

(22) “Multidisciplinary team” means the group of individuals brought together to plan and coordinate mental health and related services to meet the needs of the child and their family in the most appropriate, least restrictive setting. Members of the team should include the child, unless clinically contraindicated, the child’s parent or legal guardian and other caregiver, such as the foster parent; the child welfare service worker; the child’s therapist, behavioral analyst, the child’s Individual Education Plan surrogate and others who have information or services to offer for the child’s treatment plan.

(22) through (27) renumbered (23) through (28) No change.

~~(29)(28)~~ “Residential treatment center” means a 24-hour residential program, including a therapeutic group home which provides mental health treatment and services to children as defined in Section 394.492(2) or (6), F.S., and which is a private for-profit or not-for-profit corporation ~~under contract~~

~~with the department or the agency.~~ This rule does not change the Chapter 419, F.S., designation of a program as a “community residential home.”

(29) through (38) renumbered (30) through (39) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.003 Licensure.

(1) through (3) No change.

(4) Initial license – New construction, new operation, or change of licensed operator. Applicants for an initial license shall submit the most current a completed AHCA Form 3180-5004, ~~June 2004~~, “Residential Treatment Centers for Children and Adolescents,” which is incorporated by reference and may be obtained from the agency. The application must be submitted to the agency at least 60 days prior to the date the facility would be available for inspection. The applicant shall provide all the information required by Sections 394.875 and 394.876, F.S., and any other information determined to be needed by the agency. The application shall be under oath and must be accompanied by the appropriate license fee in order to be accepted and considered timely. The following information shall be submitted with the application.

(4)(a) through (g)8. No change.

~~9. A copy of the current signed contract with the department.~~

~~9.10. For facilities that would be considered a community residential home under Chapter 419, F.S., who are being licensed for the first time or existing facilities that have changed location or ownership shall~~ provide a completed DCF Form 1786, “Community Residential Home Sponsor Form,” which is incorporated by reference and may be obtained from the department. For all other residential treatment centers, being licensed for the first time or who have changed location or ownership shall provide a report or letter from the zoning authority dated within the last six months indicating the street location is zoned appropriately for its use.

~~10.44. A copy of the center's occupational license.~~

(5) through (7)(a) No change.

(b) All applicants shall submit an application on the most current version of AHCA Form 3180-5004, ~~June 2004~~, “Residential Treatment Centers for Children and Adolescents Application”, which is incorporated by reference, which is provided by the AHCA. The application is available on the agency's web site at [http://www.ahca.aha-myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/ index.shtml](http://www.ahca.aha-myflorida.com/MCHQ/Health_Facility_Regulation/Hospital_Outpatient/index.shtml). The application shall include: all information required by Sections 394.875 and 394.876, F.S., and any other information determined to be needed by the agency; and

(c) through (18) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.004 Administrative Enforcement.

(1) through (3) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06.

65E-9.005 Operating Standards.

(1) through (3)(d) No change.

(e) Fees. ~~A For children placed by the department and funded in full or in part by state, Medicaid, or local matching funds,~~ a sliding fee schedule shall be developed consistent with the provisions Section 394.674(4), F.S. If fees are charged, the provider shall have a written policy describing the relationships between fees and services provided and the conditions under which fees are charged or waived. This policy shall be available to any person upon request.

(f) through (9) No change.

(10) Disaster and emergency preparedness.

(a) EMERGENCY PLAN COMPONENTS. Each facility shall prepare a written comprehensive emergency management plan in accordance with CF-MH 1065, “Emergency Management Planning Criteria for Residential Treatment Facilities,” dated 08/2007, which is incorporated by reference. This document is available on the Department’s website at <http://www.dcf.state.fl.us/publications/eforms/mh1065>. The comprehensive emergency management plan must, at a minimum address the following: The provider shall develop and implement on an ongoing basis procedures for fire and other emergencies including bomb threats, weather emergencies such as tornadoes and hurricanes. Disaster preparedness and evacuation procedures, that address where and how children are transported during disasters, staffing, notification of families and the department, and how the provider shall obtain and provide general and specialized medical, surgical, psychiatric, nursing, pharmaceutical, and dental services, shall be reviewed and approved by the county emergency management agency where the facility is located.

1. Provision for all hazards.

2. Provision for the care of residents remaining in the facility during an emergency including pre-disaster or emergency preparation; protecting the facility; supplies; emergency power; food and water; staffing; and emergency equipment.

3. Provision for the care of residents who must be evacuated from the facility during an emergency including identification of such residents and transfer of resident records; evacuation transportation; sheltering arrangements; supplies; staffing; emergency equipment; and medications.

4. Provision for the care of additional residents who may be evacuated to the facility during an emergency including the identification of such residents, staffing, and supplies.

5. Identification of residents with mobility limitations who may need specialized assistance either at the facility or in case of evacuation.

6. Identification of and coordination with the local emergency management agency.

7. Arrangement for post-disaster activities including responding to family inquiries, obtaining medical intervention for residents; transportation; and reporting to the county office of emergency management the number of residents who have been relocated and the place of relocation.

8. The identification of staff responsible for implementing each part of the plan.

(b) Evacuation routes shall be posted in conspicuous places and reviewed with staff and children on a semi-annual basis. Evidence of these periodic reviews shall be maintained in the facility's files and available upon request.

(c) EMERGENCY PLAN APPROVAL. The plan shall be submitted for review and approval to the county emergency management agency.

1. Any revisions must be made and the plan resubmitted to the county office of emergency management within 30 days of receiving notification from the county agency that the plan must be revised.

2. Newly-licensed facility and facilities whose ownership has been transferred, must submit an emergency management plan within 30 days after obtaining a license.

3. The facility shall review its emergency management plan on an annual basis. Any substantive changes must be submitted to the county emergency agency for review and approval.

a. Changes in the name, address, telephone number, or position of staff listed in the plan are not considered substantive revisions for the purposes of this rule.

b. Changes in the identification of specific staff must be submitted to the county emergency management agency annually as a signed and dated addendum that is not subject to review and approval.

4. Any plan approved by the county emergency management agency shall be considered to have met all the criteria and conditions established in this rule.

(d) PLAN IMPLEMENTATION. In the event of an internal or external disaster the facility shall implement the facility's emergency management plan in accordance with Section 252.36, F.S.

1. All staff must be trained in their duties and are responsible for implementing the emergency management plan.

2. If telephone service is not available during an emergency, the facility shall request assistance from local law enforcement or emergency management personnel in maintaining communication.

(e) FACILITY EVACUATION. The facility must evacuate the premises during or after an emergency if so directed by the local emergency management agency.

1. The facility shall report the evacuation to the local office of emergency management or designee and to the area Department of Children Mental Health Program Office within six hours of the evacuation order and when the evacuation is complete if the evacuation is not completed within the six hour period.

2. The facility shall not be re-occupied until the area is cleared for reentry by the local emergency management agency or its designee and the facility can meet the immediate needs of the residents.

3. A facility with significant structural damage must relocate residents until the facility can be safely re-occupied.

4. The facility is responsible for knowing the location of all residents until the resident has been relocated from the facility.

5. The facility shall provide the agency with the name of a contact person who shall be available by telephone 24-hours a day, seven days a week, until the facility is re-occupied.

6. The facility shall assist in the relocation of residents and shall cooperate with outreach teams established by the Department of Health or emergency management agency to assist in relocation efforts. Resident needs and preferences shall be considered to the extent possible in any relocation decision.

(11) No change.

Specific Authority 39.407, 394.875(8)(10) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

65E-9.006 Program Standards.

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

(3) Treatment and services.

(a) Treatment shall be individualized, child and family centered, culturally competent, and based on the child's assessed strengths, needs, and presenting problems that precipitated admission to the program.

(b) Treatment services shall be provided as part of an individualized written treatment services plan that complies with Rule 65E-9.009, F.A.C., of this rule.

(c) through (4)(g) No change.

(5) Education. The provider shall arrange for or provide an educational program for children, that complies with the State Board of Education, Rule 6A-6.0361, F.A.C. Chapter 65A-15, F.A.C.

(6) through (12) No change.

Specific Authority 39.407, 394.875(8)(10) FS. Law Implemented 394.875 FS. History--New 7-25-06, Amended _____.

65E-9.007 Staffing.

(1) through (2) No change.

(3) Staff Composition. The provider shall have the following staffing, any of which may be part-time, if the required equivalent full-time coverage is provided, except for those positions with a required specified staffing ratio:

(a) Psychiatrist.

1. For residential treatment centers, the provider shall have on staff or under contract a psychiatrist, licensed under Chapter 458, F.S., who is board certified or board eligible in child and adolescent psychiatry to serve as medical director for the program and such position shall oversee the development and revision of the treatment plan and the provision of mental health services provided to children. A similarly qualified psychiatrist who consults with the board certified psychiatrist may provide back-up coverage. A psychiatrist shall be on call 24 "hours a day", seven "days-a-week", and shall participate in staffings. For children committed under Section 985.19.223, F.S., a psychologist as defined in paragraph 65E-9.007(3)(d), F.A.C., may be used in lieu of the medical director to oversee the development and revision of the treatment plan and the provision of mental health services provided to children.

2. through (b) No change.

(c) Registered nurse.

1. ~~A registered nurse shall supervise the nursing staff. For residential treatment centers that use seclusion or restraint in their program, a registered nurse shall supervise the nursing staff. At a minimum, a licensed practical nurse shall be on duty 24 hours a day, 7 days a week.~~ During the times that the children are present in the facility and normally awake, the nursing staff to child ratio shall be no less than 1:30, and during normal sleeping hours, the nursing staff to child ratio shall be no less than 1:40.

2. For therapeutic group homes ~~residential treatment centers~~ that do not use restraint or seclusion in their program, the provider is not required to have a registered nurse or other nursing staff on duty, but shall have definitive written agreements for obtaining necessary nursing services.

(3)(d) through (e)4. No change.

5. While transporting residents of residential treatment centers other than group homes, the driver shall not be counted as the direct care staff providing care, assistance or supervision of the child. For therapeutic group home residents, prior to a single staff person transporting one or more children in a motor vehicle, children must be assessed to ensure the safety of the children and staff.

(f) If the provider's program includes behavior analysis services, a certified behavior analyst, a master's level practitioner, or professionals licensed under Chapter 490 or 491, F.S., with documented training and experience in behavior management program design and implementation shall be employed on staff or under contract, either full or part time, to provide ongoing staff training and quality assurance in the use

of the behavior management techniques, which may include, but are not limited to those listed in paragraph 65E-9.007(5)(e)~~4.c.(e)~~, F.A.C.

(g) through (6) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History—New 7-25-06, Amended.

65E-9.008 Admission.

(1) Admission procedures subsections (3) through (6) do not apply to children placed in accordance with Section 985.19, F.S. The following admission procedures do not apply to children placed in accordance with Chapter 985, F.S.

(2) No change.

(3) Acceptance of a child for residential treatment in a residential treatment center, including therapeutic group home, ~~(excluding children placed under Chapter 985, F.S.)~~ shall be based on the assessed needs of the child, family, or guardian recommendations, and the determination that the child requires treatment of a comprehensive and intensive nature and the provider's ability to meet those needs.

(4) Children placed by the department ~~(excluding children placed under Chapter 985, F.S.)~~ and funded in full or in part by state, Medicaid, or local matching funds shall be admitted only after they have on recommendation of the appropriate multidisciplinary team, been personally examined and assessed for suitability for residential treatment. For children in departmental custody, the assessment must be by a qualified evaluator as defined in Section 39.407(6)(b), F.S. Children in parental custody must be assessed by a clinical psychologist or by a psychiatrist licensed to practice in the State of Florida, with experience or training in children's disorders, by a licensed psychologist or psychiatrist who has at least three years of experience in the diagnosis and treatment of serious emotional disturbances in children and adolescents and who has no actual or perceived conflict of interest with any inpatient facility or residential treatment center, For children currently in residential placement, recommendations of the facility treatment team may serve as authorization for placement in therapeutic group homes. The assessment must result in a report whose written findings are that:

(a) The child has an emotional disturbance as defined in Section 394.492(5), F.S., or a serious emotional disturbance as defined in Section 394.492(6), F.S.;

(b) The emotional disturbance or serious emotional disturbance requires treatment in a residential treatment center;

(c) All available treatment that is less restrictive than residential treatment has been considered or is unavailable;

(d) The treatment provided in the residential treatment center is reasonably likely to resolve the child's presenting problems as identified by the qualified evaluator;

(e) The provider is qualified by staff, program and equipment to give the care and treatment required by the child's condition, age and cognitive ability;

(f) The child is under the age of 18; and

(g) The nature, purpose and expected length of the treatment have been explained to the child and the child's parent or guardian and guardian ad litem.

(5) through (7)(m) No change.

1. If a physical examination was not performed within the 90 days prior to admission and documentation of such examination was not provided, a physical examination shall be initiated within 24 hours of admission by a medical professional licensed physician. This medical professional may be a registered nurse, physician's assistant, Advanced Registered Nurse Practitioner or medical doctor who has authority to perform physical examinations of a medical nature shall be initiated within 24 hours of admission.

2. through (8)(e) No change.

(f) Provisions for treatment service plan reviews;

(g) through (9)(c) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.009 Treatment Planning.

(1) through (6) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06.

65E-9.010 Length of Stay.

(1) through (3) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06.

65E-9.011 Discharge and Discharge Planning.

(1) through (11) No change.

(12) Notwithstanding subsections 1-11 of Rule 65E-9-001, F.A.C., Providers who serve children committed under Section 985.19 ~~223~~, F.S., shall abide by the following standards with regard to discharge planning:

(a) The provider shall finalize the discharge summary and have it approved and signed by the treatment team. At least 30 days before the proposed discharge, a copy of the discharge summary shall be sent to the child's home district. The provider and district shall coordinate with each other to assist the district in the development of the discharge plan based on the provider's recommendations for services after discharge.

(b) Once noticed by the court of a pending hearing related to child's competency to proceed, the discharge summary shall be copied to the parties identified in Section 985.19~~223~~, F.S.

(c) through (13) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.012 Rights of Children.

(1) through (3)(b) No change.

(c) The provider shall establish and implement a written procedure for the immediate protection of the alleged victim or any other potential victim and prevention of a recurrence of the alleged incident pending investigation by the department or law enforcement.

(d) through (3) No change.

(4) Confidentiality related to HIV-infected children. The provider shall protect the confidentiality of HIV-infected children as specified in Section 381.004 ~~381.400~~, F.S. The provider shall also ensure that:

(a) through (d) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.013 Restraint, Seclusion, and Time-Out.

(1) through (2) No change.

(3) Authorization of restraint or seclusion.

(a) Restraint or seclusion shall be used and continued only pursuant to an order by a board certified or board eligible psychiatrist licensed under Chapter 458 ~~409~~, F.S., or licensed physician with specialized training and experience in diagnosing and treating mental disorders and who is the child's treatment team physician. If the child's treatment team physician is unavailable, the physician covering for the treatment team physician may meet these qualifications. Physicians allowed to order seclusion and restraint, pursuant to this rule, must be trained in the use of emergency safety interventions prior to ordering them.

(b) through (j)2. No change.

3. The emergency safety intervention ordered, including the length of time for which the physician authorized its use, which length of time shall not exceed the time limits set forth in subsection 65E-9.013(3)(f)1.-3. ~~(4)~~, F.A.C.

(4) through (11) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06, Amended.

65E-9.014 Medication Administration and Use of Psychotropic Medications

(1) through (14) No change.

Specific Authority 39.407, 394.875(8)(40) FS. Law Implemented 394.875 FS. History–New 7-25-06.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Sorrell

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Laurie Blades

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 1, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 22, 2008

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
690-157.004	Out-of-State Group Long-Term Care Insurance
690-157.104	Policy Practices and Provisions
690-157.114	Filing Requirement – Out of State Groups
690-157.117	Prohibition Against Preexisting Conditions and Probationary Periods in Replacement Policies or Certificates

PURPOSE AND EFFECT: To remove the 24-month nursing home coverage requirement for long term care insurance policies sold after July 1, 2006, and to state that a long term care insurance policy shall be incontestable after two years.

SUMMARY: : HB 947 made changes to Florida law regarding Long Term Care. This law did two things, one, it stated that after 24 months, a long term care policy was incontestable, and two, it removed the clause which prohibited a long term care policy from providing for less than 24 consecutive months for nursing home care.

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: 624.308(1), 626.9611, 627.9407(1), (6), 627.9408 FS.

LAW IMPLEMENTED: 624.307(1), 626.9541(1)(a), (g), 627.410, 627.603, 627.646, 627.9402, 627.9403, 627.9405(2), 627.9406, 627.9407, 627.94076, 627.9408 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:

DATE AND TIME: May 14, 2008, 9:30 a.m.

PLACE: 142 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gerry Smith gerry.smith@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Gerry Smith gerry.smith@fldfs.com

THE FULL TEXT OF THE PROPOSED RULES IS:

690-157.004 Out-of-State Group Long-Term Care Insurance.

(1) No group long-term care insurance coverage may be offered to a resident of this state under a group policy issued in another state to a group described in Section 627.9405(1)(c) or (d), F.S., unless this state or such other state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in this state has made a determination that such requirements have been met. Evidence to this effect shall be filed by the insurer with the department pursuant to the procedures specified in Section 627.410, F.S. Such evidence shall consist of:

(a) Filing of policy and certificate forms, including rates and rate development information, which demonstrate that the requirements of Sections 627.9401-9408, Florida Statutes, and these rules have been met, except Section 627.9405(2), F.S; or

(b)1. Filing of a truthful certification by an officer of the insurer that another state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida has made a determination that such requirements have been met; and

2. Filing of the policy and certificate forms to be issued and delivered, including rates and rate development information, which demonstrate that the requirements of another state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida have been met.

(2) In order for a state to be deemed to have statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida, such state must require that long-term care policies meet at least all of the following requirements:

(a) A minimum period of coverage of at least 24 consecutive months for each covered person; This provision is not applicable to coverage issued or renewed after July 1, 2006.

(b) Minimum loss ratio standards at levels at which benefits are reasonable in relation to premiums and calculated in a manner which provides for adequate reserving of the long-term care insurance risk;

(c) A 30-day “free look” period, or longer, within which individual certificateholders have the right to return the certificate after its delivery and to have the premium refunded for any reason;

(d) A prohibition or limitation on pre-existing condition exclusions at least as favorable to a policyholder as that specified in Section 627.9407(4), Florida Statutes;

(e) A prohibition against a policy or certificate excluding or using waivers or riders of any kind to exclude, limit, or reduce coverage or benefits for specifically named or described pre-existing diseases or physical conditions beyond any pre-existing condition waiting period;

(f) A prohibition or limitation on prior institutionalization provisions at least as favorable to a policyholder as that specified in Section 627.9407(5), Florida Statutes, including the mandatory offer provisions of paragraph (5)(c) of such section;

(g) A prohibition or limitation on policy cancellations or nonrenewals at least as favorable to a policyholder as that specified in Section 627.9407(3)(a), Florida Statutes; and

(h) A prohibition against a policy restricting its coverage to care only in a nursing home or providing significantly more coverage for such care than coverage for lower levels of care;

(i) A requirement that policies prominently disclose that the policy may not cover all of the costs associated with long-term care which may be incurred by the buyer during the period of coverage and that the buyer is advised to periodically review the policy in relation to the changes in the cost of long-term care.

(j) Except for nonpayment of premiums and as provided by Section 627.94076, F.S., provide all insureds an endorsement that provides that upon renewal of a policy on or after July 1, 2008, the coverage shall be incontestable after it has been in force during the lifetime of the insured for a period of 2 years after its date of issue.

(3) Unless a group policy issued in another state has been filed for approval in Florida, no such policy or certificate issued thereunder shall contain a statement that the policy has been approved as a long-term care policy meeting the requirements of Florida law or words of similar meaning.

(4)(a) All changes to rates, together with an actuarial memorandum developing and justifying the rate change, shall be filed with the Office pursuant to the procedures specified in Section 627.410, F.S., and Rule Chapter 69O-149, F.A.C., as though the policy had been issued in Florida.

(b) For those policies which have been determined to be regulated by a state with substantially similar long term care insurance requirements, pursuant to paragraph 69O-157.004(1)(b), F.A.C., form and rate changes shall be filed for informational purposes at least 30 days prior to use.

Specific Authority 624.308(1), 627.9407(1) FS. Law Implemented 624.307(1), 627.410, 627.9403, 627.9406, 627.9407(1), (8) FS. History–New 5-17-89, Formerly 4-81.004, Amended 1-13-03, Formerly 4-157.004, Amended.

69O-157.104 Policy Practices and Provisions.

(1) through (3) No change.

(4) Minimum Coverage.

(a) All long-term care policies shall provide coverage for at least 24 consecutive months for each covered person for care in a nursing home. This provision is not applicable to coverage issued or renewed after July 1, 2006.

(b) All long-term care policies shall provide coverage for at least one type of lower level of care, in addition to coverage for care in a nursing home.

(c)1.a. No long-term care policy shall provide significantly more coverage for care in a nursing home than coverage for lower levels of care. In furtherance of this requirement, benefits for all lower levels of care in the aggregate, as determined by the insured for each policy, shall provide a level of benefits equivalent to at least 50 percent of the benefits provided for nursing home coverage; i.e., if the nursing home benefit amount is \$100 per day then the required lower level of care benefit amount shall be at least \$50 per day.

b. For the purposes of applying this 50 percent equivalency requirement to a policy benefit period, the lower level of care shall be, in the aggregate, at least 50 percent of the benefit period provided for nursing home coverage.

c. If a long-term care policy provides nursing home coverage for an unlimited duration, the lower level of care shall be payable for at least 3 years in the aggregate.

2. A long-term care policy may use an overall lifetime benefit maximum, in lieu of the specific coverage identified by paragraph (c), above, which may be exhausted by any combination of benefits provided the overall lifetime benefit maximum is at least 150 percent of the minimum coverage required by paragraph 69O-157.104(4)(a), F.A.C., times the amount of daily nursing home benefit purchased.

(d) For the purposes of this rule, “lower level(s) of care” means the following:

1. Nursing service;
2. Assisted living facility;
3. Home health services;
4. Adult day care center;
5. Adult foster home;
6. Community care for the elderly; and
7. Personal care and social services.

(5) through (11) No change.

Specific Authority 624.308(1), 627.9407(1), (6), 627.9408 FS. Law Implemented 624.307(1), 627.410(6), 627.603, 627.646, 627.9402, 627.9405(2), 627.9407 FS. History–New 1-13-03, Formerly 4-157.104, Amended.

69O-157.114 Filing Requirement - Out of State Groups.

(1) No group long-term care insurance coverage may be offered to a resident of this state under a group policy issued in another state to a group described in Section 627.9405(1)(c) or (d), F.S., unless this state or such other state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in this state has made a determination that the requirements have been met. Evidence to this effect shall be filed by the insurer with the Office pursuant to the procedures specified in Section 627.410, F.S. The evidence shall consist of:

(a) Filing of policy and certificate forms, including rates and rate development information, as though the policy/certificate were issued in this state, which demonstrate that the requirements of Sections 627.9401-627.9408, F.S., and these rules have been met; or

(b)1. Filing of a truthful certification by an officer of the insurer that another state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida has made a determination that such requirements have been met; and

2. Filing of the policy and certificate forms to be issued and delivered, including rates and rate development information, which demonstrate that the requirements of another state having statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida have been met.

(2) In order for a state to be deemed to have statutory and regulatory long-term care insurance requirements substantially similar to those adopted in Florida, that state shall require that long-term care policies meet at least all of the following requirements:

(a) A minimum period of coverage of at least 24 consecutive months for coverage in a nursing home for each covered person and an additional coverage of 50 percent for lower levels of care as provided in subsection 690-157.104(4), F.A.C. The minimum 24 month nursing home coverage is not applicable to coverage issued or renewed after July 1, 2006.

(b) The standards of Rules 690-157.108 and 690-157.113, F.A.C.;

(c) A 30-day “free look” period, or longer, within which individual certificateholders have the right to return the certificate after its delivery and to have the premium refunded for any reason;

(d) A prohibition or limitation on pre-existing condition exclusions at least as favorable to a policyholder as that specified in Section 627.9407(4), F.S.;

(e) A prohibition against a policy or certificate excluding or using waivers or riders of any kind to exclude, limit, or reduce coverage or benefits for specifically named or described pre-existing diseases or physical conditions beyond any pre-existing condition waiting period;

(f) A prohibition or limitation on prior institutionalization provisions at least as favorable to a certificateholder as that specified in Section 627.9407(5), F.S., including the mandatory offer provisions of paragraph (5)(c) of that section;

(g) A prohibition or limitation on certificate cancellations or nonrenewals at least as favorable to a certificateholder as that specified in Section 627.9407(3)(a), F.S.;

(h) A requirement that a policy and certificate prominently disclose that the policy and certificate may not cover all of the costs associated with long-term care which may be incurred by

the buyer during the period of coverage and that the buyer is advised to periodically review the certificate in relation to the changes in the cost of long-term care;

(i) A minimum 30 day grace period for nonpayment of premium with notice and protection requirements as provided by Section 627.94073, F.S.;

(j) Pursuant to Section 627.94072, F.S., a mandatory offer to the potential insured policyholder or certificateholder, as applicable, of a nonforfeiture provision meeting the standards of Rule 690-157.118, F.A.C.;

(k) Pursuant to Section 627.94072, F.S., a mandatory offer to the potential insured policyholder or certificateholder, as applicable, of an inflation protection provision:

(l) Contain a contingent benefit upon lapse provision at least as favorable to the insured as that in Rule 690-157.118, F.A.C.;

(m) Disclosure of rating practices to consumers as outlined in Rule 690-157.107, F.A.C.;

(n) A conversion or continuation privilege at least as favorable as subsection 690-157.104(8), F.A.C.; ~~and~~

(o) A prohibition or limitation on an elimination period in excess of 180 days; and

(p) Pursuant to Section 627.94076, F.S., provide that the policy shall be incontestable after it has been in force during the lifetime of the insured for a period of 2 years after its date of issue except for nonpayment of premiums. For any long-term care insurance policy issued prior to July 1, 2006, the provisions of Section 627.94076, F.S., shall apply to such policy only upon renewal of such policy on or after July 1, 2008, and the policy shall so provide by endorsement to the policy.

(3) Unless a group policy issued in another state has been filed for approval in Florida, no such policy or certificate issued thereunder shall contain a statement that the policy has been approved as a long-term care policy meeting the requirements of Florida law or words of similar meaning.

(4)(a) All changes to rates, together with an actuarial memorandum developing and justifying the rate change, shall be filed with the Office pursuant to the procedures specified in Section 627.410, F.S., and this rule chapter as though the policy had been issued in Florida.

(b) For those policies which have been determined to be regulated by a state with substantially similar long term care insurance requirements pursuant to paragraph 690-157.114(1)(b), F.A.C., form and rate changes shall be filed for informational purposes at least 30 days prior to use.

Specific Authority 624.308(1), 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 627.410, 627.9402, 627.9406, 627.9407(1), (3), (4), (8), (9), 627.94076, 627.9408 FS. History—New 1-13-03, Formerly 4-157.114, Amended _____.

690-157.117 Prohibition Against Preexisting Conditions and Probationary Periods in Replacement Policies or Certificates.

If a long-term care insurance policy or certificate replaces another long-term care policy or certificate, the replacing insurer shall waive any time periods applicable to time limit on certain defenses, preexisting conditions and probationary periods in the new long-term care policy for similar benefits to the extent that similar exclusions have been satisfied under the original policy.

Specific Authority 624.308(1), 626.9611, 627.9407(1), 627.9408 FS. Law Implemented 624.307(1), 626.9541(1)(a), (g), 627.9402, 627.9407(1), 627.94076, 627.9408 FS. History—New 1-13-03, Formerly 4-157.117, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gerry Smith gerry.smith@fldfs.com
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gerry Smith gerry.smith@fldfs.com
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 27, 2007
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 1, 2008

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-203.070
 RULE TITLE: Annual and Quarterly Reports

PURPOSE AND EFFECT: To establish the requirements for annual and quarterly reports submitted by prepaid limited health service organizations.

SUMMARY: This rule is being amended to reflect the correct forms to be used by the prepaid limited health service organizations in filing their quarterly and annual financial statements. The rule is being updated to require the filings to be submitted on the National Association of Insurance Commissioners (NAIC) Health blanks.

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: 636.067 FS.
 LAW IMPLEMENTED: 636.009(1)(f), 636.043, 626.058 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 13, 2008, 9:30 a.m.
 PLACE: 143 Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Marie Bachman marie.bachman@fldfs.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Marie Bachman marie.bachman@fldfs.com

THE FULL TEXT OF THE PROPOSED RULE IS:

690-203.070 Annual and Quarterly Reports.

(1)(a) Pursuant to Section 636.043, F.S., ~~Each PLHSO shall furnish to the Office an annual report by April 1, or within 3 months after the end of the reporting period at the time specified in Section 636.043, F.S., on NAIC Annual Statement Health Blanks as adopted, forms OIR-1131 and OIR-1132 which are incorporated by reference in Rule 690-137.001 690-203.100, F.A.C.~~ Each PLHSO shall furnish to the Office an annual report by April 1, or within 3 months after the end of the reporting period at the time specified in Section 636.043, F.S., on NAIC Annual Statement Health Blanks as adopted, forms OIR-1131 and OIR-1132 which are incorporated by reference in Rule 690-137.001 690-203.100, F.A.C.

(b) The completed annual statement form shall be accompanied by the items required in Section 636.043, F.S., ~~and as well as~~ an organization chart of the PLHSO identifying ownership and affiliated parent and subsidiary companies, ~~and shall be submitted by April 1, or within three months after the end of its reporting period.~~ and as well as an organization chart of the PLHSO identifying ownership and affiliated parent and subsidiary companies, and shall be submitted by April 1, or within three months after the end of its reporting period.

(2) Each PLHSO or applicant shall notify the Office of any legal proceeding, excluding traffic infractions, involving any person subject to providing biographical information. This shall include, but not be limited to, any and all criminal, civil, and administrative actions entered by any state or federal entity and to include pending but yet unresolved actions.

(3) Any PLHSO which has operations in states other than Florida shall file its annual report based upon its total operations. In addition, the PLHSO shall file a separate schedule of all financial statements specified in the annual report form, including the audited financial statement, which covers the Florida operations only.

(4) If a PLHSO constitutes a portion of or a division of a certificated entity, the entity shall file its annual report based upon its total operations. In addition, the entity shall file a separate schedule of all financial statements specified in the annual report form, including the audited financial statement, which covers the PLHSO operation only.

(5) The annual report shall include disclosure of material transactions between the PLHSO and a related party. The disclosure shall include:

- (a) The nature of the relationship(s) involved.
- (b) A description of the transaction, including transactions to which no amounts or nominal amounts were ascribed, for each of the periods for which income statements are presented,

and such other information deemed necessary to an understanding of the effects of the transaction on the financial statements.

(c) The dollar amounts of transactions for each of the periods for which income statements are presented and the effects of any change in the method of establishing the terms from that used in the preceding period.

(d) Amounts due from or to related parties as of the date of each balance sheet presented and, if not otherwise apparent, the terms and manner of settlement.

(6) Quarterly reports shall be submitted to the Office within forty-five (45) days following the end of each operating quarter. The initial operating quarter commences after the issuance of a ~~Certificate of Authority~~. Quarterly reports shall be submitted in accordance with Section 636.043, F.S., on NAIC Quarterly Statement Health Blanks, as adopted in Rule 690-137.001 form OIR-1136, incorporated by reference in Rule 690-203.100, F.A.C., and shall contain the following supplemental schedules:

(a) A complete identification and dollar value breakdown of all short term investments with individual balances greater than 10% of total short term investments;

(b) A complete list of all debtors with account balances greater than 10% of total prepaid expenses;

(c) An aging analysis on all premium receivables;

(d) A complete aging, identification, and dollar value breakdown of all prepaid expenses with individual balances greater than 10% of total prepaid expenses;

(e) A complete identification and dollar value breakdown of all restricted assets and restricted funds with individual balances greater than 10% of the respective account balance total;

(f) A complete identification and dollar value breakdown of all long term investments with individual balances greater than 10% of total long term investments;

(g) A complete identification and dollar value breakdown of other assets with individual balances greater than 10% of total other assets;

(h) All surplus notes shall be identified by a complete identification and dollar value breakdown and shall be accompanied by a copy of the surplus note agreement. Each PLHSO is required to submit four (4) quarterly reports in addition to an annual report each fiscal year.

Specific Authority 636.067 FS. Law Implemented 636.009(1)(f), 636.043, 626.058 FS. History–New 11-15-94, Formerly 4-203.070, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Marie Bachman marie.bachman@fldfs.com
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Marie Bachman marie.bachman@fldfs.com

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 9, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 21, 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."

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

RULE NO.: 40B-1.901 RULE TITLE: General

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. 3, January 18, 2008 issue of the Florida Administrative Weekly.

CHAPTER 40B-1 General and Procedural Rules

40B-1.901 General.

(1) through (10) No change.

(11) Application for General Work of the District Development Permit, Effective January 29, 2001;

(12) through (17) No change.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented: 373.118, 373.413, 373.416, 373.426 FS. History–New 9-15-81, Amended 3-17-88, 12-21-88, 10-8-89, 6-17-93, 10-3-95, 1-3-96, 6-22-99, 1-29-01, 5-15-05, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-814.100 RULE TITLE: Intent, Findings, Basis of Standards and Research Needs

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. 52, December 28, 2007 issue of the Florida Administrative Weekly.

62-814.100 Intent, Findings, Basis of Standards and Research Needs.

(1) No change.

(2) Findings. Based on the information available to the Department, the Department makes the following general findings:

(a) The Department has reviewed the present scientific data on the potential for health effects of electric and magnetic fields. The Department has also reviewed data on the existing or potential electric and magnetic field levels near electrical transmission and distribution lines and substations in Florida. Although there is evidence of biological effects and a potential for adverse health effects on the public, there is no conclusive evidence that there is any danger or hazard to public health at the levels of ~~existing 60 hertz~~ electric and magnetic fields ~~found in Florida, there is evidence of biological effects and a potential for adverse health effects on the public~~ permitted by the standards set forth in this Chapter.

(b) No change.

(3) No change.

(4) Categories of Electrical Facilities. This chapter sets forth ~~two~~ three categories of electrical facilities for regulation in regards to the electric and magnetic fields associated with these facilities.

(5) No change.

Specific Authority 403.061(7), 403.523(1) FS. Law Implemented 403.061(30), 403.523(14) FS. History–New 3-21-89, Amended 1-7-93, Formerly 17-274.100, 17-814.100, Amended.

62-814.450 Electric and Magnetic Field Standards.

(1) through (2) No change

Table of New Transmission Line and Substation Standards			
KV Rating	Property Boundary of new Substation	Edge of Transmission Line Right-of-Way	On the Transmission Line Right-of-Way
<+2350 kV	2.00 kV/m & 150 milliGauss	2.00 kV/m & 150 milliGauss	8 kV/m
<=500 kV and > 230 kV	2.00 kV/m & 200 milliGauss ^[1]	2.00 kV/m & 200 milliGauss ^[1]	10 kV/m
>500 kV	2.00 kV/m & 250 milliGauss	2.00 kV/m & 250 milliGauss	15 kV/m

Footnote 1: Except as provided in paragraphs (2)(g) and (2)(i).

Specific Authority 403.061(7), 403.523(1) FS. Law Implemented 403.061(30), 403.523(~~14~~) FS. History–New 3-21-89, Amended 1-7-93, Formerly 17-274.450, 17-814.450, Amended.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-1.009 RULE TITLE: Requesting a Pre-hearing Review

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. 4, January 25, 2008 issue of the Florida Administrative Weekly.

The changes are in response to comments from staff of the Joint Administrative Procedures Committee.

The changes are as follows:

After the candidate’s petition for a hearing, pursuant to Section 120.57, Florida Statutes, and Rule 28-106.201, Florida Administrative Code, has been filed, either the candidate, and the candidate’s attorney or both shall be permitted a one (1) pre-hearing review pursuant to Rule 28-106.209, Florida Administrative Code of the disputed examination questions and answers at the department’s headquarters in Tallahassee for the purpose of to preparing for the administrative hearing under the following conditions:

(1) No change.

(2) The candidate shall submit a written request for such review shall be submitted to the department’s attorney at least fourteen (14) days prior to the hearing date.

(3) through (5) No change.

Specific Authority 456.004(5), 456.014, 456.017(2) FS. Law Implemented 456.014, 456.017 FS. History–New 9-7-98, Amended 2-21-00, 7-20-03.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jennifer Wenhold

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Wenhold

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 14, 2007

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-1.013 RULE TITLE: Post-Examination Review

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. 4, January 25, 2008 issue of the Florida Administrative Weekly.

The changes are in response to comments from staff of the Joint Administrative Procedures Committee.

The changes are as follows:

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

(h) Prior to a post-examination review, candidates shall be provided written instructions and shall acknowledge in writing at that time, receipt of such instructions and agree that they will abide by the following instructions:

- 1. through 7. No change.
- (i) through (j) No change.
- (3) No change.

Specific Authority 456.004(5), 456.017(2) FS. Law Implemented 456.017(2) FS. History--New 9-7-98, Amended 7-20-03.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jennifer Wenhold
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Jennifer Wenhold
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2007
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 14, 2007

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: RULE TITLE:
64B10-11.011 Provisional License

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 12, March 21, 2008 issue of the Florida Administrative Weekly.

A Notice of Proposed Rule Development regarding the above-proposed rule was published in the March 21, 2008 issue of the Florida Administrative Weekly, Vol. 34, No. 12, on page 1658. The Rule Number and Rule Title were published incorrectly as 64B10-11.0011 Mandatory HIV/AIDS and Prevention of Medical Errors Education for Initial Licensure and Renewal. The foregoing change does not affect the substance of the Notice.

The person to be contacted regarding the above change is Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3254

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
69O-136.019 Insurance Administrator Annual
 Report and Licensure Application

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 10, March 9, 2007 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: RULE TITLE:
69O-167.004 Required Preinsurance Inspection of
 Private Passenger Motor Vehicles

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. 6, February 8, 2008 issue of the Florida Administrative Weekly.

Subsection (10) is changed by changing reference to subsection “(10)” to “(9)”.

Subsection (13) is changed to replace “FJUA” with “Florida Joint Underwriting Association”.

Subsection (15) is changed by changing the reference to “(16)(a)” to “(15)(a)”.

Subsection (18) is changed by technically correcting forms OIR-B1-506 and

OIR-B1-508. The text of the subsection is changed by revising the effective date of forms OIR-B1-506 to (01/2008) and changing the title of form OIR-B1-508 to “Acknowledgement of Requirement of Preinsurance Inspection.

Subsection (19)(a) is changed to read: The Office’s website located at <https://www.flor.com>, by clicking on search and entering the form number.

The remainder of the reads as previously published.

**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**

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 March 31, 2008, the South Florida Water Management District (District), received a petition for waiver from the City of Lauderdale Lakes, Application No. 071217-1, for utilization of Works or Lands of the District known as the C-13 Canal, Palm Beach County, for a pedestrian bridge with associated ramps, hardscaping, landscaping, lighting, and fencing, located within the C-13 right of way adjacent to N. W. 35th Avenue; Section 19, Township 49 South, Range 42 East. The Petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District 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 at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on March 31, 2008, the South Florida Water Management District (District), received a petition for waiver from the City of Lauderdale Lakes, Application No. 071217-2, for utilization of Works or Lands of the District known as the C-13 Canal, Palm Beach County, for a pedestrian greenway consisting of pedestrian pathway, hardscaping, landscaping, lighting and fencing located within the C-13 south right of way from N. W. 52nd Avenue to SR 7-U.S. 441 and from N. W. 33rd Avenue to N. W. 31st Avenue; Section 19 and 24, Township 49 South, Range 41 and 42 East. The Petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground structures within 40 feet of the top of the canal bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Kathie Ruff at (561)682-6320 or email at kruff@sfwmd.gov. The District 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 at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on March 28, 2008, the Department of Business and Professional Regulation, received a petition for waiver of subsection 61A-2.014(6), Florida

Administrative Code. Petitioner TGI Friday's, Inc. requests a waiver of subsection 61A-2.014(6), Florida Administrative Code, which requires all directors or officers of a corporation with an interest in an alcoholic beverage license to file a set of fingerprints at the time of making application for a beverage license or at the time an interest is created after a license has been issued. Petitioner does not qualify as any of the three exceptions also created by Rule 61A-2.014, Florida Administrative Code, but requests the waiver of application of the rule to Petitioner's positions of Assistant Secretary, Assistant Secretary (acting as in-house counsel), Vice President of Operations (with oversight responsibilities relating only to those locations outside of Florida), Vice President of Franchising, Vice President of Strategic Projects, Vice President of International Operations, and Senior Vice President of Marketing and Chief Operations Office, since such positions are not involved in the operation, control or management of any Florida hotel or any alcoholic beverage sales at a Florida location.

A copy of the Petition for Variance or Waiver may be obtained by contacting DeeAnna Owens at (850)414-8125.

NOTICE IS HEREBY GIVEN THAT on March 26, 2008, the the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, RE: The Residences at Whispering Pines Condominium Association, Inc.; Docket No.: 2008010658, has issued an order.

The Division issued an order closing file because the petitioner withdrew its petition for waiver.

A copy of the Order 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.

NOTICE IS HEREBY GIVEN THAT on March 26, 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 La Piazzetta 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-five (25).

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 has issued an order.

NOTICE WAS HEREBY GIVEN THAT on March 26, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from La Piazzetta 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-five (25).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (25) which includes inside and outside seating. 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 March 28, 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 13, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Flagler Eleven located in Miami. 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 share bathroom facilities with an adjacent establishment and have seating for nineteen.

This variance request was approved and is contingent upon the Petitioner ensuring the bathrooms located inside of Pilar Unisex are functional, has running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within/or outside the establishment clearly stating the location of the bathrooms. Petitioner will have no more than nineteen seats which includes inside and outside seating. 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 March 28, 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 14, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Genna Pizza Company located in Melbourne. 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 sixteen (16).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (16) which includes inside and outside seating. 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 March 28, 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 20, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from K. J.'s Kitchen located in Atlantic Beach. 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).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (20) which includes inside and outside seating. 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 March 28, 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 an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Nature's Table located in

Kissimmee. 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 bathroom facilities that are located outside of the establishment that are approximately fifty (50) feet away.

This variance request was approved and is contingent upon the Petitioner ensuring the outside public bathrooms are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (33) which includes inside and outside seating. 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 March 28, 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 Pom Pom Teahouse and Sandwiches located in Orlando. 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 Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

NOTICE WAS HEREBY GIVEN that on March 28, 2008, for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Pom Pom Teahouse and Sandwiches located in Orlando. 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).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (19) which includes inside and outside seating. 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 3, 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 Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from El Taconazo located in Tampa. 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 unisex handicap accessible bathroom and one men's bathroom for patrons and they are requesting a variance to have a seating capacity of sixty (60).

This variance request was approved and is contingent upon the Petitioner ensuring public bathrooms are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. 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 3, 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 25, 2008, for a Routine Variance for subsection 61C-4.010(6), Florida Administrative Code, from Main Street Station located in Daytona Beach. The above referenced F.A.C. states...the physical facilities at public food service establishments shall be subject to the provisions of Chapter 6, Food Code.... Specifically, the Petitioner requests to have exposed joists in the ceiling of the bar area.

This variance request was approved for allowing exposed solid sealed joists and ties in the outside bar ceiling only. The joists shall be smooth, nonabsorbent, easily cleanable and maintained in good repair. Food preparation is limited to drink preparation only including the scooping of ice; there will be no other food service activities including slicing of fruit, shucking, peeling, warewashing, etc. If the surface of the joists, ties or metal tie downs become weathered and/or cracked rendering them uncleanable, the variance will be rescinded and a properly finished ceiling will be required. 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 3, 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 14, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Pizza Fusion located in Fort Lauderdale. 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 fourteen (14).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (14) which includes inside and outside seating. 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 3, 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 25, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Twistee Treat of Clermont located in Clermont. 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 sixteen (16).

This variance request was approved April 3, 2008, and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (16) which includes inside and outside seating. 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 3, 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 19, 2008, for a Routine Variance for subsection 61C-4.010(7), Florida Administrative Code, from Yanni's Mediterranean Cuisine located in Orlando. 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 (30).

This variance request was approved and is contingent upon the Petitioner ensuring the public bathroom is functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, and kept in a clean and sanitary manner. Seating shall not exceed (30) which includes inside and outside seating. 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 3, 2008, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Ralph Discovery Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

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 has issued an order.

NOTICE WAS HEREBY GIVEN April 3, 2008, for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Ralph Discovery Catering located in Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter

three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance was approved and is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and 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.

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 April 8, 2008, the State of Florida Department of Environmental Protection has issued an order.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to the Lee County Board of County Commissioners, P. O. Box 398, Ft. Myers, FL 32902-0398, (File No. 0265943-002-EV) to allow a

temporarily establishment of an expanded mixing zone of 1500 meters downcurrent from the dredge site on the beach side of the bridge of Blind Pass (Lee County), and from the point of sand discharge onto the beach and nearshore disposal area. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Blvd., M.S. 300, Tallahassee, FL 32399-3000, (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

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

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the

proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsection 28-106.111(2) and paragraphs 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

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

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

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399 3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

A copy of the Order may be obtained by contacting: Matthew Mask, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399, (850)414-7731.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on April 2, 2008, the Board of Nursing has issued an order.

The Board of Nursing has issued an Order on the Petition for Variance or Waiver, which was filed on April 2, 2008 on behalf of Christiane Kom. The Notice of Petition for Variance or Waiver was published in Vol. 34, No. 4, of the January 25, 2008, issue of the F.A.W. The Petitioner requested that on the basis of fairness and hardship reasons described in the Petition, the Board waive the clinical component of the educational requirements under Rule 64B9-2.008, F.A.C., entitled "Clinical Training," for Registered Nurse licensure.

The Board of Nursing considered the Petition at its meeting held on February 14, 2008, in Tallahassee, Florida and approved the Petition, finding that the petitioner met the purpose of the underlying statute, and application of Rule 64B9-2.008, F.A.C., to this applicant would violate the principles of fairness.

A copy of the Order may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

NOTICE IS HEREBY GIVEN THAT on January 3, 2008, the Board of Nursing has issued an order.

The Board of Nursing has issued an Order on the Petition for Variance or Waiver, which was filed on January 3, 2008 on behalf of Sharon Jo Churchill. The Notice of Petition for Variance or Waiver was published in Vol. 33, No. 4, of the January 25, 2008, issue of the F.A.W. The Petitioner requested that on the basis of fairness and hardship reasons described in the Petition, the Board grant a permanent variance or waiver of

Rule 64B9-2.008, F.A.C., entitled "Clinical Training," so as to allow her to sit for the Florida NCLEX examination and to practice as a Registered Nurse in the State of Florida.

The Board of Nursing considered the Petition at its meeting held on February 14, 2008, in Tallahassee, Florida and approved the Petition, finding that the petitioner met the purpose of the underlying statute, and application of Rule 64B9-2.008, F.A.C. to this applicant would violate the principles of fairness.

A copy of the Order may be obtained by contacting: Rick Garcia, Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin C07, Tallahassee, Florida 32399-3259.

NOTICE IS HEREBY GIVEN that on April 3, 2008, the Board of Pharmacy, received a petition for Olusegun Ayuba, 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 4, 2008, the Department of Health has issued an order disposing of a Petition for Waiver from the permitting requirements of Rule 64E-15.010, F.A.C., as filed by Cedar Key United Methodist Church. The petition was filed with the Department on February 22, 2008 and noticed in the Florida Administrative Weekly, on March 7, 2008, in Vol. 34, No. 10.

The Department determined that Petitioner was unable to meet the requirements for the Petition for Waiver because the requirement to obtain a permit from the department is established in Sections 513.02 and 120.542(1), F.S., prohibits a state agency from varying statutory requirements. Therefore, the petition for a permanent waiver is DENIED.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703, (850)245-4023.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on March 12, 2008, the Department of Children and Family Services, received a petition for waiver of subsection 65C-15.017(3), F.A.C. The petition was received by Devereux Florida and Lisa Parani, assigned Case No. 08-006W. Subsection 65C-15.017(3),

F.A.C., requires staff performing casework services shall have a bachelor's degree in social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF STATE

The **Florida Historical Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, May 17, 2008, 9:00 a.m. – Conclusion

PLACE: Florida Public Archaeology Network Coordinating Center, 207 E. Main Street, Pensacola, Florida 32502

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business meeting of the Florida Historical Commission.

A copy of the agenda may be obtained by contacting: Division of Historical Resources, 500 South Bronough Street, Tallahassee, Florida 32399-0250, 1(800)847-7278.

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: Bureau of Historic Preservation, (850)245-6300, Fax (850)245-6437. 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: Bureau of Historic Preservation at (850)245-6300, Fax (850)245-6437.

The **Department of State, Division of Cultural Affairs** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: April 23, 2008 – May 23, 2008, 9:00 a.m. – 5:00 p.m. or until conclusion of business

- | | |
|-------------------|--------------------------------|
| April 23-24, 2008 | Arts In Education |
| April 25, 2008 | Community Theatre |
| April 28, 2008 | Sponsor/Presenter |
| April 29, 2008 | Folk Arts |
| May 1, 2008 | Multidisciplinary & Literature |

May 5, 2008	Professional Theatre
May 7, 2008	Media Arts
May 8, 2008	Science Museums, Youth & Children's Museums
May 13, 2008	Vocal & Instrumental Music
May 14, 2008	Visual Arts and Art Museums
May 15, 2008	Dance
May 19, 2008	Local Arts Agencies
May 21, 2008	Quarterly Assistance, Artist Enhancement, and Underserved Arts Communities Assistance
May 22-23, 2008	Culture Builds Florida

PLACE: These meetings will be held via conference call. For more instructions please visit <http://www.florida-arts.org/grants/panels/teleconference.instructions.html>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review grant applications for the 2008-2009 Arts In Education, Cultural Support, Local Arts Agencies, Quarterly Assistance, Artist Enhancement, Underserved Arts Communities Assistance and Culture Builds Florida Grant Programs.

A copy of the meeting agenda may be obtained by visiting our website www.florida-arts.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 48 hours before the workshop/meeting by contacting: Morgan Lewis at (850)245-6470. 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: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399 or (850)245-6470.

The **Department of State, Division of Cultural Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, April 28, 2008, 1:30 p.m.

PLACE: Conference Room, Walton County Health Department, 475 State Highway 83, DeFuniak Springs, FL 32433, (850)892-8015

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Art Selection Committee for Art in State Buildings Project No. DOH 7006-6100, Walton County Health Department in DeFuniak Springs, will hold an Orientation Meeting to discuss and determine potential artwork sites.

A copy of the agenda may be obtained by contacting: Lee Modica, Program Manager, 500 South Monroe Street, Room 310A, Tallahassee FL 32399-0250, (850)245-6476.

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 Morgan Lewis at (850)245-6356. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, May 15, 2008; Friday, May 16, 2008, 8:30 a.m. – 6:00 p.m.

PLACE: Senate Office Building, 404 South Monroe Street, Room 401, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and adjudication of cases relating to alleged violations of Chapters 104 and 106, Florida Statutes, and to the late filing of campaign treasurer's reports.

For a copy of the agenda or additional information call: Patsy Rushing at telephone number (850)922-4539 or write to 107 W. Gaines Street, Suite 224, Collins Building, Tallahassee, FL 32399-1050.

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. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF EDUCATION

The **Florida Public Archaeology Network** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 2, 2008, 8:00 a.m. (EST)

PLACE: Hampton Inn & Suites, Columbia/Gaspar Room, 1301 E. 17 Avenue, Tampa (Ybor City), FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the Board of Directors in which the operation of the Network is to be reviewed. Budget cuts and appointment of new board members will also be addressed.

A copy of the agenda may be obtained by contacting: An agenda for this meeting will be posted on this website (www.flpublicarchaeology.org) at least seven days in advance of the meeting and can also be obtained by contacting the FPAN as detailed below.

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 the UWF ADA Office at (850)857-6114 (TTY) or (850)473-7469. 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: Cheryl Phelps, Office Administrator, FPAN, (850)595-0050, Fax (850)595-0052, email cphelps@uwf.edu.

DEPARTMENT OF TRANSPORTATION

The **Department of Transportation**, Florida's Turnpike Enterprise announces a hearing to which all persons are invited.

DATE AND TIMES: April 29, 2008, Open House: 5:30 p.m. – 7:00 p.m.; Formal Presentation: 7:00 p.m.

PLACE: Reception Palace Ballrooms, 14375 S. W. 42 Street (Bird Road), Miami, Florida 33175

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public hearing for the Homestead Extension of the Florida's Turnpike (HEFT)/SR 821 Widening project from SR 874 to SR 836, Project Development and Environment Study, Financial Project ID Number 415051-1, is being postponed and will be rescheduled following further evaluation of vehicles entering/exiting Snapper Creek Service Plaza and S. W. 120th Street. The rescheduled public hearing is expected in late summer or early fall.

A copy of the agenda may be obtained by contacting: Mr. Imran Ghani, P.E., Florida's Turnpike Enterprise, P. O. Box 613069, Ocoee, Florida 34761-3069, (407)264-3802, email: imran.ghani@dot.state.fl.us.

The **Department of Transportation**, District One announces a hearing to which all persons are invited.

DATE AND TIMES: Thursday, May 15, 2008, 6:00 p.m. Open House; 7:00 p.m. Formal Presentation

PLACE: Veterans Park Recreation Center, 55 South Homestead, Lehigh Acres, Florida 33936

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons an opportunity to express their views concerning the location,

conceptual design, social, economic, and environmental effects of Financial Project ID Numbers: 419950-1-22-01 and 419950-2-22-01, otherwise known as the S.R. 82 Project Development and Environment (PD&E) Study in Lee, Hendry and Collier Counties, Florida. The project involves the widening of S.R. 82 from Lee Boulevard (C.R. 884) to S.R. 29, a distance of about 23 miles.

This project is being developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free charge) should contact Antone N. Sherrard at the address below or call (863)519-2304, at least seven days prior to the public hearing.

A copy of the agenda may be obtained by contacting: Antone Sherrard, Project Manager, Florida Department of Transportation District One, Post Office Box 1249, Bartow, Florida 33831.

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 announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 21, 2008, 10:00 a.m. – 11:00 a.m. or until business is completed

PLACE: Conference Call Number: 1(888)808-6959, Conference Code: 2452095

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Oceans and Coastal Council will meet to further its duties under the Oceans and Coastal Resources Act.

A copy of the agenda may be obtained by contacting Nicole Robinson at Nicole.Robinson@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Nicole Robinson at Nicole.Robinson@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).

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 7, 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 public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 14, 2008, 6:00 p.m.
PLACE: County Commission Board Room, Suite 160, West Pasco Government Center, 7530 Little Road, New Port Richey, Florida 34654

GENERAL SUBJECT MATTER TO BE CONSIDERED: DOCKET NO. 070394-WU – Application for staff-assisted rate case by Holiday Utility Company, Inc. in Pasco County. The purpose of the customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the meeting.

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 General Counsel at (850)413-6199.

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 the Office of the Commission Clerk 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: Office of the Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 5, 2008, 9:30 a.m.
PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2008, 9:30 a.m.
PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.
LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting the Office of Commission Clerk at (850)413-6770 or writing to the Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399 0850. The agenda and recommendations are also accessible on the PSC Website, at <http://www.floridapsc.com>, at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: April 30, 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 Nominating 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 North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2008, 10:30 a.m.

PLACE: Alachua County Emergency Operations Center, 1100 S. E. 27 Street, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 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 Tampa Bay Regional Planning Council, Executive/Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 9, 2008, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive/Budget Committee.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext 22. 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 Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 9, 2008, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council.

A copy of the agenda may be obtained by contacting: www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Wren Krahl at (727)570-5151, ext. 22. 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 Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 9, 2008, 11:30 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the TBRPC Legislative Committee.

A copy of the agenda may be obtained by contacting Wren Krahl at (727)570-5151, ext. 22.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting Wren Krahl at (727)570-5151, ext. 22. 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 Wren Krahl at (727)570-5151, ext. 22.

The **Tampa Bay Regional Planning Council**, Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 12, 2008, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting www.tbrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting Suzanne Cooper at (727)570-5151, ext. 32. 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 Suzanne Cooper at (727)570-5151, ext. 32.

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

DATE AND TIME: Thursday April 24, 2008, 10:00 a.m. – 12:00 Noon

PLACE: South Florida Regional Planning Council

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue discussions and presentations regarding the advancement of clean alternative fuels within Palm Beach, Broward, Miami-Dade and Monroe Counties.

A copy of the agenda may be obtained by contacting: The Gold Coast Clean Cities Coalition, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021, (954)985-4416.

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: Larry Allen, Gold Coast Clean Cities Coalition, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida

33021, (954)985-4416. 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: Larry Allen, Gold Coast Clean Cities Coalition, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021, (954)985-4416.

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

DATE AND TIME: May 5, 2008, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Updates Amendments for Lauderdale Lakes; Proposed Local Government Comprehensive Plan Amendments for Broward County, Broward County (Alternative Review) and Coconut Creek; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Updates Amendments for Coral Gables, Sunrise, Miramar, Davie, Weston and North Miami; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by calling (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by calling (954)985-4416. 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 call (954)985-4416.

REGIONAL TRANSPORTATION AUTHORITIES

The **South Florida Regional Transportation Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: April 28, 2008, 2:30 p.m.

PLACE: Main Conference Room, South Florida Regional Transportation Authority, Administration Building, 800 N. W. 33rd Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: THE EVALUATION/SELECTION COMMITTEE FOR RFP 08-003 "Marketing, Public Relations, and Advertising Services".

A copy of the agenda may be obtained by contacting Procurement Office at (943)788-7911.

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 at 800 N. W. 33rd Street, Suite 100, Pompano Beach, FL 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

The **R. O. Ranch Inc.**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2008, 6:30 p.m.

PLACE: Fiddlers Restaurant in Steinhatchee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Development of equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Pennie Flickinger, Administrative Assistant, (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 Manager at (386)362-1001 or bck@srwmd.org.

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

Projects and Land Committee Public Meeting

DATE AND TIME: Thursday, May 8, 2008, 6:00 p.m.

PLACE: District Headquarters, Conference Room 162, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Briefing on the Lower St. Johns River Basin Surface Water Improvement and Management (SWIM) Plan and presentation on the Tri-County Agricultural Area (TCAA.)

Projects and Land Committee Business Meeting

DATE AND TIME: Friday, May 9, 2008, 8:00 a.m.

PLACE: District Headquarters, Conference Room 162, Executive Building, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board. A tour of the Tri-County Agriculture Area will follow the Business meeting. NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time, and place set forth above, the Committee shall meet on Tuesday, May 13, 2008, 8:00 a.m. at District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177, (386)329-4347, or by visiting the District's website at www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. 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 **St. Johns River Water Management District** announces a workshop to which all persons are invited.

Governing Board Workshop

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

PLACE: District Headquarters, Governing Board Room, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational workshop on Wetlands and Surface Water.

NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Marji Hightower, 4049 Reid Street, Palatka, FL 32177, (386)329-4214 or by email: mhightower@sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the District Clerk at (386)329-4500. 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 **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 13, 2008:

8:15 a.m. Chair's Meeting

8:45 a.m. Finance, Administration and Audit Committee

10:00 a.m. Regulatory Committee

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition.

PLACE: District Headquarters, Executive Building, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Marji Hightower, 4049 Reid Street, Palatka, FL 32177, (386)329-4214, or by visiting the District's website at www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the District Clerk at (386)329-4500. 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 **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, April 26, 2008, 11:00 a.m.

PLACE: Nature's Classroom, 13100 Verges Road, Thonotosassa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Volunteer Appreciation Day: Recognize contribution of volunteers for their efforts to improve recreation on District lands. Ad Order 39741.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. 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 SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 29, 2008, 9:00 a.m.

PLACE: Tampa Service Office, 7601 Highway 301 North, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: GOVERNING BOARD COMMITTEE MEETINGS, BOARD MEETING, AND PUBLIC HEARING: Conduct Committee meetings and Governing Board meeting and public hearing. Ad Order 39741.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. 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 SWFWMD Executive Department at the address above.

The **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 30, 2008, 12:00 Noon

PLACE: Tampa Convention Center, 333 South Franklin Street, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: MAYOR'S HISPANIC ADVISORY COUNCIL LATINOS UNIDOS LUNCHEON: Honor America's Hispanic Scientists and encourages recruitment diversity. Ad Order 39741.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida 34604, 1(800)423-1476 (Florida) or Frances Sesler at (352)796-7211, extension 4608.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting the General Services Department at 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. 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 SWFWMD Executive Department at the address above.

The **Big Cypress Basin** announces a public meeting to which all persons are invited.

DATE AND TIME: April 25, 2008, 9:00 a.m.

PLACE: Collier County Government Center, 3301 E Tamiami Trail, Naples, FL 34112

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Regular Basin Board Business. The meeting will also include a Budget Workshop to discuss Basin projects for the FY 2009 Budget Year.

A copy of the agenda may be obtained by contacting Kathleen M. Tetrault at (239)263-7615, ext. 7604.

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 Kathleen M. Tetrault at (239)263-7615, ext. 7604. 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 Kathleen M. Tetrault at (239)263-7615, ext. 7604.

The **Water Resources Advisory Commission**, Lake Okeechobee Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2008, 9:00 a.m. – 4:00 p.m.

PLACE: John Boy Auditorium, 1200 South WC Owens Ave., Clewiston, FL 33440

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding Lake Okeechobee service area water supply needs. 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).

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: Friday, April 25, 2008, 10:00 a.m. – until completion

PLACE: Commission Business Office, Rhyne Building, 2740 Centerview Drive, Suite 1A, Tallahassee, FL 32301, (850)410-5700. Conference Call Number: 1(888)808-6959, Conference Code: 34767

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the recent negotiations for the Medicaid Non-Emergency Transportation Program contract.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: Tuesday, June 17, 2008, 10:00 a.m. – 12:00 Noon

PLACE: 2727 Mahan Drive, Building 2, 2nd Floor, Conference Room F, Tallahassee, FL. Dial in number is 1(888)808-6959, Conference Code 487-0698.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss ideas and concerns related to implementing innovative projects in nursing homes intended to support a culture of resident autonomy and choice, and enhance a home like environment.

For more information, you may contact Erin Smith at (850)414-9707.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services, Communications and Information Technology Services**, E911 Board announces the following meeting schedule information:

E911 Board Meeting

DATES AND TIME: May 21-22, 2008, 9:00 a.m. – until conclusion of business

PLACE: Grand Hyatt, Tampa, Florida

E911 Board Meeting
 DATES AND TIME: June 18-19, 2008, 9:00 a.m. – until conclusion of business
 PLACE: The Plantation Hotel, Amelia Island, Florida
 Designated for Wireless Service Provider Cost Recovery Proposals
 DATE AND TIME: July 16, 2008, 9:00 a.m. – until conclusion of business
 PLACE: Rosen Centre Hotel, Orlando, Florida
 E911 Board Meeting
 DATE AND TIME: July 17, 2008, 9:00 a.m. – until conclusion of business
 PLACE: Rosen Centre Hotel, Orlando, Florida
 E911 Board Meeting
 DATES AND TIME: August 20-21, 2008, 9:00 a.m. – until conclusion of business
 PLACE: World Golf Village, St. Augustine, Florida
 E911 Board Meeting
 DATES AND TIME: September 17-18, 2008, 9:00 a.m. – until conclusion of business
 PLACE: Embassy Suites, Altamonte Springs, Florida
 E911 Board Meeting
 DATES AND TIME: October 22-23, 2008, 9:00 a.m. – until conclusion of business
 PLACE: Embassy Suites, Tampa, Florida
 E911 Board Meeting
 DATES AND TIME: November 19-20, 2008, 9:00 a.m. – until conclusion of business
 PLACE: Embassy Suites, Ft. Lauderdale, Florida
 DATES AND TIME: December 17-18, 2008, 9:00 a.m. – until conclusion of business
 PLACE: Rosen Hotel, Orlando, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to E911 within the State of Florida.
 If accommodation due to disability is needed in order to participate, please notify the Department of Management Services, Communications and Information Technology Services Office, E911 board in writing at least 5 days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.
 If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

The **State Retirement Commission** announces a hearing to which all persons are invited.
 DATE AND TIME: April 21, 2008, 8:30 a.m. (CST)
 PLACE: Embassy Suites Destin, 570 Senic Gulf Drive, Destin, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by contacting: Department of Management Services, State Retirement Commission, 4050 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950, (850)487-2410.

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 15 days before the workshop/meeting by contacting the Clerk for the Commission at (850)487-2410. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Florida **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATE AND TIME: April 7, 2006, 9:00 a.m.
 PLACE: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

- The following cases are open to the public:
- Blue Sky Enviroments, Inc., Case Number 2005-053233
 - Jorge Bouza, Case Number 2003-042298
 - Cheryl Castela, Case Number 2006-006119
 - Charming Shoppes, Inc., Case Number 2005-007212
 - Geoffrey C. Chick, Jr., Case Number 2006-001724
 - Carrie S. Christy, Case Number 2005-065414
 - Alfred Drake, Case Number 2000-09223
 - Florida Structures PHD, Case Number 2005-048941
 - Clara T. Garcia, Case Number 2006-002296
 - Goodman Design, Inc., Case Number 2005-045386
 - Brittany L. Gutierrez, Case Number 2005-002119
 - Richard Guzman, Case Number 2005-057926
 - Charles E. Hackbarth, Case Number 2005-060268
 - Jan Jones, Case Number 2005-061889
 - Lenny Kravitz, Case Number 2005-039725
 - Luis Lara, Case Number 2006-008074
 - Christopher Sanchez, Case Number 2005-039787

Simmons and Saray Interiors Group, Inc., Case Number 2006-018110

Daniel Lynn, Case Number 2005-033891

Julius H. Wynn, Case Number 2005-057944

A copy of the agenda may be obtained by writing to: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, Florida 32308-4893.

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 calling Smith, Thompson, Shaw & Manausa, P.A. at (850)402-1570. 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 **Board of Architecture and Interior Design** announces a public meeting to which all persons are invited.

DATES AND TIME: May 6-7, 2008, 9:00 a.m.

PLACE: Hampton Inn & Suites, 80 Beach Drive, N. E., St. Petersburg, Florida 33701, (727)892-9900

GENERAL SUBJECT MATTER TO BE CONSIDERED: May 6, 2008 at 9:00 a.m.: General Business including disciplinary cases, if time allows to be followed by General Business discussion items – architecture profession, interior design profession, rules, and reports.

May 7, 2008 at 9:00 a.m.: General Business discussion items continued and review of applications.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751. 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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

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

DATES AND TIME: July 28-29, 2008, 9:00 a.m.

PLACE: The Breakers, One South Court Road, Palm Beach, Florida 33480, (561)655-6611

GENERAL SUBJECT MATTER TO BE CONSIDERED: July 28, 2008 at 9:00 a.m.: General Business including disciplinary cases, if time allows to be followed by General Business discussion items – architecture profession, interior design profession, rules, and reports.

July 29, 2008 at 9:00 a.m.: General Business discussion items continued and application reviews.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

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).

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 Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751.

The **Florida Mobile Home Relocation Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 1, 2008, 9:30 a.m.

PLACE: The meeting will be held by teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Mobile Home Relocation Corporation announces a meeting of its Board of Directors. The board will consider mobile home applications for abandonment and relocation compensation due to evictions as a result of a change in land use. General subject matter to be discussed: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for the next meeting will be determined.

A copy of the agenda may be obtained by contacting: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

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: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janet Garrett, Executive Director, FMHRC, P. O. Box 14125, Tallahassee, FL 32317-4125, 1(888)862-7010.

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

The **Governor's Task Force on Autism Spectrum Disorders** notices a series of conference call meetings. The Task Force will discuss the scope and prioritization of autism issues to be addressed as listed in Executive Order 08-36 for the development of a report of recommendations due to the Governor by March 20, 2009.

Note: All calls are based on Eastern Standard Time.

Task Force Co-Chairs and Committee Co-Chairs Only Organizational Conference Call

DATE AND TIME: Monday, April 21, 2008, 2:00 p.m. – 3:30 p.m.

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Conference Code: 2454242

Putting the Pieces Together Committee Conference Call

DATE AND TIME: Wednesday, April 23, 2008, 9:00 a.m. – 10:30 a.m.

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Conference Code: 2454242

Window of Opportunity Committee Conference Call

DATE AND TIME: Wednesday, April 23, 2008, 10:45 a.m. – 12:15 p.m.

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Conference Code: 2454242

Current and Future Outlook Committee Conference Call

DATE AND TIME: Wednesday, April 23, 2008, 1:30 p.m. – 3:00 p.m.

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Conference Code: 2454242

Costs of Autism Committee Conference Call

DATE AND TIME: Wednesday, April 23, 2008, 3:15 p.m. – 4:45 p.m.

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Conference Code: 2454242

Full Task Force Conference Call

DATE AND TIME: Thursday, April 24, 2008, 10:00 a.m. – 12:30 p.m. [Public Comment*: 11:45 a.m. – 12:00 Noon]

PLACE: Toll-Free Conference Call Number: 1(888)808-6959, Conference Code: 2454242

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general public is encouraged to attend. Public comments will be accepted by members of the general public during the full Task Force conference call only at the designated time, 11:45 a.m. – 12:00 Noon, April 24, 2008. Individuals wishing to address the Task Force are asked to submit a public comment form by 10:20 a.m., April 24, 2008. Public comment forms and conference call agendas are available on the internet at www.healthyfloridians.com/autism.html, or by contacting Lona Taylor at (850)245-4242.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in these workshops/conference calls is asked to advise the agency at least 2 days before the conference calls by contacting Lona Taylor at (850)245-4242.

The **Department of Health, Board of Acupuncture** announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, May 29, 2008, 9:00 a.m., or as soon thereafter as possible

PLACE: Department of Health, Florida Board of Acupuncture, 3rd Floor, Room 345N, 4042 Bald Cypress Way, Tallahassee, Florida. Telephone Number: 1(888)808-6959, Conference Code: 2454587

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule Development for Rule 64B1-6.005, F.A.C. Whether and how to amend this rule.

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 may be obtained by contacting: Department of Health, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or emailing a request to the Board Office at Ronda_Bryan@doh.state.fl.us.

All written materials must be received by the Board office no later than May 22, 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: Department of Health, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida

32399-3256, or emailing a request to the Board Office at Ronda_Bryan@doh.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).

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: Department of Health, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or emailing a request to the Board Office at Ronda_Bryan@doh.state.fl.us.

The **Board of Dentistry**, Credentials Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 7, 2008, 5:30 p.m.

PLACE: Conference Call: 1(888)808-6959. When prompted, enter Conference Code: 2453454

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review June 2008 Examination Applications.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800) 955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474.

The **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 13, 2008, 8:00 a.m. or soon thereafter

PLACE: The Meet Me Number: 1(888)808-6959. After dialing the Meet Me Number, enter Conference Code 4246812343 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Quorum Call.

A copy of the agenda may be obtained by contacting: Department of Health, Board Psychology, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255.

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 the board office at (850)488-0595. 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 **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, May 6, 2008, 12:00 Noon – 5:00 p.m.

PLACE: 4025 Esplanade Way, Room 320 N, Tallahassee, FL 32399 or by Conference Call 1(888)808-6959, Pass Code 2454144

GENERAL SUBJECT MATTER TO BE CONSIDERED: Healthcare Practitioner Ad Hoc Committee meeting to discuss implementation and planning of the Florida physician workforce project.

A copy of the agenda may be obtained by contacting: Jessica Swanson Rivenbark at (850)245-4144, ext. 2711 or via email Jessica_Swanson@doh.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: Jessica Swanson Rivenbark at (850)245-4144, ext. 2711 or via email Jessica_Swanson@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jessica Swanson Rivenbark at (850)245-4144, ext. 2711 or via email Jessica_Swanson@doh.state.fl.us.

The **Department of Health** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, May 9, 2008, 9:00 a.m. – 11:00 a.m.

PLACE: Via Conference Call: 1(888)808-6959, Pass Code 2454144

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues related to the physician component of the Florida Healthcare Practitioner Workforce Ad Hoc Committee.

A copy of the agenda may be obtained by contacting: Jessica Swanson Rivenbark at (850)245-4144, ext. 2711 or via email: Jessica_Swanson@doh.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 Jessica Swanson Rivenbark at (850)245-4144, ext. 2711 or via email: Jessica_Swanson@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jessica Swanson Rivenbark at (850)245-4144, ext. 2711 or via email: Jessica_Swanson@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Department of Children and Family Services announces a workshop to which all persons are invited.

DATE AND TIME: May 6, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: 9393 N. Florida Avenue, Room 803, Tampa, FL 33612. This workshop is also available via telephone Conference Call: 1(888)808-6959, Conference Code: 9225055

DATE AND TIME: May 9, 2008, 9:00 a.m. – 5:00 p.m.

PLACE: 1317 Winewood Boulevard, Building 6, Room 164, Tallahassee, Florida 32399-6570. This workshop is also available via telephone Conference Call: 1(888)808-6959, Conference Code: 9225055

GENERAL SUBJECT MATTER TO BE CONSIDERED: Chapter 2007-119, Laws of Florida, relating to the state employee adoption benefit program, Chapter 2007-124, Laws of Florida, relating to adoption maintenance subsidies, and substantive amendments to Rules 65C-16.001, Definitions; 65C-16.002, Adoptive Family Selection; 65C-16.003, Case Reviews; 65C-16.004, Recruitment, Screening and Application Process/Adoptive Applicants; 65C-16.005, Evaluation of Applicants; 65C-16.007, Abuse Hotline and Registry and Criminal Records Checks; 65C-16.008, Dispute Resolutions and Appeals; 65C-16.000, Adoption Placement; 65C-16.010, Adoption Placement – Post-Placement Services; 65C-16.011, Confidentiality – Human Immunodeficiency Virus (HIV) Infected Clients; 65C-16.012; Types of Adoption Assistance; 65C-16.013, Determination of Maintenance Subsidy Payments; 65C-16.014, Determination of Medical Subsidy; 65C-16.015, Non-Recurring Adoption Expenses; 65C-16.016; Access to Closed Adoption Records; 65C-16.017, Florida Adoption Reunion Registry; 65C-16.018, Adoption Benefits for Qualifying Employees of State Agencies, Florida Administrative Code, necessary as the result of transition to community-based care. Draft rule text is provided as supporting documentation and will also be available onsite at the workshop.

A copy of the rule text and agenda may be obtained by contacting Kathleen Waters at (850)922-5055 or via email at kathleen_waters@dcf.state.fl.us.

The **Family Care Council** announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2008, 12:00 Noon

PLACE: Faith Lutheran Church, 211 Easton Dr., Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

The **Family Care Council** announces a public meeting to which all persons are invited.

DATE AND TIME: May 13, 2008, 12:00 Noon

PLACE: Faith Lutheran Church, 211 Easton Dr., Lakeland, FL33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

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 Howerton at (863)413-3360. 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).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, April 24, 2008, 1:00 p.m. – 2:00 p.m.

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, 6th Floor, Seltzer Room, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: Community Workforce Housing Innovation Pilot (“CWHIP”) Program Review Committee meeting for the 2007 CWHIP competitive cycle to make recommendations to the Corporation’s Board of Directors regarding program participation.

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 Bridget Warring at (850)488-4197. 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 Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: May 1, 2008, 3:00 p.m. – 6:00 p.m.
 PLACE: Florida Housing Finance Corporation – Seltzer Room, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1399
 GENERAL SUBJECT MATTER TO BE CONSIDERED: To provide background information on the fundamentals of using tax-exempt bonds in affordable housing transactions.
 To discuss the 2007 Annual Financial Statements of Florida Housing Finance Corporation with the Board of Directors and respond to any comments or questions from the Florida Housing Finance Corporation Board of Directors.
 A copy of the agenda may be obtained by contacting: Juanita Boothe-Thompson, (850)488-4197.
 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: Juanita Boothe-Thompson (850)488-4197. 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).

SOIL AND WATER CONSERVATION DISTRICTS

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.
 DATE AND TIME: April 21, 2008, 8:14 a.m.
 PLACE: USDA-NRCS Center, 1416 U.S. 90 East, Madison, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.
 A copy of the agenda may be obtained by contacting Doris Newman.

PRIDE ENTERPRISES

The **Pride Enterprises**, Board of Directors announces a telephone conference call to which all persons are invited.
 DATE AND TIME: April 21, 2008, 4:00 p.m. – 5:00 p.m.
 PLACE: Conference Call: 1(800)371-8200
 GENERAL SUBJECT MATTER TO BE CONSIDERED: PRIDE Governance Committee Meeting.
 A copy of the agenda may be obtained by contacting Dee Kiminki at (727)556-3314.
 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. 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 Dee Kiminki at (727)556-3314.

The **Pride Enterprises**, Board of Directors announces a public meeting to which all persons are invited.
 DATE AND TIME: April 23, 2008, 1:00 p.m. – 5:00 p.m.
 PLACE: PRIDE Enterprises Corporate Office, St. Petersburg FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee Meeting.
 A copy of the agenda may be obtained by contacting Dee Kiminki at (727)556-3314.
 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. 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 Dee Kiminki at (727)556-3314.

The **Pride Enterprises**, Board of Directors announces a public meeting to which all persons are invited.
 DATE AND TIME: April 24, 2008, 8:00 a.m. – 2:30 p.m.
 PLACE: PRIDE Enterprises Corporate Office, St. Petersburg, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors’ Meeting.
 A copy of the agenda may be obtained by contacting Dee Kiminki at (727)556-3314.
 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 Dee Kiminki at (727)556-3314. 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 Dee Kiminki at (727)556-3314.

GOVERNOR’S COMMISSION ON DISABILITIES

The **Governor’s Commission on Disabilities**, Employment Committee announces a telephone conference call to which all persons are invited.
 DATE AND TIME: April 25, 2008, 1:30 p.m. – 3:30 p.m.
 PLACE: Call In Number: 1(888)808-6959, Conference Code: 9214170#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfil the mandate of Executive Order 07-148.

A copy of the agenda may be obtained by contacting Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Governor's Commission on Disabilities**, Independent Living Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 29, 2008, 9:30 a.m. – 11:30 a.m.

PLACE: Call In Number: 1(888)808-6959, Conference Code: 9214170#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 07-148.

A copy of the agenda may be obtained by contacting Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Governor's Commission on Disabilities**, Education Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 29, 2008, 1:30 p.m. – 3:30 p.m.

PLACE: Call In Number: 1(888)808-6959, Conference Code: 9214170#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 07-148.

A copy of the agenda may be obtained by contacting Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Governor's Commission on Disabilities**, Transportation Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 30, 2008, 1:30 p.m. – 3:30 p.m.

PLACE: Call In Number: 1(888)808-6959, Conference Code: 9214170#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 07-148.

A copy of the agenda may be obtained by contacting Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

ENTERPRISE FLORIDA

The **Enterprise Florida**, Legislative Policy Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 28, 2008, 10:00 a.m.

PLACE: Conference Call: 1(866)861-4345, Conference Code 8502986636

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss business climate issues that may be improved by the proactive support of the legislature.

A copy of the agenda may be obtained by contacting April Money at (850)294-5864.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting April Money at (850)294-5864. 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).

SOUTHWEST FLORIDA LIBRARY NETWORK

The **Southwest Florida Library Network** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 29, 2008, 3:00 p.m.

PLACE: Southwest Florida Library Network Office, 12751 Westlinks Drive, Building III, Unit 7, Fort Myers, Florida 33913

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Board of Directors of the Southwest Florida Library Network.

A copy of the agenda may be obtained by contacting: Sondra Taylor-Furbee at staylorf@fgcu.edu or Luly Castro at lcastro@fgcu.edu.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **Florida Workers' Compensation Joint Underwriting Association**, Safety Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 30, 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 the Cause, Frequency and Severity Analysis.

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.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation**, Finance and Investment Committee meeting announces a public meeting to which all persons are invited.

DATE AND TIME: April 30, 2008, 4:00 p.m. (EDT)

PLACE: Crowne Plaza Hotel, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance and Investment Committee meeting. Item of discussion include, but are not limited to, Investment Reports and Pre-event Liquidity Update.

For additional information, please call Jill Booker at 1(800)807-7647, extension 8287.

Special Accommodations: In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Jill Booker at least five days prior to the meeting.

NATIONAL COUNCIL ON COMPENSATION INSURANCE

The **Florida Workers Compensation Appeals Board** announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2008, 9:00 a.m. – 2:00 p.m.

PLACE: Wingate by Wyndham at Orlando International Airport, 5750 Hazeltine National Drive, Orlando, Florida 32822, (407)826-5258 or 1(800)228-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Appeals Board meeting is to provide a mechanism by which aggrieved parties may obtain a review of the application of rules of the workers compensation system to their individual workers compensation policies.

A copy of the agenda may be obtained by contacting: Maureen Longanacre, National Council on Compensation Insurance, Inc., 901 Peninsula Corporate Circle, Boca Raton, Florida 33487, (337)462-3328.

ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

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

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting Joe Wallace at (407)282-3944.

BLUEPRINT 2000 INTERGOVERNMENTAL AGENCY

The **Blueprint 2000 Intergovernmental Agency** announces a hearing to which all persons are invited.

DATE AND TIMES: May 12, 2008, Open House: 5:30 p.m., Presentation: 6:00 p.m.

PLACE: Tallahassee Community College, Student Union Ballroom, 444 Appleyard Drive, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice is hereby given that Blueprint 2000 will hold a Public Hearing regarding the change in access management for Capital Circle Northwest/Southwest, extending from south of Orange Avenue (SR 371) to south of Tennessee Street (US90/SR 10).

The Capital Circle Northwest/Southwest roadway facility has been designated recently as an emerging Strategic Intermodal System (SIS) connector by the Florida Department of Transportation (FDOT). As a result of the SIS designation, the access management classification for this project was changed from Class 5 to Class 3, which increased the required median opening spacing along the corridor.

Florida's Access Management Guidelines have been applied to the design of this project. Access management is a policy, supported by Florida Statute, which applies controls to the number of driveways, traffic signals and median openings on the State Highway System. This policy is intended to preserve capacity and safety on the State Highway System.

This hearing is being conducted to allow citizens an opportunity to review the current access management concept plans, ask questions and submit comments concerning the proposed changes to median access along the project corridor. The Project Development and Environmental Study (PD&E) is complete and has been approved by the Federal Highway Administration. Plans relating to access management of this project are available for inspection at: Blueprint 2000, 1311 Executive Center Drive, Suite 109, The Koger Center, Ellis Building, Tallahassee, Florida 32301.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Margie Quillman, Blueprint 2000 Public Involvement Manager, (850)701-2740 at least seven days prior to the meeting.

If you have any questions about this project or this meeting, please call Latesa Turner, P.E., Blueprint 2000 Project Manager at (850)701-2740. Written statements postmarked within ten (10) calendar days of the Public Hearing will be included in the hearing transcript.

A copy of the agenda may be obtained by contacting: Margie Quillman, Blueprint 2000 Public Involvement Manager at (850)701-2740.

FLORIDA TELECOMMUNICATION RELAY

The **Florida Telecommunications Relay**, Inc. announces a public meeting to which all persons are invited.

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

PLACE: 1820 E. Park Avenue, Suite 101, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting

The meeting is subject to cancellation for lack of a quorum or unavailability of an interpreter.

A copy of the agenda may be obtained by contacting: Mr. James Forstall, Executive Director, Florida Telecommunications Relay, Inc., 1820 E. Park Avenue, Suite 101, Tallahassee, FL 32301.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT Florida Building Commission has received the petition for declaratory statement from Mark Disosway, P.E., on March 21, 2008, regarding whether section R6.11.8 of the Florida Building Code, Residential Volume (2007 as amended) requires a minimum thickness of 5.5 inches for ICF walls to which wood ledger boards supporting the bearing ends of joists or trusses are anchored. It has been assigned the number DCA08-DEC-091.

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 Division of Community Planning has issued an order disposing of the petition for declaratory statement filed by Carter N. McDowell on behalf of SBR-Fortune Associates, LLLP on October 16, 2007. The following is a summary of the agency's disposition of the petition:

The petition was assigned the number DCA07-DEC-247. Motions to Intervene were filed by The Village of Key Biscayne on March 4, 2008, and Julio and Carolina V. Tozzi Padilla on March 5, 2008, and granted by Order dated April 1, 2008. The Department entered its order on April 1, 2008, dismissing the petition for declaratory statement because pending circuit court litigation exists relating to the same issues for which the petition was filed.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Paula P. Ford, Agency 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."

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 received the petition for declaratory statement from David H. Kline, In RE: Greenway Village South Association IV, Inc., Docket No. 2008019724. The petition seeks the agency's opinion as to the applicability of Chapter 718, F.S. and Chapter 61B, F.A.C. as it applies to the petitioner.

Whether a rule regarding videotaping of meetings and a rule limiting a request to two records a month adopted by Greenway Village South Association IV, Inc. is reasonable under Sections 718.111(12)(c) and 718.112(2)(c), F.S., and subsection 61B-23.001(10), Florida Administrative Code.

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.

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 Opal Towers Condominium Association, Inc., Docket No. 2007067884 on December 18, 2007. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the petitioner withdrew its petition.

A copy of the Order Declining 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 David H. Kline, In RE: Greenway Village South

Association IV, Inc., Docket No. 2008008501 on February 11, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the petitioner withdrew his petition.

A copy of the Order Declining 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 Gustavo E. Frances, In RE: North Lake Condominium Association, Docket No. 2008010968 on February 25, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because the petitioner withdrew his petition.

A copy of the Order Declining 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 Verda Justice, Petitioner, In RE: Live Oak Village Condominium, Inc., Docket No. 2008011712 on February 27, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because petition did not question the application of a statute, rule, or order of the Division as required by Section 120.565, Florida Statutes.

A copy of the Order Declining 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 Douglas LeFevre, Unit Owner, In RE: Sandpiper Resort Co-op, Inc., Docket No. 2008004050 on January 22, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because of a factual dispute between the parties, which may not be resolved by declaratory statement, and because a declaration may not address issues that have already occurred.

A copy of the Order Declining 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. 2008007352 on February 5, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because a declaration may not address issues that have already occurred or where the petitioner's rights are governed by the courts.

A copy of the Order Declining 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. 2008007346 on February 1, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because petition did not question the application of a statute, rule, or order of the Division as required by Section 120.565, Florida Statutes.

A copy of the Order Declining 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 issued an order disposing of the petition for declaratory statement filed by Hillsboro Imperial Condominium Association, Inc.; Docket Number: 2007054089 on September 25, 2007. The following is a summary of the agency's disposition of the petition:

Under Section 718.111(11), Florida Statutes, Hillsboro, is required to insure the condominium property located outside the units, the property located inside the units as initially installed, and all portions of the condominium property requiring coverage by the association under Section 718.111(11)(a), Florida Statutes. Notwithstanding provisions in the declaration, Hillsboro may not pass on to a single building or to less than all unit owners the cost of repairing those items that would have otherwise been paid for by the association's insurance policy but for the application of the deductible or amounts in excess of the coverage limits.

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 received the petition for declaratory statement from Barbara R. Tilney, President of the Board of Directors for The Association of the Fountains Condominium, Inc., Docket No. 2008019733. The petition seeks the agency's opinion as to the applicability of as it applies to the petitioner.

Whether a spouse of the owner of a unit elected to the board may be seated where it is determined after his election that he is not an owner under the bylaws and articles of incorporation of The Association of the Fountains Condominium, Inc.

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.

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 Thomas Green and Brian Salnek, Petitioners, and Sydney Long, Co-Petitioner, In RE: Hidden Lake Villas Condominium Association, Inc., Docket No. 2008010992 on February 25, 2008. The following is a summary of the agency's declination of the petition:

The Division declined to issue an order because a declaration may not address issues that have already occurred.

A copy of the Order Declining 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 on March 31, 2008, the Board of Accountancy has received the petition for declaratory statement from Rhonda Reed. The petition seeks the agency's opinion as to the applicability of Section 473.309(2), Florida Statutes, as it applies to the petitioner.

The petition seeks the Board's interpretation of Section 473.309(2), Florida Statutes, and a determination of whether petitioner's corporation meets the practice requirements of that statute.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607.

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 IS HEREBY GIVEN THAT the Board of Respiratory Care has declined to rule on the petition for declaratory statement filed by H. Rick Harrell on January 10, 2007. The following is a summary of the agency's declination of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 33, No. 18, of the May 4, 2007, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on April 6, 2007. The Board's Order, filed on September 6, 2007, denies the Petition for Declaratory Statement, finding that Petitioner has not complied with the requirements of Section 120.545(1), Florida Statutes. Specifically, the Declaratory Statement was not sought to apply to the Petitioner, but in the hope of controlling the actions of representatives of another state agency. This is not a proper circumstance for a Declaratory Statement. No Declaratory Statement was or will be issued.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Susan Love, Executive Director, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Please refer all comments to: Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

**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 EDUCATION

**ITB08SVF-285, Project #08097
Microbiology Boiler Replacement**

The University of Florida, Purchasing and Disbursement Services will receive sealed bids for the following: ITB08SVF-285, Project #08097, Microbiology Boiler Replacement, estimated budget: \$300,000, to be opened April 29, 2008, 2:00 p.m., in 101 Elmore Hall, Radio Road, Gainesville, FL. Scope of work: The replacement of one HHW boiler with two condensing HHW boilers, all associated water piping and insulation, electrical wiring, boiler controls, gas piping and devices, boiler vent and all code required safety devices and all labor and material required to execute the Contract Documents. Mandatory Pre-Bid Meeting will be held April 23, 2008, 10:00 a.m., in Building 981, Microbiology and

Cell Science Building, Room 1044, Gainesville, FL. Specifications and Plans are available in Purchasing, Elmore Hall, Radio Road, Gainesville, FL 32611. 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.

Notice to Construction Managers

The University of Florida Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

Project: UF-273, Harn Museum Asian Art Wing (University of Florida)

The facility will include a 22,000 GSF three story addition to the west side of the Harn Museum. Comprehensive site (and jobsite) planning must account for accessibility, routing of utilities, landscape and hardscape elements. The existing loading dock will be demolished and a new loading dock will be constructed while the museum remains open and will require loading dock functions. During construction, the existing building must maintain acceptable temperature and humidity levels and remain secure. In addition, a condensed schedule will be of the utmost importance. The goal is to occupy the building – after Final Completion of construction – in January 2010. An early site package will be issued at the 60% CD phase to allow sitework and site utilities work to begin before the building design is complete. This building will be designed to achieve higher-than-normal energy efficiency and attain minimum Silver LEED certification.

The estimated construction budget is approximately \$12,800,000, including site improvements and utilities, interior voice/data and audio/visual systems, and other site specific allowances, but not including landscape. The University is interested in utilizing Building Information Modeling (BIM) as a tool for improving quality, cost and schedule by aiding in coordination of trades, reducing field conflicts and generally enhancing the construction process itself. Minimum Silver LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory, and an independent consultant will provide commissioning services throughout design and construction.

The contract for construction management services will consist of two phases, pre-construction and construction. Pre-construction services will begin at the Design Development stage and will include production of cost studies and estimates; value engineering; analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite

management plans; development of strategies for the procurement of trade contracts; and development of at least two Guaranteed Maximum Price (GMP) proposals, including the primary based on 100% Construction Documents and an early site package GMP. If the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to negotiate an acceptable fixed fee for phase one of the contract, or failure to arrive at an acceptable GMP budget within the time provided in the agreement, may result in the termination of the construction manager's contract.

Applicants will be evaluated on the basis of their past performance, experience, personnel, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

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.

Applicants desiring to provide construction management services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be limited to 50 single-sided or 25 double-sided, consecutively-numbered pages and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "CM Qualifications Supplement" (CMQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff.
5. Proof of the applicant's corporate status in Florida (if applicable) and a copy of the applicant's current contracting license from the appropriate governing board.
6. Proof of applicant's bonding capacity.

As required by Section 287.133, Florida Statutes, an applicant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Unsigned proposals or proposals containing expired or invalid licenses will be disqualified. Submittal materials will not be returned.

The project-specific CMQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, UF General Terms and Conditions, standard University of Florida Owner-CM agreement, and other project and process information can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning and Construction office by 3:00 p.m. (Local Time), Thursday May 15, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction

232 Stadium/P. O. Box 115050

Gainesville, FL 32611-5050

Telephone: (352)392-1256; Fax: (352)392-6378

Internet: www.facilities.ufl.edu

NOTICE TO PROFESSIONAL CONSULTANTS

The University of South Florida St. Petersburg (USFSP) announces that continuing professional services are required for the following disciplines: Architecture and Construction Management. Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for these projects provide that the consultant will be available on an as-needed basis for the upcoming fiscal year, July 1, 2008 to June 30, 2009. Award of contract is for an initial period of one (1) year with an Owner's option to renew for up to one (1) more year. The selected consultants are required to give first priority to USFSP in the event that an emergency should occur that would require their services. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period. Firms desiring to provide professional services shall submit a letter of interest specifying the discipline for which they are applying and a completed USFSP Professional Qualifications Supplement (PQS) or USFSP Construction Management Qualifications Supplement (CMQS) form. Proposals must not exceed 40 pages, including the "Professional Qualifications Supplement" and letter of interest. Pages must be numbered consecutively. Submittals that do not comply with these requirements or do not include the requested data will not be considered. No submittal material will be returned. Attach to each letter of interest:

1. The USFSP PQS or CMQS, dated April, 2007, completed by the applicant. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida.

If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida. Selection of finalists for interview will be made on the basis of the information provided in these forms. The plans and specifications for University projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$25,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. The USFSP qualifications supplement, descriptive project information, and selection criteria may be obtained by contacting: Yoli Lanuza, Contracts Administrator, University of South Florida St. Petersburg, Facilities Planning and Construction Services, 140 – 7th Avenue South, TER 100, St. Petersburg, FL 33701, (727)873-4822, or e-mail: ianuza@spadmin.usf.edu. All interested firms are invited and encouraged to attend a pre-submittal meeting to be held as follows: For Architecture: 9:00 a.m. to 10:30 a.m. (EDT), and for Construction Management: 10:30 a.m. to 12:00 Noon (EDT), April 25, 2008, at the University of South Florida St. Petersburg, Campus Activity Center, Room 133, 131 – 6th Avenue, South, St. Petersburg, Florida 33701, to review the scope and requirements of these projects. Requests for meetings by individual firms will not be granted. It shall be noted that no verbal communication shall take place between the short listed applicants and the USFSP. A projected list of minor projects will be available for attendees at the pre-submittal meeting. Six (6) bound copies of the above required proposal data shall be submitted to: James A. Grant, AIA, Director, Facilities Planning and Construction Services, University of South Florida St. Petersburg, 140 – 7th Avenue, South, TER 100, St. Petersburg, FL 33701. Submittals must be received at the above campus address by 2:00 p.m. (EDT), May 9, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered. The Selection Committee may reject all proposals and stop the selection process at any time.

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida announces that continuing professional services for certain projects are required in the following discipline: Campus Service Interior Designer.

The projects will consist of Interior Design Services for educational (university) buildings and developing interior design standards for the University. These standards will be applied to both new and existing buildings. These services will also include developing and coordinating furniture selection standards and procurement procedures for the University and working with Architects employed by the University's Facilities Planning Department.

Projects included in the scope of this agreement will be specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less, or studies for which the fee for professional services is \$40,000 or less. Campus Service contracts for these projects provide that the consultant will be available on an as-needed basis for the fiscal year, August 1, 2008 – June 30, 2009. The consultant receiving the award will not have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Carefully review the Contract and General Condition's documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement.

Attach to each letter of application:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit five (5) copies of the above requested data bound in the order listed above. Applications which do not comply with the above instructions will not be considered. Application materials will not be returned. Late submissions will not be accepted.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor

contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained at website www.fp.ucf.edu (click on advertisements) or by contacting: Ms. Gina Seabrook, University of Central Florida, Phone (407)823-2166, Fax (407)823-5141, email: gseabroo@mail.ucf.edu.

Five (5) bound copies of the required proposal data shall be submitted to: Ms. Gina Seabrook, Facilities Planning, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020 by 5:00 p.m. (Local Time), May 20, 2008. Facsimile (FAX) submittals are not acceptable and will not be considered.

PUBLIC ANNOUNCEMENT FOR
CONSTRUCTION SERVICES

PROJECT NUMBER: FSDB 20070002

PROJECT NAME: Campus Water Distribution System

PROJECT LOCATION: The Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084
The Florida School for the Deaf and the Blind (FSDB), in conjunction with the City of St. Augustine Water Utility, is requesting bids from Underground Utility Contractors to replace an aging potable water supply infrastructure located off the west side of the Campus in the vicinity of Milton Street and San Marco Avenue. Coordination and partnering with the City of St. Augustine will be required.

Applicant must be a licensed Underground Utility Contractor in the State of Florida at the time of application. Further, if a corporation, the applicant must be registered by the Department of State, Division of Corporations, to operate in the State of Florida at the time of application.

A mandatory Pre Bid Meeting will be required.

For a bid packet contact JBC Planning and Engineering at (904)398-9900 or 1301 Riverplace Blvd., Suite 950, Jacksonville, FL 32207.

Submit sealed bids to: The Florida School for the Deaf and the Blind, Attn: John Connor, Purchasing Director, Campus Water Distribution System, Building #28 Stores and Receiving, 207 N. San Marco Avenue, St. Augustine, FL 32084.

Mandatory Pre Bid Meeting: May 6, 2008, 10:00 a.m., Moore Hall CLD Conference Room.

Bid Opening: May 20, 2008, 2:00 p.m., Moore Hall CLD Conference Room.

The bid results will be posted at FSDB, Building #28, Stores and Receiving, 207 N. San Marco Avenue, St. Augustine, FL 32084, and can be viewed during regular working days between the hours of 7:00 a.m. through 4:00 p.m., beginning 24 hours after each selection. Any protest of the selections

must be made within 72 hours of the postings. Failure to file a protest within 72 hours (not including Saturday, and Sunday, or a legal holiday) after posting shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. Final selection results will also be posted in the Florida Administrative Weekly.

DCPS New Autistic Classrooms at Kernan Middle School No. 279/DCSB Project No. C-912000

The Duval County Public Schools Office of Facilities Design and Construction announces that Request for Qualifications (RFQ) for Construction Management services are required for the following project: DCSB Project Number: C-91200/ Project Title: New Autistic Classrooms at Kernan Middle School No. 279/Project Location: 2271 Kernan Boulevard, S., Jacksonville, FL 32246. RFQ'S ARE DUE ON OR BEFORE MAY 13, 2008 AND WILL BE ACCEPTED UNTIL 4:30 P.M. The selected Construction Manager will provide preconstruction services including value engineering, constructability analysis, development of a cost model, and estimating and will develop a Guaranteed Maximum Price at the applicable Construction Document phase.

Scope of Work: The project consists of a new building containing six classrooms and support spaces designed to serve the needs of students with Autism Spectrum Disorder. An existing basketball court will be relocated to accommodate the new building. The building will connect to existing site utilities. It will also include a canopy connection to the existing bus loop. Anticipated occupancy is August 2009. The construction "Budgeted Not Exceed" cost is \$1,700,000.

Selection of finalists for interviews will be made on the basis of construction manager qualifications, including but not limited to experience and ability, financial capability, record keeping/administrative ability, critical path scheduling expertise, cost estimating, cost control ability, quality control ability, qualifications of firm's personnel, staff and consultants, and distance from the construction site. The selected firm shall be required to execute the Duval County School Board standard form of agreement.

The Duval County Public Schools has begun prequalifying all contractors who intend to submit bids and proposals for all construction projects exceeding \$200,000 and electrical projects exceeding \$50,000. All firms submitting proposals shall be required to be pre-qualified prior to the due date of May 13, 2008.

Firms who are not approved as a pre-qualified bidder will not be considered for award of this contract.

Prequalification forms and information may be obtained at www.duvalschools.org under About DCPS, DCPS Departments, Facilities Design and Construction Services, Forms and Standards, General Documents.

Proposal information for Award Selection may be obtained at www.duvalschools.org under About DCPS, DCPS Departments, Facilities Design and Construction Services, Selection Booklets, Selection of the Construction Manager.

Applications are to be sent to: Facilities Design and Construction, 1701 Prudential Drive, 5th Floor, Jacksonville, FL 32207-8182

PROJECT MANAGER: Kris Eskelin, Phone No.: (904)390-2279, MBE GOALS: 20% overall

Information on the selection process can be found at www.duvalschools.org go to about dcps, then dcps departments, then facilities design and construction then Selection Booklets.

ATTENTION: All advertisement must contain wording similar to the following if the project is Multi-Year Funded. The Total Project Budget is \$2,000,000, however, DCPS has received appropriations totaling only \$1,000,000. Additional appropriation in the amount of \$1,000,000 is expected next year.

DEPARTMENT OF TRANSPORTATION

Notice of Bid Opportunity

The Florida Department of Transportation announces the following project:

BID/PROPOSAL NUMBER: E-9077

FINANCIAL PROJECT NUMBER: 422514-1-32/52-01

MBE/DBE RESERVATION OR PREFERENCE: The Owner encourages the recruitment and utilization of certified and non-certified minority businesses. The Owner, its contractors, suppliers, and consultants should take all necessary and reasonable steps to ensure that minority businesses have an opportunity to compete for and perform contract work for the Owner in a nondiscriminatory environment.

BID/PROPOSAL DUE DATE AND TIME: June 11, 2008, 2:30 p.m. (local time)

SCOPE OF SERVICES: Roof Replacement at the Lake City Sign Shop, 590 N. W. Lake Jeffery Road, Lake City, Florida 32055.

MANDATORY PRE-BID MEETING: Thursday, May 15, 2008, 1:00 p.m. (Local Time) at the Lake City Maintenance Office, Conference Room, 710 N. W. Lake Jeffery Road, Lake City, Florida 32055. Owner representatives will be present at the Mandatory Pre-Bid Meeting to discuss plans, specifications and conditions of the project. Proposal Form (bid packages) will be issued only to attendees of the mandatory pre-bid meeting. All bidders must be present and signed in prior to the start of the mandatory pre-bid meeting. Anyone not signed in at the commencement of the meeting will be considered late and will not be allowed to bid on the project.

MINIMUM QUALIFICATIONS: Each bidder shall submit a current "Building Contractor License" or "General Contractor License" issued by the State of Florida, and if the bidder is a

Florida Corporation, they shall also provide a copy of the Corporate Charter as prequalification of their eligibility with the bid document to: Mike Schafenacker, Contracts Administration Office, Florida Department of Transportation, 605 Suwannee Street, Room B-1 (Basement), Mail Station 55, Tallahassee, Florida 32399-0455, (850)414-4000. If the Contractor's License is not included with the bid, or with the fax order form submitted when requesting the proposal documents, the bid shall be rejected.

PERFORMANCE BOND AND LABOR AND MATERIALS BOND: If the construction contract award amount is \$100,000.00 or less, a Performance Bond or a Labor and Material Payment Bond are not required. If the contract sum exceeds \$100,000.00 a Performance Bond of one 100% and Labor and Materials Bond of 100% shall be required. If increases are made to the original contract sum, the contractor shall also furnish the Florida Department of Transportation (FDOT) with additional bonding equivalent to the increases. Bidders/Proposers shall refer to section A-25 of The Fixed Capital Outlay Specifications for clarification of the Performance Bond and Labor and Materials Bond amount and the provisions surety companies are required to comply with.

REQUESTING BID/PROPOSAL DOCUMENTS: Requests for Plans, Specifications and/or Bid/Proposal Documents should be directed via the Fax Order Form available at: <http://www.dot.state.fl.us/cc-admin>. CENTRAL OFFICE LETTINGS/LAKE CITY SIGN SHOP ROOFING PROJECT and faxed to the attention of: Mike Schafenacker or Bessie White via the fax number on the Fax Order Form. They may also be reached at phone number (850)414-4000.

OPENING OF THE BID PROPOSALS: June 11, 2008, 2:30 p.m. (Local Time)

POSTING INFORMATION: Unless otherwise notified in writing the notice of intent to award will be posted on the Department website: <http://www.dot.state.fl.us/cc-admin/> on June 20, 2008.

The notice of intent to award will also be posted in the office of the Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, MS 58, Room 550, General Counsel's Office, Tallahassee, Florida 32399-0458.

BID SOLICITATION/AWARD/NON-AWARD PROTEST RIGHTS: Any person adversely affected by this Bid Solicitation shall file a notice of protest within 72 hours of receipt of the bid documents. Any person adversely affected by the intended decision of the Department to award a contract or to reject all bids shall file a notice of protest within 72 hours after the posting. If notice of intended decision is given by certified mail or express delivery, the adversely affected person must file the notice of protest within 72 hours after receipt of the notice of intent.

A formal written protest must be filed within 10 days after filing the notice of protest. The formal written protest shall state with particularity the facts and law upon which the protest

is based. All protests must be submitted in accordance with Sections 120.569 and 120.57, Florida Statutes, and Chapter 28-110, F.A.C. The required notice of protest and formal protest must each be timely filed with the Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, MS 58, Room 550, General Counsel's Office, Tallahassee, Florida 32399-0458.

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.

THE DEPARTMENT RESERVES THE RIGHT TO REJECT ANY OR ALL BIDS/PROPOSALS RECEIVED.

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."

REGIONAL PLANNING COUNCILS

The North Central Florida Regional Planning Council is accepting proposals from qualified agencies or firms for the award of a contract to coordinate transportation services for the transportation disadvantaged in Lafayette County, Florida. The selected contractor will be the designated Community Transportation Coordinator under Florida's Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Chapter 41-2, Florida Administrative Code.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes, as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Section 427.015(2), F.S.

The complete Request for Proposals (RFP) may be obtained by writing the contact listed below, or by calling Ms. Lynn Godfrey, Senior Planner at (352)955-2200, extension 110. Experience with eligibility-based ridership transportation services is required.

A mandatory pre-proposal conference will be held Thursday, May 6, 2008, at the North Central Florida Regional Planning Council in Gainesville, Florida at 10:00 a.m., to answer questions about the RFP. Inquiries about this Request for Proposals must be made in person at the pre-proposal conference. Firms and agencies represented will have an opportunity to clarify any information contained in the request for proposals at the pre-proposal conference.

Proposals must be received by 3:00 p.m., Monday, June 30, 2008, at the office of the North Central Florida Regional Planning Council. Seven (7) copies of the proposal must be submitted to: NCFRPC: ATTENTION: Scott R. Koons, Executive Director, 2009 N. W. 67 Place, Suite A, Gainesville, Florida 32653-1603. One of these copies must be a clean, single sided original that can be used to make additional copies. The outside of the envelope or box containing the proposal must be marked "PROPOSAL FOR LAFAYETTE COUNTY COMMUNITY TRANSPORTATION COORDINATOR." Faxed and electronically mailed responses will not be accepted.

The NCFRPC will not accept responsibility for proposals that are not marked and submitted in this manner. Proposals are to remain in effect for ninety (90) calendar days from date of submission. The NCFRPC reserves the right to reject any or all proposals, to waive any formality concerning proposals or negotiate changes to the proposals whenever such rejection or waiver or negotiation is in the best interest of the State and transportation disadvantaged. 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.

WATER MANAGEMENT DISTRICTS

The Suwannee River Water Management District (SRWMD) announces its interest in obtaining bids for services to control several exotic pest plants on select District lands within the Graham and Woods Ferry Conservation Areas.

This project should follow the schedule below:

April 18, 2008	Notice of Request for Bids
May 16, 2008	Bids due
June 10, 2008	Governing Board approval of contracts

Request for Proposals documents (RFB 07/08-030 LM) are available on the District's website at www.mysuwannee.river.com. Persons interested in submitting qualifications for this project should return those completed documents to: Gwen Lord, Administrative Assistant, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. For more information or assistance contact Gwen Lord at (386)362-1001 or 1(800)226-1066 (Florida only).

ITB 07/08-029 Production of Aluminum Signs

The Suwannee River Water Management District (District) is requesting bids for production of aluminum signs. Project budget is estimated at \$20,000.

Proposed Schedule

April 18, 2008	Release of Invitation to Bid (ITB).
May 9, 2008	Bids due prior to 4:00 p.m., at District Headquarters in Live Oak. Opening will occur at this time. *

June 10, 2008 Request for Governing Board authorization to enter into contract, 9:00 a.m. at District Headquarters.*

*Denotes a public meeting. All times denote local times. For information regarding this project, contact Edwin McCook, Public Use Coordinator at (386)362-1001. Additional information and bid packages may also be obtained by logging on to www.mysuwanneeriver.com.

RFP 07/08-031 Chemical Control of Hardwoods

The Suwannee River Water Management District (District) is requesting proposals for the chemical control of hardwoods on various sites throughout the District. Control is needed to facilitate reforestation work and/or natural community restoration. Applications will include both broadcast and hand treatments. Winning Proposer(s) will receive a one year contract, subject to renewal for up to two additional years if the contractor is successful in achieving District goals and there is no increase in service rates. The budget for broadcast work in FY2008 is \$50,000; for hand work the budget is \$30,000.

Proposed Schedule

- April 16, 2008 Release of Request for Proposals
- April 29, 2008 Preproposal Meeting
- May 8, 2008 Proposals due prior to 4:00 p.m. at District Headquarters in Live Oak; opening will occur at this time.*
- May 16, 2008 Selection Committee Meeting*
- June 10, 2008 Governing Board approval of contractor, 9:00 a.m. at District headquarters.*

*denotes public meeting
For information regarding this project, contact Scott Gregor, Natural Resource Specialist at (386)362-1001. Additional information and bid packages may also be obtained by logging on to www.mysuwanneeriver.com.

EXPRESSWAY AUTHORITIES

MDX PROCUREMENT/CONTRACT NO.: ITB-08-04

MDX WORK PROGRAM NO.: 87404.060

MDX PROJECT/SERVICE TITLE: STATE ROAD 874/ KILLIAN PARKWAY INTERCHANGE IMPROVEMENTS

The Miami-Dade Expressway Authority (MDX) is requesting individual sealed bids for State Road 874/Killian Parkway Interchange Improvements. The Work consists of, but is not limited to, providing all labor, maintenance of traffic schemes, materials, equipment and incidentals necessary for the widening, resurfacing, and reconstruction of State Road 874 from north of Southwest 117th Avenue to south of Kendall Drive and the roadway and bridge improvements to the Killian Parkway Interchange (the "Project"). The Bidder (Prime Contractor) or its Subcontractor, shall be pre-qualified by the Florida Department of Transportation ("FDOT") under Rule Chapter 14-22, Florida Administrative Code for Flexible

Paving (Prime Contractor), and Intermediate Bridge (Prime Contractor and/or Subcontractor). Both the Prime Contractor and any Subcontractors shall be in compliance with all pre-qualification requirements of FDOT. In addition, the Prime Contractor and any Subcontractors must be authorized to do business in the State of Florida at the time of Bid Package submittal. MDX notifies all Bidders and individuals that it requires and encourages small, minority and women-owned businesses to have full opportunity to submit a response to any solicitation document issued by MDX. For copies of the ITB with complete information on the scope of services as well as submittal requirements, please log onto our web site: www.mdx-way.com or call MDX Procurement Office at (305)637-3277. Please note: In order to download any MDX solicitations, you must register as a vendor. The vendor registration can only be done through MDX's website. Deadline for submitting a Bid Package is June 10, 2008 by 2:00 p.m. (Eastern Time). A Mandatory Pre-Bid Conference is scheduled for May 6, 2008 at 10:00 a.m. Attendance to the Pre-Bid Conference is mandatory and failure by a Bidder to attend and/or be represented at the Pre-Bid Conference shall result in its Bid being deemed non-responsive.

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 INVITATION TO BID

BID NO. BDC 68-07/08

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids for the project listed below:

PROJECT NAME: Oscar Scherer State Park – New modular ranger residence

SCOPE OF WORK: The Bureau of Design and Construction is requesting certified contractors, licensed in the State of Florida to provide the necessary labor, supervision, equipment and materials required to provide and install a single family modular home on a permanent foundation with accessible features, other collateral amenities include connection to existing water, construction of a new on-site sewage disposal system, underground electricity and a driveway in accordance with Sarasota County, Florida, local permitting requirements, plans and specifications.

PARK LOCATION: Oscar Scherer State Park, on U.S. 41, 2 miles south of Osprey, 1843 S. Tamiami Trail, Osprey, Florida 34229.

PROJECT MANAGER: Suzannah Ray, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax (850)488-1141.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total bid price including alternates exceeds \$200,000.00, each bidder whose field is governed by Chapters 399, 489, and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility prior to the bid closing date.

INSTRUCTIONS: Any firm desiring plans and bid specifications for this project may obtain a copy by writing the address or calling the telephone number below. A Compact Disk (CD) containing the Plans and specifications will be available on April 18, 2008 at: Oscar Scherer State Park, 1843 S. Tamiami Trail, Osprey, FL 34229, Attention: John Roche, Park Manager, (941)650-4680, Fax (941)483-5941.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact Michael Renard, Bureau of Design and Construction, (850)488-5372, at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 3:30 p.m., Tuesday, May 20, 2008, to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m., Friday, May 23, 2008, unless extended by the Department for good cause.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE TO CONTRACTORS – INVITATION TO BID

Proposals are requested from qualified Contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 08263000
PROJECT: ELEVATED WATER STORAGE
 TANK REHABILITATION
 DESOTO CORRECTION
 INSTITUTION
 ARCADIA, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those Contractors who demonstrate current relevant licensure with the Florida Department of Business and Professional Regulations. The Instruction to Bidders “Bidder Qualification Requirements and Procedures” are included in the specifications under Article B-2.

PERFORMANCE BOND AND LABOR AND MATERIAL BOND: A Performance Bond and Labor and Material Payment Bond are required.

BID DATE AND TIME: Sealed bids will be received at:
 DCF Support Office
 Florida Civil Commitment Center
 13613 S. E. Highway 70
 Arcadia, Florida 34266

Bids are to be received on Monday, May 12, 2008 until 2:00 p.m. (Local Time), at which time they will be publicly opened and read aloud.

PRE-BID INSPECTION: We will conduct a pre-bid inspection with the DCF Project Manager at the project site on Tuesday, April 22, 2008, 2:30 p.m. (Local Time), for all interested contractors.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, and with a copy of the contractor’s license. The contract documents may be examined and obtained from the DCF Project Manager:

G.W. “Casey” JONES
 1317 WINEWOOD BLVD, BUILDING 3, ROOM 205D
 TALLAHASSEE, FLORIDA 32399-0700
 TELEPHONE: (850)921-2641
 E-MAIL: casey_jones@dcf.state.fl.us

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted by 5:00 p.m. (Local Time), on Tuesday, May 13, 2008, at the Florida Civil Commitment Center. 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. Any protests of the bid must be made within 72 hours of posting of the results. “Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes.” If no protest

is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures: the Owner will award the contract to the qualified, responsive low bidder by the Owner."

FLORIDA HOUSING FINANCE CORPORATION

Request for Proposals 2008-03 Foreclosure Prevention Training Services

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to deliver foreclosure prevention training in accordance with the terms and conditions of RFP 2008-03, to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Friday, May 16, 2008, to the attention of Robin L. Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329. For questions or additional information, please contact Robin Grantham at (850)488-4197 or robin.grantham@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin L. Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Home/BusinessLegal/Solicitations/RequestForProposals.htm>. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

EARLY LEARNING COALITION OF NORTHWEST FLORIDA, INC.

The Early Learning Coalition of Northwest Florida, Inc. is soliciting responses from vendors to provide classroom materials and supplies through a Request for Proposals (RFP) that will be released April 14, 2008. All interested parties may request a copy of the RFP by contacting:

Ken Whittaker, Contract Manager
Early Learning Coalition of Northwest Florida, Inc.
200 Forest Park Circle
Panama City, Florida 32405
Phone: (850)747-5400
E-mail: ken.whittaker@elcofnwflorida.org

This contract is to start May 12, 2008. All interested parties must submit a written Notice of Intent to Submit a Proposal no later than 12:00 Noon (Central Standard Time), April 21, 2008. Failure to submit the Notice of Intent to Submit a Proposal will disqualify any party from further consideration.

The Early Learning Coalition of Northwest Florida, Inc. is soliciting responses from vendors to provide office supplies through a Request for Proposals (RFP) that will be released April 14, 2008. All interested parties may request a copy of the RFP by contacting:

Ken Whittaker, Contract Manager
Early Learning Coalition of Northwest Florida, Inc.
200 Forest Park Circle
Panama City, Florida 32405
Phone: (850)747-5400
E-mail: ken.whittaker@elcofnwflorida.org

This contract is to start May 12, 2008. All interested parties must submit a written Notice of Intent to Submit a Proposal no later than 12:00 Noon (Central Standard Time), April 21, 2008. Failure to submit the Notice of Intent to Submit a Proposal will disqualify any party from further consideration.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

REQUEST FOR PROPOSALS (FDDC # 2008-CS-6800) REVISION OF THE COUNCIL'S GUARDIANSHIP TRAINING CURRICULUM

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2008-CS-6800) is released in order to fund the revision of the content of the Council's two guardianship training curriculums and the teaching/ implementation of the revised curriculums.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing FDDC at 124 Marriott Drive, Suite 201, Tallahassee, FL 32301, or calling (850)488-4180 or Toll Free 1(800)580-7801 or TDD Toll Free (888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is May 12, 2008, 4:00 p.m. (EDT). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail, or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of May 26, 2008. The deadline for submitting proposals for this RFP to FDDC is June 27, 2008, 2:00 p.m. (EDT).

The above announcement will appear in the FDDC webpage (www.fddc.org) on April 18, 2008.

Please forward all requests for copies of the FRP to Misty Grimm.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS; WE CANNOT ANSWER QUESTIONS VERBALLY.

124 Marriott Drive, Suite 203, Tallahassee, Florida 32301-2981, Phone (850)488-4180, 1(800)580-7801, Fax (850)922-6702, TDD (850)488-0956, 1(888)488-8633, Webpage: www.fddc.org.

FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES

SECOND REQUEST

REQUEST FOR LETTERS OF INTEREST

Neighborhood Partner Initiative

CINS/FINS Non Residential Services

The Florida Network of Youth and Family Services, Inc. is soliciting Letters of Interest (LOI) on behalf of the Department of Juvenile Justice from potential Neighborhood Partner agency applicants interested in providing Nonresidential Counseling and Case Management Services to youth and families identified as Children in Need of Services and Families in Need of Services (CINS/FINS) in the following counties: Miami-Dade, Pinellas, Palm Beach, Duval, Hillsborough, Orange and Broward. If the number of responses to this LOI request exceeds one per county, a competitive Invitation to Negotiate (ITN) will be issued for that county. To be eligible for consideration, the LOI and all required documentation must be submitted by 4:00 p.m. (EDT), June 13, 2008. For additional information regarding services description, key contract requirements, submission information, required documentation to be submitted and the Letter of Interest Form, visit www.floridanetwork.org. Only applicants submitting a LOI response to this request will be permitted to respond to any ITN resulting from this LOI process.

The target population for these services is youth ages 10-17 who are homeless, runaways, truants, or acting beyond the control of their parents (ungovernable). The purpose of CINS/FINS activities is to provide advocacy for youth, public safety, assure youth due process and adequate protection, and preserve the unity and integrity of the family. The CINS/ FINS process is described in detail in Chapter 984, Florida Statutes.

Neighborhood Partners agencies are:

1. A racial or ethnic minority agency as demonstrated by 50% or more of the members of the non-profit Board of Directors representing an ethnic or racial a minority.

AND

2. Community-based as demonstrated by a having a presence in the community for a number of years that has resulted in key relationships in the community that will afford supports to the youth and families receiving services, e.g., schools, law enforcement, community organizations and other service providers. Faith-based agencies as demonstrated by an affiliation with a community church or a human services arm of a church, but do not impose a particular faith upon clients and agree to serve clients of all faiths, meet the definition of community-based.

**Section XII
Miscellaneous**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida Department of Agriculture and Consumer Services, Division of Plant Industry announces that it is once again soliciting applications for the Endangered and Threatened Native Flora Grants Program.

Grants may be awarded for activities which provide recognition of those native flora to the state that are endangered and threatened; and activities that encourage, within a controlled program, the protection, curation, propagation, reintroduction and monitoring of native flora that are identified as endangered or threatened.

Who is eligible to apply? By law, a qualified corporation is a not-for-profit corporation pursuant to Section 501(c)(3) of the Internal Revenue Code of 1954, and which is described in, and allowed to receive contributions pursuant to the provisions of, Section 170 of the Internal Revenue Code of 1954, and which is a corporation not for profit incorporated pursuant to Chapter 617, Florida Statutes, and which can demonstrate, based on program criteria, the ability to protect, conserve, propagate, reintroduce and monitor endangered and threatened native flora.

If the projects receive legislative approval, funds will become available after July 1, 2009. The deadline for filing applications is July 31, 2008 and applications must be delivered to the Division of Plant Industry's Plant Inspection office by 5:00 p.m., on that date or be clearly postmarked on or before that date.

Further information and an application may be obtained from: Mr. Tyson Emery, Division of Plant Industry, Bureau of Plant and Apiary Inspection, P. O. Box 147100, Gainesville, Florida 32614-7100 or (352)372-3505, ext. 162, Fax (352)955-2301 or email: emeryt@doacs.state.fl.us.

DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF INTENT TO FIND
PUBLIC SCHOOLS INTERLOCAL AGREEMENT
CONSISTENT WITH SECTION 163.31777(2), FLORIDA
STATUTES – DCA DOCKET NO. 53-18**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Polk County School Board and the City of Winter Haven, 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 Winter Haven, 451 Third Street, N. W., Winter Haven, Florida 33883-2277.

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 F.A.W., 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 Polk County School Board, and the City of Winter Haven. 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

DCA Final Order No.: DCA08-OR-90
In re: CITY OF MARATHON LAND
DEVELOPMENT REGULATIONS
ADOPTED BY ORDINANCE NO. 2007-38

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Section 380.05(6), F.S., and Section 380.0552(9), F.S. (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 the City of Marathon is a local government within the Florida Keys Area.
2. On March 17, 2008, the Department received for review City of Marathon Ordinance No. 2007-38 that was adopted by the City of Marathon Board of City Commissioners on January 8, 2008 (“Ord. 2007-38”). The purpose of Ord. 2007-38 is to amend Chapter 107 of the Land Development Regulations allowing for the deferral of allocations associated with the Building Permit Allocation System. Ord. 2007-38 creates a mechanism to allow applicants the option of deferring acceptance of a building permit allocation until the ensuing allocation period with a limit of three deferrals.
3. Ord. 2007-38 is consistent with the City’s 2010 Comprehensive Plan.

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), F.S., and Section 380.0552(9), F.S. (2007).
5. The City of Marathon is a local government within the Florida Keys Area of Critical State Concern. Section 380.0552, F.S. (2007) and Rule 31-31.002 (superseding Chapter 27F-8), F.A.C.

6. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), F.S. (2007). The regulations adopted by Ord. 2007-38 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), F.S. 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. 2007-38 promotes and furthers 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 upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
 - (c) To limit adverse impacts of development on the quality of water throughout the Florida Keys.
9. Ord. 2007-38 is not inconsistent with the remaining Principles. Ord. 2007-38 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 2007-38 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 31-106.201(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 4th day of April, 2008.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Edward P. Worthington, Mayor
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

Diane Clavier, City Clerk
City of Marathon
10045-55 Overseas Highway
Marathon, Florida 33050

Mike Puto
Acting City Manager
City of Marathon
10054-55 Overseas Highway
Marathon, Florida 33050

Jimmy Morales, Esq.
Stearns Weaver Miller Weissler
Alhadeff & Sitterson, P.A.
Suite 2200 Museum Tower
150 West Flagler Street
Miami, Florida 33130

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

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 Ridley Motorcycle Company, intends to allow the establishment of Ali J, Inc. d/b/a Freedom Powersports, as a dealership for the sale of Ridley (RIDL) motorcycles at 941 Country Club Boulevard, Unit C & D, Cape Coral (Lee County), Florida 33990, on or after March 28, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ali J, Inc. d/b/a Freedom Powersports are dealer operator(s): Jeff Free, 941 Country Club Boulevard, Unit C & D, Cape Coral, Florida 33990; principal investor(s): Jeff Free, 941 Country Club Boulevard, Unit C & D, Cape Coral, Florida 33990.

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: Valerie Park, Ridley Motorcycle Company, 35 Northwest 42nd Street, Oklahoma City, Oklahoma 73118.

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 Bellamy's Outdoor Sports, Inc., as a dealership for the sale of Kawasaki motorcycles (KAWK) at 1003 South Jefferson Street, Perry (Taylor County), Florida 32348, on or after May 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Bellamy's Outdoor Sports, Inc. are dealer operator(s): Louis Owen Bellamy, Jr., 115 Deerfield Lane, Crawfordville, Florida 32326; principal investor(s): Louis Owen Bellamy, Jr., 115 Deerfield Lane, Crawfordville, Florida 32326.

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: Jim Capps, 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 Piaggio Group Americas, Inc., intends to allow the establishment of Nosa, Inc. d/b/a Palmetto Motorsports, as a dealership for the sale of Aprilia (APRI) motorcycles at 6400 West 20th Avenue, Hialeah (Dade County), Florida 33016, on or after March 31, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Nosa, Inc. d/b/a Palmetto Motorsports are dealer operator(s): Ceasar Sandoval, 6400 West 20th Avenue, Hialeah, Florida 33016; principal investor(s): Ceasar Sandoval, 6400 West 20th Avenue, Hialeah, Florida 33016.

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: Angellina Fraser-Lubin, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

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 Classic Motorworks Ltd., intends to allow the establishment of Ali J, Inc. d/b/a Freedom Powersports, as a dealership for the sale of Royal Enfield motorcycles (ENFI) at 941 Country Club Boulevard, Unit C & D, Cape Coral (Lee County), Florida 33990, on or after April 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Ali J, Inc. d/b/a Freedom Powersports are dealer operator(s): Jeffrey Free, 5924 Tarpon Garden Circle #202, Cape Coral, Florida 33914 and Alison Free, 5924 Tarpon

Garden Circle #202, Cape Coral, Florida 33914; principal investor(s): Jeffrey Free, 5924 Tarpon Garden Circle #202, Cape Coral, Florida 33914 and Alison Free, 5924 Tarpon Garden Circle #202, Cape Coral, Florida 33914.

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: Kevin Mahoney, President, Royal Enfield, USA, a Division of Classic Motorworks, 1405 Cannon Circle, Suite 12, Faribault, Minnesota 55021.

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 KTM North America, Inc., intends to allow the establishment of Triumph South Florida, LLC, as a dealership for the sale of KTM motorcycles (KTM) at 1880 South Federal Highway, Fort Lauderdale (Broward County), Florida 33316, on or after March 26, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Triumph South Florida, LLC are dealer operator(s): Martyn Graham, 1880 South Federal Highway, Fort Lauderdale, Florida 33316; principal investor(s): Martyn Graham, 1880 South Federal Highway, Fort Lauderdale, Florida 33316.

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: Jon-Erik Burleson, President, 1119 Milan Avenue, Amherst, Ohio 44001.

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 STR Motorsports, Inc., intends to allow the establishment of Wala 2 Corporation d/b/a Vespa Jacksonville, as a dealership for the sale of KYMCO motorcycles (KYO) at 1128 North 3rd Street, Jacksonville (St. Johns County), Florida 32250, on or after April 15, 2008.

The name and address of the dealer operator(s) and principal investor(s) of Wala 2 Corporation d/b/a Vespa Jacksonville are dealer operator(s): Thomas R. Bole, 935 North Grandview Avenue, Daytona Beach, Florida 32118; principal investor(s): Thomas R. Bole, 935 North Grandview Avenue, Daytona Beach, Florida 32118.

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: Bruce Ramsey, KYMCO, 5 Stan Perkins Road, Spartanburg, South Carolina 29307.

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

The Agency for Healthcare Administration has received an application for services exemption from Brooksville Regional Hospital, 17240 Cortez Blvd., Brooksville, FL 34601, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The service category requested is Urology. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing to: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone at (850)487-2717 or by e-mail at youngj@ahca.myflorida.com.

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 LAND USE DETERMINATION

On April 7, 2008 the Department of Environmental Protection received a determination from Miami-Dade County that the Florida Power & Light Co., Turkey Point Unit 3 and 4 Uprate Project, Power Plant Siting Application No. 03-45A2, OGC Case No. 08-0089, DOAH Case No. 08-00378EPP, is consistent with existing local land use plans and zoning ordinances in Miami-Dade County pursuant to the Florida Electrical Power Plant Siting Act, Section 403.50665, F.S. A copy of the determination of compliance is available for review in the office of Michael P. Halpin, P.E., Siting Coordination Office, Department of Environmental Protection, 2600 Blair Stone Road, M.S. 48, Tallahassee, Florida 32399-2400, (850)245-8002. Pursuant to Section 403.50665(4), F.S., if any

substantially affected person wishes to dispute Miami-Dade County's determination that the proposed Turkey Point Unit 3 and 4 Uprate Project is consistent with Miami-Dade County's existing land use plans and zoning ordinances, he or she must file a petition with the Department within 21 days after the publication of notice of the local government's determination. If a hearing is requested, the provisions of Section 403.508(1), F.S., shall apply. Should a land use hearing be held, the notice of land use hearing will be published as per the provisions of Section 403.5115, F.S. Pursuant to Section 403.508(1), F.S., the sole issue for determination at a land use hearing shall be whether or not the proposed site is consistent and in compliance with existing land use plans and zoning ordinances. If the administrative law judge concludes that the proposed site is not consistent or in compliance with existing land use plans and zoning ordinances, the administrative law judge shall receive at the hearing evidence on, and address in the recommended order, any changes to or approvals or variances under the applicable land use plans or zoning ordinances which will render the proposed site consistent and in compliance with the local land use plans and zoning ordinances. A person whose substantial interests are affected by the proposed determination of consistency may petition for an administrative hearing in accordance with Section 403.5066(4), F.S. The petition must be filed with the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, (850)245-2241, Fax (850)245-2303. The petition should contain: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact; If there are none, the petitioner shall so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the proposed action; and (g) A statement of the relief sought by the petitioner. A petition that does not dispute the material facts shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, Florida Administrative Code.

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.

NOTICE OF FLORIDA COASTAL MANAGEMENT PROGRAM – FINAL COASTAL AND ESTUARINE LAND CONSERVATION PLAN

The Florida Coastal Management Program (FCMP) will be submitting the final Coastal and Estuarine Land Conservation Plan to the Federal Office of Ocean and Coastal Resource Management for review and approval. The plan was developed in accordance with the guidelines established by the National Oceanic and Atmospheric Administration.

Once approved, the plan will provide the framework for implementing the requirements of the Coastal and Estuarine Land Conservation Program (CELCP) within the State of Florida. The draft plan is available for review on the FCMP website at: http://www.dep.state.fl.us/cmp/links/files/draft_celcp.pdf.

Comments on the plan should be sent to: Danny Clayton, Department of Environmental Protection, Florida Coastal Management Program, MS 47, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000.

NOTICE OF PUBLIC OPPORTUNITY TO COMMENT ON GEOLOGICAL AND GEOPHYSICAL PERMIT APPLICATION FOR FEDERAL WATERS OF THE EASTERN GULF OF MEXICO OFFSHORE FLORIDA

Interested persons are hereby given notice that a U.S. Department of the Interior, Minerals Management Service, Geological and Geophysical Permit Application submitted by Coastal Planning and Engineering, to collect data in federal waters off Florida to identify sand for beach restoration, was received by the State of Florida. Proposed activities include bathymetry, seismic, sidescan sonar, and magnetometer surveys offshore Longboat Key, Florida Manatee and Sarasota Counties).

The permit application is available for inspection at the Florida Department of Environmental Protection (FDEP), Office of Intergovernmental Programs, Room 953 DA, Douglas Building, 3900 Commonwealth Boulevard, MS 47, Tallahassee, Florida 32399-3000, (850)245-2163. Written comments regarding this activity and its consistency with the Florida Coastal Management Program should be submitted to FDEP, at the address listed above, by May 1, 2008. Contact:

Shana Kinsey or Debby Tucker, (850)245-2163, email: Shana.Kinsey@dep.state.fl.us or Debby.Tucker@dep.state.fl.us.

This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On April 2, 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 Gregory S. McKallip, C.N.A., license number CNA 95452. 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 3, 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 Rebecca Lou Allen Barkhurst, R.N. license number RN 1593812. 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 3, 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 Brendan James-Truman Coulter, Clinical Laboratory Tech. license number 40211. 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.

Title V Maternal and Child Health Block Grant

The Department of Health will be submitting a new application to receive federal funds under the Title V Maternal Child Health Block Grant. If you wish to make any suggestions or provide input for the Federal Fiscal Year 2009 application and report, please call Bob Peck at (850)245-4444, ext. 2965 or by e-mail at Bob_Peck@doh.state.fl.us, by May 16, 2008.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN March 31, 2008
 and April 4, 2008

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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WATER MANAGEMENT DISTRICTS
Suwannee River Water Management District

40B-4.1090	4/1/08	4/21/08	34/8	
40B-21.631	4/1/08	4/21/08	34/8	
40B-21.641	4/1/08	4/21/08	34/8	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF HEALTH
Division of Medical Quality Assurance

64B-9.002	4/1/08	4/21/08	33/50	34/10
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Board of Podiatric Medicine

64B18-11.001	4/2/08	4/22/08	34/9	
64B18-14.011	4/2/08	4/22/08	34/9	

FLORIDA HOUSING FINANCE CORPORATION

67-53.005	4/4/08	4/24/08	34/11	
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