

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."

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-1.002	Definitions
18-1.006	Appraisal Procedures, Report Requirements and Determining Maximum Amounts
18-1.007	Appraiser Eligibility and Selection

PURPOSE AND EFFECT: The purpose of this amendment is to make the appropriate changes to the Chapter 18-1, F.A.C., reflecting the recent legislative changes to Section 253.025, F.S. Pursuant to Section 253.025(6)(f), F.S., the Board of Trustees shall adopt a rule providing for waiver of sale history in appraisal reports where it is cost prohibitive compared to the value of the parcel. Furthermore, pursuant to Section 253.025(6)(e), F.S., changes to paragraph 18-1.007(5)(b), F.A.C., are proposed for consistency among conservation and non-conservation land acquisitions in regards to the appraisal review threshold based on the value of the parcel. Finally, the proposed changes will revise subsection 18-1.002(29), F.A.C., to update the citation of the Uniform Standards of Professional Appraisal Practice to the version to be effective January 1, 2010.

SUBJECT AREA TO BE ADDRESSED: The Rule amendments will do the following: provide appraisal procedures for state land acquisition.

RULEMAKING AUTHORITY: 253.025 FS.

LAW IMPLEMENTED: 253.025 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.

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: Mike Herran, Division of State Lands, 3900 Commonwealth Blvd., M.S. 110, Tallahassee, FL 32399 or by phone at (850)245-2665 or email at mike.herran@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike Herran, Division of State Lands, 3900 Commonwealth Blvd., M.S. 110, Tallahassee, FL 32399 or by phone at (850)245-2665 or email at mike.herran@dep.state.fl.us

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

FLORIDA PAROLE COMMISSION

RULE NOS.:	RULE TITLES:
23-20.002	Scope of Responsibility
23-20.007	Procedures

PURPOSE AND EFFECT: The Commission proposes to amend a current rule to remove obsolete position titles.

SUBJECT AREA TO BE ADDRESSED: The Mutual Participation Program Administrator is a position which was consumed by the Release Services Administrator. Prison superintendents are now called wardens.

RULEMAKING AUTHORITY: 947.07, 947.135, 947.20 FS.

LAW IMPLEMENTED: 947.135 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: Sarah J. Rumph, General Counsel, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

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

FLORIDA PAROLE COMMISSION

RULE NO.:	RULE TITLE:
23-21.001	General

PURPOSE AND EFFECT: The Commission proposes to delete reference a non-existent type of supervision.

SUBJECT AREA TO BE ADDRESSED: The reference to compulsory conditional release must be removed as this type of release does not exist in statute.

RULEMAKING AUTHORITY: 120.53, 947.1405, 947.06, 947.07, 947.20 FS.

LAW IMPLEMENTED: 947.06 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: Sarah J. Rumph, General Counsel, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

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

FLORIDA PAROLE COMMISSION

RULE NO.: 23-25.004 RULE TITLE: Addiction Recovery Supervision

PURPOSE AND EFFECT: The Commission proposes to update rules to conform to current practices and procedures, standardizing to conform to other types of Commission supervision.

SUBJECT AREA TO BE ADDRESSED: The supervision and revocation procedures will be updated to conform to current practices and procedures for other types of supervision.

RULEMAKING AUTHORITY: 944.4731 FS.

LAW IMPLEMENTED: 944.4731, 947.141 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: Sarah J. Rumph, General Counsel, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

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

PUBLIC SERVICE COMMISSION

RULE NOS.: 25-10.026 RULE TITLES: Location and Preservation of Records

25-10.111 Customer Billing

PURPOSE AND EFFECT: The purpose of both rule repeals is to eliminate redundant provisions which are no longer in use. These rules have been superseded by new rules in Chapter 25-30, e.g. Rules 25-30.110 Records and Reports; Annual Reports; 25-30.115 Uniform System of Accounts for Water and Wastewater Utilities; 25-30.335 Customer Billing, Undocketed.

SUBJECT AREA TO BE ADDRESSED: These rules address utilities' responsibilities to maintain utility records within the State; to keep those records according to certain Accounting Standards; and to bill for service at regular intervals.

RULEMAKING AUTHORITY: 350.127(2), 367.121 FS.

LAW IMPLEMENTED: 367.111, 367.121 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 Harris, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6199

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40A-4.041	Permit Required
40A-4.061	Mitigation Banks
40A-4.091	Processing of Permits
40A-4.142	Headgates, Valves, and Measuring Devices
40A-4.143	Abandonment
40A-4.301	Conditions for Issuance of Permits
40A-4.331	Revocation and Modification of Permits
40A-4.461	Inspection
40A-4.481	Remedial and Emergency Measures
40A-4.901	Forms and Instructions

PURPOSE AND EFFECT: The overall purpose of the proposed rule development is to clarify rule language. The majority of the anticipated changes will address concerns expressed by the Joint Administrative Procedures Committee that the use of the word "may" could be construed as a granting of un-bridled discretion to the Governing Board or the Executive Director. The effect of the proposed amendments will be to clarify and simplify rule language.

SUBJECT AREA TO BE ADDRESSED: Regulation of "Management and Storage of Surface Waters" projects.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.406, 373.418 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.046, 373.083, 373.116, 373.118, 373.406, 373.409, 373.413, 373.4135, 373.4136, 373.4137, 373.4141, 373.416, 373.417, 373.418, 373.423, 373.426, 373.427, 373.429, 373.436, 373.439 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: December 2, 2009, 9:00 a.m., ET

PLACE: Northwest Florida Water Management District, 81 Water Management Drive, Governing Board Conference Room, Havana, Florida 32333-4711

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jean Whitten, Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-4711, (850)539-5999, (fax) (850)539-2777. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lance Laird, Northwest Florida Water Management District, 152 Water Management Drive, Havana, Florida 32333-4711, (850)539-5999, (850)539-2777 (fax)

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

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40A-6.091	Works of the District
40A-6.101	Content of Application
40A-6.331	Revocation and Modification of Permits
40A-6.351	Transfer of Permits
40A-6.451	Emergency Authorization
40A-6.461	Inspections
40A-6.481	Remedial and Emergency Measures
40A-6.901	Forms and Instructions

PURPOSE AND EFFECT: The overall purpose of the proposed rule development is to clarify rule language. The majority of the changes will address concerns expressed by the Joint Administrative Procedures Committee that the use of the word “may” could be construed as a granting of unbridled discretion to the Governing Board or the Executive Director. In addition, a “District Works” will be deleted. The effect of the proposed amendments will be to clarify and simplify rule language and eliminate a “District Works” scheduled to be transferred to the City of Tallahassee.

SUBJECT AREA TO BE ADDRESSED: Regulation of “Works of the Districts.”

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.171, 373.418 FS.

LAW IMPLEMENTED: 373.084, 373.085, 373.086, 373.103, 373.119, 373.139, 373.413, 373.416, 373.418, 373.423, 373.426, 373.429, 373.436, 373.439 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: December 2, 2009, 9:30 a.m., ET

PLACE: Northwest Florida Water Management District, 81 Water Management Drive, Governing Board Conference Room, Havana, Florida 32333-4711

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lance Laird, Northwest Florida Water Management District, 152 Water Management Drive, Havana, Florida 32333-4711, (850)539-5999, (850)539-2777 (fax)

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.:	RULE TITLE:
40E-1.659	Forms and Instructions

PURPOSE AND EFFECT: To incorporate by reference a conservation easement for local government use when the local government is submitting a permit involving a conservation easement to the South Florida Water Management District (District) as a component of the Environmental Resource Permit process. The regulated public, in this case the local government, will benefit by the incorporation of this form into the District’s rules by reducing review time for both the local government and District staff reviewers and by ensuring that the form is consistent with the requirements of Section 704.06, Florida Statutes, and other conservation easement forms adopted by the District.

SUBJECT AREA TO BE ADDRESSED: Real Property Conveyances and Restrictions, Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.

RULEMAKING AUTHORITY: 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anita Bain, Director, Environmental Resource Permitting Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866, or by email to: abain@sfwmd.gov. For procedural questions please contact Kathie Ruff, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6299 or (561)682-6320, or by email to: kruff@sfwmd.gov

Copies of the proposed form are located at the District’s website at: my.sfwmd.gov/permitting in the right hand column under “rule development”. Copies can also be obtained by contacting Kathie Ruff, Paralegal at the contact information provided above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-1.659 Forms and Instructions.

(1) The following forms and instructions are hereby incorporated by reference into this chapter:

Form No.	Date	Title			
0050A	7-89	Application to the South Florida Water Management District for a Permit for Utilization of District Works or Modification of Existing Permit Works of the District No.	0445	8-03	Mining/Dewatering Permit Application (RC-1A, RC-1W, RC-1G)
0108	3-91	Application for Release of Mineral, Canal, and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida	0483	9-04	Request for Environmental Resource, Surface Water Management, Water Use or Wetland Resource Permit Transfer
0113	8-95	Surface Water Management Permit No.	0645-W01	8-03	Water Use Permit Application (RC-1A, RC-1W, RC-1G)
0115	8-95	Surface Water Management Permit Modification No.	0645-G60	8-03	Table A Descriptions of Wells
0119	8-95	Wetland Resource Permit No.	0645-G61-1	8-03	Table B Description of Surface Water Pumps
0122	4-93	Application to the South Florida Water Management District for Authority to Utilize Works or Land of the District	0645-G61-2	8-03	Table C Description of Culverts
0123	4-95	Well Construction Permit Application	0645-G65	8-03	Table D Crop Information
0124	11-90	Well Completion Report	0645-G74	8-03	Table E Water Received From or Distributed to Other Entities
0145	8-95	Environmental Resource Permit No.	0645-G69	8-03	Table F Past Water Use & Table G Projected Water Use
0157	8-95	Environmental Resource Permit Modification No.	0645-G70	8-03	Table H Projected Water Use (For Per Capita Greater than 200 GPD)
0188-QMQ	8-03	Quarterly Report of Withdrawals	0645-G71	8-03	Table I Water Treatment Method and Losses
0188-MDQ	8-03	Monthly Report of Daily Withdrawals	0645-G72	8-03	Table J Aquifer Storage and Recovery
0188-QASR	8-03	Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells]	0645-G73	8-03	Table K Water Supply System Interconnections
0188-QMON	8-03	Quarterly Report of Monitoring Requirements	0779	5-92	Guidance for Preparing an Application for a “Works of the District” Permit in the Everglades/Application for a Works of the District Permit
0188-QMQF	8-03	Quarterly Report of Withdrawals from Wells and Surface Water Pumps	0830	4-94	Special Use Application and License
			0881A	9-03	Environmental Resource/ Surface Water Management Permit Construction Completion Certification

0881B	9-03	Environmental Resource/ Surface Water Management Permit Construction Completion Certification – For Projects Permitted Prior to October 3, 1995	1020	9-04	Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction/Implementation Financial Assurance
0889	9-04	Certification of Waiver of Permit Application Processing Fee	1021	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance
0920	9-04	Request for Conversion of District Environmental Resource/Surface Water Management Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity	1022 1023	9-04	Mitigation Bank Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance
0941	8-95	Environmental Resource Standard/Noticed General Permit No.	1024	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance
0942	8-95	Surface Water Management General Permit No.			
0960	9-04	Environmental Resource/ Surface Water Management Permit Construction Commencement Notice	1105 1106	6-02	Performance Bond to Demonstrate Financial Assurance Irrevocable Letter of Credit to Demonstrate Financial Assurance
0961	9-04	Environmental Resource/ Surface Water Management Permit Annual Status Report for Surface Water Management System Construction	1109 1189	8-03 2-06	Water Use General Permit Notice of Environmental Resource or Surface Water Management Permit
0970	2-04	Applicant Transmittal Form for Requested Additional Information	1190	1-07	Deed of Conservation Easement (Standard)
0971	8-95	Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit	1191 1192 1194	1-07 1-07 1-07	Deed of Conservation Easement (Standard Passive Recreational) Deed of Conservation Easement (Standard Riparian) Deed of Conservation Easement (Third Party Standard)
0972	8-95	Petition for a Formal Wetland and Surface Water Determination	1195	1-07	Deed of Conservation Easement (Third Party Passive Recreational)
0973	8-95	Above Ground Impoundment Inspection/Certification Report	1196	1-07	Deed of Conservation Easement (Third Party Riparian)
0974	8-95	Notice of Intent to Construct a Minor Silvicultural System	1197	1-07	Restrictive Covenant (Standard)
0980	8-95	Notice of Intent to Use a Noticed General Environmental Resource Permit	1318		<u>Deed of Conservation Easement (Local Governments), incorporated by reference in Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u>
1019	9-04	Mitigation Bank Performance Bond to Demonstrate Construction/Implementation Financial Assurance			

~~Rulemaking Specific~~ Authority 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 704.06 FS. Law Implemented 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History–New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06, 1-23-07, 8-7-07, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-4.091
 RULE TITLE: Publications, Rules and Interagency Agreements Incorporated by Reference

PURPOSE AND EFFECT: To delete Section 4.3.9 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District (BOR), incorporated by reference in Rule 40E-40.091, F.A.C., pertaining to Mitigation Reduction through a Melaleuca Eradication Program.

SUBJECT AREA TO BE ADDRESSED: The deletion of Section 4.3.9 of the BOR pertaining to Mitigation Reduction through a Melaleuca Eradication Program.

RULEMAKING AUTHORITY: 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anita Bain, Director, Environmental Resource Permitting Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866, or by email to: abain@sfwmd.gov. For procedural questions please contact Kathie Ruff, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6320 or (561)682-6320 or by email to: kruff@sfwmd.gov.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – _____”.

(b) through (k) No change.

(2) No change.

~~Rulemaking Specific~~ Authority 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07, _____.

(The following represents proposed changes to the document entitled “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 7-22-07” incorporated by reference in Rule 40E-4.091, F.A.C.)

~~4.3.9 Mitigation Reduction Through a Melaleuca Eradication Program~~

(a) ~~The intent of this section is to encourage landowners to maintain their land free of exotic vegetative species by providing a regulatory incentive in the form of future reductions in required mitigation. A landowner whose property contains melaleuca (Melaleuca quinquenervia), may elect to participate in a melaleuca eradication program. Landowners who implement a successful melaleuca eradication program which has been approved by the District may earn a reduction in mitigation requirements up to a maximum of 50% to be used towards mitigating future wetland impacts resulting from regulated activities undertaken on the subject property. The development and implementation of a melaleuca eradication program pursuant to this section shall not require an Environmental Resource Permit or a permit fee.~~

(b) ~~In order to be eligible for the future mitigation reduction, a landowner must submit a plan to District staff for review and approval and successfully implement the melaleuca eradication program. The submitted plan must detail the extent of melaleuca coverage over the entire property, including both wetlands and uplands, for which the melaleuca eradication program is to be implemented. The plan shall differentiate between wetland communities and~~

~~upland communities, and shall specify melaleuca coverages and acreages for each community type which the landowner proposes to include in the melaleuca eradication program. Each vegetative community type shall be mapped using the Florida Land Use,~~

~~Cover and Forms Classification System (FLUCCS) to a minimum of Level III.~~

- ~~(c) The plan must include a map showing all of the landowner's property holdings which are contiguous to the property which is the subject of the melaleuca eradication program. Landowners may submit proposals to subdivide large land holdings based on phase boundaries or operational units.~~
- ~~(d) The melaleuca eradication plan must specify the following:~~
 - ~~1. the methodology to be used initially to eliminate or eradicate the existing melaleuca population;~~
 - ~~2. the subsequent management and maintenance procedures that will be undertaken on the property to ensure that:~~
 - ~~a. the area has no living mature or sapling melaleuca trees; and~~
 - ~~b. less than 1% of the total land area included in the melaleuca removal program contains live melaleuca seedlings.~~
- ~~(e) The melaleuca eradication program must include a monitoring plan to document the success of the melaleuca eradication efforts over time. In order to be approved, the melaleuca eradication plan must provide reasonable assurances that:~~
 - ~~1. the plan is designed to achieve a significant overall improvement of ecological conditions;~~
 - ~~2. the plan is capable of being successfully implemented based on reasonable scientific judgement given due consideration of such factors as adjacent land uses and proximate seed sources;~~
 - ~~3. the initial eradication methodology and subsequent management and maintenance procedures will not adversely impact wetlands, native upland habitat or listed species;~~
 - ~~4. the plan will not eliminate melaleuca in some areas of the property while facilitating melaleuca encroachment or proliferation into other areas of the property;~~
 - ~~5. the plan will not allow invasion by other exotic vegetation (category I and II species of trees, shrubs and vines as specified in the Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species) in the areas where melaleuca has been removed.~~

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-4.091
 RULE TITLE: Publications, Rules and Interagency Agreements Incorporated by Reference

PURPOSE AND EFFECT: To incorporate by reference a conservation easement for local government use when the local government is submitting a permit involving a conservation easement to the South Florida Water Management District (District) as a component of the Environmental Resource process. The regulated public, in this case the local government, will benefit by the incorporation of this form into the District's rules by reducing review time for both the local government and District staff reviewers and by ensuring that the form is consistent with the requirements of Section 704.06, Florida Statutes, and other conservation easement forms adopted by the District.

SUBJECT AREA TO BE ADDRESSED: Real Property Conveyances and Restrictions, Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.

RULEMAKING AUTHORITY: 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anita Bain, Director, Environmental Resource Permitting Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866, or by email to: abain@sfwmd.gov. For procedural questions please contact Kathie Ruff, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6320 or (561)682-6320 or by email to: kruff@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – _____”.

(b) through (k) No change.

(2) No change.

Rulemaking Specific Authority 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07, _____

(The following represents proposed changes to the document entitled “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 7-22-07” incorporated by reference in Rule 40E-4.091, F.A.C.)

4.3.8 Real Property Conveyances

(a) and (b) No change.

(c) The use of Form No(s) 1190-1192, ~~and~~ 1194-1197, and 1318, incorporated by reference ~~referenced~~ in Rule 40E-1.659, F.A.C., shall constitute consistency with Section 704.06, F.S. Where the applicant demonstrates that project specific conditions necessitate deviation from language of the accepted forms, alternative language shall be accepted provided that the intent of Section 704.06, F.S., and Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District are met.

(d) No change.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:
61G3-16.0010 Examination for Barber Licensure
PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.
SUBJECT AREA TO BE ADDRESSED: Examiners in Practical Examinations; Criteria for Selection.
RULEMAKING AUTHORITY: 455.217, 476.144 FS.
LAW IMPLEMENTED: 455.217, 476.134, 476.144 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 Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:
61G3-16.002 Reexamination
PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.
SUBJECT AREA TO BE ADDRESSED: Reexamination.
RULEMAKING AUTHORITY: 455.217, 476.144 FS.
LAW IMPLEMENTED: 455.217, 476.134, 476.144 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 Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:
61G3-16.005 Endorsement
PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.
SUBJECT AREA TO BE ADDRESSED: Endorsement.
RULEMAKING AUTHORITY: 455.217, 476.144 FS.
LAW IMPLEMENTED: 455.217, 476.134, 476.144 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 Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.007 RULE TITLE: Examination for Restricted Licensure

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Examination for Restricted Licensure.

RULEMAKING AUTHORITY: 455.217, 476.144 FS.

LAW IMPLEMENTED: 455.217, 476.134, 476.144 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 Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.008 RULE TITLE: Manner of Application

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Manner of Application.

RULEMAKING AUTHORITY: 455.217, 476.144 FS.

LAW IMPLEMENTED: 455.217, 476.134, 476.144 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 Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.010 RULE TITLE: Supervised Practice Exception

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Supervised Practice Exception.

RULEMAKING AUTHORITY: 455.217, 476.144 FS.

LAW IMPLEMENTED: 455.217, 476.134, 476.144 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 Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-20.002 RULE TITLE: Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees.

RULEMAKING AUTHORITY: 455.213, 455.217, 476.144 FS.

LAW IMPLEMENTED: 455.2171, 476.192 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 Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-20.0075 RULE TITLE: Examination Review Fee

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Examination Review Fee.

RULEMAKING AUTHORITY: 455.217, 476.2171 FS.

LAW IMPLEMENTED: 455.217, 476.2171 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 Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NOS.: 61G10-18.002 RULE TITLES: Board Approval of Continuing Education Providers
61G10-18.006 Approval of Continuing Education Courses

PURPOSE AND EFFECT: The Board proposes to amend the rules to incorporate new DBPR form numbers and to review existing language to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Board Approval of Continuing Education Providers; Approval of Continuing Education Courses.

RULEMAKING AUTHORITY: 455.2124, 455.2179, 481.306, 481.313, 481.325(2) FS.

LAW IMPLEMENTED: 455.2179, 481.313, 553.841 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: Juanita Chastain, Executive Director, Board of Landscape Architecture, 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 HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-8.003 RULE TITLE: Trainee Stages, Minimum Training Requirements, and Training Program

PURPOSE AND EFFECT: The proposed changes will make it clear to applicants that Stage I must be completed before an applicant can move to Stage II. It will also require a training program sponsor to report to the Board following termination of a training program, whether complete or not.

SUBJECT AREA TO BE ADDRESSED: Trainee Stages, Minimum Training Requirements, and Training programs.

RULEMAKING AUTHORITY: 484.044, 484.0445(1) FS.

LAW IMPLEMENTED: 484.0445, 484.045 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.003 RULE TITLE: Physician Assistant Licensure
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised PA application form in the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised PA application into the PA application rule.

RULEMAKING AUTHORITY: 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 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, 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.: 64B8-30.015 RULE TITLE: Disciplinary Guidelines
PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the PA disciplinary guidelines to impose similar penalties for physician assistants as for physicians and to address recent legislative changes with regard to disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for physician assistants.

RULEMAKING AUTHORITY: 456.079, 458.309, 458.331(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 458.331(4), 458.347(4)(e)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, IF AVAILABLE, IS: Larry

McPherson, 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.: 64B8-30.019 RULE TITLE: Fees Regarding Physician Assistants
PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address licensure fees for physician assistants.

SUBJECT AREA TO BE ADDRESSED: Licensure fees for physician assistants.

RULEMAKING AUTHORITY: 456.036, 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.036(5),(7), 458.347 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.: 64B8-31.003 RULE TITLE: Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised application for licensure as an anesthesiologist assistant in the application rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised application in the anesthesiologist assistant application rule.

RULEMAKING AUTHORITY: 458.309, 458.3475 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 458.3475 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, 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.: RULE TITLE:
64B8-31.010 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address violations and penalties in the disciplinary guidelines for anesthesiologist assistants.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for anesthesiologist assistants.

RULEMAKING AUTHORITY: 456.079, 458.309, 458.331(4), 459.005, 459.023 FS.

LAW IMPLEMENTED: 456.072, 456.079, 458.331(4), 458.3475, 459.005, 459.023 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, 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 Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-6.003 Physician Assistant Licensure

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised PA application form in the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised PA application into the PA application rule.

RULEMAKING AUTHORITY: 458.347(7), 459.005, 459.022 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 459.022 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-6.011 Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the PA disciplinary guidelines to impose similar penalties for physician assistants as for physicians and to address recent legislative changes with regard to disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for physician assistants.

RULEMAKING AUTHORITY: 456.079, 459.0015, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 459.015(5), 459.022(4)(e)1., (7)(f) 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:
64B15-6.013 Physician Assistant Fees

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address licensure fees for physician assistants.

SUBJECT AREA TO BE ADDRESSED: Licensure fees for physician assistants.

RULEMAKING AUTHORITY: 456.036(5),(7), 459.005, 459.009, 459.022(7) FS.

LAW IMPLEMENTED: 456.036(5),(7), 459.009, 459.022(7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.003 RULE TITLE: Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised application for licensure as an anesthesiologist assistant in the application rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised application in the anesthesiologist assistant application rule.

RULEMAKING AUTHORITY: 459.023, 459.005 FS.

LAW IMPLEMENTED: 459.023, 456.013(7), 456.031, 456.033 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.010 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address violations and penalties in the disciplinary guidelines for anesthesiologist assistants.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for anesthesiologist assistants.

RULEMAKING AUTHORITY: 456.079, 459.005, 459.015(5), 459.023 FS.

LAW IMPLEMENTED: 456.072, 456.079, 459.015(5), 459.023 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.500 RULE TITLE: Negative Drug Formulary

PURPOSE AND EFFECT: The Board proposes the rule amendment to consider whether levothyroxine sodium should remain on the negative formulary list.

SUBJECT AREA TO BE ADDRESSED: Negative Drug Formulary

RULEMAKING AUTHORITY: 465.005, 465.025(6) FS., Ch. 2001-146, Laws of Florida.

LAW IMPLEMENTED: 465.025(6) FS., Ch. 2001-146, Laws of Florida.

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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: 64B24-3.004 RULE TITLE: Endorsement Fee

PURPOSE AND EFFECT: To lower the fee charged to applicants for licensure as a midwife by endorsement.

SUBJECT AREA TO BE ADDRESSED: Endorsement Fee

RULEMAKING AUTHORITY: 467.005, 467.0135 FS.

LAW IMPLEMENTED: 467.0135(6) 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: Kaye Howerton, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3250

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NO.: 65G-11.001 RULE TITLE: DD Waiver Waitlist Prioritization

PURPOSE AND EFFECT: The purpose of the rule development is to solicit public input to be used in developing a rule for the process and procedures for prioritizing the wait list for enrollment on the Developmental Disabilities Home and Community Based Services Waiver. This rule is required to implement statutory language adopted during the 2009 Florida Legislative session.

SUBJECT AREA TO BE ADDRESSED: DD/HCBS Waiver Waitlist Prioritization.

RULEMAKING AUTHORITY: 393.065(5) FS.

LAW IMPLEMENTED: 393.065(5) FS.

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

DATE AND TIME: November 16, 2009, 6:00 p.m. – 8:00 p.m. EST

PLACE: Tallahassee Community College, Grand Banquet Hall, Workforce Innovation Building, 444 Appleyard Drive, Tallahassee, Florida 32304, ADA Contact: Nilda Barreto, (850)922-9188

DATE AND TIME: November 17, 2009, 6:00 p.m. – 8:00 p.m. EST

PLACE: Rhode Building, 401 N.W. 2nd Ave, Suite N-1011, Miami, Florida 33128, ADA Contact: Miami Area Office, (305)349-1478

DATE AND TIME: November 18, 2009, 6:00 p.m. – 8:00 p.m.

PLACE: Hurston Building, 400 W. Robinson Street, 1st Floor Conference Room, Orlando, Florida 32801, ADA Contact: Orlando Area Office, (407)245-0440

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: Denise Arnold, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Denis Arnold, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950

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

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NOS.:	RULE TITLES:
68-5.001	Introduction of Non-native Species into the State
68-5.002	Conditional Non-native Species
68-5.003	Prohibited Non-native Species
68-5.004	Amnesty for Persons Relinquishing Non-native Pets

PURPOSE AND EFFECT: The purpose of this rule development effort is to address the adoption of non-native animals to help prevent the illegal release of non-native fish and wildlife. The effect of this effort will be to assist in the prevention of the release of non-native species in Florida.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is adoption of non-native wildlife species.

RULEMAKING 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 NOS.:	RULE TITLES:
68A-6.0011	Possession of Wildlife in Captivity; Permit Requirements
68A-6.002	Categories of Captive Wildlife
68A-6.0021	Possession or Transfer of Class I Wildlife as Personal Use Wildlife
68A-6.0022	Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements
68A-6.0023	General Regulations Governing Possession of Captive Wildlife; Public Contact; Transfer of Wildlife and Record Keeping Requirements
68A-6.0024	Commercialization of Wildlife; Bonding or Financial Responsibility Guarantee
68A-6.0025	Sanctuaries; Retired Performing Wildlife and Identification
68A-6.003	Facility and Structural Caging Requirement for Class I, II and III Wildlife
68A-6.004	Standard Caging Requirements for Captive Wildlife
68A-6.0041	Exceptions to Standard Caging Requirements for Captive Wildlife
68A-6.0042	Elephant Rides
68A-6.005	Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals
68A-6.006	Dealing in Exotic or Pet Birds: Records
68A-6.007	Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern
68A-6.0071	Record Keeping and Reporting Requirements
68A-6.0072	Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape

PURPOSE AND EFFECT: The purpose and effect of this rule development is to address the possession, housing, shipment and sale of captive wildlife. The proposed rule changes will define "hobbyist" and exempt hobbyists from meeting sustained and consistent commercial activity; clarify

requirements for meeting local building and zoning codes for applicants requesting authorization to possess Class I or Class II wildlife; specify labeling requirements for the shipment of live wildlife animal life, freshwater aquatic life or marine life; and clarify submission requirements for the Critical Incident/Disaster Plan.

SUBJECT AREA TO BE ADDRESSED: Subject areas to be covered in the proposed rules include commercialization of wildlife, facility requirements, labeling requirements for the shipment of live wild animal life, freshwater aquatic life or marine life, regulation of reptiles of concern and submission of Critical Incident/Disaster Plans to County Emergency Managers.

RULEMAKING 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.

**Section II
Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE NOS.:	RULE TITLES:
9K-7.002	Definitions
9K-7.003	General Requirements and Eligibility Standards
9K-7.004	Submission of Application and Application Materials
9K-7.006	Application Review
9K-7.007	Project Evaluation Criteria
9K-7.008	Ranking and Selection of Applications
9K-7.010	Modification to Expand the Project Boundary
9K-7.011	Preparation and Acceptance of the Management Plan
9K-7.013	Annual Stewardship Report Requirement

- 9K-7.014 Modification to Expand the Project Boundary
- 9K-7.015 Consideration of Recipient’s Request for Linear Facilities
- 9K-7.016 Consideration of Recipient’s Request for Land Exchanges

PURPOSE AND EFFECT: To improve Florida Communities Trust’s efficiency in administering Florida Forever Funds.

SUMMARY: To ensure the rules are user-friendly for the customers.

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.

RULEMAKING AUTHORITY: 380.507(11) FS.

LAW IMPLEMENTED: 120.55(1)(a)4., 259.105, 380.501-.515 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: November 23, 2009, 1:30 p.m.

PLACE: Department of Community Affairs, Randall Kelley Training Center, Room 305, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100

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: Grant Gelhardt, Environmental Administrator, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-1704. 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: Ken Reecy, Community Program Manager, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207.

THE FULL TEXT OF THE PROPOSED RULES IS:

9K-7.002 Definitions.

(1) through (15) No change.

(16) “Greenway” means a linear open space protected and managed as part of linked conservation lands or recreation opportunities, ~~including waterway trails such as canoe or paddling trails.~~ Greenways typically follow natural landscape features such as rivers, streams, shorelines, ~~man-made corridors such as utility~~ and abandoned railroad right-of-ways;

~~and scenic roadways or any area defined in Section 260.13, F.S.~~ Greenways may protect the habitat of native plants and wildlife, maintain wildlife movement routes and natural connections, or provide opportunities for outdoor recreation.

(17) through (21) No change.

(22) “Low-income Community” means a U.S. Census tract in which the median family income is less than half that of the state median family income ~~where 51 percent of the residents are low income families with an annual income that does not exceed 80 percent of the median income for the area or that does not exceed 80 percent of the median income for the State, whichever is higher, as most recently determined by U.S. Department of Housing and Urban Development.~~

(23) “Major Military Installation” includes the following areas designated by the United States Military: Avon Park Air Force Range, Camp Blanding Joint Training Center, Eglin Air Force Base & Hurlburt Field including Out Lying Field Camp Rudder and Duke, Homestead Air Force Reserve Base, MacDill Air Force Base, Naval Air Station Jacksonville including Out Lying Field Whitehouse, Naval Air Station Key West (Boca Chica), Patrick Air Force Base, Tyndall Air Force Base, Naval Station Mayport, Naval Air Station Pensacola (Pensacola Complex) including Out Lying Field Saufley and Site 8 and Naval Air Station Whiting Field including Out Lying Field Pace, Spencer, Harold, Santa Rosa, Choctaw and Holley.

(24)(23) “Management Plan” means a plan prepared by the Recipient under this rule chapter and approved by the Trust regarding the long-term care and management of the Project Site.

(25)(24) “Match” means the provision of cash, eligible Project Costs, value of real property donated by a party(ies) other than the Applicant, or real property owned by the Applicant, provided the Match is from an eligible source as set forth in Section 259.105(3)(c), F.S.

(26)(25) “Natural Community” means a community that is dominated by native plant species as described in the Florida Natural Areas Inventory publication, “Guide to the Natural Communities of Florida.” A Natural Community generally possesses the following characteristics: the plant species composition includes most of the more common species typical of that natural community type; the community may contain small areas of exotic or invasive plants that could be easily controlled by prescribed burning or other forms of management; evidence of historical disturbance may be present but disturbance has not destroyed or prevented the re-establishment of a mature natural community type; and, the community is not substantially disturbed by recent human activities, except for such disturbance as low intensity forestry activities that allow the natural community to recover to previous conditions.

(27)(26) "Neighborhood Recreation Center" means a small community oriented building, generally up to 15,000 square feet, used primarily by one or more adjacent neighborhoods. The center could provide facilities for activities such as, indoor recreational programs, after school programs, summer programs, yoga classes, dance classes, or art and craft classes.

(28)(27) "Nonprofit Environmental Organization" means a private nonprofit organization, existing under the provisions of Section 501(c)(3) of the United States Internal Revenue Code which has and can demonstrate that the conservation of natural resources or protection of the environment are among its principal purposes and goals.

(29)(28) "Outdoor Recreation" means the pursuit of leisure-time activities that occur in an outdoor setting and that are dependent on some particular element or combination of elements in the natural environment. Examples of such activities include bicycling, walking, hiking, skating, swimming, horseback riding, boating, camping, fishing, hunting, picnicking, studying nature, and visiting archaeological and historical sites.

(30)(29) "Partnership Application" means an Application for an Award submitted to the Trust by two or more eligible Applicants.

(31)(30) "Phased Project" means the phased continuation of a project which has been acquired approved for funding by the Trust in a prior funding cycle. The phased continuation must be adjacent (or adjacent through public ownership) to the previously acquired project. A Phased Project is generally characterized as a unified project but which, as a result of numerous owners, unique or linear configuration, or funding limitations, causes the project to be difficult or burdensome to develop and complete during a single funding cycle of the Trust and is instead developed as part of two or more Trust funding cycles.

(32)(31) "Pre-acquired" means the Project Site or a portion of the Project Site has been acquired by the Applicant through a voluntarily-negotiated transaction within 24 months prior to the Application deadline.

(33)(32) "Project Costs" means the total of all eligible costs associated with the Acquisition of the Project Site in accordance with this rule chapter and Chapter 9K-8, F.A.C., and may include the cost of the following items: purchase price for Acquisition of all or a portion of the Project Site; certified survey containing an adequate legal description of the Project Site; any assessment or examination essential and necessary to determine Project Site boundary; appraisal report(s) and appraisal review of the Project Site; title report and title insurance premium; reasonable real estate fees or commissions not to exceed \$10,000 per grant Application paid by the Recipient for Acquisition and environmental site assessment(s) performed pursuant to Rule 9K-8.012, F.A.C.

(34)(33) "Project Plan" means the compilation of items to be approved by the Trust that when taken together provide a detailed description of a proposed project that has received approval for an Award from the Trust. A Project Plan shall be prepared by the Recipient pursuant to the requirements of this rule chapter and Chapter 9K-8, F.A.C., and shall be approved by the Trust prior to disbursement of Florida Forever Funds.

(35)(34) "Project Site" means the specific area(s), defined by a boundary map or legal description and Certified Survey, where Trust funds are proposed in an Application to be used for all or a portion of the Acquisition. Project Site may include non-contiguous areas, so long as connectivity through other public ownership (excluding road right-of-ways and water bodies ~~unless parcels are directly across from each other~~) is demonstrated, and the non-contiguous areas are part of a unified scheme of development and management, or the project includes non-contiguous parcels that are part of a local government adopted riverwalks or beach boardwalk plans, listed species habitat or riverine corridor protection plan. Parcels contained within a riverwalk or beach boardwalk plan shall be within one mile of each other. For listed species habitat protection plans, all parcels are required to be within two miles of each other. For riverine corridor protection plans all parcels are required to be within five miles of each other. Project Sites divided by small water bodies, such as narrow streams, may be considered if the project is part of a unified scheme and the small water body does not fragment the Project Site. Project Sites divided by a two-lane road that can be safely crossed may be considered if the site fragmentation caused by the road does not diminish pedestrian access or recreational opportunities.

(36)(35) "Reasonable Assurance" means the Applicant's ability to demonstrate to the Trust that there is a substantial likelihood that the project will be successfully implemented and managed in accordance with the Application and the Grant Contract, and may include the Trust's inquiry into: the Applicant's current and prospective financial condition; the Applicant's history in acquiring, developing and managing similar projects; the Applicant's financial commitment to the subject project as evidenced by the amount and type of any Match in the form of monies or real estate; and the character and background of the Applicant's partners, directors, officers, managers, project administrators, controlling shareholders (if applicable), and appointed or elected officials.

(37)(36) "Recipient" means an Applicant that has been approved for funding by the Trust and who has executed a Grant Contract with the Trust for an Award.

(38)(37) "Recreational Trail" means a linear land-based corridor for recreation purposes which may include, but is not limited to, bicycling, walking, running, skating, and horseback riding. ~~A Recreational Trail consists of a trail separated from the road and does not include sidewalks or bike lanes on the road.~~

~~(39)~~~~(38)~~ “Recreational Trail System” means a network of Recreation Trail(s) and adjacent support parcels connecting parks, schools, residential and commercial or retail areas for recreation and authorized alternative modes of transportation. A For a Recreational Trail System that is primarily located within road right-of-ways, the trail shall consist of either stabilized soils or paved trail separated from the road with occasional limited use of sidewalks that make critical connections within the system.

~~(40)~~~~(39)~~ “Reimbursement” means recognition of those eligible Project Costs incurred for Pre-acquired parcel(s) or Reimbursement Acquisition parcels.

~~(41)~~~~(40)~~ “Reimbursement Acquisition” means the entire Project Site or remaining portion of the Project Site will be acquired by the Applicant through a voluntarily-negotiated transaction after the application deadline and within the terms of the Grant Contract.

~~(41)~~ “Standard Metropolitan Statistical Area” or “Metropolitan Statistical Area” means an area that has been defined or designated by the United States Census Bureau or by the Office of Management and Budget of the Executive Office of the President.

(42) through (46) No change.

Rulemaking Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.501-.515 FS. History—New 5-27-01, Amended 5-20-02, 2-7-05, 2-19-07,_____.

9K-7.003 General Requirements and Eligibility Standards. The following constitutes the general procedures for the Florida Forever Program of the Florida Communities Trust (FCT).

(1) Application Form. Application Form ~~FCT-5~~ ~~FCT-4~~ (eff. _____ ~~2-19-07~~), incorporated herein by reference, is prescribed for use with these rules. Applications for funding must be submitted on Application Form ~~FCT-5~~ ~~FCT-4~~. Applicants may only submit one Application Form per Project Site. A copy, or instructions for receiving the Application Form in an electronic format, may be obtained by writing to the Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, or by calling (850)922-2207 (~~SunCom 292-2207~~).

(2) Notice of Application Period. The Trust shall announce the amount of Florida Forever bond funds available for Awards, the limitation on Award amounts, and applicable deadlines in the Notice of Application Period Published in the Florida Administrative Weekly.

(3) All Project Sites shall be open to the public.

(4) Eligible Applicants:

- (a) Local Governments; and
- (b) Nonprofit Environmental Organizations.
- (5) No change.

(6) Overdue Stewardship Reports: The Governing Board will not consider any Applications submitted by an Applicant with an overdue stewardship report. A stewardship report is considered overdue when it has not been received or approved by the Trust within the one year period immediately preceding the grant application deadline. Applicants may cure the overdue status if the overdue stewardship report is received and approved by the Trust at least 21 days prior to the scheduled Trust Governing Board project selection meeting.

~~(7)~~~~(6)~~ Limitation of Awards. The total amount of any Award or combination of Awards applied for by any Local Government(s) or Nonprofit Environmental Organization(s) under any Application(s) or Partnership Application(s) for any project(s) shall not exceed five million dollars (\$5,000,000.00) during any one cycle ten percent of the total Florida Forever Funds as advertised available for Awards in the Notice of Application Period announcing the cycle. In no case shall any Applicant be awarded more than \$10 million during any one eyele. All award(s) for Partnership Applications shall, for purposes of calculation of award limitations, be divided equally among the Local Government(s) or Nonprofit Environmental Organization(s).

~~(8)~~~~(7)~~ Match Requirement. All Local Governments shall provide a minimum of 25 percent match toward the Project Costs, including:

(a) Partnership Applications between Local Governments (other than a small Local Government as defined in subparagraph 9K-7.003(7)(c)1., F.A.C., below) and Nonprofit Environmental Organizations shall be required to provide a Match.

(b) Partnership Applications between two or more Local Governments shall be required to provide a Match unless all of the Local Governments are small Local Governments as defined in subparagraph 9K-7.003(7)(c)1., F.A.C., below.

(c) A minimum Match shall not be required under the following circumstances:

1. The Trust shall award a portion of the Florida Forever funds for Awards, for which no Match is required, for the benefit of small Local Governments, as follows: county governments with populations of 75,000 or fewer and municipal governments with populations of 10,000 or fewer.

2. The Trust shall award a portion of the Florida Forever funds for Awards, for which no Match is required, for the benefit of Nonprofit Environmental Organizations that have provided the Trust with Reasonable Assurance that they can develop and manage the Project Site in a qualified, competent and professional manner.

~~(9)~~~~(8)~~ Eligible Sources of Match. The Applicant’s eligible sources of Match may include, but are not limited to, the following sources: Local Government funds; Nonprofit Environmental Organization funds; state or federal grants or loans; private cash donations; real property owned by the Applicant or donated to the Applicant by a party other than the

Applicant; or, in advance of negotiations, an owner's commitment to the value of a bargain sale or donation of all or part of the purchase price of the Project Site. Any real property owned by the Applicant must be acquired through a Voluntarily-Negotiated Transaction within 24 months prior to, or 24 months after, the Application deadline. Additionally, any real property utilized as a Match shall be included in the Application, shall be considered part of the Project Site and shall be subject to all restrictions placed on the Project Site. Applicants may not use funds from the Florida Forever Trust Fund for any part of the Match.

~~(10)(9)~~ Site Acquisition. The Acquisition of a Project Site shall take place under one of the following procedures:

(a) For a Project Site that consists of ten or fewer ownerships to be jointly acquired with the Trust, the Recipient may request that the Trust or the Recipient act as the party responsible for the Acquisition activities.

(b) For a Project Site that consists of eleven or more ownerships to be jointly acquired with the Trust, the Recipient shall be required to act as the party responsible for the Acquisition activities.

(c) If the Trust determines that the Recipient does not have the necessary expertise or qualifications to be able to timely negotiate the acquisition of the Project Site, the Trust shall act as the party responsible for the Acquisition activities.

~~(11)(10)~~ Site Management. Each Applicant is required to provide a Management Plan as outlined in this rule chapter. To ensure that future management funds will be available for the management of the site in perpetuity pursuant to Section 259.105, F.S., and Chapter 380, Part III, F.S., the Applicant shall be required to provide the Trust with Reasonable Assurance that they have the financial resources, background, qualifications and competence to manage the Project Site in perpetuity in a reasonable and professional manner that is consistent with the approved Management Plan. Where the Application or Partnership Application does not include at least one Local Government, the Trust shall: require the Recipient to establish an endowment or other fund in an amount equal to ten percent of the project cost to ensure that the Project Site shall be reasonably and professionally managed in perpetuity; require a guaranty or pledge by a Local Government, the Water Management District, the Florida Division of Forestry, the Florida Fish and Wildlife Conservation Commission, or the Florida Department of Environmental Protection (DEP) which shall require the Local Government, the Water Management District or the State agency to take over the responsibility for management of the Project Site in the event the Nonprofit Environmental Organization is unable to; and require such other assurances as the governing board may deem necessary to adequately protect the public interest.

Rulemaking Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.505-.515 FS. History--New 5-27-01, Amended 5-20-02, 2-7-05, 2-19-07, _____.

9K-7.004 Submission of Application and Application Materials.

(1) through (5) No change.

(6) All applications must be submitted on Application Form FCT-5 ~~FCT-4~~ (eff. _____ ~~2-19-07~~) incorporated herein by reference.

(7) The following exhibits shall be provided:

(a) through (c) No change.

(d) County Tax Appraiser's map clearly delineating the Project Site boundary, access points, names of the property owners, and parcel tax identification numbers, and ownership boundaries using an appropriate scale.

(e) No change.

(f) Natural Communities map of an appropriate scale that depicts the Natural Communities on the Project Site, utilizing the Florida Natural Areas Inventory or other appropriate classification system, such as the Florida Land Use, Cover and Forms Classification System, and providing the approximate acreage of the various Natural Communities with the Project Site boundary clearly delineated.

(g) Physical improvements map of an appropriate scale that clearly delineates all existing physical improvements, alterations, or disturbances occurring on the Project Site, and including all cleared areas, buildings, roads, fences, docks, power lines, billboards, borrow pits, manmade lakes and excavations, and known easements and rights-of-ways, and the approximate acreage of the foregoing with the Project Site boundary clearly delineated.

(h) Future Land Use Map covering the Project Site and surrounding area that indicates future land use designations and which clearly delineates the Project Site boundaries.

(i) Resource conservation, open space, and outdoor recreation map that identifies the Project Site and surrounding lands in a three-mile radius that are used for natural resource conservation and outdoor recreation and including all parks, preserves, wildlife management areas, greenways, trails, linkages and designated outdoor recreation areas.

(j) Map depicting any applicable 100-year floodplain or coastal high-hazard area, ~~or wellfield protection zone~~ within the boundary of the Project Site clearly delineated.

(k) Conceptual site plan that clearly delineates the Project Site boundary and shows the approximate location of all proposed site improvements.

(l) One set of labeled photographs of the Project Site which depict all on-site features on the Project Site and including Natural Communities, waterbodies, shorelines, plants, Habitat, unique biological or geological features, and historical or archaeological features. Each photograph

submitted shall include a legend that identifies the photograph location and key features that the photograph is intended to depict.

(m) If applicable, evidence of status as a Nonprofit Environmental Organization as defined in subsection 9K-7.002(23), F.A.C.

(n) If the Applicant is a Nonprofit Environmental Organization which anticipates being designated as the management entity pursuant to subsection 9K-7.003(7), F.A.C., evidence that the Nonprofit Environmental Organization has the financial resources, including documentation that they have commitments in an amount equal to ten percent of the project cost to be set aside as a management endowment fund, background qualifications and competence existing to manage the Project Site in perpetuity or in cooperation with a Local Government as outlined in subsection 9K-7.003(7), F.A.C.

(o) If applicable, a signed statement from the owner(s) of each parcel indicating their willingness to consider an offer to purchase their parcel(s).

(p) If a Project Site is Pre-acquired:

1. The Applicant shall provide copies of a signed closing statement for each Pre-acquired parcel. If a closing statement is not available at the time of the application submittal then a copy of the contract for each of the Pre-acquired parcels shall be provided and a copy of the closing statements shall be provided within 14 days after the application deadline.

2. The Applicant shall provide a statement that neither condemnation nor the threat of condemnation was used in the purchase of the property.

(8) If applicable, provide an Acquisition Plan that lists the priority parcels and the general order of Acquisition.

Rulemaking Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.508, 380.510 FS. History--New 5-27-01, Amended 5-20-02, 2-7-05, 2-19-07, _____.

9K-7.006 Application Review.

(1) Applications received by the Application deadline shall be reviewed and evaluated by Trust staff based on the materials submitted. Applicants will be notified of the timely receipt and status of their Application(s).

(2) No additional information shall be accepted after the Application deadline, unless specifically requested by the Trust staff for clarification of information provided in the Application received by the published Application deadline. ~~Any clarification information requested must be received by the Trust no later than 48 hours prior to the ranking and selection meeting, or it will not be considered by the Trust.~~

Rulemaking Specific Authority 380.507(11) FS. Law Implemented 380.508 FS. History--New 5-27-01, Amended 5-20-02, _____.

9K-7.007 Project Evaluation Criteria.

The evaluation of Applications shall be based on the criteria set forth in this rule chapter and in Application Form ~~FCT-5~~ ~~FCT-4~~ (eff. _____ ~~2-19-2007~~), incorporated herein by reference. Trust staff will be responsible for evaluating Applications and recommending point scores to the Governing Board. Trust staff shall utilize the information contained in the Application (including exhibits) and all information obtained during its review of the Application for scoring recommendations to the Governing Board. Personnel from other state agencies, regional planning councils, water management districts, and other public and private groups may assist the Trust staff in project evaluation as requested by Trust staff on an ~~Application-by-Application~~ basis. Unless otherwise noted, an Application shall receive all the points assigned to a particular criterion if the criterion is met; no partial scores will be given for a criterion. If a criterion does not apply to the proposed Project Site, the Applicant should state "No" in the response to the criterion.

(1) Furtherance of specified general standards (points may be awarded based on the following criteria):

(a) Pre-acquired. The entire Project Site has been acquired by the Applicant through a ~~V~~voluntarily ~~N~~egotiated ~~T~~ransaction within 24 months prior to the Application deadline (10 points).

(b) The Project Site has not been the subject of a land use or zoning change that would allow an increase of either allowable density or intensity within the last three (3) years prior to the Application deadline (5 points).

~~(c)(b)~~ Phased Project. The ~~proposed~~ Project Site is adjacent (or adjacent through public ownership) to a continuation of a previous project that was acquired with Trust funding such that it constitutes a Phased Project (5 points).

~~(d)(e)~~ Providing a greater share of the Match. The Applicant is committed to:

1. Provide a Match between 40 percent to 49 percent of the Project Costs, or, for small Local Governments as defined in subparagraph 9K-7.003(7)(c)1., F.A.C., and eligible non-profit applicants, a Match between 10 percent and 19 percent of the Project Costs (10 points); or

2. Provide a Match between 50 percent to 59 percent of the Project Costs, or, for small Local Governments as defined in subparagraph 9K-7.003(7)(c)1., F.A.C., and eligible non-profit applicants a Match between 20 percent and 29 percent of the Project Costs (20 points); or

3. Provide a Match for 60 percent or more of the Project Costs, or, for small Local Governments as defined in subparagraph 9K-7.003(7)(c)1., F.A.C., and eligible non-profit applicants, a Match for 30 percent or more of the Project Costs (25 points).

(e) The grant award amount requested is within the following thresholds.

(Points will be awarded on only one of the following criteria):

1. The Applicant is requesting a grant award amount that does not exceed \$1,500,000.00 (8 points);

2. The Applicant is requesting a grant award amount that does not exceed \$2,500,000.00 (4 points);

3. The Applicant is requesting a grant award amount that does not exceed \$3,500,000.00 (2 points).

The Trust will not participate in Project Costs that exceed the grant award amount.

(f)(4) No prior funding. This is the Applicant's first Application to the Trust, or the Applicant has previously submitted an Application that was either not funded or was funded but not acquired. (In the case of a Partnership Application, if any of the partners have received funding and the Project Site was acquired, then no points will be awarded.) (5 points).

(g)(e) Innovative Acquisition. The proposed project provides for alternatives to the Acquisition of fee interests in land through the acquisition of at least 25 percent of the acreage of the Project Site with a minimum of five acres through conservation easements (5 points).

(2) Furtherance of Outdoor Recreation, natural and cultural resources (points may be awarded based on the following criteria):

(a) Providing Outdoor Recreation or open space. ~~The Project Site provides for Outdoor Recreation or open space:-~~

~~1. Provides Outdoor Recreation areas or open space adjacent to other publicly-owned upland areas, such as existing parks, museums, schools, libraries, or public affordable housing complexes (5 points);~~

~~1.2. Provides functional land-based nature, walking, bike, equestrian or multi-use trails that are at least one-quarter mile in length;~~

~~a. A nature, walking, bike, equestrian or multi-use trail is provided on the Project Site (2 points);~~

~~b. The trail is at least one-half mile in length (5 points);~~

~~c. Benches are provided along the trail (2 points);~~

~~d. A water fountain is provided at the trailhead or along the trail (1 point).~~

~~2.3. Provides Outdoor Recreation Facilities such as picnic pavilions, fishing piers, boat ramps, wildlife observation platforms, playgrounds, basketball courts, or volleyball courts; (Points will be awarded on only one of the following criteria):~~

~~a. Provides two different types of or three recreational facilities (7 5 points); or~~

~~b. Provides three different types of recreational facilities (8 points); or~~

~~c.b. Provides four or more different types of recreational facilities (9 10 points).~~

~~3.4. Provides access facilities to an existing open water shoreline or beach, such as a fishing pier, boat ramp, canoe/kayak launching facility, observation platform, dock or dune walkover, and managed for recreational uses (10 5 points);~~

~~4.5. Furthers Outdoor Recreation, public water access or open space within an Urban Area (points may be awarded based on the following criteria):~~

~~a. Within an Urban Service Area (5 points);~~

~~b. Within an Urban Service Area and is also within one-half mile of a built-up commercial or industrial Urban Area (5 points);~~

~~(b) Connectivity. The Project Site provides for new or enhanced connections to neighborhoods, recreational opportunities or natural areas (points may be awarded based on the following criteria):~~

~~1. Will be connected to neighborhoods by an existing sidewalk(s) or a proposed sidewalk(s) that is within an existing right-of-way sidewalk(s) (5 points);~~

~~2. Provides Outdoor Recreation areas or open space adjacent to other publicly-owned upland areas;~~

~~a. Adjacent to existing publicly-owned infrastructure facility, such as a fire station, police station, museum, school or library (3 points);~~

~~b. Adjacent to existing publicly-owned conservation or recreation lands (5 points).~~

~~3.2. The Project Site is adjacent to publicly-owned lands, excluding road right-of-ways, that contain or includes a Recreational Trail that connects to an existing local, regional or statewide land-based Recreational Trail System or lands that are located within the Preferred Routing corridor of the Florida National Scenic Trail (5 points);~~

~~4.3. The Project Site is adjacent to publicly-owned lands that expand a Enhances or connects existing local, regional or statewide Ecological Corridors (5 points);~~

~~4. Furthers a locally-adopted Ecological Corridor or Recreational Trail System plan (5 points).~~

~~5. Enhances a State Designated Paddling Trail by providing facilities, including a paddling trail sign, canoe/kayak launch, and restrooms (5 points).~~

(c) Providing educational opportunities. The Project Site provides for environmental or historical educational opportunities (points may be awarded based on the following criteria):

1. Provides an interpretive kiosk or interpretive signs that educates visitors about the natural environment or unique history of the area (5 points);

2. Provides at least six 12 environmental or historical education classes or programs per year at the Project Site conducted by trained educators or resource professionals (3 5 points);

3. Includes a staffed Neighborhood Recreation Center, nature center or museum building that provides year-round educational classes or programming; ~~(5 points)~~. (Points will be awarded on only one of the following criteria):

a. The construction of a new building of at least 1,000 square feet to house a staffed Neighborhood Recreation Center, nature center or museum building that provides year-round educational classes or programming (2 points).

b. The construction of a new building of at least 1,000 square feet designed and constructed to meet the U.S. Green Building Council's (USGBCs) Leadership in Energy and Environmental Design (LEED™) Green Building Rating System for New Construction and Major Renovations Version 2.2, to house a staffed Neighborhood Recreation Center, nature center or museum building that provides year-round educational classes or programming (3 points).

c. The use of an existing building, that contains at least 1,000 square feet of enclosed area, for a staffed Neighborhood Recreation Center, nature center or museum building that provides year-round educational classes or programming (6 points).

d. The use of an existing building, that contains at least 1,000 square feet of enclosed area, for a staffed Neighborhood Recreation Center, nature center or museum building that provides year-round educational classes or programming and retrofitted to meet the U.S. Green Building Council's (USGBCs) Leadership in Energy and Environmental Design (LEED™) Green Building Rating System for New Construction and Major Renovations Version 2.2 (7 points).

(d) Protecting natural and biological resources. The Project Site protects natural and biological resources (points may be awarded based on the following criteria):

1. Seventy percent of the Project Site contains Consists of predominantly Natural Communities that have not been impacted by human disturbance or alteration (5 points);

2. Contains Habitat recognized as typically suitable for one or more Listed Animal Species (3 5 points);

3. Contains a Locally Significant Natural Area as identified by the Florida Natural Areas Inventory (5 points);

4. Contains Habitat recognized as typically suitable for one or more Listed Animal Species and is located in a Strategic Habitat Conservation Area, as identified by the Florida Fish and Wildlife Conservation Commission (5 points). (Points will be awarded on only one of the following criteria):

a. The Project Site contains Habitat recognized as typically suitable for one or more Listed Animal Species and less than twenty-five percent of the Project Site is currently located in, or was located in at the time of acquisition, a Strategic Habitat Conservation Area, as identified by the Florida Fish and Wildlife Conservation Commission (2 points).

b. The Project Site contains Habitat recognized as typically suitable for one or more Listed Animal Species and twenty-five to forty-nine percent of the Project Site is currently located in, or was located in at the time of acquisition, a Strategic Habitat Conservation Area, as identified by the Florida Fish and Wildlife Conservation Commission (4 points).

c. The Project Site contains Habitat recognized as typically suitable for one or more Listed Animal Species and fifty percent or more of the Project Site is currently located in, or was located in at the time of acquisition, a Strategic Habitat Conservation Area, as identified by the Florida Fish and Wildlife Conservation Commission (7 points).

5. Contains land that will be managed in cooperation with Florida Division of Forestry's Forest Stewardship Program (3 points).

6. Contains priority habitat as identified by the Florida Fish and Wildlife Conservation Commission (FWCC) and managed in cooperation with FWCC's Landowner Assistance Program (5 points).

(e) Vegetative enhancement. The Project Site provides for new or enhanced landscaping or restoration (points may be awarded based on the following criteria):

1. Planting disturbed uplands with native vegetation (Points will be awarded on only one of the following criteria): Invasive exotic vegetation will be removed from the project site (5 points);

a. At least 1 acre of the disturbed upland area will be planted with native vegetation (2 points);

b. At least 5 acres of the disturbed upland area will be planted with native vegetation (5 points);

c. At least 10 acres of the disturbed upland area will be planted with native vegetation (7 points);

2. Planting disturbed shorelines with native vegetation (Points will be awarded on only one of the following criteria): A significant portion of the upland area on the Project Site will be planted with native vegetation (5 points);

a. At least 150 linear feet of the disturbed shoreline will be planted with native vegetation (1 point);

b. At least 300 linear feet of the disturbed shoreline will be planted with native vegetation (2 points);

c. At least 600 linear feet of the disturbed shoreline will be planted with native vegetation (4 points);

3. A significant portion of the wetland area on the Project Site will be planted with native vegetation (5 points).

(f) Water quality. The Project Site provides for the protection or enhancement of water quality (points may be awarded based on the following criteria):

1. The project will improve the quality of surface waters or address current flooding problems occurring on, adjacent or in close proximity to the Project Site by installing stormwater facilities that provide wildlife habitat and/or open space in a park like or natural setting (3 5 points);

2. The Project Site is adjacent to and will protect Outstanding Florida Waters as designated by the Department of Environmental Protection (5 points);

3. The Project Site will protect Class I Waters as identified by the Department of Environmental Protection, ~~or the Project Site is located within a locally designated wellfield protection zone~~ (3 ~~5~~ points).

(g) Historical resources. The Project Site protects or enhances historic resources (points may be awarded based on the following criteria):

1. Contains, ~~or is within one-quarter mile of~~, a site listed in the Florida Master Site File with the Division of Historical Resources (2 ~~5~~ points);

2. Contains a resource that is listed on the Florida Master Site File and has been evaluated by the Division of Historical Resources as meeting the criteria for listing in the National Register of Historic Places ~~is also recognized by a local historic board or the Division of Historical Resources as being historically significant at the local, regional or state level.~~ (5 points);

3. Contains a resource that is listed on the National Register of Historic Places by the National Park Service (7 ~~5~~ points).

(3) Furtherance of Community Planning (points may be awarded based on the following criteria):

(a) Local Comprehensive Plan. Acquisition of the Project Site will assist the Local Government in furthering the Local Comprehensive Plan directives. When used in this part, the term "furthered" means that proposed project(s) will assist the Local Government in realizing the objectives or policies of the Local Comprehensive Plan. For each criterion that is furthered by an objective or policy of the Local Comprehensive Plan, the objective or policy number is to be cited in the response to the criterion and a copy of the objective or policy, and any associated exhibits or documents, shall be included as an exhibit as provided in this rule chapter. If the Project Site is located entirely in one jurisdiction, the Local Comprehensive Plan of the jurisdiction shall be evaluated for scoring purposes. If the Project Site is located in two or more jurisdictions, the Local Comprehensive Plan of either jurisdiction shall be compared for compatibility and evaluated for scoring purposes and if either jurisdiction's Local Comprehensive Plan is furthered then points shall be awarded. Points may be awarded based on the following criteria:

1. Provides acreage or outdoor recreational facilities necessary to maintain or improve adopted levels of service standards for recreation or open space (5 points).

2. Ensures acquisition of natural areas or open space through public acquisition (5 points).

3. Provides new or enhanced public access to existing water bodies or saltwater beaches (5 points).

4. Provides for new or enhanced Greenways, Ecological Corridors or Recreational Trail Systems, including but not limited to the Florida National Scenic Trail system (5 points).

5. Ensures the preservation of Natural Communities or Listed Animal Species Habitat (5 points).

~~6. Provides for coordination between the Local Government(s) and other federal, state and local agencies or non-profit organizations in managing natural areas or open space or furthering the completion of the Florida National Scenic Trail (5 points).~~

6.7. Provides for restoration or enhancement of degraded natural areas, such as restoration of Natural Communities, restoration of natural hydrology, or removal of non-native vegetation (5 points).

7.8. Ensures the protection or enhancement of surface water quality ~~by addressing non-point pollution through enhanced stormwater treatment~~ (5 points).

8.9. Ensures the preservation of historical, cultural or archaeological features on the Project Site (5 points).

9.40. Provides for the redevelopment of a locally designated urban infill, urban redevelopment or downtown revitalization area as defined in Section 163.3164, F.S. (5 points).

(b) Hazard Mitigation. The proposed project furthers hazard mitigation ~~(points may be awarded based on the following criteria):~~

1. All or a portion of the ~~P~~project ~~S~~site is located in a Coastal High Hazard Area or a 100-year flood plain (points will be awarded on only one of the following criteria): (~~5~~ points):

a. Up to 25 percent of the Project Site is located in a 100-year flood plain or a Coastal High Hazard Area (2 points).

b. At least 25 percent but less than 50 percent of the Project Site is located in a 100-year flood plain or a Coastal High Hazard Area (3 points).

c. At least 50 percent but less than 75 percent of the Project Site is located in a 100-year flood plain or a Coastal High Hazard Area (4 points).

d. Over 75 percent of the Project Site is located in a 100-year flood plain or a Coastal High Hazard Area (5 points).

2. Provides recreational opportunities or open space areas within a state-designated brownfield area (5 points).

3. Military Base Buffering. The proposed Project Site buffers a Major Military Installation while providing land-use compatible recreational and open space opportunity to the public. (Points will be awarded on only one of the following criteria):

a. The Project Site is adjacent to a Major Military Installation (12 points).

b. The Project Site is located within one mile of a Major Military Installation (7 points).

c. The Project Site is located within two miles of a Major Military Installation (2 points).

To receive points for this criterion, the Applicant must provide a letter from the base commander that the proposed conceptual site plan is an acceptable land use to buffer the base.

(c) Priority investment areas and special state-designated areas. The Project Site is located in one or more of the following special designated areas and will provide new or enhanced Outdoor Recreation or open space ~~within an identified priority investment area or other special state-designated area targeted for investment or redevelopment (points may be awarded based on the following criteria):~~

1. Within an area designated as a “Front Porch Community” (10 points).

2. Within an area designated as an active “Florida Main Street Community” (~~5~~ 10 points).

3. Within an area designated as a current or previously designated “Waterfront Florida Community” (~~5~~ 10 points).

4. Within an area defined as a “Low-Income Community” under Rule 9K-7.002, F.A.C. (10 points).

5. Within an area designated as a “Rural Area of Critical Economic Concern” (10 points).

6. Within the boundary of a locally designated Community Redevelopment Area as defined in Section 163.340, F.S. and furthers the adopted redevelopment plan. (~~5~~ 10 points).

7. Within a designated or previously designated “Area of Critical State Concern” under Section 380.05, F.S. (~~5~~ 10 points).

(4) The proposed project furthers and exemplifies “project excellence.” Up to 10 points, based on issues that support the goals of the Trust, but such issues are not adequately addressed by the evaluation criteria established in this rule such as whether the proposed project exhibits strong community-based support, possesses exemplary characteristics, exemplifies regional cooperation between local governments, assists an otherwise disadvantaged community or voluntarily helps resolve land use conflicts.

Rulemaking Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New 5-27-01, Amended 5-20-02, 2-7-05, 2-19-07,_____.

9K-7.008 Ranking and Selection of Applications.

(1) Evaluation Report. After a period for review, not to exceed 120 calendar days from the Application deadline, the Trust staff shall prepare a written evaluation report, based on information provided in the Application, to the Governing Board. Staff shall also provide a copy of the evaluation report to the Applicant prior to the Governing Board meeting provided for in subsection 9K-7.008(2), F.A.C.

(2) The Governing Board shall meet for the purpose of ranking and selecting Applications for funding at a publicly noticed meeting for this purpose.

(a) The Governing Board shall consider each Application and the scores assigned in the Trust staff evaluation report. The Board may modify staff recommended scores in order to settle unresolved issues arising from written objections from Applicant(s) to scores received in the evaluation report. Applicant objections to staff recommended scores must be submitted in writing to the Trust staff no later than five full working days at least 48 hours prior to the Board ranking and selection meeting, in order to be considered. Decisions to modify point totals shall be based on review of Applications by the Governing Board, and public presentations to the Governing Board by Trust staff, Applicants and other members of the general public.

(b) All proposed amendments to the Local Comprehensive Plan that are included with the Application will be considered in the staff evaluation. Proposed amendments cited in the Application must be adopted by the Local Government and be effective pursuant to Section 163.3189(2), F.S., prior to the date of the Governing Board ranking and selection meeting in order for points to be awarded in the final score.

(c) After approval of the score of each Application, the Governing Board shall consider the scores, the requirements of this rule chapter, and rank the Applications in descending order, with the highest ranking Application being given highest funding priority.

~~1. At least 75 percent of the funds available shall be matched by Local Governments on a dollar for dollar basis.~~

~~2. At least 30 percent of the total allocation shall be used within Metropolitan Statistical Areas and one half of that amount shall be used within localities where the Project Site is located in built up commercial, industrial, or mixed use areas and functions to intersperse open spaces within congested urban core areas.~~

~~3. No less than five percent of the total allocation shall be used to acquire lands for Recreational Trail Systems, provided that in the event these funds are not needed for such projects, they will be available for other Trust projects.~~

(d) In the event of tied scores, the Trust shall rank the Applications by:

1. Scores received in the Community Planning Section set forth in subsection 9K-7.007(3), F.A.C. The Trust shall consider the point totals in this evaluation category, and rank the tied Applications in descending order, with highest ranking score in this section being given highest funding priority. In the event of further tied scores, the Trust shall rank the Applications by the criteria specified by subparagraph 2. of this subsection.

2. Scores received in the Outdoor Recreation Section set forth in subsection 9K-7.007(2), F.A.C. The Trust shall consider the point totals in this evaluation category, and rank the tied Applications in descending order, with highest ranking score in this section being given highest funding priority. In the

event of further tied scores, the Trust shall rank the Applications by the criteria specified by subparagraph 3. of this subsection.

3. Scores received in the General Standards Section set forth in subsection 9K-7.007(1), F.A.C. The Trust shall consider the point totals in this evaluation category, and rank the tied Applications in descending order, with highest ranking score in this section being given highest funding priority order. In the event of further tied scores, the Trust shall rank the Applications by the criteria specified by subparagraph 4. of this subsection.

4. The order in which Applications were received prior to the Application deadline.

~~Rulemaking Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History–New 6-25-01, Amended 5-20-02, 2-19-07, _____.~~

9K-7.010 Modification to Expand the Project Boundary.

~~Rulemaking Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History–New 6-25-01, Amended 5-20-02, 2-7-05, 2-19-07, Repealed _____.~~

9K-7.011 Preparation and Acceptance of the Management Plan.

(1) Prior to release of Florida Forever Funds for a project, the Recipients shall submit a Management Plan for approval by the Trust. Phased Projects or additions to Trust funded projects ~~shall~~ ~~can~~ be combined into existing Management Plans. The Management Plan shall explain how the Project Site will be managed to further the purposes of the project and meet the terms and conditions of the Grant Contract.

(2) The Trust shall approve the Management Plan upon confirmation that it is consistent with the purposes of the Application and the terms and conditions of the Grant Contract.

(3) Any revision or modification to the approved Management Plan will require review and approval by the Trust. The Recipient shall provide a written request for any Management Plan change including all appropriate supporting materials.

~~Rulemaking Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History–New 6-25-01, Amended 5-20-02, 2-7-05, 2-19-07, _____.~~

9K-7.013 Annual Stewardship Report Requirement.

(1) Each award to a Recipient shall include a condition that, after Acquisition of the Project Site, a stewardship report is required. The stewardship report is intended to verify that conditions imposed at the time the ~~A~~award was made are being followed and to monitor the stewardship and use of the property. The stewardship report shall be due each year.

(2) Once the project is fully developed as outlined in the approved Management Plan, the stewardship report ~~for that requirement for Preservation 2000 Program and Florida Forever Program projects may be submitted to the Trust on a five year review cycle~~ ~~phased out as follows.~~

(a) To initiate the ~~five year review cycle~~ ~~three year phase out~~ of the stewardship report ~~requirement~~, the Recipient shall provide the following:

1. Written statement of completion certifying that the Project Site was developed in accordance with the approved Management Plan;

2. ~~Updated Management Plan that includes an as-built master site plan drawing showing all facilities and structures; and As-built master site plan drawing;~~

3. Photographic record of all completed site improvements and restoration activities, ~~and~~

4. ~~Updated Management Plan, if appropriate.~~

(b) Trust staff shall perform site visits to ensure that the Recipient has demonstrated that the terms of the Declaration of Restrictive Covenants and the approved Management Plan have been followed.

~~(c)(b) Upon the Trust’s acceptance of the Recipient’s statement of completion, the updated Management Plan and photographic record and a satisfactory completion of the site visit, and timely submission of three consecutive stewardship reports that have met the requirements of this rule chapter, the Trust may, in its discretion, transfer suspend the stewardship report to a five year review cycle requirement if the Recipient has demonstrated that the terms and conditions of the Declaration of Restrictive Covenants and the approved Management Plan made are being followed. If, aAfter transfer suspension of the stewardship report to a five year review cycle requirement, if the Trust finds that the terms and conditions of the Declaration of Restrictive Covenants are not being followed, the annual stewardship report requirement shall be reimposed.~~

~~Rulemaking Specific Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History–New 6-25-01, Amended 5-20-02, 2-7-05, 2-19-07, _____.~~

9K-7.014 Modification to Expand the Project Boundary. Modification to expand the boundary of a Project Site selected for approval will be considered by the Trust on a case-by-case basis. Requests to modify the project boundary shall be submitted to the Trust within 12 months of the approval of the Grant Contract. Requests for boundary amendments received after said deadline shall not be considered unless an exception is granted by the Trust based upon the demonstration of good cause. Good cause shall be based on whether the boundary modification is necessary to the successful development and management of the Project Site. The following procedures are established to guide the submission and review of boundary modification requests.

(1) A written request for boundary modification must be submitted and contain the items listed below. The request must be transmitted with an original signature cover letter on the Recipient's letterhead, signed by the appropriate authorized representative named in the Grant Contract, and include a statement binding the Recipient to fulfill the commitments made in the request for boundary modification.

(a) An explanation of how the proposed modification complies with the intent and purpose of the project as stated in the original Application;

(b) An explanation of why the requested boundary change was not contained in the original Application;

(c) An explanation of the effect on the overall project if the requested modification is not approved;

(d) A written statement signed by the Recipient detailing any and all changes to the original Application which result from the boundary modification being proposed; and

(e) An amended acquisition plan.

(2) Following receipt of a request for boundary modification, Trust staff shall conduct a preliminary review to determine if the information provided includes the required items listed in this rule chapter. Trust staff shall notify the Recipient's key contact of any additional information or clarification that is needed to complete the review.

(3) Trust staff shall prepare a recommendation for consideration and approval by the Trust following the same review procedures used to evaluate the original Application. The report will contain the following:

(a) Whether the proposed boundary modification is consistent with the purpose and intent of the original Application;

(b) Whether the proposed boundary modification would facilitate the Acquisition of the overall Project Site;

(c) Whether the proposed boundary modification would change the final project score if it had been part of the original Application and whether the revised score would result in any change in the funding status of the project;

(d) Whether the Trust has funds available to cover the additional Project Costs and that the increase in the Trust Award would not exceed the Award limit contained in this rule chapter.

(4) Trust staff may conduct a site visit to verify representations made in the boundary modification request before final approval of the boundary change.

Rulemaking Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New _____.

9K-7.015 Consideration of Recipient's Request for Linear Facilities.

The Declaration of Restrictive Covenants for Trust Project Sites limits the use of the property to conservation, outdoor recreation, and other related activities. However, the Trust periodically receives requests for Management Plan

modifications to allow linear facilities and related appurtenances on the Trust Project Site. When evaluating these requests, the following process must be followed.

(1) First, there has to be a determination:

(a) That there is no reasonable alternative to the proposed modification land use on the Trust Project Site; and

(b) That the land use is designed to have a minimal impact to the site; and

(c) A copy of an alternative analysis assessment of other off-site alternatives or options considered by the Recipient.

(2) If the Trust determines that no practical off-site alternatives exist, then the following information is required:

(a) A written statement that the Local Government has reviewed and approved the proposed use;

(b) A description and dimensions of the linear facility, and of the area that will be affected during construction;

(c) Information on the natural communities and cultural features found on, and immediately surrounding the site of the proposed facility;

(d) A statement explaining how the proposed facility will be compatible with planned recreational uses of the Trust Project Site, as committed to in the approved Management Plan;

(e) Discussion of the proposed mitigation for impacts to the Trust Project Site; and

(f) A modified master site plan drawing identifying the locations of existing vegetation and all proposed structures, facilities and restoration areas that will be affected by the facility.

After receiving all of the above information, staff will evaluate and review the request for consistency according to the above listed requirements. If the proposal meets the above requirements and has minimum impact to the Project Site, staff may approve the request. If public objections are received, if it is a large project, or if the project could be viewed as controversial the proposal will be presented to the Trust Governing Board for consideration.

(3) If the request is approved, the Recipient must:

(a) Provide an appraisal of the land use area or other valuation method as approved by Trust staff;

(b) Provide a legal description from a licensed surveyor;

(c) Sign an amendment to the Declaration of Restrictive Covenants that provides for the changed use of the Project Site; and

(d) Record the amended Declaration of Restrictive Covenants in the Public Records of the County where the property is located.

The Recipient will be required to pay for the land use area. The payment shall be allocated to the Recipient and the Trust based on the percentage of the original grant (i.e., 50% Recipient participation and 50% Trust participation.

Rulemaking Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New _____.

9K-7.016 Consideration of Recipient’s Request for Land Exchanges.

The Declaration of Restrictive Covenants for Trust Project Sites limits the use of the property to conservation, outdoor recreation, and other related activities. However, Recipients occasionally receive requests from adjacent property owners for land exchanges to expand the adjacent development in return for other lands adjacent to the park. When evaluating these requests, the following process must be followed.

(1) Only local governments may participate in land exchanges. The Local Government must send a request to the Trust for a proposed land exchange. The Trust will not accept proposals from any other party. To be considered by the Trust, the proposal must at a minimum meet the following tests:

(a) The proposed exchange parcel(s) must be contiguous to a Trust Project Site, which could include being connected through a land bridge, easement or blue way;

(b) The proposed exchange parcel(s) must be at least equal to or greater in terms of upland acreage;

(c) The proposed exchange parcel(s) must have at least the same real estate value (as determined through independent appraisal[s]) as the Trust parcel being given up (or monetary compensation of the difference). There will be no monetary compensation if the proposed parcel(s) to be exchanged have a value greater than the Trust parcel;

(d) The proposed exchange parcel(s) must have a significant and clear net environmental, conservation and/or recreational benefit to the Project Site as determined by Trust staff; and

(e) The exchange cannot result in a lower score based on the Application criteria.

If it is determined that no discernable net environmental, conservation, and/or recreational benefit to the Project Site would be achieved through the land exchange, the request will be denied.

(2) If the above tests are met, the Trust staff will then request the below additional information to further evaluate the request.

(a) A written statement from the Recipient’s governing council that it has reviewed the proposal and that the governing body conceptually approves the proposed land exchange by an affirmative vote of at least three-fourths of its members or the local requirement, whichever is higher;

(b) A revised Management Plan with a revised master site plan;

(c) Information on the natural communities and cultural features found on the area to be exchanged;

(d) A survey and legal description of the parcel to be acquired and of the parcel to be provided by the Recipient/Trust (paid by the entity proposing the exchange and commissioned by the Recipient);

(e) A title policy of the parcel to be acquired;

(f) Separate appraisals for each parcel (to be paid by the entity proposing the exchange and commissioned by the Recipient). The appraisal shall be completed according to Uniform Standards of Professional Appraisal Practice (USPAP) and FCT standards by an approved DEP appraiser, after consultation with FCT appraisal staff. The parcel(s) to be provided by the Recipient/Trust shall be appraised as if it did not have any development restrictions on it;

(g) Phase I environmental site assessment of the parcel to be acquired (to be paid by the entity proposing the exchange and commissioned by the Recipient); and

(h) Any other items requested by the Trust to properly evaluate the request.

After receiving all of the above information, Trust staff will evaluate and review the request for consistency according to the above listed requirements. If the exchange proposal meets the above requirements and has a net positive environmental, conservation and/or recreational benefit, Trust staff will put the request on the agenda of the next scheduled Trust Governing Board Meeting for consideration.

(3) If the exchange request is approved by the Governing Board, the Recipient must:

(a) Sign an amendment to the Declaration of Restrictive Covenants that provides for the changed use of the Project Site;

(b) Record the amended Declaration of Restrictive Covenants (and any other necessary local Government document[s]) in the Public Records of the County where the original Declaration was recorded; and

(c) The entity receiving the exchange must provide monetary compensation to the Trust if the value of the land provided by the Recipient/Trust is greater than the land received by the Recipient/Trust in the exchange. Such funds will be distributed between the Trust and the Recipient in accordance with the percentages in the original grant award.

Rulemaking Authority 380.507(11) FS. Law Implemented 259.105, 380.510 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ken Reecy, Community Program Manager, Florida Communities Trust, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)922-2207

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Secretary Thomas G. Pelham, Department of Community Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 19, 2009

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-116.002
 RULE TITLE: Letters of Credit

PURPOSE AND EFFECT: The rule is being amended to allow drafts to be made on banks or savings associations outside the State of Florida.

SUMMARY: The location of banks and savings associations on which drafts may be made is being amended.

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.

RULEMAKING AUTHORITY: 334.044(2), 334.044(30) FS.

LAW IMPLEMENTED: 334.187, 337.106, 337.175 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: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-116.002 Letters of Credit.

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

(d) The letter of credit must provide for draws to be made on a bank or savings association located in the United States State of Florida and additionally must provide for draws by electronic presentation of a draft via facsimile transmission or electronic mail, or both.

Rulemaking Specific Authority 334.044(2) FS. Law Implemented 334.044(30), 334.187, 337.106, 337.175 FS. History—New 3-23-93, Amended 8-24-93, 10-11-94, 10-5-97, 1-18-04, 2-18-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Joseph S. Kowalski, Deputy Comptroller

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 19, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 25, 2009

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.”

EXECUTIVE OFFICE OF THE GOVERNOR

Florida Energy & Climate Commission

RULE NO.: 27N-3.001
 RULE TITLE: State Energy Efficient Appliance Rebate Program

PURPOSE AND EFFECT: Section 377.808, F.S., authorized the Florida Energy and Climate Commission to administer a consumer rebate program for the replacement of older appliances with qualified specific residential ENERGY STAR appliances and products, consistent with 42 U.S.C. s. 15821 and any federal agency guidance or regulations issued in furtherance of federal law.

SUMMARY: This rule establishes the authority for the Florida Energy and Climate Commission to secure a third party to administer the Florida ENERGY STAR Appliance Rebate program and describes the program. It establishes which appliances qualify for the rebate, the amount of the rebate, program duration, application requirements, and provides for an additional incentive to encourage recycling of old appliances.

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.

RULEMAKING AUTHORITY: 377.807 FS.

LAW IMPLEMENTED: 377.807 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: Tuesday, December 1, 2009, 10:00 a.m. – 12:00 p.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Brittany Cummins at (850)487-3800. 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: Brittany Cummins at (850)487-3800

THE FULL TEXT OF THE PROPOSED RULE IS:

RENEWABLE ENERGY TECHNOLOGIES AND
ENERGY EFFICIENCY

27N-3.001 State Energy Efficient Appliance Rebate Program.

(1) GENERAL. The Florida Energy and Climate Commission is authorized to administer a consumer rebate program for the replacement of older appliances with qualified specific residential ENERGY STAR appliances and products, consistent with 42 U.S.C. s. 15821 and any federal agency guidance or regulations issued in furtherance of federal law.

(a) Only new appliances purchased in the state of Florida, from an establishment that pays Florida sales tax, for personal use by the consumer, and for use at the consumer's residence are eligible for this rebate. This program is not intended to be used by a multi-family building owner.

(b) For the purposes of receiving a rebate, consumers may purchase no more than one of each type of ENERGY STAR appliance per address. However, the total amount of rebate monies received shall not exceed \$1,500 per consumer, per address.

(c) Rebates shall be available only for the following new ENERGY STAR certified appliances and products: refrigerators, freezers, clothes washers, dishwashers, room air conditioners and gas tank-less water heaters. These are "qualified appliances" for the purpose of the rebate program.

(d) In order to be eligible to receive a rebate, a consumer must first purchase a qualified appliance or product during the designated period and submit proof of purchase of the qualified appliance to the program administrator postmarked no later than May 10, 2010.

(e) Consumers may obtain rebate redemption information and applications from several locations including the retail location, the Florida Energy and Climate Commission website, the program administrator's website, or some program partners' websites.

(f) Rebates will be a flat 20 percent off the retail, pretax price of the appliance.

(g) The issuance of a rebate through other rebate programs does not preclude a consumer from receiving a rebate through this rebate program.

(h) Recycling is encouraged. The purpose of this federal program is to replace existing appliances that are energy inefficient with new ENERGY STAR appliances. Therefore, an additional \$75 will be added to the rebate if the consumer provides the recycled appliance's serial number and evidence of having recycled the appliance being replaced. No appliance may be refurbished and put back into use.

1. Evidence of having recycled the appliance being replaced may consist of:

a. Statement on the retailer receipt indicating pick-up of the appliance being replaced; or

b. Receipt from the public or private landfill of delivery of the appliance being replaced. This receipt must include the name and address of the landfill, the date, the receiving person's signature and a brief description of the product.

2. The recycled appliance must be of the same type as the newly purchased qualified appliance for which the rebate is being applied.

3. The additional \$75 is only offered for the purchase of a new appliance.

4. All appliances accepted by landfills or retail establishments to recycle as part of this program must be sent to a metal recycler.

(2) PROGRAM DURATION. The rebates shall only be available for the purchase of qualified appliances during the period from 12:01 a.m., April 16, 2010, through 11:59 p.m., April 25, 2010. This time period coincides with Florida's Earth Day.

(3) PROGRAM ADMINISTRATOR. The Florida Energy and Climate Commission may select a third party vendor to administer the rebates. If the Florida Energy and Climate Commission decides to select a third party to act as the program administrator, the Commission will issue a request for proposal and select the vendor who can process the rebates in the most efficient, accurate and cost-effective manner. Under no circumstance is the program administrator permitted to sell, give away or utilize for purposes other than this rebate program the names, addresses or phone numbers of the consumers applying for the rebate.

(4) ADVERTISING AND PROMOTION. The Florida Energy and Climate Commission shall coordinate with the program administrator, the participating retailers, environmental groups and the participating utilities to partner together to promote the rebate program broadly to the entire state. Advertising and promotions for the rebate program conducted by participating partners will include information that is consistent with these rules.

(5) APPLICATION AND ISSUANCE. Applications for rebates shall be submitted to the program administrator and postmarked on or before May 10, 2010 to be considered timely.

(a) Applications shall be submitted to the program administrator in hard copy format, using a rebate application form.

(b) In order to be considered complete, applications must include all information required on the application form, the original purchase receipt for the appliance and, if seeking the additional \$75 for recycling, evidence demonstrating that the appliance being replaced has been recycled. All information provided to the program administrator must be legible.

(c) The Florida Energy and Climate Commission does not guarantee that every consumer submitting a complete rebate application will receive a rebate. Rebates can only be issued if funding is available. The rebates will be dispensed upon (1)

successful completion of the rebate form with required attached receipts, (2) the order in which they arrive, and (3) the availability of funds.

(d) Provided funds are available, the program administrator shall review each timely application to determine if the application includes all required information. The program administrator shall issue each rebate only after it determines that all required information has been provided and the application is complete.

1. An application that is determined to be complete shall be placed in the first-come, first-served order for allocation of rebates based upon the date and time the application is filed.

2. Timely submitted applications which are not complete shall not be considered as eligible for rebates and shall not receive a position in the first-come, first-served order for allocation of rebates. If the program administrator determines that the application is not complete and does not contain all of the required information, the program administrator shall notify the applicant of the incompleteness of the application.

3. Applicants who are notified of the incompleteness of a timely submitted application may submit subsequent information by mail in order to make the application complete. If an application is then determined to be complete, it shall be placed in the first-come, first-serve order for allocation of rebates based upon the date and time the application is determined complete.

Rulemaking Authority 377.807 FS. Law Implemented 377.807 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Brenda Buchan

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeremy Susac

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 29, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 4, 2009

STATE FAIR AUTHORITY

RULE NOS.:	RULE TITLES:
32-1.001	Nature of Business
32-1.006	Exhibitors Agreements
32-1.010	General Information Concerning Authority
32-1.011	Statutory Provisions and Rules
32-1.012	Public Information and Inspection of Records
32-1.023	Per Diem and Travel Expenses

PURPOSE AND EFFECT: Rule Chapter 32-1, F.A.C., is being repealed as the Department has no specific statutory authority to promulgate, maintain or amend rules relative to the organizational structure of the Florida State Fair Authority.

SUMMARY: Repeal of Chapter 32-1, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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.

RULEMAKING AUTHORITY: 120.536(1) FS.

LAW IMPLEMENTED: 120.536(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Stephen M. Donelan, Senior Attorney, Department of Agriculture and Consumer Services, 407 South Calhoun Street, 509 Mayo Building, Tallahassee, Florida 32399-0800, (850)617-7021

THE FULL TEXT OF THE PROPOSED RULES IS:

32-1.001 Nature of Business.

Rulemaking Specific Authority 120.53(1), 616.256(10) FS. Law Implemented 616.255 FS. History–New 7-4-76, Formerly 32-1.01, Amended 6-19-95, Repealed _____.

32-1.006 Exhibitors Agreements.

Rulemaking Specific Authority 120.53(1), 616.255(3), 616.256(10) FS. Law Implemented 120.53(1), 616.253(3), 616.256 FS. History–New 7-4-76, Formerly 32-1.06, Amended 6-19-95, 3-6-96, Repealed _____.

32-1.010 General Information Concerning Authority.

Rulemaking Specific Authority 120.53(1), 616.256(10) FS. Law Implemented 120.53(1), 616.251(4) FS. History–New 7-4-76, Formerly 32-1.10, Amended 6-19-95, 3-6-96, Repealed _____.

32-1.011 Statutory Provisions and Rules.

Rulemaking Specific Authority 120.53(1), 616.256(10) FS. Law Implemented 120.53, 120.54, 120.56, 120.57 FS. History–New 7-4-76, Formerly 32-1.11, Amended 6-19-95, 3-6-96, Repealed _____.

32-1.012 Public Information and Inspection of Records.

Rulemaking Specific Authority 120.53(1), 616.256(10) FS. Law Implemented 119.07, 120.53(1), 257.36, 616.251 FS. History–New 7-4-76, Formerly 32-1.12, Amended 6-19-95, 3-6-96, Repealed _____.

32-1.023 Per Diem and Travel Expenses.

Rulemaking Specific Authority 120.53(1), 616.252, 616.256(10) FS. Law Implemented 112.061, 120.53(1), 616.252, 616.256 FS. History–New 6-19-95, Amended 3-6-96, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Mike Gresham, Director, Division of Administration
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Charles H. Bronson, Commissioner of
 Agriculture
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: October 19, 2009

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-1.659 Forms and Instructions

PURPOSE AND EFFECT: The rulemaking is intended to add reporting forms to the list of District forms that will be used in related rulemaking for Chapter 40D-2, F.A.C. Simultaneously with this rulemaking the District is amending Chapter 40D-2, Water Use Permits, F.A.C., to include additional conservation standards and reporting for water use permittees and applicants.

SUMMARY: The proposed amendments will add forms to the District’s list of forms. The three forms being added to the list are to be used by Public Supply permittees to report information required, or proposed to be required by Chapter 40D-2, Water Use Permits, F.A.C. Two of forms will be used by Public Supply permittees to annually report required water demand and water conservation information to the District. Those two forms are titled “Public Supply Annual Report For General and Individual Permits, Form No. LEG-R.023.00 (09/09)” and “Public Supply Annual Report For General Water Use Permits Less Than 100,000 Gpd, Form No. Leg-R.047.00 (09/09)”. Another form, titled “SWFWMD Annual Reclaimed Water Supplier Report, Form No. LEG-R.026.00 (09/09)” will be used by Public Supply permittees to report the generation and distribution of reclaimed water.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rule seeks to add reporting forms to the list of District forms for proposed rules that are to be adopted simultaneously in Chapter 40D-2, F.A.C. The proposed Chapter 40D-2, F.A.C., rules require use of the forms as part of the effort to standardize conservation and reporting requirements Districtwide and, in some cases, to enhance the water conserving effect of existing provisions through more specific activity and reporting requirements and affects all water use permit types (agriculture, public supply, industrial/commercial, mining/dewatering and recreation/aesthetic). The additional annual implementation and enforcement labor costs to the District are estimated to be \$82,000. Nonetheless, it will not require an additional position in any particular department. To the extent that the proposed rule induces water conservation by their customers, water and sewer utilities owned by local governments may experience a decrease in volume related water revenue. Those permittees that have judiciously implemented water conservation

measures in the past will experience the least amount of demand reduction. The transactional costs associated with this proposed rule are expected to be partially or fully offset by the avoided costs associated with obtaining water from traditional and alternative water sources. There may be other benefits associated with the conservation activities that are specific to each permittee or applicant, including increased operational efficiency and lower energy costs. To reduce rule compliance costs, small general permittees, which may be small businesses, are exempt from many analysis and reporting requirements in the proposed rule.

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.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.149, 373.171, 373.337 FS.

LAW IMPLEMENTED: 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 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: Annette Zielinski, Sr. Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this chapter or into a specific District rule as indicated. Copies of these forms may be obtained from the District’s website at www.watmatters.org or from the District offices.

(1) GROUNDWATER

(a) through (gg) No change.

(hh) PUBLIC SUPPLY ANNUAL REPORT FOR GENERAL AND INDIVIDUAL PERMITS, FORM NO. LEG-R.023.00 (09/09), incorporated by reference in paragraph 40D-2.091(2)(h), F.A.C.

(ii) SWFWMD ANNUAL RECLAIMED WATER SUPPLIER REPORT, FORM NO. LEG-R.026.00 (09/09), incorporated by reference in paragraph 40D-2.091(2)(i), F.A.C.

(jj) PUBLIC SUPPLY ANNUAL REPORT FOR GENERAL WATER USE PERMITS LESS THAN 100,000 GPD, FORM NO. LEG-R.047.00 (09/09), incorporated by reference in paragraph 40D-2.091(2)(j), F.A.C.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 2-26-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08, 12-30-08, 3-26-09, 7-1-09, 8-30-09, 9-1-09, 10-26-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bobby Lue, Brooksville Regulation Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 29, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 16, 2009

WATER MANAGEMENT DISTRICTS

Southwest Water Management District

RULE NOS.:	RULE TITLES:
40D-2.021	Definitions
40D-2.091	Publications and Forms Incorporated by Reference
40D-2.101	Content of Application
40D-2.321	Duration of Permits

PURPOSE AND EFFECT: The rulemaking is intended to enhance the District-wide water use permitting rules to include water conservation standards and criteria consistent with those adopted for the Southern Water Use Caution Area for public supply, recreation and aesthetic water uses and to enhance and add conservation measures District-wide for public supply, agriculture, industrial, commercial, mining, dewatering, recreation and aesthetic water uses.

SUMMARY: The proposed rule amendments are enhanced water conservation provisions for water use permit applicants and permittees. The proposed amendments add to or enhance existing water conservation requirements and reporting for all water uses and are summarized below:

Public Supply Water Use –

1. Permit allocations are based on a maximum of 150 gallons per person per day,
2. Water conservation programs and measures are to be described in the permit application,
3. Irrigation of common areas is to be minimized, including through the use of Florida-friendly landscaping and accomplished through the use of alternative sources where feasible,
4. Wholesale water use permits are required for receivers of 100,000 pgd (AAD) or greater,

5. Maximum unaccounted water loss standards are set forth and audits required where exceeded,
6. Water conserving rate structures are required,
7. Informative customer billing, including meter reading information, is established,
8. Water audits are required for new permits, and
9. Annual reporting of per capita, residential water use, reclaimed use and generation and significant use is required
Recreation /Aesthetic Water Use –

1. Water conservation programs and measures are to be described in the permit application and are to include a description of how standard conservation measures are implemented ,
2. Water quantities will not be allocated for the irrigation of golf course roughs, and
3. Irrigation of common areas is to be minimized, including through the use of Florida-friendly landscaping and accomplished through the use of alternative sources where feasible.

Agricultural, Industrial/Commercial, and Mining/Dewatering Water Use –

1. Water conservation programs and measures are to be described in the permit application and are to include a description of how standard conservation measures are implemented.

In general, most of the rules already apply in the SWUCA and other water use caution areas, and are applicable to Individual (500,000 gpd or more) and general (<100,000 gpd) permits. Small general (>100,000 gpd) permittees must agree to implement feasible conservation measures, but small general public supply permittees are exempt from submitting annual reports, rate structure, customer billing information and water audit requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed rules seek to standardize conservation and reporting requirements Districtwide and, in some cases, to enhance the water conserving effect of existing provisions through more specific activity and reporting requirements and affects all water use permit types (agriculture, public supply, industrial/commercial, mining/dewatering and recreation/aesthetic). The additional annual implementation and enforcement labor costs to the District are estimated to be \$82,000. Nonetheless, it will not require an additional position in any particular department. To the extent that the proposed rule induces water conservation by their customers, water and sewer utilities owned by local governments may experience a decrease in volume related water revenue. Those permittees that have judiciously implemented water conservation measures in the past will experience the least amount of demand reduction. The transactional costs associated with this proposed rule are expected to be partially or fully offset by the avoided costs associated with obtaining water from traditional and alternative

water sources. There may be other benefits associated with the conservation activities that are specific to each permittee or applicant, including increased operational efficiency and lower energy costs. To reduce rule compliance costs, small general permittees, which may be small businesses, are exempt from many analysis and reporting requirements in the proposed rule. 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.

RULEMAKING AUTHORITY: 373.044, 373.103, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.103, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.185, 373.228, 373.216, 373.219, 373.223, 373.229, 373.236, 373.239, 373.243 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: Annette Zielinski, Administrative Assistant, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-2.021 Definitions.

The following definitions shall apply District-wide when used in this chapter and in the District's Water Use Permit Information Manual Part B, "Basis of Review" incorporated by reference in Rule 40D-2.091, F.A.C., except as specifically limited:

(1) through (3) No change.

(4) "Common Area" means areas designated for common use or enjoyment including entranceways, parking lots, areas around buildings, areas within roadway right of ways, (e.g., road and sidewalk medians), open spaces, community areas and public parks.

(4) through (12) renumbered (5) through (13) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History--New 1-1-07, Amended 7-20-08, 12-30-08,_____.

40D-2.091 Publications Incorporated by Reference.

(1) The following publications are hereby incorporated by reference, and are available from the District's website at www. watermatters.org or from the District upon request:

(a) Water Use Permit Information Manual Part B, "Basis of Review (_____) (~~8-30-09~~); and

(b) Water Use Permit Information Manual Part D, "Requirements for the Estimation of Permanent and Temporal Service Area Populations" (1-20-09).

(2)(a) through (g) No change.

(h) Public Supply Annual Report For General and Individual Permits, Form No. LEG-R.023.00 (09/09).

(i) SWFWMD Annual Reclaimed Water Supplier Report, Form No. LEG-R.26.00(09/09).

(j) Public Supply Water Use Annual Report For General Water Use Permits Less Than 100,000 gpd, Form No. LEG-R.047.00 (09/09).

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.185, 373.228, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History--New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09, 3-26-09, 7-1-09, 8-30-09,_____.

40D-2.101 Content of Application.

(1) through (5) No change.

(6) Southern Water Use Caution Area Application Forms. In addition to the permit application and information forms identified in subsections (1)-(5) above, all applicants for permits in the Southern Water Use Caution Area (SWUCA) shall submit the "Supplemental Form – Southern Water Use Caution Area," Form No. LEG-R.007.02 (4/09) incorporated herein by reference. Applicants in the SWUCA shall also submit the following application and supplemental forms as appropriate for the intended water use type as described in Chapters 3 and 4 of the Water Use Permit Information Manual, Part B "Basis of Review." All SWUCA application and supplemental information forms may be obtained from the District's website at www.watermatters.org or from District offices:

~~(a) Public Supply Supplemental Form – Southern Water Use Caution Area, Form No. LEG-R.012.01 (4/09);~~

~~(a)(b) Net Benefit Supplemental Form – Southern Water Use Caution Area, Form No. LEG-R.010.01 (4/09); and~~

~~(b)(c) Southern Water Use Caution Area Ground Water Replacement Credit Application, Form No. LEG-R.011.01 (4/09)~~

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.216, 373.229 FS. History--Readopted 10-5-74, Amended 10-24-76, 1-6-82, 2-14-82, Formerly 16J-2.06, Amended 10-1-89, 10-23-89, 2-10-93, 7-15-99, 1-1-03, 1-1-07, 11-25-07, 9-10-08, 7-1-09, 8-30-09,_____.

40D-2.321 Duration of Permits.

(1) through (3) No change.

(4) Wholesale Public Supply Permits shall be issued with an expiration date that coincides with the expiration date of the supplier's permit that provides the majority of the supply to the Wholesale Public Supply Permittee.

(4) through (6) renumbered (5) through (7) No change.

Rulemaking Specific Authority 373.044, 373.103, 373.113, 373.171 FS. Law Implemented 373.103, 373.171, 373.236 FS. History—Readopted 10-5-74, Amended 12-31-74, 10-24-76, 1-6-82, 3-11-82, Formerly 16J-2.13, Amended 10-1-89, 7-28-98, 1-1-03, 1-1-07, 2-13-08, _____.

The following document is incorporated by reference in 40D-2.091, F.A.C. and is being revised simultaneously with the above rule amendments.

Water Use Permit Information Manual
Part B, Basis of Review

The following provisions of Chapter 1.0 are proposed to be changed:

1.0 PERMITTING PROCEDURES

1.4.1 SOUTHERN WATER USE CAUTION AREA (SWUCA) APPLICATION FORMS

All Permit Applicants in the Southern Water Use Caution Area (SWUCA) shall submit the “Supplemental Form – Southern Water Use Caution Area” Form No. LEG-R.007.02 (04/09) incorporated by reference in Rule 40D-2.101(6), F.A.C, in addition to the appropriate application and supplemental form(s) described in Section 1.4, above. ~~Applicants for public supply quantities of 100,000 gallons per day or more, including water imported wholesale, shall submit the “Public Supply Supplemental Form – Southern Water Use Caution Area”, Form No. LEG-R.012.00 (09/07) incorporated by reference in Rule 40D-1.659(1)(y), F.A.C.~~ Permit Applicants in the SWUCA shall also submit the following application and supplemental forms as appropriate for their situation and intended water use type as described in Chapters 3 and 4 of Part B of the Basis of Review for Water Use Permit Applications, of the Water Use Permit Information Manual and incorporated by reference in Rule 40D-2.101, F.A.C.:

1. “Net Benefit Supplemental Form – Southern Water Use Caution Area”, Form No. LEG-R.010.01 (4/09); and
2. “Southern Water Use Caution Area Ground Water Replacement Credit Application”, Form No. LEG-R.011.01 (4/09).

All SWUCA application forms may be obtained from the District’s website at www.watermatters.org or from any District Service Office.

New 11-25-07, Revised 5-12-08, 7-1-09, 8-30-09, _____.

1.9 PERMIT DURATION

The District typically issues permits in accordance with the following guidelines:

1. through 3. No change.
4. Wholesale Public Supply Permits shall be issued with an expiration date that coincides with the expiration date of the supplier’s permit that provides the majority of the supply to the Wholesale Public Supply Permittee.

4. through 7. renumbered 5. through 8. No change.

Revised 8-23-07, 2-13-08, _____.

The following provisions of Chapter 2.0 are proposed to be changed:

2.0 ADMINISTRATIVE CONSIDERATIONS

2.5 PUBLIC WATER SUPPLY SERVICE AREA

The following paragraph is moved here from below.

Public water supply applicants and their wholesale customers that operate “community water systems” ~~as that term is defined by the Florida Department of Environmental Protection in Rule 62-550.200, F.A.C., as serving at least 15 service connections used by year-round residents or that regularly serves at least 25 year-round residents,~~ shall be considered public water supply “utilities.” For the purposes of this rule, an entity which submitters a master-metered connection to a utility and bills for the metered water use is not considered a public water supply utility.

Amended _____.

~~A public supply permit Applicant must define the entire area proposed to be serviced by the public supply system during the term of the permit. This area includes both the service area in which the supplier has the ability and legal right to distribute water, as well as other areas where an entity purchases water wholesale from the Applicant. Requested quantities for areas proposed to be supplied must be supported with detailed demand information and plans of the supply system proposed to accomplish this service. In cases where the Applicant does not have political control over a portion or portions of the area supplied (e.g., a county utility supplies a city), detailed demand information for the entire area will be required from the wholesaler. Wholesalers must provide the District with a written agreement from the water purchasers to abide by the conditions of the wholesaler’s permit.~~

[Next three sentences moved to chapter 4 section 4.8]:

~~Service areas are not considered to be under the control of the Applicant in terms of consideration of off-site impacts. Where there is a potential for adverse impacts to existing legal users due to the applicant’s withdrawals, whether within or outside the applicant’s service area, the applicant shall submit a plan by which the potential impacts shall be monitored and mitigated if such impacts should occur. Nothing in this provision shall affect continuation of Tampa Bay Water’s Well Mitigation Policy set forth in Rule 49B-3.005, F.A.C., dated May 20, 2001~~

1-1-07, Revised _____.

PUBLIC WATER SUPPLY SERVICE AREA

~~In addition to the paragraph above, a public supply utility permit Applicant must define the entire area proposed to be serviced by the public supply system or utility with potable water during the term of the permit. Public water supply permit applicants, including Wholesale Public Supply Permit applicants, shall define the entire area for which they have the ability and legal right to distribute water directly to their~~

~~customers during the term of the permit. Although a public water supply applicant utility may have separate, discrete service areas; however, if water is routinely transferred between service areas, the service areas shall be considered and counted as one. Applicants that have a public water supply water use permit and have interconnected service areas and that receive an annual average quantity of 100,000 gpd or greater from another permittee are not required to obtain a separate Wholesale Public Supply Permit, but shall include these quantities as imported quantities in the application. An applicant's public supply service area is composed of the following, unless the applicant demonstrates that factors unique to its utility make one or more of these situations inapplicable to the determination of the applicant's service area:~~

- ~~1. The current and projected geographic retail service area for which a public water supply utility intends to provide and bill for potable water for the duration of the permit.~~
- ~~2. The current and projected geographical retail areas of a public water supply utility that is not required to have a Wholesale Public Supply Water Use Permit but which purchases water wholesale from the Applicant regardless of whether the wholesale water recipient bills its customers.~~
- ~~3. Areas where the Applicant bills for water use although another entity or utility has a Wholesale Water Use Permit for distribution of the water to the population.~~

~~1-1-07, Revised _____.~~

~~The area for which a Wholesale Public Supply Permittee distributes potable water, whether or not the Wholesale Public Supply Permittee and bills customers for that water, is not included in the wholesaler supplier's service area.~~

~~1-1-07, Revised _____.~~

~~The following paragraph is moved above to be the first paragraph in this section 2.5.~~

~~Public water supply applicants and their wholesale customers that operate "community water systems" as defined by the Florida Department of Environmental Protection in Rule 62-550.200, F.A.C., shall be considered public water supply "utilities." For the purposes of this rule, an entity which submeters a master-metered connection to a utility and bills for the metered water use is not considered a public water supply utility.~~

Public water supply permit Applicants with a defined service area must submit an up-to-date map of the service area with clearly marked, identifiable boundaries at the time of application for a new permit, permit modification (not letter modification) or permit renewal. The map submitted must clearly show any changes to the service area relative to the service area depicted in the District's electronic public supply area boundary map. The map must clearly delineate the current area served from any proposed service area(s) if the current

and proposed areas are not the same, and the applicant is applying for quantities for the proposed service area. A new service area must be delineated relative to service areas depicted in the District's electronic public supply service area boundary map maintained in the District's Mapping and GIS system and shall not overlap other service areas. The map may be paper or District compatible electronic file format. During the term of the permit, if the service area is changed, an up-to-date service area map shall be provided in the next Annual Report for permits with durations longer than six years, an up-to-date service area map shall be submitted every six years. With each service area map submittal, the following information must be included:

1. A current general utility contact person name, title, email address and phone number.
2. A current contact person name, title, email address and phone number whom District staff may call concerning the service area map.
3. The metadata for the map if the map is submitted as an electronic file that is compatible with the District's format.
4. The District permit numbers and Florida Department of Environmental Protection Public Water Supply Identifier (PWSI) numbers and area designation names for each service area or sub-service area, as applicable.
5. An indication of routine water transfer interconnections between service areas and other utilities or wholesale suppliers or recipients.

6. The name, contact person, phone number, and District permit number(s) of each utility that purchases water from the permittee on a routine basis and the quantity purchased for the previous calendar most recent year's purchase quantity in millions of gallons per day.

7. The name, contact person, phone number, and District permit number(s) of each utility that the permittee purchases water from on a routine basis and the quantity purchased for the previous calendar most recent year's purchase quantity in millions of gallons per day.

Definable areas within a service area which are served by domestic potable wells shall be delineated and designated by the permittee as non-served areas unless documentation such as a capital improvement plan is provided that demonstrates that the area will be supplied by the applicant within the term of the permit. Quantities shall not be permitted for overlapping service areas or service areas that are in dispute.

New 1-1-07, _____.

2-7 COMPLIANCE WITH THE WATER CONSERVATION ACT

~~All local governments are required to enforce the Water Conservation Act set forth in Section 553.14, F.S., which requires that all new buildings shall incorporate water saving plumbing mechanisms. The statute provides construction standards for water closets, showerheads and faucets. In order~~

~~to emphasize the importance of water conservation, the District requires all local government permit applicants to submit a letter indicating that they have adopted provisions for enforcement of this Act.~~

The following provisions of Chapter 3.0 are proposed to be changed:

3.0 REASONABLE WATER NEEDS

3.1 DETERMINING REASONABLE QUANTITIES – APPLICANT CONSIDERATIONS

Reasonable Water Needs ~~In The SWUCA~~ – The reasonable water needs of all applicants for initial permits, renewals, and those for New Quantities and Self-Relocation within the SWUCA will be closely evaluated by the District. For all renewals and for Self-Relocations in the SWUCA, the evaluation period will be the previous permit term, taking into account climate variability, market conditions, and other factors that influence water withdrawals. Permittees who have not utilized the full previous allocation because circumstances prevented full implementation of the plan on which the allocation was based will be required to demonstrate that the need for the full allocation will occur within the next permit term. To support any future needs, this demonstration must include substantive documentation of the proposed need such as materials orders, construction plans or an operations or business analysis or plan that otherwise specifically justifies the requested quantities. In such cases, the permit shall be conditioned ~~restricted~~ to reduce the permitted quantities should the proposed need not develop. For water uses affected by rainfall, the demonstration may include information showing the relationship between actual effective rainfall amounts affecting demand occurring over the previous permit term and any statistical rainfall analysis upon which the previous permit allocation was based that contributed to the permittee’s ability to use less than the full previous allocation. This paragraph shall be construed to provide for the allocation of sufficient quantities to meet the permittee’s reasonable-beneficial needs during drought conditions as otherwise set forth in this Chapter 3 and consistent with the District’s authority to address such uses during declared water shortages and emergency water shortages.

New 1-1-07, _____.

SYSTEM EFFICIENCY

Treatment Effects – Some water treatment technologies, such as desalination or sand filtration, may cause significant portions of the withdrawn water to be unusable. In such cases, the Applicant may be required to indicate the withdrawal quantity or imported quantity treated, the percent product (usable) water, the percent reject (unusable) water, and the manner in which the reject water will be disposed.

Revised _____.

OTHER SOURCES OF WATER SUPPLY

Applicants must identify the quantities obtained from sources other than the primary source of supply. These sources may include reclamation facilities or desalinated seawater. If a source is not reliable throughout the year, the Applicant may request standby withdrawal quantities from the main source of supply, which may be used when the temporary supply is not available. The permit will identify these standby quantities, when they likely will be required, and for what length of time. The Permittee may request that the District extend the period of time on the permit during which a standby quantity may be used if the need arises.

For non-governmental applicants for water supply for residential developments where all or a portion of the indoor and outdoor use is supplied by another entity (imported), the quantity allocated for irrigation shall not exceed the quantity that, in combination with the imported quantity, is within the allowable per capita limitation for public supply use for that development.

Revised _____.

~~ALTERNATIVE WATER SUPPLIES WITHIN THE SWUCA~~

The following two paragraphs are moved to here from below. Alternative Water Supplies ~~Within the SWUCA~~ – Applicants for permits with 100,000 gpd or greater quantities on a standard annual average basis will be required to evaluate the technical, economic and environmental feasibility of using use of potentially appropriate Alternative Water Supplies for technical, economic and environmental feasibility. This evaluation must determine whether alternatives are available to offset all or part of quantities obtained from any non-alternative water supply, as well as whether an offset is only available seasonally or on a time-limited basis.

~~New 1-1-07, Revised _____.~~

Multiple Water Supply Sources ~~Within the SWUCA~~ – Where an applicant or permittee has non-Alternative Water Supplies and Alternative Water Supplies, the Alternative Water Supplies shall be used in lieu of non-Alternative Water Supplies to the greatest extent practical, based on economic, environmental and technical feasibility.

~~New 1-1-07, Revised _____.~~

~~Reuse Goal – Water Use Permittees within the SWUCA who generate treated domestic wastewater are encouraged to demonstrate that maximization of beneficial reuse is occurring such that 50% or more of the total annual effluent flow is beneficially reused. Beneficial reuse is the use of reclaimed water for one of the activities described below. The calculation of the percentage beneficially reused shall be based on the Permittee’s wastewater treatment plants with a capacity of 0.5 mgd or greater. Progress toward this goal shall be described in~~

~~the Alternative Water Suppliers report described in Section 3-1, the paragraph titled "Alternative Source Suppliers Within The SWUCA," below:~~

~~1-1-03, Amended 1-1-07.~~

Beneficial Reuse – The following uses shall be considered beneficial reuse of treated domestic wastewater ~~within the SWUCA:~~

1. Landscape irrigation of golf courses, playing fields, cemeteries, parks, playgrounds, school yards, retail nurseries and commercial, industrial and residential properties;
2. Agricultural irrigation of food, fiber, fodder and seed crops, wholesale nurseries, "cut flowers", sod farms and improved pastures;
3. Ground water recharge where such recharge results in environmental or water supply benefit;
4. Industrial uses for cooling water, process water and wash waters;
5. Wetlands restoration;
6. Fire protection;
7. Environmental enhancement, including discharges to surface waters to replace withdrawals; or
8. Other useful purposes accepted by the District or allowed under a DEP permit pursuant to Chapter 62-610, F.A.C.

1-1-03

Reuse Feasibility Investigation ~~Within The SWUCA~~ – Investigation of the feasibility of the use of reclaimed water (reuse) shall be required ~~within the SWUCA~~ for all applicants for and permittees with permits for a standard annual average daily water demand of 100,000 gpd or greater uses, and reuse shall be required where economically, environmentally and technically feasible. ~~[The next sentence is moved to end of paragraph]:For those water use permittees also required to investigate reuse pursuant to Section 403.064, F.S., the investigation shall be in accordance with Section 403.064, F.S., and any rules promulgated thereunder. Reclaimed water suppliers whose reclaimed water is 100% reused, reclaimed water users whose water use is 100% reclaimed water, and permittees with a reuse plan already accepted by the District, shall not be required to conduct a reuse feasibility study. Reuse of reclaimed water as an alternate, replacement, or supplemental water source for irrigation, industrial process, cleaning, or other non-potable use shall be investigated by all appropriate applicants or permittees. The feasibility investigation Applicants for these water uses shall include provide an analysis of reclaimed sources for the area, including the relative location of these sources relative to the location of use Permittee's property, the quantity and timing of reclaimed water availability, costs associated with obtaining the reclaimed water, the suitability of reclaimed water for the intended use, and an implementation schedule for reuse.~~

Infeasibility shall be supported with a detailed explanation. [The following sentence is moved here from above:] For those Water Use Permit applicants and pPermittees also required to investigate reuse pursuant to Section 403.064, F.S., the investigation shall be in accordance with Section 403.064, F.S., and any rules promulgated thereunder. Reclaimed water suppliers whose reclaimed water is 100% reused, reclaimed water users whose water use is 100% reclaimed water, and permittees with a reuse plan already accepted by the District, shall not be required to conduct a reuse feasibility study.

1-1-03, Revised _____.

All Water Use Permit applicants for water uses where reclaimed water is appropriate to meet some or all of the applicant's demand shall provide documentation from the local wastewater entity that holds a water use permit indicating whether reclaimed water is available or is planned to be available within the requested permit term next six years. Permittees generating reclaimed water shall respond to such requests by permit applicants in a timely manner. If reclaimed water is available, or is planned to be available within the next 6 years, the local wastewater entity that holds a water use permit shall provide a cost estimate for connection to the permit applicant. If reclaimed water is planned to be available within the requested permit term next six years, the local wastewater entity that holds a water use permit shall provide an estimate of when the reclaimed water will become available. If the wastewater generator does not hold a valid water use permit and does not supply the requested information, the applicant shall be required to prepare a cost-estimate for connection.

Moved from Chapter 7.3, subsection 6.2 (date)

Permittees capable of using reclaimed water will be required to accept it when it becomes available, provided that the quantity and quality are acceptable for the intended use, as determined by the District. If the reclaimed water generator provides the reuse connection, acceptance is required, provided that the quantity and quality of the reclaimed water are acceptable for the intended use, as determined by the District. If the Permittee must pay for all or a part of the cost of connection to the reclaimed water source, the permittee may present an economic feasibility report to the District demonstrating whether connection is feasible.

Moved from Chapter 7.3, subsection 6.2 (date)

Use of Reclaimed Water for Golf Courses Communities Within The SWUCA – If a proposed golf course ~~within the SWUCA~~ is linked with a residential development with its own domestic wastewater treatment plant, the applicant must submit estimates of wastewater generation with time, and will be required by permit condition to implement a phased conversion to reclaimed water when sufficient quantity is available. When

use of Alternative Water Supplies is implemented, the fresh water sources will be permitted for standby purposes in case of a failure of the reclaimed water supply.

1-1-03, Amended 1-1-07, _____.

The provisions titled "REPORTING ALTERNATIVE WATER SUPPLY QUANTITIES WITHIN THE SWUCA" are moved below, just before Section 3.2

INVESTIGATE DESALINATION WITHIN THE SWUCA

~~All industrial and public supply applicants within the SWUCA for new or replacement quantities of ground water of 500,000 gpd annual average quantities or greater where salt water exists shall be required to investigate the feasibility of desalination to provide all or a portion of requested quantities, and to implement desalination if feasible. This investigation shall include a detailed economic analysis of desalination, including disposal costs, versus development of fresh water supplies, including land acquisition and transmission costs. This provision applies to desalination of Gulf of Mexico waters and other coastal waters and only as applicable to ground water users with permits of 500,000 gpd annual average quantities or greater that are located in coastal counties within the SWUCA.~~

~~1-1-03, Repealed _____.~~

WATER CONSERVATION REQUIREMENTS

~~Water Conservation Within The SWUCA — All aApplicants, except those for letter modifications, must demonstrate that environmentally, technically and economically feasible water conservation measures applicable to the proposed use opportunities have been or will be employed. Applicants shall address Evaluation of this requirement will include relevant water conservation practices Best Management Practices (BMPs), recycling, and water conserving technologies applicable to the proposed water uses. Conservation measures and requirements appropriate to each Use Type are described in the remainder of this Chapter.~~

Water savings expected to result from the implementation of water conservation measures must be estimated and accounted for when calculating demand projections. Applicants must identify the components of demand affected by each conservation measure and reflect the estimated savings in demand for each year projected.

Where historical data are used to support the calculation of projected demand and peak month coefficients, and conservation measures were implemented for only part of the historical data period, the Applicant should use data only from the period in which the conservation measures were in effect. If the Applicant is able to estimate and extrapolate the water savings to the data period prior to implementation, then historical data from the past period may also be used.

New 1-1-07, Revised _____.

~~Water Conservation Within — The SWUCA — Applicants must demonstrate that technically and economically feasible water conservation opportunities have been or will be employed. Evaluation of this requirement will include relevant Best Management Practices (BMPs), recycling, and water conserving technologies applicable to the proposed water uses.~~

~~New 1-1-07.~~

The following two paragraphs are moved to the ALTERNATIVE WATER SUPPLY section above

~~Alternative Water Supplies Within the SWUCA — Applicants will be required to evaluate the use of potentially appropriate Alternative Water Supplies for technical, economic and environmental feasibility. This evaluation must determine whether alternatives are available to offset all or part of quantities obtained from any non-alternative water supply, as well as whether an offset is only available seasonally or on a time limited basis.~~

~~New 1-1-07.~~

~~Multiple Water Supply Sources Within the SWUCA — Where an applicant or permittee has non-Alternative Water Supplies and Alternative Water Supplies, the Alternative Water Supplies shall be used in lieu of non-Alternative Water Supplies to the greatest extent practical, based on economic, environmental and technical feasibility.~~

~~New 1-1-07.~~

The following provisions from above are moved here, just before section 3.2:

PERMITTEE REPORTING OF ALTERNATIVE WATER SUPPLY QUANTITIES WITHIN THE SWUCA

~~Annual Reclaimed Alternative Water Suppliers Report Within The SWUCA — Governmental or other entities holding Water Use Permits with a permit for 100,000 gpd or greater standard annual average daily demand and within the SWUCA that and which generates treated wastewater effluent (reclaimed water) at their own wastewater treatment facility having a reclaimed water design capacity of 100,000 gpd or more on an annual average basis and a Florida Department of Environmental Protection (FDEP) Wastewater Facility Regulation (WAFR) identification number shall submit the SWFWMD or supply stormwater an Annual Suppliers of Alternative Reclaimed Water Suppliers Report, Form No. LEG-R.026.00(09/09), incorporated by reference in Rule 40D-2.091, F.A.C., on or before April 1 of each year summarizing the reclaimed water supplied during the preceding period of October 1 to September 30 to each customer. This requirement shall be implemented by attaching a permit condition to all applicable permits upon January 1, 2003 The Suppliers of Alternative Water Supplies Report will require the Permittee to provide information about locations and quantities of Alternative Water Supplies delivered, effluent~~

~~disposed and supplied as beneficial reuse, and information about individual customer reuse connections. Appendix A to this Chapter 3 includes definitions and instructions for reporting this information.~~

The report shall be submitted on or before April 1 of the following year and shall also include a map of the area(s) currently served with reclaimed water, including any areas projected to be added within the next year.

Permittees having a wastewater treatment facility with a design capacity less than 100,000 gpd on an annual average basis shall have the option to use the SWFWMD Annual Reclaimed Water Supplier Report, Form No. LEG-R.026.00(09/09) described above or to submit Part E of the Public Supply Annual Report, "Suppliers of Reclaimed Water Report", described in "ANNUAL REPORTS", below.

1-1-03, Revised 1-1-07, _____.

Non-Potable Alternative Water Supply Providers – Other Than Reclaimed Water

All permittees with a permit for 100,000 gpd or greater standard annual average daily water demand and that generate non-potable Alternative Water Supplies (AWS), as defined in subsection 40D-2.021(1), F.A.C., other than suppliers of reclaimed water from a public supply wastewater treatment plant, shall submit an annual Alternative Water Suppliers report on or before April 1 of each year for the preceding calendar year as a component of the Annual Water Use Report. The report shall provide the following information on quantities supplied to bulk customers for non-potable use:

1. Description of the type of Alternative Water Supply provided.
2. County where service is provided.
3. Customer name and contact information.
4. Customer's Water Use Permit number (if any).
5. Customer's meter location connection latitude and longitude.
6. Meter ownership information.
7. General customer use category.
8. Proposed and actual flows in annual average gallons per day (gpd) per customer.
9. Customer cost per 1,000 gallons or flat rate information.
10. Delivery mode (e.g., pressurized or non-pressurized)
11. Interruptible Service Agreement (Y/N).
12. Month/year service began.
13. Totals of monthly quantities supplied, and
14. A map depicting the area of alternative water use service. This map should include any areas projected to be added within the next year.

_____.

~~Alternative Water Supply Receivers Within The SWUCA— All permittees with a permit for 100,000 gpd standard annual average daily water demand and that permitted uses within the SWUCA which receive reclaimed water, or stormwater or other Alternative Water Supply (AWS) to meet all or a part of their combined water demands (e.g. golf courses, industrial/commercial uses, agricultural uses, etc.) shall be required to meter, record and report the meter readings on a monthly basis Alternative Water Supply quantities and sources. These permittees shall also meter, record and report the quantity of AWS beneficially used on a monthly basis. These permittees shall include in their initial report the AWS supplier's name, address, telephone number, email address, and contact person's name, water use permit number (if any), and contracted or agreed-upon annual average quantities of AWS to be supplied, and thereafter report changes to this information list the Alternative Water Supply supplier's name, location, and quantities obtained in gallons per day, for each source. Where an applicant demonstrates that an economic, technical, environmental, legal or other hardship would be created for a meter to be installed on an AWS distribution system existing as of [effective date of rule], the Permittee may use an alternative accounting method that the applicant demonstrates to be equivalent in accuracy in determining the quantity of AWS received and beneficially used. This requirement shall be implemented by attaching a permit condition to all applicable permits.~~

1-1-03, Revised Amended 1-1-07, _____.

3.2 PERMITTED WITHDRAWAL QUANTITIES

Applicants must identify the quantities needed for each component of demand in order to justify the quantities requested on the permit application. The components of demand for each use type are identified in Sections 3.3 through 3.7. Typically, requested quantities are based on historical information. Applicants shall request quantities in gallons per day for each component of demand according to the terms listed below. The District will evaluate the quantities requested and identify the following quantities allocated in gallons per day on each permit.

1. Annual Average Daily (gpd)
2. Peak Month Average Daily (gpd)
3. Maximum Daily (gpd)

The annual average daily quantity places a limit on total yearly withdrawals. The peak month average daily quantity places a limit on total withdrawals in any one month. A maximum daily quantity may be permitted for certain needs on a case-by-case basis. (e.g. public supply permittees that record daily pumpage and agricultural permittees that require water for frost/freeze protection). Compliance with permitted annual average daily quantities is determined based on a 12 month moving average.

Applicants may identify withdrawal quantities on a monthly basis. Monthly calculations facilitate documentation of seasonal requirements and the design of effective conservation measures to reduce peak demands. Average daily quantities may then be calculated by dividing the total period by the number of days.

EXAMPLE: Peak Month Quantity

Total pumpage for June = 9,000,000

9,000,000 divided by 30 days = 300,000 gpd

The following Conservation Requirements provisions are proposed to be added to the end of Section 3.3 Agriculture:

3.3 AGRICULTURE

Supplemental Crop Requirement

The supplemental crop requirement is the amount of water needed for a particular crop beyond the amount of water provided by effective rainfall. There are several ways to determine this amount:

1. In most cases, the supplemental crop requirement is determined using the agricultural water use calculation based on the modified Blaney Criddle method, which is described in Part C of this Manual. This procedure identifies the amount of water lost to evapotranspiration and determines the supplemental crop requirement using soil type, rainfall, and other variables. In most cases, the supplemental irrigation requirement is determined for a 2 in 10-year drought condition.

2. The supplemental crop requirement also may be determined based on information including but not limited to one of the following sources:

- a. University of Florida, Institute of Food and Agricultural Sciences (IFAS) reports;
- b. United States Geological Survey (USGS), Benchmark Farms data;
- c. Southwest Florida Water Management District Agricultural Irrigation Monitoring data; or
- d. Agricultural Field Scale Irrigation Requirements Simulation (AFSIRS) method – This computer model was developed by IFAS to estimate irrigation requirements based on climatic, crop, and soil data. This procedure is discussed in Users Guide and Technical Manual, Agricultural Field Scale Irrigation Requirements Simulation, University of Florida, Agricultural Engineering Department, Allen Smajstrla, October 1986.

Irrigation for agricultural crops during periods of rainfall that is less than that which the permitted allocation is derived shall be allowed, subject to any water shortage orders in effect and provided that the quantity used is demonstrated to be no greater than the supplemental quantity needed based on the rainfall amount received and all other rule criteria are met.

Revised_____.

The following provisions are added after the Section titled "IRRIGATION", after the subsection titled "Frost/Freeze Protection":

CONSERVATION REQUIREMENTS

Permits For A Standard Annual Average Daily Water Demand of 100,000 gpd Or Greater

Agricultural Use Excluding Aquaculture

New Applicants

Applicants for new permits for a standard annual averaged daily water demand of 100,000 gpd or greater for agriculture water use, excluding aquaculture, shall submit a water conservation plan that insures efficiency of use and provides for increasing efficiency of use by implementing environmentally, technically and economically feasible water conservation practices. At a minimum, the applicant shall include a description of how each water conservation practice listed below is addressed and indicate those that will be implemented (include an implementation schedule) those that are not applicable for the product being produced, or those that are not environmentally, technically or economically feasible (include documentation of infeasibility). The plan shall include a description of each water conservation practice and its expected implementation date. Progress reports shall be due based on the implementation schedule.

Existing Permittees

In addition to the requirements for new applicants, above, all applicants to renew or to modify (except applicants for Letter Modifications) existing permit for 100,000 gpd or greater standard annual average daily water demand and for agriculture excluding aquaculture, shall include a report on water conservation practices not listed below that have been implemented. The report shall describe how each water conservation practice has been implemented.

New_____.

Water Conservation Practices for Agricultural Uses

Conduct an ongoing maintenance and repair program on the irrigation system, including a system-wide survey conducted at least once per season that includes monitoring flow rates and system pressures to detect leaks and clogs; routine cleaning system components (nozzles, valves, filters, meters, etc.); checking controllers or timers for accurate operation; and monitoring meters for unusually high or low readings.

Conduct an ongoing analysis of the irrigation system efficiency, including conveyance, distribution, and application, and if storage ponds or reservoirs are used, an analysis of storage efficiencies. The analysis shall include periodic testing for application and distribution uniformity and system maintenance to irrigate efficiently.

Evaluate the feasibility of improving the efficiency of the current irrigation system, converting to a more efficient irrigation system, or installing tailwater recovery or stormwater

ponds. Implement the improvements, conversion, and/or installation when it is determined to be operationally and economically feasible.

Implement an irrigation schedule that maximizes the efficiency of delivering the correct quantity of water to the root zone at the time it is needed. This practice shall include the use of tools to determine when and how much irrigation water is needed. Example of these tools include soil moisture sensors, weather stations or other climatic measuring devices, and piezometers to monitor the water table elevation.

Avoid daytime irrigation, aeration or other activities which involve spraying water into the air to the greatest extent practicable to minimize water losses from evaporation and the wind. This does not apply to daytime use of water for control of heat stress, frost and freeze protection, plant establishment, field bedding, erosion control, system maintenance or other necessary non-irrigation uses.

Reduce or eliminate irrigation runoff by monitoring irrigation duration so that only the water necessary for optimum plant growth is used, avoiding irrigation of non-crop areas, and collecting irrigation tailwater for reuse.

New _____

Small General Water Use Permits

Agricultural Use Excluding Aquaculture

All applicants for Small General Water Use Permits for agricultural use, excluding aquaculture, shall agree to implement all water conservation measures that are economically, technically, and environmentally feasible, including:

1. Incorporation of water conservation practices.
2. Limiting daytime irrigation to the greatest extent practicable to reduce water losses.
3. Implementation of a leak detection and repair program as part of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per season.
4. Evaluation of the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.

5. Implementation of an irrigation schedule that maximizes the efficiency of delivering the correct quantity of water to the root zone at the time it is needed. This practice shall include the use of tools to determine when and how much irrigation water is needed. Examples of these tools include soil moisture sensors, weather/climatic measuring devices, or piezometers to monitor the water table elevation.

New _____.

Aquaculture Use

Applicants for new permits for a standard annual average daily water demand of 100,000 gpd or greater for aquaculture water use shall submit a water conservation plan that insures efficiency of use and provides for increasing efficiency of use by implementing environmentally, technically and economically feasible water conservation practices. At a minimum, the applicant shall include a description of how each water conservation practice listed below is addressed and indicate those that will be implemented (include an implementation schedule) those that are not applicable for the product being produced, or those that are not environmentally, technically or economically feasible (include documentation of infeasibility). The plan shall include a description of each water conservation practice and its expected implementation date. Progress reports shall be due based on the implementation schedule.

Existing Permittees

In addition to the requirements for new applicants, above, all applicants to renew or to modify (except applicants for Letter Modifications) existing permit for 100,000 gpd or greater standard annual average daily water demand and for aquaculture shall include a report on water conservation practices not listed below that have been implemented. The report shall describe how each water conservation practice has been implemented.

Water Conservation Practices for Aquaculture Uses

1. Reduce offsite discharge by converting flow through systems to recirculation systems; designing new facilities with recirculation systems and design new ponds without discharge outlets; retaining and treating production water on site; utilizing reclaimed water and other alternate water sources; and incorporating water reuse practices in standard operation and management practices to reduce the quantity of water pumped or discharged.

2. Reduce water loss from ponds due to excess seepage by maintaining proper free board levels and using perimeter ditches, and reduce water loss from outdoor containments by the use of shade facilities where practicable.

3. Avoid daytime aeration or other activities which involve spraying water into the air to the greatest extent practicable to minimize water losses from evaporation and the wind. This does not apply to daytime use of water for control of heat stress or cold protection.

4. Conduct routine and ongoing maintenance and repair programs on levees, dikes and banks surrounding ponds, check for leaks from tanks, vats or raceways, and check for proper performance of perimeter ditches, filter strips, detention ponds or other facilities designed for treatment of product water treatment.

5. Conduct a system-wide survey at least once per season that includes monitoring flow rates and system pressures to detect leaks and clogs; routine cleaning system components (valves, filters, meters, etc.); checking controllers or timers for accurate operation; and monitoring flow meters for unusually high or low readings.

6. Utilize other conservation practices as identified by the University of Florida’s Institute of Food and Agricultural Science’s Department of Fisheries and Aquatic Sciences publication “Regulations Pertaining to Non-native Fish in Florida Aquaculture (FA121).”

New _____.

Small General Water Use Permits
Aquaculture Use

All applicants for Small General Water Use Permits for aquaculture water use shall agree that they are required by the Florida Department of Agriculture and Consumer Services in Chapter 5L-3, Florida Administrative Code to implement all appropriate water conservation and reuse practices. The applicant shall undertake any feasible measures that can be implemented immediately and implement other feasible measures as soon as practicable, as well as implement any feasible interim measures.

New _____.

REPORTING REQUIREMENTS FOR IRRIGATION WATER USE WITHIN THE SWUCA

Crop Reports – All ~~Individual and General Water Use~~ permittees with permits for a standard annual average daily water demand of 100,000 gpd or greater shall record for each metered withdrawal point the following information on the applicable Irrigation Water Use Form incorporated herein by reference in Rule 40D-1.659, GROUNDWATER (26), (28) and (29), F.A.C., according to crop type. Those that irrigate seasonal crops (examples: vegetables or other row crops) shall provide items 1. through 8. Those that irrigate annual crops and plants (examples: citrus, blueberries, commercial hay, sod, nurseries, pasture) may omit items 5, 6, and 7.

1. Crop type;
2. ~~Monthly~~ Irrigated acres per crop for seasonal crops; annual irrigated acres for annual crops;
3. The dominant soil type or acres by dominant soil type;
4. Irrigation method(s);
5. Use or non-use of plastic mulch;
6. Planting dates; ~~and~~
7. Season length; ~~and~~
8. ~~Crop protection quantities.~~

1-1-03, Revised 12-30-08, _____.

~~Field Preparation/Crop Establishment – Irrigation for field preparation/crop or plant establishment and supplemental irrigation shall be documented separately by noting the beginning and ending dates for these activities. Additionally, use of the withdrawal point quantities for crop protection shall be documented separately by noting the beginning and ending hour and date of each use. The permittee shall note whether tailwater recovery is used. This information shall be submitted to the District on the District-supplied Irrigation Water Use Form or online by March 1 for annual crops, February 1 for summer and fall crops, and September 1 for winter and spring crops (including strawberries).~~

1-1-03, ~~Revised~~ Amended 10-22-07, Revised _____.

The following changes are proposed to the provisions in Section 3.4 Industrial or Commercial

3.4 INDUSTRIAL OR COMMERCIAL

Applicants must demonstrate that the quantities applied for relate to reasonable office, institutional, processing and manufacturing needs. Needs are generally demonstrated by providing information on the water balance for the operation, including all sources and uses of water as well as all ~~and~~ losses and reuses of water ~~utilized~~ in production and commercial processes, personal/sanitary needs, landscape irrigation, office, or and institutional activities, ~~of employees and customers,~~ treatment losses, and unaccounted uses.

Applicants for industrial/commercial uses must identify the demand for each of the following components:

1. Personal/sanitary use – water for personal needs such as drinking, bathing, cooking, sanitation, or cleaning spaces ~~occupied by employees and visitors. For offices and work areas,~~ The calculation should take into consideration: the average number of visitors and employees per shift, the number of shifts per work day, and the number of work days. Coefficients used in the calculation, such as gallons per employee or visitor, must be identified and the applicant shall reference standard source for such data. Examples of standard data sources are the U.S. Department of Energy, the AWWA Research Foundation, the Pacific Institute, the Conserve Florida on-line library, “Water Conservation Plan Guidelines”, Appendix B: Benchmarks used in Conservation Planning”, U.S. Environmental Protection Agency, Document number EPA-832-D-98-001, or Vickers, Amy, “Handbook of Water Use and Conservation”, WaterPlow Press, 2001. A quantity range from 8 gallons (for offices) to 26 gallons (for workshop spaces) per person per 8-hour shift may be used unless the Applicant demonstrates the need for a different quantity. (These ranges are identified in Modeling Water Demands, 1984. Edited by J. Kindler and C.S. Russell in collaboration with B.T. Bower, J. Gouevsky, and D.R. Sewell, Academic Press, London.

2. through 3. No change.

CONSERVATION REQUIREMENTS PLANS FOR INDUSTRIAL AND COMMERCIAL USES WITHIN THE SWUCA

Permits For 100,000 Gpd Or Greater

New Applicants

All ~~permit~~ applicants for new a permit for 100,000 gpd or greater standard annual average daily water demand and for withdrawals within the SWUCA for industrial or commercial uses shall be required to submit to the District at time of applications, a water conservation plan that insures efficiency of use and provides for increasing efficiency of use by implementing environmentally, technically and economically feasible water conservation practices relevant to the institution, industry or place of commerce will be employed at. The water conservation plan shall include the relevant water conservation practices listed below and describing where and when water savings can be reasonably achieved. The plan shall and specifically addressing reducing water all components of use and loss, including the components in the water balance where applicable, by implementing or increasing including but not limited to recycling, and reuse, and by limiting landscape plants to those that do not require supplemental irrigation or by utilizing water-efficient irrigation practices on landscaping that only requires minimal supplemental irrigation. A summary shall identify the components of demand affected by each conservation practice and describe the savings in demand for each year of projected water use. and An implementation schedule shall be included for each proposed conservation practice, and progress reports shall be required based upon the implementation schedule.

1-1-03, Amended 12-30-08, _____.

Existing Permittees

In addition to the requirements for new applicants, above, all applicants to renew or to modify (except applicants for Letter Modifications) existing permits for 100,000 gpd or greater standard annual average daily water demand and for industrial or commercial use shall contain a report on all water conservation practices that have been implemented as other water conservation practices not listed below that have been implemented. The applicant shall specifically address the water conservation practices listed below that are relevant to the institution, industry or place of commerce, indicating those that have been implemented. For each relevant water conservation practice from the list below that has been implemented, a report shall describe the achievements in water savings that have been realized from each practice.

Water Conservation Practices for Industrial or Commercial Uses

1. Recycle brine from RO or filter backwash for cooling, reuse process water, install a recycling and filtering system to reuse carwash water; reuse water used to wash products; and reuse water created via processing, reuse water from settling ponds.

2. Monitor and maintain water-using equipment and valves on water lines; install automatic-close valves in equipment when not in use; check pressure and install pressure-reducing valves to match equipment needs; conduct regular checks for leakage; use shut-off nozzles on hoses, use closed loop system for equipment cooling.

3. Retrofit power generation systems to use water-conserving fuel types and reduce water needed for emission control; utilize seawater or non-fresh water for once-cooling; utilize continuous-flow, closed-loop cooling when possible.

4. Install water meters in various work areas and read monthly to identify leaks as well as monitor conservation efforts.

5. Install or retrofit to low volume showerheads and toilets, install waterless urinals, low-volume faucet aerators or faucet motion sensors; retrofit flush valves to 1 gpm and repair leaks and drips immediately.

6. Replace continuous flow equipment in kitchens, bars and cafeterias; install low flow dishwashers and only wash full loads; use automatic shut-off faucets; presoak dishes and utensils in basins or retrofit to low-volume pre-rinse sprayers; thaw frozen products using swivel aerator instead of running water, monitor/replace ice dispensers to reduce waste, and serve water in bars and restaurants only upon request.

7. Avoid excessive blowdown by adjusting boiler and cooling tower blowdown rate to maintain total dissolved solids at manufacturer's specifications; capture and reuse steam condensate as boiler feed or cooling tower make-up; use ozone as a cooling tower treatment to reduce make-up water; shut off water-cooled air conditioning units when not needed; replace water-cooled equipment with air-cooled systems; connect heating/cooling equipment to a closed-loop system rather than using a municipal supply.

8. Use full loads in sanitizers, dishwashers, sterilizers and laundry washing machines; retro-fit steam and autoclave sterilizers with water reclamation and automatic shut-off devices; evaluate the wash formula and number of machine cycles for efficiency; use water-efficient horizontal-axis or continuous batch-reclamation washing machines; use "dry," powder methods for carpet cleaning when possible; clean windows as required rather than on a set schedule, clean work space and outdoor walkways with water brooms instead of hoses.

9. Irrigate outdoor areas early in the morning or in the evening using low-volume irrigation systems; adjust nozzles to avoid overspray, install an irrigation meter to monitor water use and possible leaks; use automatic rain shut-off devices; reduce irrigation schedule for cooler weather and the rainy season; use mulch around low-maintenance landscape plants that require minimal supplemental irrigation; reuse industrial waste water or process water for irrigation if possible, and utilize reclaimed water when feasible.

10. Lower swimming pool and spa water levels to avoid splash-out; reduce the water used to back-flush pool filters; use a pool cover to reduce evaporation and heat loss when the pool is not being used.

11. Create water conservation suggestion boxes for employees; install signs in restrooms and cafeterias that encourage water conservation; assign an employee to evaluate water conservation opportunities and effectiveness; train staff on water efficient use of machines and equipment.

1-1-03, Revised _____.

Small General Water Use Permits

The applicant shall utilize the most water conserving practices in all processes and components of water use that are environmentally, technically and economically feasible for the activity, including reducing water losses, recycling and reuse, and utilization of water-efficient irrigation practices on drought-tolerant landscaping.

New _____.

The following changes are proposed to the provisions in Section 3.5 Industrial or Commercial that are titled "Conservation Plans for Mining and Dewatering Uses Within The SWUCA":

3.5 MINING OR DEWATERING

CONSERVATION REQUIREMENTS PLANS FOR MINING AND DEWATERING USES WITHIN THE SWUCA

All permit applicants for ground water withdrawals within the SWUCA for mining or dewatering uses are required to submit a water conservation plan that insures efficiency of use and provides for increasing efficiency of use by implementing environmentally, technically and economically feasible water conservation measures. The plan shall include water conservation practices and utilization of water conserving technologies applicable to all components of demand and loss including recycling, reuse, and utilization of water-efficient irrigation practices on drought-tolerant landscaping best management. An implementation schedule shall be included for each water conservation measure anticipated, and progress reports shall be required based upon the implementation schedule.

In addition to the requirements for new applicants, above, the water conservation plan for renewal or modification of a mining or dewatering water use permit shall describe and quantify describing where and when water savings have been ~~can be reasonably achieved by existing practices and identify where, when and how much water savings can be reasonably achieved by incorporating proposed water conservation measures specifically, address all components of use and loss in the water balance, including but not limited to recycling, reuse, landscaping and~~ An implementation schedule shall be included for each proposed conservation measure, and progress reports shall be required based upon the implementation

~~schedule to the District at time of application. Existing permittees with ground water withdrawals not previously within a Water Use Caution Area shall submit a conservation plan by January 1, 2003.~~

1-1-03, Revised _____.

The following changes are proposed to Section 3.6

3.6 PUBLIC SUPPLY

APPLICANT CONSIDERATIONS DEMAND

In order to accurately calculate demand, public supply Applicants must identify the demand for each of the uses listed in this section. Information typically required to demonstrate reasonable demand for each component may include the number, type, and size of service connections; past monthly pumpage records by use type; projected permanent and temporal population data for the service area; data on the specific uses; development projections; and data specific to the forecasting models used. Demand quantities should be based on quantities required by end-use customers, not withdrawal quantities. The quantities must be expressed in average annual gallons per day for each component of demand.

Revised 1-20-09

Where metering, billing, or other record-keeping methods do not provide accurate use estimates, the Applicant must provide the best estimates for each use type and must document the estimation method used.

In applications where a portion of the demand is derived from wholesale customers (e.g., a county utility sells water to a municipality), the Applicant must obtain and report demand information from each wholesale customer. Where the wholesale customer is required to obtain a Wholesale Public Supply Permit, the Applicant shall include those wholesale quantities as exports. This information is required to demonstrate that the quantities applied for are supported by reasonable demand. Per capita use ~~guidelines~~ and water conservation ~~provisions~~ plans apply to wholesale customers as well as the Applicant.

Revised _____.

All public supply Applicants must identify the demand for the following components:

1. Residential Use – shall be divided into single-family residential use and multi-family residential use in accordance with local government zoning policies.;
2. Other metered uses – shall include all uses other than residential accounted for by meter.;
- ~~3.~~ 3.4. Treatment Losses – significant treatment process losses associated with making the water potable, such as reject water in desalination, membrane cleaning or back-flush quantities associated with sand filtration systems. Treatment losses are calculated as raw water into the plant minus treated water out of the plant. This component is identified in the

~~water treatment plant specifications per finished gallon times the annual average gallons per day output should only be calculated when such losses are significant. In addition, no more than 1% of treated water volume delivered to the distribution system for flushing distribution lines for potability may be deducted.~~

~~4.3. Water Losses Unaccounted uses – Water losses are equal to the total water plant output minus all accounted uses described in 1. and 2. above. Water losses include leaks, illegal connections, greater than 1% loss of plant output due to flushing of distribution lines for potability, unmeasured flows associated with fire suppression, unmetered system testing, under-registration of meters, and other discrepancies between the metered amount of finished water output from the treatment plant less the metered amounts specified in 1. and 2. above. (Rather than Water Loss, the permittee may include unmetered emergency losses in the category “Fire and Other Accounted Uses” using Form B of the Public Supply Annual Report For General and Individual Permits, Form No. LEG-R.023.00(09/09) incorporated in Rule 40D-2.091, F.A.C., when the cause of the loss is fixed as soon as practicable and the quantity of water lost is estimated using pipe diameter, pressure and time.) Water Losses shall not exceed 10% of total distribution quantities. Greater than 10% water losses will not be considered in allocation of permitted quantities ~~the total water system output minus all accounted uses above. Unaccounted use may include unmetered use, water lost through leaks, water used to flush distribution lines, firefighting, and other unidentified uses. This quantity generally should not exceed 15% of total distribution quantities. Applicants with unaccounted use greater than 15% may be required to address the reduction of such use through better accounting or reduction of unmetered uses or system losses; and~~~~

1-1-03,_____.

CONSERVATION REQUIREMENTS

~~The public supply permittee water conservation requirements included within the remainder of this Subsection 3.6, unless specifically designated to apply within the SWUCA only, shall apply to all public supply utilities and suppliers with Permits that are granted for an annual average daily quantity of 100,000 gallons per day or greater, as well as wholesale customers supplied by another entity which obtain an annual average daily quantity of 100,000 gallons per day or greater. Failure of a wholesale customer to comply may result in modification of the wholesale permit to add a permit condition limiting or reducing the wholesale customer’s quantities, or other actions by the District. [The following sentence is moved to after the first paragraph under the subheading “Per Capita Use Rate” in the section titled “PER CAPITA DAILY WATER USE” below]: Increased allocations for existing permits and allocations for public supply permits with an annual average~~

~~daily quantity less than 100,000 gpd shall be based on a per capita use rate no greater than 150 gallons per day, plus allowable deductions and adjustments documented as set forth in the provisions below titled “Documentation of Per Capita Daily Water Use” Calculations for the Annual Report.~~

~~[Date of Per Capita rule]~~

The provisions titled “PER CAPITA DAILY WATER USE” are moved below, just before the provisions titled “ANNUAL REPORTS”, under the new “PERMITTEE REQUIREMENTS” division

WHOLESALE PUBLIC SUPPLY CUSTOMERS PERMIT REQUIREMENTS WITHIN THE SWUCA

Wholesale Public Supply Permits are required to be obtained by those public water supply utilities that receive all water from other public supply permittees that the utility then distributes to its own customers. As of November 15, 1990 in the HR WUCA and ETB WUCA, March 1, 1991 in the original NTB WUCA, July 1, 2008 in the expanded NTB WUCA, and January 1, 2003 in the SWUCA, wholesale public water supply utilities that received 100,000 gpd or more on an annual average basis were required to obtain a separate wholesale permit to effectuate conservation requirements in this section 3.6. On or before December 31, 2010, all wholesale public supply utilities that receive a combined total of 100,000 gpd or more from other permittees on an annual average basis and that have not obtained a Wholesale Public Supply Permit or other Water Use Permit shall apply for a separate Wholesale Public Supply Permit to effectuate the requirements set forth in sections 2.5 of Chapter 2, and in Chapter 3 of this Basis of Review.

Wholesale customers that receive less than 100,000 gpd on an annual average basis from another public supply utility shall not be required to obtain a Wholesale Public Supply Permit but shall utilize all water conservation measures that are economically, environmentally, and technically feasible.

Permittees that are wholesale water suppliers must provide the District with a written agreement from those that purchase less than 100,000 gallons per day on an annual average basis from the wholesale supplier to abide by the water conservation conditions of the wholesale supplier’s permit and to provide water demand and water use data needed for the wholesale supplier to comply with reporting conditions.

Each water supply utility within the SWUCA shall adopt a water conserving rate structure by January 1, 2004. If the Permittee already has a water conservation oriented rate structure, a description of the structure, any supporting documentation, and a report on the effectiveness of the rate structure shall be submitted by January 1, 2003. Permittees that adopt a water conservation oriented rate structure pursuant to this rule shall submit the above listed information by July 1, 2004. New public supply permits shall adopt a water conservation oriented rate structure no later than two years

~~from the date of permit issuance and shall submit a report describing the rate structure and its estimated effectiveness within one year following adoption.~~

1-1-03, Revised 1-1-07, _____.

The following new sections titled "COMMON AREAS" and "CONSERVATION PLAN REQUIREMENTS" are added after the section titled "WHOLESALE CUSTOMER REQUIREMENTS" and before the section titled "WATER CONSERVING RATE STRUCTURE"

COMMON AREAS DEVELOPED BY NON-GOVERNMENTAL ENTITIES

Non-governmental applicants for a General or Individual Water Use Permit for water supply for a residential development shall identify existing and proposed acreage of Common Areas on the application and demonstrate the following:

1. Alternative water supplies shall be used to the maximum extent that is technically, environmentally and economically feasible to irrigate Common Areas.
2. Irrigation of Common Areas is, or will be, minimized through minimization of the acreage to be irrigated and the use of vegetation that requires minimal supplemental irrigation, where practical.
3. The local government responsible for the issuance of building permits for the project has adopted an ordinance incorporating the principles of Florida-friendly landscaping; or, the applicant will implement landscaping consistent with Section 373.185, F.S. The applicant may demonstrate consistency with Section 373.185, F.S., by establishing that the applicant has implemented, or commits to implement, or that the applicable local government has adopted the Florida Department of Environmental Protection's Landscape Guidance: Models for Ordinances, Covenants, and Restrictions, 1/09, developed pursuant to Section 373.185, F.S., as may be updated from time to time, and this District's supplements thereto.
4. Irrigation systems are limited to high efficiency systems with properly installed, maintained and operational rain or soil moisture sensor shutoff devices, or evapotranspiration controller with a rainfall shutoff device and an active data subscription as applicable. Irrigation systems shall be properly maintained and incorporate the standards set forth in the Landscape Irrigation and Florida Friendly Design Standards, dated December 2006, developed pursuant to Section 373.228(4), F.S., and incorporated herein by reference. The Standards are available upon request from the District and at www.dep.state.fl.us.

For non-governmental Public Water Supply Utility applications that include quantities for residential developments after (effective date), demand for Common Area irrigation shall be met within the allowable per capita allocation.

New _____.

CONSERVATION PLAN REQUIREMENTS

Permits For 100,000 Gpd Or Greater

All applicants for a new, renewal of, or modification of (except applicants for a Letter Modification) permits for 100,000 gpd or greater for public supply shall submit a conservation plan as part of the application that demonstrates that it will provide for and increase efficiency of use by implementing environmentally, technically and economically feasible water conservation practices. At a minimum, the plan shall include a description of how each water conservation practice listed below under the heading Minimum Water Conservation Practices for Public Supply Use is or will be addressed and its actual or expected implementation date.

Progress reports shall be due with the Annual Report.

Minimum Water Conservation Practices for Public Supply Use

1. A water-conserving water rate structure. A copy of the rate ordinance or tariff sheets for both potable and irrigation rates shall be included in the conservation plan.
2. Customer billing, and meter reading practices and customer rate structure and usage information that conforms with the provisions in this section 3.6 titled "Customer Billing, Meter Reading, Rate Structure And Usage Information." A copy of bills meeting those requirements shall be included in the conservation plan.
3. An ongoing audit program of the internal and external water distribution systems to address reductions in water losses.
4. Proposed and ongoing water conservation measures and programs, the scheduled implementation dates, and an estimate of the cost and anticipated water savings for each proposed and additional measure and program. A description or a copy of these measures and programs, shall be included in the conservation plan and an identification of which, if any, were derived from the "Conserve Florida Water Conservation Guide".
5. Water conserving irrigation practices including:
 - (a) Minimization of lawn and landscape irrigation with supplies other than reclaimed water;
 - (b) Use of micro-irrigation on planting beds and other non-turf areas where irrigation is required, and minimize the acreage of irrigated lawn area;
 - (c) Implement Florida Friendly landscape principles and components consistent with Section 373.185, F.S. Consistency with Section 373.185, F.S. may be demonstrated by adoption by ordinances or covenants, as applicable, of the Florida Department of Environmental Protection's Landscape Guidance: Models for Ordinances, Covenants, and Restrictions, 1/09, developed pursuant to Section 373.185, F.S., as may be updated from time to time, and this District's supplements thereto;

(d) Properly installed, and maintained and operational rain or soil moisture sensor shutoff devices or an evapotranspiration controller plus rain sensors and an active data subscription. Irrigation systems shall be properly maintained and incorporate the standards set forth in the Landscape Irrigation and Florida Friendly Design Standards, dated December 2006, developed pursuant to Section 373.228(4), F.S., and incorporated herein by reference. The Standards are available upon request from the District and at www.dep.state.fl.us;

(e) For irrigation quantities that are supplied via a conveyance system that is separate from the indoor potable supply, individual use metering and a water conserving rate structure for irrigation quantities;

(f) Deed restrictions or covenants shall not:

1. require a certain percentage of residential lots to be turfgrass.
2. require specific types of turfgrasses to be utilized.
3. require lawns to be maintained at a specific color, and shall not prohibit browning during periods of dormancy or drought.
4. require resodding of lawns during drought periods.

(g) Use of Alternative Water Supplies for irrigation.

The applicant may submit a goal based water conservation plan as described in Section 373.227(4), F.S. Additional information about these plans can be found in the Conserve Florida Water Conservation Guide at www.conservefloridawater.org.

[The following paragraph is moved here from Chapter 6, Section 6.4]

~~An acceptable Water Conservation Plan must be submitted before the application is considered complete.~~

A single document may be submitted to fulfill the plan requirement for several or all permits held by the same Permittee. If a single plan is used to meet requirements for more than one permit, the plan must be suitable for a supply system of equal capacity to that of the combined permits. All permits addressed by one conservation plan must be identified within that plan.

Small General Water Use Permits

All applicants for a Small General Water Use Permit for public supply shall incorporate water conservation measures that are environmentally, technically and economically feasible for the use. The applicant shall agree that all economically, technically and environmentally feasible water conserving measures shall be incorporated into all processes, including reducing water losses, recycling and reuse. The applicant shall promote water conservation in all components of water use, including water conservation among their customers, use water-efficient irrigation practices, and use of drought-tolerant landscaping.

The provision titled “WATER-CONSERVING RATE STRUCTURE” AND CUSTOMER BILLING AND METER READING CRITERIA are moved below, just above the new location for “PER CAPITA DAILY WATER USE” under the new “PERMITTEE REQUIREMENTS” division.

~~RESIDENTIAL WATER USE REPORTS~~

~~Public supply permittees shall be required to annually report residential water use by type of dwelling unit, as required in “Annual Reports,” item 5, below. [The following sentences are moved to the Annual Reports section below]: Public supply permittees with no withdrawals as of [effective date of rule] within the SWUCA or the NTB WUCA, as it existed prior to October 1, 2007, shall have until April 1, 2009, to begin submitting these Annual Reports. Residential dwelling units shall be classified into single family, multi-family (two or more dwelling units), and mobile homes. Residential water use consists of the indoor and outdoor water uses associated with these classes of dwelling units, including irrigation uses, whether separately metered or not. The permittee shall document the methodology used to determine the number of dwelling units by type and their quantities used. Estimates of water use based upon meter size may be inaccurate and will not be accepted.~~

~~1-1-03, Amended 1-1-07, Transferred to Annual Reports _____.~~

PERMITTEE REQUIREMENTS

WATER-CONSERVING RATE STRUCTURE WITHIN THE SWUCA

As of November 15, 1990 in the HR WUCA and ETB WUCA; March 1, 1991 in the original NTB WUCA; July 1, 2008 in the expanded NTB WUCA; and January 1, 2003 in the SWUCA that was not previously in a WUCA, General and Individual Water Use Permittees were required to Each utility within the SWUCA shall adopt a water-conserving rate structure by January 1, 2004. If the Permittee already has a water conservation oriented rate structure, a description of the structure, any supporting documentation, and a report on the effectiveness of the rate structure shall be submitted by January 1, 2003. Permittees that adopt a water conservation oriented rate structure pursuant to this rule shall submit the above listed information by July 1, 2004. General and Individual Water Use Permittees not subject to rules in effect prior to July 1, 2008 shall adopt a water-conserving rate structure by January 1, 2012. New public water supply Permittees permits shall adopt a water-conserving conservation-oriented rate structure no later than two years from the date of permit issuance and shall submit the rate ordinances or tariff sheets for both potable and irrigation water, but not including reclaimed water, and a report describing the potable water rate structure and how the rate structure promotes conservation its estimated effectiveness within one year following adoption.

1-1-03, Revised, Amended 1-1-07, _____.

CUSTOMER BILLING, METER READING, RATE STRUCTURE AND USAGE INFORMATION

Beginning January 1, 2012, General and Individual Permittees shall comply with the following requirements:

1. Customer billing period usage shall be placed on each utility-metered customer's bill.
2. Meters shall be read and customers shall be billed no less frequently than bi-monthly.
3. The following information, as applicable to the customer, shall be provided at least once each calendar year. If billing units are not in gallons, a means to convert the units to gallons must be provided. The information shall be provided by postal mailings, bill inserts, online notices, on the bill, or by other means that must be described in the permittee's Water Use Annual Report:
 - a. To each utility-metered customer in each customer class – Information describing the rate structure and shall include any applicable:
 - i. fixed and variable charges
 - ii. minimum charges and the quantity of water covered by such charges
 - iii. price block quantity thresholds and prices
 - iv. seasonal rate information and the months to which they apply
 - v. usage surcharges
 - b. Information that the customer can use to compare its water use relative to other single-family customers or to estimate an efficient use and that shall include one or more of the following:
 - i. The average or median single-family residential customer billing period water use calculated over the most recent three year period, or the most recent two year period if a three year period is not available to the utility. Data by billing period is preferred but not required.
 - ii. A means to calculate an efficient billing period use based on the customer's characteristics.
 - iii. A means to calculate an efficient billing period use based on the service area's characteristics.

CUSTOMER BILLING AND METER READING CRITERIA WITHIN THE SWUCA

Rate Structure Information for Permits within the SWUCA Rate structure information describing applicable fixed and variable charge rates, minimum quantity charges, block size and pricing, seasonal rates and applicable months, shall be provided to each customer at least once during each calendar year. If billing units are not in gallons, a means to convert the billing units to gallons must be described.

1. Average Use – Historical billing period usage averaged over the three previous years for the applicable customer class shall be provided to each customer at least once during each calendar year.

~~2. Billing Period Usage~~ – The customer's billing period usage shall be included on the customer's bill.

~~3. Meter Reading and Billing Period Frequency~~ – Meter reading and billing shall be done no less frequently than bi-monthly.

1-1-03, Revised _____.

PER CAPITA DAILY WATER USE

Per Capita Use Rate – Public supply permittees shall have a per capita rate of no greater than 150 gallons per day whether it is calculated as an unadjusted gross per capita (see A. in this section below), an adjusted gross per capita (see B. in this section below), or a compliance per capita (see C. in this section below). A phased reduction in per capita (see D. in this section below) shall be implemented by permittees that do not achieve the compliance per capita rate of no greater than 150 gallons per day. Compliance with the per capita rate shall be monitored via the Annual Report and the Reclaimed Water Supplier Report that are required to be submitted by April 1 of each year for ~~permits for 100,000 gpd or greater Individual and General Water Use Permits.~~ (See Documentation of Per Capita Daily Water Use Calculations for the Annual Report in this section).

Increased allocations for existing permits and allocations for public supply permits with an annual average daily quantity less than 100,000 gpd shall be based on a per capita use rate no greater than 150 gallons per day, plus allowable deductions and adjustments documented as set forth in the provisions below titled "Documentation of Per Capita Daily Water Use Calculations for the Water Use Annual Report."

New 1-20-09

Significant Use – Public supply utilities often supply water for non-residential customers. If this non-residential use complies with any of the following criteria (listed A. through E. below), the use may be termed a significant use by the applicant and be deducted from the utility's gross total water use prior to calculating their Adjusted Gross Per Capita Use. Whether or not any single significant use described in Part A. below is deducted for Adjusted Gross Per Capita calculation, all single significant uses must be reported in the Annual Report. Golf course and multi-family residential use (whether classified by the utility as commercial customer or not) do not qualify as significant uses.

1-1-03, Revised 1-20-09.

A. Single Significant Uses – A single significant use is an industrial/commercial (I/C) facility or other non-residential, non-governmental facility (which may consist of one or more buildings under common ownership, maintenance and management control at a single site or campus) that is supplied with greater than or equal to 25,000 gpd of water on an annual average basis (calculated for a calendar year), or whose water

use comprises more than 5% of the utility’s annual water use (calculated for a calendar year). Facilities that are not related under common ownership, maintenance and management control shall not be combined to meet a single significant use threshold. For reporting purposes, each single significant use shall be identified in the Public Supply Annual Report For General and Individual Permits, Form No.023.00 (09/09), incorporated by reference in Rule 40D-2.091, F.A.C., by customer name and the annual gallons per day supplied to that customer. If the 25,000 gpd criteria is used for a facility, the 5% criteria may not also be used, and vice-versa.

This significant use deduction can be used in conjunction with the significant use deductions associated with regional government, higher education, and regional health care facilities as described in Parts C. and D. below. All of the water provided to businesses where water itself is the primary ingredient in the product can be added to these deductions. Such businesses are described in E. below.

Exclusions: This single significant use deduction shall not be used if the permittee:

1. Uses the District-Wide Percent I/C Use method described below, or
2. Includes net commuter population estimates in their service area population estimates.

1-1-03, Revised 1-20-09.

B. District-Wide Percent I/C Use – Utilities with a large number of I/C (industrial/commercial) accounts, which fall below the 25,000 gpd single significant use threshold or the 5% of total utility use threshold may combine these smaller uses and deduct the percent of their I/C use that is greater than the District-wide three-year average percent I/C use which will be available annually from the District. Documentation for this method shall include completion and submittal to the District of the I/C Worksheet included in the Public Supply Annual Report For General and Individual Permits, Form No. LEG-R.023.00 (09/09), incorporated by reference in Rule 40D-2.091, F.A.C. The deduction shall be calculated as follows:

No change.

ANNUAL REPORTS

By October 1 of each year, Public Supply Permittees shall submit to the District the following, current as of October 1:

1. Description of the current water rate structure (rate ordinance or tariff sheet) for potable and non-potable water.
2. Description of the current customer billing and meter reading practices and any proposed changes to these practices.

Two identical copies of the documentation shall be included if submitted in hard copy. “Identical copy” in this instance means, for example, that when the original is in color, then all copies shall also be printed in color.

New _____.

Public Supply Annual Report For Permits For 100,000 Gpd Or Greater

The Public Supply Annual Report for permits for 100,000 gpd or greater shall be submitted annually by April 1 and shall consist of the following components described in A.- G, below. Permittees that have interconnected service areas shall provide the information for the entirety of the interconnected system even if the water supply for the system is provided from multiple permits or is imported. Two identical copies of the Annual Report and two identical copies of all required supporting documentation shall be included if submitted in hard copy. “Identical copy” in this instance means, for example, that when the original is in color, then all copies shall also be printed in color.

New _____.

A. Per Capita Use Rate

The per capita use rate shall be calculated as set forth in the section of this Chapter entitled, “PER CAPITA DAILY WATER USE” and in accordance with the directives included in the section of this Chapter entitled, “DOCUMENTATION OF PER CAPITA DAILY WATER USE CALCULATION FOR THE WATER USE ANNUAL REPORT” above. If a compliance per capita rate of 150 gpd or less is not achieved the permittee shall comply with the requirements in the section entitled Reporting and Compliance With Per Capita Daily Water Use, below.

New _____.

B. Residential Use

[The following two sentences are moved here from above “RESIDENTIAL WATER USE REPORTS” above]: Residential water use consists of the indoor and outdoor water uses associated with each category of residential customer (single family units, multi-family units, and mobile homes) these classes of dwelling units, including irrigation uses, whether separately metered or not. The permittee shall document the methodology used to determine the number of dwelling units by type and their quantities used. Estimates of water use based upon meter size may be inaccurate and will not be accepted. If mobile homes are included in the permittee’s multi-family unit category, the information for them does not have to be separated. The information for each category shall include:

1. Number of dwelling units per category.
2. Number of domestic metered connections per category.
3. Number of metered irrigation connections.
4. Annual average quantities in gallons per day provided to each category.
5. Percentage of the total residential water use provided apportioned to each category.

New _____.

C. Non-Residential Use

Non-residential use consists of all quantities provided for use in a community not directly associated with places of residence. For each category below, the Permittee shall include annual average gpd provided and percent of total non-residential use quantities provided. For each category 1. through 6. below, the number of metered connections shall be provided. These non-residential use categories are:

1. Industrial/commercial uses, including associated lawn and landscape irrigation use.
2. Agricultural uses (e.g., irrigation (for a nursery)).
3. Recreation/Aesthetic Uses, excluding golfcourse irrigation (e.g., irrigation of Common Areas, stadiums and school yards).
4. Golf course irrigation.
5. Fire fighting, system testing and other accounted uses, and:
6. Water Loss as defined in the section entitled "DEMAND", above.

New _____.

D. Conservation

The conservation portion of the Public Supply Annual Report For General and Individual Permits shall consist of the following:

1. Description of any ongoing audit program of the water treatment plant and water distribution systems to address reductions in water losses. If the current water loss rate, as determined in Part B of the Public Supply Water Use Annual Report, is greater than 10% of the total distribution quantities, a water audit as described in this Section 3.6 (below) shall be conducted, and the results shall be submitted by the following October 1.
2. An update of the water conservation plan that describes and quantifies the effectiveness of measures currently in practice, any additional measures proposed to be implemented, the scheduled implementation dates, and an estimate of anticipated water savings for each additional measure.
3. A description of the permittee's implementation of water-efficient landscape and irrigation codes or ordinances, public information and education programs, water conservation incentive programs, and which measures and programs, if any, were derived from the Conserve Florida Water Conservation Guide and provide the projected costs of the measures and programs and the projected water savings.

New _____.

E. Alternative Water Supplied Other Than Reclaimed Water
Permittees that provide Alternative Water Supplies other than reclaimed water (e.g., stormwater not treated for potable use) shall include the following:

1. Description of the type of Alternative Water Supply provided.
2. County where service is provided.
3. Customer name and contact information.
4. Customer's Water Use Permit number (if any).
5. Customer's meter location connection latitude and longitude.
6. Meter ownership information.
7. General customer use category.
8. Proposed and actual flows in annual average gallons per day (gpd) per customer.
9. Customer cost per 1,000 gallons or flat rate information.
10. Delivery mode (e.g., pressurized or non-pressurized)
11. Interruptible Service Agreement (Y/N).
12. Month/year service began.
13. Totals of monthly quantities supplied.
14. A map depicting the area of alternative water use service. This map should include any areas projected to be added within the next year.

New _____.

F. Suppliers of Reclaimed Water

This section F. does not apply to Permittees that have a wastewater treatment facility with an annual average design capacity equal to or greater than 100,000 gpd. Instead, those Permittees shall submit the SWFWMD Annual Reclaimed Water Supplier Report," described in Section 3.1 above under the subheading "Reclaimed Water Supplier Report. Permittees that have a wastewater treatment facility with an annual average design capacity less than 100,000 gpd shall have the option to submit the following information as a component of the Annual Report, or to complete the "SWFWMD Annual Reclaimed Water Supplier Report," described in Section 3.1 above under the subheading Reclaimed Water Suppliers. Those that opt to complete this Part F of the Annual Report shall include:

1. Bulk customer information:
 - a. Name, address, telephone number.
 - b. WUP number (if any).
 - c. General use category (residential, commercial, recreational, agricultural irrigation, mining).
 - d. Month/year first served.
 - e. Line size.
 - f. Meter information.
 - g. Delivery mode (pressurized or non-pressurized).
2. Monthly flow in gallons per bulk customer.
3. Total gallons per day (gpd) provided for metered residential irrigation.
4. Disposal information:
 - a. Site name and location(latitude and longitude or as a reference to the service area map).

- b. Contact name and telephone.
- c. Disposal method.
- d. Annual average gpd disposed.

G. Updated Service Area Map

If there have been changes to the service area since the previous reporting period, the Permittee shall update the service area using the map that is maintained in the District's Mapping and GIS system.

SWFWMD Annual Reclaimed Water Supplier Report

Permittees that have a wastewater treatment facility with an annual average design capacity for 100,000 gpd or more shall submit the SWFWMD Annual Reclaimed Water Supplier Report, described in Section 3.1 above under the subheading Reclaimed Water Suppliers for a fiscal year (October 1 to September 30) on or before April 1 of the following year. A map depicting the area of reclaimed water service that includes any areas projected to be added within the next year, shall be submitted with this report. Public supply utility permittees without a withdrawal point as of [effective date of rule] within the SWUCA, or within the NTB WUCA, as it existed prior to October 1, 2007, shall have until April 1, 2009, to begin submitting these annual reports. Two identical copies of the SWFWMD Annual Reclaimed Water Supplier Report and two identical copies of all required supporting documentation shall be included if submitted in hard copy. "Identical copy" in this instance means, for example, that when the original is in color, then all copies shall also be printed in color.

New _____.

Water Use Annual Report For Permits Less than 100,000 gpd

All public supply permittees with a permit for less than 100,000 gpd shall submit the following information, as previously defined in the section entitled "PER CAPITA DAILY WATER USE", using the form Public Supply Water Use Annual Report For General Water Use Permits Less Than 100,000 gpd, Form No. LEG-R.047.00 (07/09) incorporated by reference in subsection 40D-2.091(2), F.A.C., covering the preceding calendar year. Two identical copies of the Report and two identical copies of all required supporting documentation shall be included if submitted in hard copy. This report is due no later than April 1. "Identical copy" in this instance means, for example, that when the original is in color, then all copies shall also be printed in color.

- 1. Ground water, surface water and stormwater withdrawals (WD),
- 2. Water imported/purchased from other supplier(s) (IM),
- 3. Water exported/sold to other supplier(s) (EX),
- 4. Treatment loss (typically R/O or sand filtration) (TL),
- 5. Functional population (FP). Functional Population is the served permanent population as adjusted by the seasonal resident, tourist, group quarters and net commuter population within a utility's service area as determined in accordance with "Requirements for the Estimation of Permanent and Temporal

Service Area Populations." dated January 1, 2007, as set forth in Part D of the Water Use Permit Information Manual. See the paragraph titled "SERVICE AREA FUNCTIONAL POPULATION ESTIMATES" for further information.

6. Per capita use rate calculated as set forth in the section of this Chapter entitled, "PER CAPITA DAILY WATER USE" and in accordance with the directives included in the section of this Chapter entitled, "DOCUMENTATION OF PER CAPITA DAILY WATER USE CALCULATION FOR THE WATER USE ANNUAL REPORT" above.

7. Any changes to the service area since the previous reporting period, using the map that is maintained in the District's Mapping and GIS system.

New _____.
ANNUAL REPORTS

Public supply utility permittees whose permit requires the submittal of pumpage data shall submit the information specified below in an annual report covering the preceding calendar year. This report is due no later than April 1.

Public supply utility permittees with a permit for less than 100,000 gpd annual average quantities that have an adjusted gross per capita rate less than 150 gpd are required to submit items 1, 2, 5, 6, and 9 only.

- 1. The Permittee's per capita rate reported as unadjusted gross, adjusted gross or compliance per capita daily water use.
- 2. Documentation of the quantities included in the calculation of unadjusted gross, adjusted gross or compliance per capita daily water use, as applicable, as described above in the provision titled "Documentation of Per Capita Daily Water Use Calculations For The Annual Report".
- 3. description of the current water rate structure;
- 4. Water audit report, if applicable;
- 5. Residential use information as follows:
 - a. The number of single family units served and their total water use;
 - b. The number of multi-family units served and their total water use;
 - c. The number of mobile homes served and their total water use, if not included in item a. or b. above;
- 6. The quantity of total reclaimed water or stormwater provided by the permittee for use on both a total annual average daily and monthly basis;
- 7. For all individual customer reuse connections with line sizes of four inches or greater:
 - a. Account name and address;
 - b. Location of connection by latitude longitude;
 - c. Line size;
 - d. Whether metered; and
 - e. Metered quantities if metered; and
- 8. Annual average daily quantity of unaccounted water and the percentage of unaccounted water relative to total withdrawals; and

~~9. With every sixth yearly report, a current service area map in accordance with Section 2.5 of this Basis of Review.~~

~~1-1-03, Amended 1-1-07, [date of per capita rule].~~

~~Permit Condition—This requirement shall be implemented by applying a permit condition to all public supply permits.~~

~~1-1-03~~

CONSTRUCTION AFTER 1983

~~In recognition of the projected water savings intended by the Water Conservation Act, Section 553.14, F.S., if construction in the service area began after 1983, an additional residential per capita daily water use guideline will apply. The residential per capita daily water use will be calculated by dividing the total residential use by the permanent or seasonally adjusted service area population. Residential per capita daily water use greater than 132 gpd must be supported with detailed information explaining the high rate. The Applicant may be required to address the reduction of the high rate.~~

WATER AUDITS WITHIN THE SWUCA

~~All water supply permittees within the SWUCA shall implement water audit programs within 2 years of permit issuance. Water audits which identify a greater than 12% unaccounted water shall be followed by appropriate remedial actions. A thorough water audit can identify what is causing unaccounted water and alert the utility to the possibility of significant losses in the distribution system. Unaccounted water can be attributed to a variety of causes, including unauthorized uses, line flushing, authorized unmetered uses, under registration of meters, fire flows, and leaks. Any losses that are measured and verifiably documented are not considered unaccounted water. Large, complex water supply systems may conduct the audit in phases, with prior approval by the District. Each annual report shall state the percentage of unaccounted water. If the Public Supply Water Use any Annual Report reflects that a greater than 10% 12% of the total water plant output minus all accounted uses is water loss unaccounted water (see DEMAND above in this Section 3.6), the permittee must complete a water audit by the following July 1, and the results within 90 days of submittal of the annual report. A water audit report shall be submitted by October 1 of the same year within 90 days of completion of the water audit. The water audit report shall (1) evaluate include a summary of the items set forth in Section 3.6 Public Supply, Demand, as possible sources for the water losses, water audit and (2) include a an implementation schedule for a remedial actions plan to reduce the unaccounted water losses to below 10% 12%. The District shall take into account a permittee's adherence to the remedial action plan in any subsequent years when the permittee's annual report reflects greater than 12% unaccounted water.~~

~~1-1-03, Revised 1-20-09, _____.~~

EXEMPTIONS FROM WATER CONSERVATION REQUIREMENTS

~~Permittees with a Small General Water Use Permit whose permitted annual average quantity is less than 100,000 gallons per day are exempted from the Annual residential water use Report, water conserving rate structure, customer billing and meter reading criteria, and water audit requirements, if otherwise applicable.~~

~~1-1-03, Revised 1-20-09, _____.~~

The following changes are proposed to the provisions in Section 3.7 Recreation or Aesthetic

3.7 RECREATION OR AESTHETIC

~~Applicants for Recreation and aesthetic use Applicants including, but not limited to water parks, theme parks, aquariums, zoos, and attractions, and irrigation requirements for golf courses, parks, attractions, cemeteries, sports fields, stadiums, arenas, and lawn and landscape areas and Common Areas irrigation must demonstrate that the quantities applied for are relate to reasonable quantities for the activity and use personal/sanitary, irrigation, and other specific needs. This demonstration is typically accomplished by providing information on:~~

- ~~1. The population to be served;~~
- ~~2. The type and amount of turf and plants to be irrigated;~~
- ~~3. The timing and the method of irrigation used;~~
- ~~4. The scheduled draining, filling and augmentation of ponds, pools, flumes, and aquatic habitats;~~
- ~~5. Animal needs; and~~
- ~~6. Other specific water uses.~~

~~Applicants for recreation and aesthetic uses must identify the demand for each of the following components:~~

- ~~1. Personal/sanitary use – water for personal needs or for household purposes such as drinking, bathing, cooking, sanitation, or cleaning spaces occupied by employees and visitors. Calculations should take into consideration the average number of visitors and employees per shift, the number of shifts per work day, and the number of work days per year. A quantity range from 8 gallons (for office workers and visitors) to 26 gallons (for employees working in shop areas) per person per 8-hour shift may be used;~~

- ~~2. Lawn and landscape Irrigation use – water for the irrigation of lawns and landscapes, intensive recreational areas such as but not limited to, golf courses, playgrounds, football, baseball, and soccer fields. This quantity may be determined by multiplying the total acres to be irrigated by the appropriate application rate based on plant requirements and applicable efficiency requirements of the area efficiency, based on the vegetation type and irrigation system type. If the Applicant is irrigating exotic or high-value plants having with special irrigation needs not met by the standard efficiency~~

~~requirements are irrigated eefficients (such as high value specimens), separate documentation of such needs should be submitted;~~

3. Animal use – water for the watering and washing of animals. This use may also include the augmentation and other water requirements of aquatic habitats, where applicable. If the water needs of a particular or comparable type of animal are not addressed in Table 3-2, the Applicant may submit documented requirements;

4. Water-based recreation use – water used for public or private swimming and wading pools, including water flumes and slides. Calculations should take into consideration filling and draining schedules, water change, showers, and other specific requirements;

5. Other ~~specific use – all other use not included in items 1. through 4. above is determined by subtracting the uses accounted for (see Items 1. through 4.) from total withdrawals. This use may include water not accounted for previously, system leaks, and unidentifiable uses. Other use should generally not exceed 15% of total withdrawals.~~

Revised _____.

~~CONSERVATION REQUIREMENTS PLANS FOR USES WITHIN THE SWUCA~~

~~Permits For 100,000 Gpd Or Greater~~

~~New Applicants~~

~~Applicants for new permits for 100,000 gpd or greater AH Individual and General Water Use Permit applicants for ground water withdrawals within the SWUCA for recreation or aesthetic uses shall are required to submit a water conservation plan that insures efficiency of use and provides for increasing efficiency of use by implementing environmentally, technically and economically feasible water conservation practices applicable to the activity. At a minimum, the applicant shall include a description of how each water conservation practice listed below is addressed and indicate those that will be implemented (include an implementation schedule) those that are not applicable for the activity, or those that are not environmentally, technically or economically feasible (include documentation of infeasibility). The plan shall include a description of each water conservation practice and its expected implementation date. Progress reports shall be due based on the implementation schedule to the District at the time of application describing where and when water savings can be reasonably achieved and specifically addressing all components of use and loss in the water balance, including but not limited to recycling, reuse and landscaping, and an implementation schedule.~~

1-1-03, Revised Amended 12-30-08, _____.

Existing Permittees

In addition to the conservation plan requirements for new applicants, above, all applicants to renew or to modify (except applicants for Letter Modifications) existing permits for 100,000 gpd or greater for recreation or aesthetic use shall include in the plan a report on the water conservation practices not listed below that have been implemented. The report shall describe how each water conservation practice has been implemented.

Water Conservation Practices For Recreation or Aesthetic Uses

1. Conduct an ongoing analysis of the irrigation system efficiency, including conveyance, distribution, and application, and if storage ponds or reservoirs are used, an analysis of storage efficiencies. The analysis shall include periodic testing for application and distribution uniformity, and system maintenance to irrigate efficiently.

2. Avoid daytime irrigation, aeration or other activities which involve spraying water into the air to the greatest extent practicable to minimize water losses from evaporation and the wind. This does not apply to daytime use of water for system maintenance or other necessary non-irrigation uses.

3. Conduct an ongoing maintenance and repair program on the water distribution and irrigation systems, including a system-wide survey conducted at least once per year that includes monitoring flow rates and system pressures to detect leaks and clogs; routine cleaning system components (nozzles, valves, filters, meters, etc.); checking controllers or timers for accurate operation; and monitoring meters for unusually high or low readings.

4. Evaluate the feasibility of improving the efficiency of the current water distribution and irrigation system, converting to a more efficient system, or installing stormwater ponds to provide an alternative water supply source. Implement the improvements, conversion, and/or installation when it is determined to be operationally and economically feasible.

5. Implement an irrigation schedule that maximizes the efficiency of delivering the correct quantity of water to the root zone at the time it is needed. This includes varying the irrigation schedule (time and duration) to accommodate rainy and dry seasons, adjustments for rainy versus dry and normal rainfall years, use of rain sensors, and reducing irrigation during dormant months.

6. Monitor ambient conditions and soil profile using appropriate tools to determine when and how much irrigation water is needed. Examples of these tools include soil moisture sensors, weather stations or other climatic measuring devices, and piezometers to monitor the water table elevation.

7. Use of frequent mowing practices to keep turf at an optimum constant height to provide a dense canopy to retain soil moisture by shading.

8. Reduce or eliminate irrigation runoff by monitoring irrigation duration so that only the water necessary for plant growth is used and avoiding irrigation of paved areas.

9. Use of Florida-friendly landscape principles and components consistent with Section 373.185, F.S. Consistency with Section 373.185, F.S., may be demonstrated by adoption of the Florida Department of Environmental Protection's Landscape Guidance: Models for Ordinances, Covenants, and Restrictions, 1/09, developed pursuant to Section 373.185, F.S., as may be updated from time to time, and this District's supplements thereto.;

10. Applicants for residential irrigation where potable supply for the development is supplied by another permittee, the following conservation plan requirements are in addition to those above:

(a) minimization of lawn and landscape irrigation with supplies other than reclaimed water;

(b) use of microirrigation on planting beds and other non-turf areas where irrigation is required, and minimize the acreage of irrigated lawn area;

(c) properly installed, and maintained and operational rain or soil moisture sensor shutoff devices or an evapotranspiration controller plus rain sensors and an active data subscription. Irrigation systems shall be properly maintained and incorporate the standards set forth in the Landscape Irrigation and Florida Friendly Design Standards, dated December 2006, developed pursuant to Section 373.228(4), F.S., and incorporated herein by reference. The Standards are available upon request from the District and at www.dep.state.fl.us.

(d) deed restrictions or covenants shall not:

1. require a certain percentage of lots, if applicable, or other areas, to be turfgrass.

2. require specific types of turfgrasses to be utilized.

3. require lawns, if applicable, or other areas, to be maintained at a specific color, and shall not prohibit browning during periods of dormancy or drought.

4. require resodding of turf during drought periods.

(e) for irrigation quantities that are supplied via a conveyance system that is separate from the indoor potable supply, individual use metering and a water conserving rate structure for irrigation quantities.

11. Use of Alternative Water Supplies for irrigation.

New _____.

Small General Water Use Permits

All applicants for Small General Water Use Permits for recreation or aesthetic use shall agree to implement all water conservation measures that are economically, technically, and environmentally feasible, including:

1. Limiting daytime irrigation to the greatest extent practicable to reduce water losses.

2. Implementation of a leak detection and repair program as part of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per season.

3. Evaluation of the feasibility of improving the efficiency of the current water distribution and irrigation system or converting to a more efficient system. This includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.

4. Implementation of an irrigation schedule that maximizes the efficiency of delivering the correct quantity of water to the root zone at the time it is needed. This practice shall include the use of tools to determine when and how much irrigation water is needed. Examples of these tools include soil moisture sensors, weather/climatic measuring devices, or piezometers to monitor the water table elevation.

New _____.

COMMON AREAS DEVELOPED BY NON-GOVERNMENTAL ENTITIES

Non-governmental applicants for a General or Individual Water Use Permit for water supply for a residential development shall identify existing and proposed acreage of Common Areas on the application and demonstrate the following:

1. Alternative water supplies shall be used to the maximum extent that is technically, environmentally and economically feasible to irrigate Common Areas.

2. Irrigation of Common Areas is, or will be, minimized through minimization of the acreage to be irrigated and the use of vegetation that requires minimal supplemental irrigation, where practical.

3. The local government responsible for the issuance of building permits for the project has adopted an ordinance incorporating the principles of Florida-friendly landscaping; or, the applicant will implement Florida-friendly landscaping consistent with Section 373.185, F.S. The applicant may demonstrate consistency with Section 373.185, F.S., by establishing that the applicant has implemented, or commits to implement, or that the applicable local government has adopted the Florida Department of Environmental Protection's Landscape Guidance: Models for Ordinances, Covenants, and Restrictions, 1/09, developed pursuant to Section 373.185, F.S., as may be updated from time to time, and this District's supplements thereto.

4. Irrigation systems are limited to high efficiency systems with properly installed, maintained and operational rain or soil moisture sensor shutoff devices, or evapotranspiration controller with a rainfall shutoff device and an active data subscription as applicable. Irrigation systems shall be properly maintained and incorporate the standards set forth in the Landscape Irrigation and Florida Friendly Design Standards, dated December 2006, developed pursuant to Section

373.228(4), F.S., and incorporated herein by reference. The Standards are available upon request from the District and at www.dep.state.fl.us.

New _____.

GOLF COURSE CONSERVATION – ADDITIONAL REQUIREMENTS WITHIN THE SWUCA

Irrigation Of Roughs — Roughs are areas outside of the designated play area (fairway, tees, greens). By rule effective November 15, 1990, for the Highlands Ridge and the Eastern Tampa Bay Water Use Caution Areas (WUCA), by rule effective March 1, 1991, for the Northern Tampa Bay WUCA, and by July 1, 2008, for the expanded Northern Tampa Bay WUCA, and by January 1, 2006 in the area of the SWUCA that was not previously in a WUCA, quantities were not allocated for irrigation of roughs for all golf courses with withdrawal points in those WUCAs. Quantities will not be allocated for irrigation of roughs for Irrigation of roughs shall be eliminated for all golf courses with withdrawal points within SWUCA but not previously in the Eastern Tampa Bay Water Use Caution Area or the Highlands Ridge Water Use Caution Area by January 1, 2006. All all other golf courses by January 1, 2012. However, in all areas, if a permittee demonstrates that drought-tolerant landscaping has been utilized in the roughs, the permittee may irrigate the roughs using quantities permitted for the tees, greens, and fairways. The amount of permitted ground or surface water plus alternative water supply applied to the entire golf course shall not exceed reasonable-beneficial quantities for tees, greens and fairways alone. Separate quantities for rough irrigation will not be allocated. However, An applicant may request prior approval from the District to use roughs as wet weather reclaimed water disposal sites.

1-1-03, Revised Amended 1-1-07, _____.

Conservation Plans – In addition to the Water Conservation Practices For Recreation or Aesthetic Uses listed above, applicants for All Individual and General Water Use Permit new permits, renewal of permits or to modify and modifications to increase quantities (except for applicants of Letter Modifications) on General or Individual Water Use Permits ground water withdrawals within the SWUCA for golf course irrigation shall address the following items in their are required to submit a water conservation plan to the District at the time of application specifically addressing:

1. Conversion to an irrigation system that utilizes a low application rate (30 gallons per hour or less) volume irrigation methods for non-turf areas other than fairways;
2. Increased system management, including the use of devices such as tensiometers to determine application frequency and duration;
3. Increased evening hour irrigation;

4. Utilization of reclaimed water or stormwater to provide all or part of the irrigation requirements;

2.5- Limiting frequent irrigation to water-critical areas, and limiting irrigation of other areas;

3. Reduction of irrigated areas, such as reducing the size of landing areas; and

6. Schedule for implementation of the plan.

Progress reports shall be due based on the implementation schedule for these practices as well.

1-1-03, Revised Amended 1-1-07, 12-30-08, _____.

Submittal Of Plans — Applicants for new permits shall submit this plan to the District at the time of application. Existing permittees with ground water withdrawals not previously located within the Eastern Tampa Bay Water Use Caution Area or the Highlands Ridge Water Use Caution Area shall submit a conservation plan by January 1, 2003. The District publishes a document titled Golf Course Conservation Guidelines which may be consulted in order to prepare the conservation plan required by this provision. The Guidelines are available from the District upon request.

1-1-03, Revised _____.

The following provisions of Chapter 4.0 are proposed to be changed:

4.0 CONDITIONS FOR ISSUANCE – TECHNICAL CRITERIA

4.8 INTERFERENCE WITH EXISTING LEGAL WITHDRAWALS

1. Performance Standards

A permit application shall be denied if the withdrawal of water together with other withdrawals would cause an unmitigated adverse impact on a legal water withdrawal existing at the time of the application. An adverse impact is considered to occur when the requested withdrawal would impair the withdrawal capability of an existing legal withdrawal to a degree that the existing withdrawal would require modification or replacement to obtain the water it was originally designed to obtain. If withdrawal locations remain the same but quantities are increased, only the increased amount would be considered in addressing the impacts to existing users.

If other legal uses come into existence after a permit is issued and the permit is subsequently modified, District staff will evaluate the modification such that impacts to the subsequent uses are only assessed in terms of the modified quantities.

The evaluation of impacts will be made taking into account the type(s) of pumping equipment installed and water-level fluctuations.

Staff will not recommend approval of a requested quantity that will cause adverse impact unless the adverse impact is mitigated by the Applicant. Mitigation may include mitigation prior to withdrawals as well as mitigation after the withdrawal.

It is the Applicant’s responsibility to investigate and mitigate adverse impacts on presently existing legal withdrawals. Mitigation may include pumpage reduction, replacement of the impacted individual’s equipment to enable greater withdrawals, or placement of wells farther away from the impacted well.

Paragraph below transferred from Chapter 2, Section 2.5

Service areas are not considered to be under the control of the Applicant in terms of consideration of off-site impacts. Where there is a potential for adverse impacts to existing legal users due to the applicant’s withdrawals, whether within or outside the applicant’s service area, the applicant shall submit a plan by which the potential impacts shall be monitored and mitigated if such impacts should occur. Nothing in this provision shall affect continuation of Tampa Bay Water’s Well Mitigation Policy set forth in Rule 49B-3.005, F.A.C., dated May 20, 2001.

Transferred from Chapter 2, Section 2.5 _____.

The following provisions of Section 5.1 of Chapter 5.0 are proposed to be changed:

5.0 MONITORING REQUIREMENTS

5.1 WITHDRAWAL QUANTITY

~~Generally,~~ Permittees will be required to meter monitor the quantity of water withdrawn from any source in accordance with the guidelines described in this section. Metering Monitoring of actual pumpage provides a means to develop historical records in order to accurately project future reasonable demand, assess impacts to the resource and existing water and land uses, and ensure that quantities withdrawn do not exceed permitted pumpage. Monitoring methods must maintain plus or minus 5% accuracy, and must be approved by the District. Permittees shall use direct flow measuring devices unless the District determines direct methods are inappropriate for the particular water use system.

Permittees shall meter monitor withdrawal quantities from each withdrawal point and provide the meter readings to the District at a frequency to be prescribed by permit condition when:

1. The annual average withdrawal is greater than or equal to 500,000 gpd;
2. The annual average withdrawal is greater than or equal to 100,000 gpd for public supply use;
3. The drought annual average withdrawal is greater than or equal to 100,000 gpd and one or more of the withdrawal points is located within the SWUCA.
4. The annual average withdrawal is greater than or equal to 100,000 gpd and one or more of the withdrawal points is location within the NTB WUCA.

~~5.4.~~ The District determines that there is a potential for harm to the resource or potential for adverse impacts to existing users.

Revised _____.

~~The District will provide and install flow meters on agricultural withdrawal points where the Permittee’s total permitted quantity is greater than or equal to 500,000 gpd annual average withdrawal. This provision shall apply only to those agricultural withdrawal points in existence prior to October 1, 1989, which are not equipped with totalizing flow meters that provide plus or minus 5% accuracy. The District may provide other flow measuring devices if appropriate. Agricultural permit applicants who submit an application on or after October 1, 1989, and any existing agricultural Permittees who have not installed permitted withdrawal points prior to October 1, 1989, shall provide and install flow meters at their expense. The cost of operation and maintenance of all meters and reporting of data shall be the responsibility of the Permittee.~~

Revised _____.

Monitored Permittees shall, upon request of the District, provide the District an opportunity to perform measurements of flow during system operation. The District will ensure that the measurements are made in a manner that does not interfere with the Permittee’s water use activities.

Ordinarily, withdrawal quantities shall be totalized on a monthly basis and reported to the District by the tenth day of the following month. However, for intense uses such as frost/freeze protection, or for stream withdrawals, a Permittee may be required to totalize pumpage on a daily basis from each withdrawal point and report the daily withdrawal quantities to the District on a monthly basis.

~~Meter Installation Within The SWUCA~~ – New withdrawals ~~within the SWUCA~~ that are required to be metered shall be metered within 90 days after construction of the withdrawal facility is completed. Existing withdrawals within the SWUCA not previously required to be metered ~~were required to~~ shall be metered by January 1, 2003. Once a withdrawal point is required to be metered, it shall remain so, and pumpage shall continue to be reported, even if the withdrawal point is later associated with a permit below metering thresholds. Typically, individual withdrawal points permitted for less than 10,000 gpd are not required to be metered.

1-1-03, Revised _____.

~~Metering Of Alternative Water Supplies Within The SWUCA~~ – New and renewal pPermittees shall meter alternative supplies of water supplied to the permittee ~~within the SWUCA~~ if the Annual Average quantity (Drought Annual Average quantity for irrigation permits) that would be permitted without the alternative water supplies would be 100,000 gpd or more. Meters shall meet the requirements of the first unnumbered paragraph of this Section 5.1, unless alternative methods or

mechanisms are approved by the District. Reporting requirements are as specified in the fifth unnumbered paragraph of this Section 5.1.

1-1-03, Revised Amended 1-1-07, _____.

The following provisions of Chapter 6.0 are proposed to be changed:

6.0 PERMIT CONDITIONS

6.2 SPECIAL PERMIT CONDITIONS

~~WATER CONSERVATION~~

~~Appropriate conditions for water conservation must be included on the permit in accordance with the class of the permit, if such conditions exist. If the permit is for a public supply system of less than 500,000 annual average gpd, Condition 29 is used. If the permit is for a public supply system of 500,000 annual average gpd or greater, Conditions 30 and 31 are used. For all agricultural and other irrigation permits, Conditions 32, 33, 34, and 35 are used. For industrial uses and when no other specific water conservation conditions apply to the given class, Condition 28 is used.~~

~~25. Future Water Conservation Measures~~

~~Water conservation shall be practiced by the Permittee to increase the efficiency of transport, application, and use; to decrease waste; and to minimize runoff from the property. At such time as the Governing Board adopts specific conservation criteria for the Permittee's water use classification, the permit will be subject to such criteria upon notice and after a reasonable period for compliance.~~

~~This condition is used when no other specific water conservation conditions apply to a particular water use class. It may be replaced by more specific conditions at later dates.~~

~~26. Water Conservation Measures (Public Supply < 500,000 gpd)~~

~~Water conservation shall be practiced by the Permittee to increase the efficiency of transport, application, and use, and to minimize waste and runoff from the property.~~

~~This condition is to be applied to public supply Water Use Permits of less than 500,000 average gpd.~~

~~27. Water Conservation Plan (Public Supply 500,000 gpd)~~

~~The Permittee shall carry out the provisions of its District approved Water Conservation Plan in a timely manner. The Permittee shall submit progress reports concerning implementation of the plan on _____ and _____ (Insert dates).~~

~~Applicants for public supply Water Use Permits of 500,000 annual average gpd or greater are required by the Supplemental Information Form to provide a Water Conservation Plan. Guidelines are provided with the application forms to assist in preparing conservation plans. This plan must state actions that will be taken to conserve water on an ongoing basis. An acceptable Water Conservation Plan must be submitted before the application is considered complete. Refer to Internal~~

~~Operating Procedure WUP-028, Evaluation of Water Conservation Plans for Public Supply Systems for additional information.~~

~~A single document may be submitted to fulfill the plan requirement for several or all permits held by the same Permittee. If a single plan is used to meet requirements for more than one permit, the plan must be suitable for a supply system of equal capacity to that of the combined permits. All permits addressed by one conservation plan must be identified within that plan.~~

~~The due dates inserted into the condition for progress reports should usually correspond to the midpoint of the permit duration and 6 months before the permit expires. If a single plan is used to meet requirements for more than one permit, these dates will be based on the first permit for which the plan is applicable. The permit evaluator may select alternative dates if the implementation schedule indicates that a different reporting schedule would yield more useful information.~~

~~28. Best Water Management Practices~~

~~÷ The Permittee shall incorporate best water management practices, specifically including but not limited to irrigation practices, as recommended for the permitted activities in reports and publications by the IFAS and/or the U.S. Soil Conservation Service (SCS) for commodity(ies).~~

~~÷ This condition is required for all agricultural and irrigation Water Use Permits.~~

~~29. Limiting Daytime Irrigation~~

~~÷ The Permittee shall limit daytime irrigation to the greatest extent practicable to reduce losses from evaporation. Daytime irrigation for purposes of system maintenance, control of heat stress, frost/freeze protection, plant establishment, or for other reasons which require daytime irrigation are permissible but should be limited to the minimum amount necessary as indicated by best management practices.~~

~~÷ This condition is required for all agricultural and irrigation uses.~~

~~30. Leak Detection and Repair~~

~~÷ The Permittee shall implement a leak detection and repair program as an element of an ongoing system maintenance program. This program shall include a system wide inspection at least once per year.~~

~~÷ This condition is required for all agricultural and irrigation uses.~~

~~31. Investigating Efficiency~~

~~÷ The Permittee shall evaluate the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This condition includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.~~

~~÷ This condition is required for all agricultural and irrigation uses.~~

~~Revised _____.~~

Condition no. 32. Central Florida Coordination Area is renumbered 25.

6.4 PUBLIC SUPPLY PERMIT CONDITIONS

~~1. Destination Of Water~~

~~÷ The Permittee shall provide a monthly report on the total quantity of water received from each source, including wellfields and other sources, and total quantity of water delivered to each individual demand center, municipality, or county utility. The District shall be notified in writing of the addition or modification of contracts for additional water supply or for water services.~~

~~÷ This condition is placed on large, interconnected wellfield systems.~~

~~2. Water Use Interim Report~~

~~÷ Pumpage quantity and water distribution information collected for Condition _____ of this permit shall be summarized for the annual reporting period. A population estimate for the annual reporting period, which includes only those served by the municipal systems within the service area, shall be provided and referenced. The quantities of water delivered to and used within the _____ Service Area over the annual reporting period shall be used with the population estimate to determine a per capita use rate for the period. The quantities and destination of water pumped from the (-) site sources and delivered to other facilities shall be summarized for the period. Any changes to the service area boundaries shall be described in the text and plotted on a map.~~

~~÷ This condition is applied for interim reporting purposes for public supply permits to verify projections of demand versus actual demand.~~

~~3. County Subdivision Well/Capital Improvement Program Status~~

~~÷ For the annual reporting period, conditions affecting the continued operation or retirement of each county or municipally owned well shall be documented. The reasons for continued use, significant increases or reductions in use, or retirement of a well shall be provided. Progress on the County and Municipal Well Improvement Program shall be explained relative to its effects on the status of wells owned by the county or municipality. The Permittees shall provide a brief summary of modification to the well retirement schedule required by Condition _____. Input from county/municipal staff is required in order to provide the most accurate information available.~~

~~÷ This condition is applied where applicants plan major modifications or improvements of their supply system. The previously described guidelines may be modified based on site-specific conditions, or in areas of concern for the resources. For example, in Water Use Caution Areas, direct metering may be required regardless of the quantity withdrawn. In other cases, the Permittee's pumping and piping facilities may be such that indirect methods would be the only~~

~~most effective means of monitoring, and even though the average annual quantity exceeds 500,000 gpd, this exception might be allowed.~~

6.4 6.5 AGRICULTURAL PERMIT CONDITIONS

Conditions:

1. Measuring Off-site Discharge: Within (time specified) from the issue date of this permit, the Permittee shall implement methods approved by District staff for measuring off-site flow at all discharge locations on the property. The purpose of measuring off-site discharge is to determine the amount of surface water runoff that is occurring due to the irrigation system. Compliance with this condition includes the following:

- a. The Permittee shall submit a plan, within 90 days from the issue date of the permit, describing how total off-site discharge will be measured.
- b. If applicable, the Permittee shall apply for an Environmental Resource Permit (ERP) a Management and Storage of Surface Water (MSSW) Permit (Chapter 40D-4, F.A.C.) within 30 days following approval of the plan described in Item a.
- c. The Permittee shall install the flow measuring device(s) within 6 months following either approval of the ERP a MSSW permit or a letter exempting the project from permitting requirements.

Total discharge from the Permittee's property shall be recorded on a monthly basis and reported to the District (using District forms) on or before the tenth day of the following month.

Revised _____

~~2. Monitor Ground Water Withdrawals: Within 60 days of issuance of this permit, the Permittee shall submit a plan for estimating and monitoring ground water withdrawals. Following approval of this plan by District staff, total flow from each well shall be monitored and recorded on a monthly basis and reported to the district (using District forms) on or before the tenth day of the following month.~~

~~2.3. Reduced Off-Site Discharge: The Permittee shall investigate the feasibility of reducing off-site discharge as a water conservation measure. A report on the feasibility of reducing off-site discharge shall be submitted on or before (date specified). This report shall include: (a) the concept of recovering and reusing water that would otherwise be discharged off site, (b) operation and management improvements to reduce the quantity of water pumped or discharged, and (c) economic factors that are associated with discharge reduction. If it is determined to be feasible, an implementation plan must be submitted to the District. If the reduction of off-site discharge is determined unfeasible by the Permittee, a detailed explanation (including a cost-benefit analysis) must be submitted.~~

Discussion: These conditions are used when an agricultural Permittee uses an irrigation method that results in significant excess runoff.

4. Interim Reports

~~The Permittee shall provide the following summary information on water use activities for the previous year. This information shall be submitted on an Annual basis from the date the Permit was granted. The District may require the Permit to be modified to reflect actual water needs.~~

IRRIGATION:			
Crop Type:			
Irrigation Method:			
Acreage Irrigated:			
Growing Season:			
(Repeat for each Crop Type)			
LIVESTOCK:			
Animal Type:			
Number of Head:			
(Repeat for each Animal Type)			

~~This condition is applied to Agricultural uses with greater than 6 year durations, to ensure that the quantity permitted remains in agreement with actual needs. This condition may also be applied to shorter duration permits where necessary.~~

Water Conservation

3. The Permittee shall submit progress reports [insert date(s)] according to the District-approved Water Conservation Plan submitted with the application.

Discussion: The above condition is required for all Agricultural Water Use Permits for 100,000 gpd or greater standard annual average daily water demand for Agricultural Water Use Permits.

4. The Permittee shall agree to implement all water conservation measures that are economically, technically, and environmentally feasible, including:
 - a. Incorporation of water conservation practices.
 - b. Limiting daytime irrigation to the greatest extent practicable to reduce water losses.
 - c. Implementation of a leak detection and repair program as part of an ongoing system maintenance program. This program shall include a system-wide inspection at least once per season.
 - d. Evaluation of the feasibility of improving the efficiency of the current irrigation system or converting to a more efficient system. This includes implementation of the improvement(s) or conversion when determined to be operationally and economically feasible.
 - e. Implementation of an irrigation schedule that maximizes the efficiency of delivering the correct quantity of water to the root zone at the time it is

needed. This practice shall include the use of tools to determine when and how much irrigation water is needed. Examples of these tools include soil moisture sensors, weather/climatic measuring devices, or piezometers to monitor the water table elevation.

Discussion: The above condition is required to be applied to all Small General Agricultural Water Use Permits that are not for aquaculture.

5. Utilize other conservation practices as identified by the University of Florida’s Institute of Food and Agricultural Science’s Department of Fisheries and Aquatic Sciences publication “Regulations Pertaining to Non-native Fish in Florida Aquaculture (FA121).”

Discussion: The above condition is required to be applied to all Small General Agricultural Water Use Permits that are for aquaculture.

6.5 6-6 SWUCA PERMIT CONDITIONS

~~This section describes Special Conditions which are routinely added to the Standard Conditions, as applicable. Other Special Conditions may be developed specifically to fit a given situation.~~

~~1-1-03~~

~~Within the SWUCA, if the District determines that significant water quantity or quality changes, impacts to existing legal uses, or adverse environmental impacts are occurring, the permittee shall be provided with a statement of facts upon which the District based its determination and an opportunity to address the change or impact prior to a reconsideration by the Board of the quantities permitted or other conditions of the permit.~~

~~1-1-03, Amended 1-1-07.~~

Notice of Recovery Strategy

Condition: This Permit is located within the Southern Water Use Caution Area (SWUCA). Pursuant to Section 373.0421, Florida Statutes, the SWUCA is subject to a minimum flows and levels recovery strategy, which became effective on January 1, 2007. The Governing Board may amend the recovery strategy, including amending applicable water use permitting rules based on an annual assessment of water resource criteria, cumulative water withdrawal impacts, and on a recurring five-year evaluation of the status of the recovery strategy up to the year 2025 as described in Chapter 40D-80, Florida Administrative Code. This Permit is subject to modification to comply with new rules.

Discussion: The above condition is required to be applied to all permits located in the SWUCA.

6.6 ALTERNATIVE WATER SUPPLIES

The following conditions shall be applied to permits for 100,000 gpd or greater standard annual average daily water demand, as applicable.

1. Metering Alternative Water Supplies

Condition: The permittee All permitted uses which receive alternative water supplies shall meter, record, and report all alternative water supply supplies (AWS) quantities received, self-generated and used from each alternative water supply inflow line (line coming onto the property from an off-site source), each on-site stormwater catchment facility, and each AWS re-pump surface water withdrawal point from any storage facility. The meters shall be read and sources if the alternative water supplies are used to replace an annual average quantity (drought annual average quantity for irrigation permits) of 100,000 gpd or more of non-alternative water supplies. The Permittee shall record meter readings from each alternative line on a monthly basis within the last week of each the month and. The meter reading(s) shall be reported to the Permit Data Section, Strategic Programs Office Records and Data Department (using District scanning forms, unless the District has approved another arrangement for submission of this data) on or before the tenth day of the following month. The Permittee shall submit meter readings online or use District-supplied scanning forms, unless another arrangement for submission of this data has been approved by the District in writing. If a metered alternative water supplies line is not utilized during a given month, the meter report shall be submitted to the District indicating the same meter reading as was submitted the previous month. The following alternative water supplies lines shall be metered:

A. District approved meters shall be installed within 90 days of completion of construction of the AWS delivery system for:

1. Proposed AWS inflow line(s) District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).]
2. Proposed AWS re-pump withdrawal points, District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).]
3. Proposed stormwater withdrawal point(s), District ID No(s). [specify District ID No(s).], Permittee ID No(s). [specify District ID No(s).]

B. The permittee shall continue to maintain and operate existing, non-resettable, totalizing flow meter(s) or other flow measuring device(s) as approved by the Regulation Department Director on:

1. AWS inflow line(s), District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).]

2. AWS re-pump withdrawal points, District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).]

3. Existing stormwater withdrawal point(s), District ID No(s). [specify District ID No(s).], Permittee ID No(s). [specify District ID No(s).]

C. The permittee shall install meters that meet requirements specified below upon permit issuance for previously un-metered, existing AWS sources:

1. AWS inflow line(s), District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).]
2. AWS re-pump withdrawal points, District ID No(s). [Specify District ID No(s).], Permittee ID No(s). [Specify Permittee ID No(s).]
3. Stormwater water withdrawal point(s), District ID No(s). [specify District ID No(s).], Permittee ID No(s). [specify District ID No(s).]

2. Modification to Incorporate Alternative Water Supplies

Within 90 days of the replacement of any or all withdrawal quantities from ground water or surface water bodies with an Alternative Water Supply, the Permittee shall apply to modify this permit to reflect incorporation of the alternative source of water to replace permitted quantities in an amount equal to the quantity offset by the Alternative Water Supply. The permittee may request that the replaced water be put on standby for use when, for reasons outside the Permittee's control, the Alternative Water Supplies become unavailable, insufficient or unsuitable for the authorized use, or economically, technically or environmentally infeasible.

1-1-03, Revised Amended 1-1-07, _____.

Discussion: Put on all SWUCA permits – required when any or all withdrawals have been discontinued from the ground water or natural surface water body (primary source) due to use of an alternative source.

PUBLIC SUPPLY

3. Report Significant Use

÷ By April 1 of each year, for the preceding calendar year, the Permittee shall account for all significant water uses separately and submit a report on all significant uses whether or not taken as a deduction from the Per Capita calculation. Significant use is defined as any individual, non-residential customer using 25,000 gallons per day or greater on an annual average basis, or any individual, non-residential customer whose use represents greater than 5% of the annual average quantity on this permit. Utilities with a large number of commercial accounts which fall below the 25,000 gpd individual significant use threshold may deduct the percentage of commercial use greater than the District-wide average of the

~~three most recent years commercial use, provided that they do not deduct any individual significant uses and that they do not make population adjustments based on commuter population. The users that are not included in the significant use category are golf courses, multi-family residential accounts classified as commercial by the utility, and irrigation accounts associated with residential accounts. The summary on significant use shall include but not be limited to:~~

- ~~a. Name and address of the significant user(s);~~
- ~~b. Type of use (e.g., type of industry, or commercial venture);~~
- ~~c. Total annual average quantities provided to each, and~~
- ~~d. Water conservation programs designed specifically for each significant use or type of significant use.~~

~~This report may be submitted as an element of the Annual Report.~~

~~1-1-03~~

~~÷ SWUCA Required for all Public Supply \geq 100,000 gpd
4. Service Area Map~~

~~÷ A current service area map and utility service area data shall be submitted to the District with every sixth Annual Report in accordance with the requirements of "Public Water Supply Service Area" of Section 2.5 of the Basis of Review.~~

~~÷ This condition is applied to ensure that the District has an up-to-date service area map and data incorporating all boundary changes that have occurred over the previous six years.~~

~~New 1-1-07:~~

~~5: Golf Course Conservation Plan~~

~~By January 1, 2006, the Permittee shall submit a water conservation plan that specifically addresses:~~

- ~~a. Conversion to low volume irrigation methods in areas other than fairways;~~
- ~~b. Increased system management, including the use of devices such as tensiometers to determine application frequency and duration;~~
- ~~c. Increased evening hour irrigation;~~
- ~~d. Utilization of reclaimed water or stormwater to provide all or part of the irrigation requirements;~~
- ~~e. Elimination of irrigation of roughs;~~
- ~~f. Limiting frequent irrigation to water critica areas and limiting irrigation of other areas; and~~
- ~~g. Schedule for implementation of the plan.~~

~~Assistance to create a Conservation Plan is available from the District. The document, "Golf Course Conservation Guidelines" is available upon request or may be downloaded from the District's website.~~

~~1-1-03~~

~~For All SWUCA Golf Course WUPS that were NOT in the ETBWUCA or HRWUCA: (the permittees that were in the ETBWUCA and HRWUCA may have already submitted a conservation plan covering these items):~~

The following provisions of Chapter 7.0 are proposed to be changed:

7.0 WATER USE CAUTION AREAS

7.3 NORTHERN TAMPA BAY WATER USE CAUTION AREA

The Governing Board originally declared portions of Hillsborough and Pasco Counties, and all of Pinellas County a Water Use Caution Area (WUCA) on June 28, 1989. The Governing Board approved expansion of the boundaries of the Water Use Caution Area in June 2007. The area designated is shown in Figure 7.3-1; the legal description is provided in paragraph 40D-2.801(3)(a), F.A.C. As of the effective date of this rule, all existing water use permits within the Water Use Caution Area are modified to incorporate the applicable measures and conditions described below. Valid permits, legally in effect as of the effective date of this rule, are hereafter referred to as existing permits. Existing permits within those portions of the Water use Caution Area added in 2007 shall have until July 1, 2008 to comply with the provisions of this rule. Applicable permit conditions, as specified below, are incorporated into all existing water use permits in the Water Use Caution Area and shall be placed on new permits issued for withdrawals located within the Area.

The following is moved here from subsection 4.1 below:

The Northern Tampa Bay Water Use Caution Area is hereby declared a water resource caution ~~critical water supply problem~~ area pursuant to Chapter ~~62~~47-40, Florida Administrative Code.

These portions of the Basis of Review for the Northern Tampa Bay Water Use Caution Area are intended to supplement the other provisions of the Basis of Review and are not intended to supersede or replace them. If there is a conflict between requirements, the more stringent provision shall prevail.

Revised _____

1- Public Supply

~~A wholesale public supply customer shall be required to obtain a separate permit to effect the following conservation requirements unless the quantity obtained by the wholesale public supply customer is less than 100,000 gallons per day on an annual average basis and the per capita daily water use of the wholesale public supply customer is less than the applicable per capita daily water use requirement outlined in Section 7.3 1.1.1.~~

The following water conservation requirements shall apply to all public supply utilities and suppliers with Permits that are granted for an annual average quantity of 100,000 gallons per day or greater, as well as wholesale customers supplied by another entity which obtain an annual average quantity of

~~100,000 gallons per day or greater, either indirectly or directly under water use permits within the Water Use Caution Area, regardless of the name(s) on the water use permit.~~

Section 2. Agriculture renumbered Section 1. Agriculture
Subheading 2.1 Agricultural Water Use Allotments is renumbered 1.1 Agricultural Water Use Allotments

~~1.2.2~~ Monitoring Requirements for Agricultural Water Use

To ensure compliance with the total allocated inches per acre per season per crop, the District requires the following data to be submitted.

1. Crop Reports – All Individual and General Water Use permittees with permits for 100,000 gpd or greater standard annual average daily water demand shall record the following information for all seasonal crops irrigated (examples: vegetables or other row crops). Permittees that irrigate annual crops (examples: citrus, blueberries, commercial hay, sod, nurseries, pasture) may omit items e. and f. Requested information is to be reported on either the Irrigation Water Use Form – Annual Crops, Northern Tampa Bay Water Use Caution Area, Form No. LEG-R.025.00(4/09), or the Irrigation Water Use Form – Seasonal Crops, Northern Tampa Bay Water Use Caution Area, Form No. LEG-R.024.00 (4/09), each incorporated by reference in Rule 40D-2.091, F.A.C., as applicable to the type of crop being irrigated the Agricultural Water Use Form – Seasonal Report, Form WUP 14.1 (1/93) and Agricultural Water Use Form – Annual Report, Form WUP 15 (1/93), incorporated by reference in Rule 40D-1.659, GROUNDWATER (17) and (18), F.A.C. Items a. through g. shall be provided for seasonal crops (examples: vegetables or other row crops) and items a. through d. shall be provided for annual crops and plants (examples: citrus, blueberries, commercial hay, sod, nurseries, pasture).

a. Crop type;

b. Monthly Irrigated acres per crop per season for seasonal crops; irrigated acres per crop per calendar year for annual crops;

c. The dominant soil type per entry;

d. Irrigation method(s);

e. Use or non-use of plastic mulch;

~~f.~~ Planting dates; and

~~g.~~ Season length.

Additionally, use of the withdrawal point for crop protection and supplementation of irrigation quantities by using a tailwater recovery system shall be documented separately on the form. The completed Irrigation Water Use Forms shall be submitted to the District or submitted online by March 1 for annual crops, February 1 for summer and fall crops, and September 1 for winter and spring crops (including strawberries).

Irrigation for field preparation/crop establishment and supplemental irrigation shall be documented separately by noting the beginning and ending dates for these activities. Additionally, quantities for frost freeze protection shall be

documented separately by noting the beginning and ending hour and date. The permittee shall note whether tailwater recovery is used. This information shall be submitted to the District on the Agricultural Water Use Form within 60 days following the crop season. Following December 31, 1992, if the Permittee exceeds the allocated quantities, which are determined by multiplying the total irrigated acres by the total allocated inches per acre per season per crop, the permittee shall submit a report to the District which shall include reasons why the allotted quantities were exceeded, measures taken to attempt meeting the allocated quantities, and a plan to bring the permit into compliance. Reports for Permittees not achieving the allotted quantities are subject to District approval. If the report is not approved, the Permittee is in violation of the Water Use Permit.

2. and 3. No change.

Revised 12-30-08, _____.

2.3 Other Agricultural Water Uses

~~Quantities for other uses not related to plant preparation and irrigation demand shall be documented separately. Such uses may include filling of spray tanks, livestock needs, cleaning, and frost freeze protection.~~

3. Recreational, Industrial, and Mining

3.1 Conservation Plan

~~All permit applicants for recreational/aesthetic, industrial/commercial, and mining/dewatering uses are required to submit a water conservation plan specifically addressing recycling, reuse and landscaping to the District at time of application. Existing permittees shall submit a conservation plan by July 31, 1992. The following condition shall be placed on all appropriate permits, and the elements listed in the condition below shall be addressed in all new applications:~~

~~The permittee shall submit to the District a conservation plan by July 31, 1992. This plan shall include documentation and assessment of current and potential internal reuse, as well as external reuse sources. This plan shall also address reducing irrigation withdrawals through evaluation of the use of drought tolerant landscaping for landscaped areas, where present.~~

3.2 Golf Courses Conservation Plan

~~All permit applicants for golf course irrigation are required to submit a water conservation plan specifically addressing conversion to low volume irrigation methods, increased system management, limiting frequent irrigation to water critical areas, and limiting irrigation of other areas, to the District at time of application. Existing permittees shall submit a conservation plan by July 31, 1992. In addition to the permit condition listed in 3.1, above, the following permit condition shall be applied to all existing golf course permits, and the elements listed in the condition below shall be addressed in all new golf course permit applications:~~

The permittee shall submit a report to the District by July 31, 1992, detailing how and when the following items shall be implemented, and the expected reduction in withdrawals to be achieved through implementation:

1. Increasing efficiency of water application through conversion to low volume irrigation methods
2. Increased system management, including the use of devices such as tensiometers to determine application frequency and duration, and measures to eliminate overspray.
3. Limiting high-frequency irrigation to water-critical areas, such as tees and greens.
4. Reducing the frequency of irrigation for fairways.
5. Elimination of irrigation of roughs.

Section 4. Augmentation renumbered Section 2. Augmentation
 Section 5. Lake Impacts renumbered Section 3. Lake Impacts
 Subheading 5.1 Stressed Lakes – New Withdrawals is renumbered 3.1 Stressed Lakes – New Withdrawals
 Subheading 5.2 Stressed Lakes – Existing Withdrawals is renumbered 3.2 Stressed Lakes – Existing Withdrawals
 Subheading 5.3 Stressed Lakes – New Ground Water Withdrawals is renumbered 3.3 Stressed Lakes – New Ground Water Withdrawals

6. Alternative Sources

6.1 Critical Water Supply Problem Area Designation

The Northern Tampa Bay Water Use Caution Area is hereby declared a critical water supply problem area pursuant to Chapter 17-40, Florida Administrative Code.

6.2 Reuse

Investigation of the feasibility of reuse may be required for all appropriate uses, and reuse shall be required where feasible. Reuse of treated wastewater as an alternate, replacement, or supplemental water source for irrigation, industrial process, cleaning, or other non-potable use shall be investigated by all appropriate applicants or permittees. This item shall be implemented through inclusion of the following condition on all applicable permits with agricultural irrigation, recreational or aesthetic irrigation, industrial or commercial, or mining or dewatering uses:

The Permittee shall investigate the feasibility of using reuse as a water source and submit a report describing the feasibility to the District by (date specified). The report shall contain an analysis of reuse sources for the area, including the relative location of these sources to the Permittee's property, the quantity and timing of reuse water available, costs associated with obtaining the reuse water, and an implementation schedule for reuse. Infeasibility shall be supported with a detailed explanation.

[The following two paragraphs are moved to Chapter 3]

All Water Use Permit applicants for water uses where reclaimed water is appropriate shall provide documentation from the local wastewater entity indicating whether reclaimed

water is available or is planned to be available within the next six years. Permittees generating reclaimed water shall respond to such requests by permit applicants in a timely manner. If reclaimed water is available, or is planned to be available within the next 6 years, the local wastewater entity shall provide a cost estimate for connection to the permit applicant. If reclaimed water is planned to be available within the next 6 years, the local wastewater entity shall provide an estimate of when the reclaimed water will become available. If the wastewater generator does not hold a valid water use permit and does not supply the requested information, the applicant shall be required to prepare a cost estimate for connection.

Permittees capable of using reclaimed water will be required to accept it when it becomes available, provided that the quantity and quality are acceptable for the intended use, as determined by the District. If the reclaimed water generator provides the reuse connection, acceptance is required, provided that the quantity and quality of the reclaimed water are acceptable for the intended use, as determined by the District. If the Permittee must pay for all or a part of the cost of connection to the reclaimed water source, the permittee may present an economic feasibility report to the District demonstrating whether connection is feasible.

6.3 Reporting Reuse Quantities

1. Reclaimed Water Generators

Governmental or other entities holding Water Use Permits and which generate treated wastewater effluent shall submit an annual report listing the disposition of the effluent.

This report shall list the annual average daily quantity and monthly quantity of treated wastewater effluent disposed, and the methods and locations of disposal for effluent that is not reused. This requirement will be implemented by applying the following condition to all applicable permits:

By January 1 of each year for the preceding fiscal year (October 1 through September 30), the Permittee shall submit a report detailing:

- a. The total annual average daily and monthly quantity of effluent supplied as reuse;
 - b. For all individual customer reuse connections with line sizes of 4 inches or greater, list:
 - (1) Line size;
 - (2) Location of connection;
 - (3) Account name and address;
 - (4) Indication of meter, if present; and
 - (5) Metered quantities, if metered.
 - c. The annual average daily quantities, monthly quantities, locations, and methods of disposal for effluent that is not reused.
 - d. A map or plan depicting the area of reuse service; this map should include any areas projected to be added within the next year, if possible.
2. Reclaimed Water Receivers

All permitted uses which receive reclaimed water (e.g., golf courses, industrial/commercial uses, etc.) shall be required to record and report reuse quantities and sources on a monthly basis. This requirement shall be implemented by applying the following permit condition to all applicable permits:

The Permittee shall report to the District existing connections to reclaimed water by July 1, 1991. New connections to reclaimed water shall be reported to the District within 30 days of connection to the reuse source. The Permittee shall list the reuse supplier's name, location, and quantities obtained in gallons per day, annual average, for each source, and submit this information to the District by the 10th day of each month for the preceding month, in conjunction with the monthly pumpage report.

The following condition shall be applied to applicable permits for new use:

The Permittee shall report connection to reclaimed water to the District within 30 days of connection to the reuse source. The Permittee shall list the reuse supplier's name, location, and reclaimed quantities obtained in gallons per day, annual average, for each source, and submit this information to the District by the 10th day of each month for the preceding month, in conjunction with the monthly pumpage report.

6.4 Investigate Desalination

All industrial and public supply applicants for new quantities shall be required to investigate the feasibility of desalination to provide all or a portion of requested quantities. This requirement shall be implemented by applying the following permit condition to all applicable permits:

The Permittee shall investigate the feasibility of desalination to provide all or a portion of the requested quantities, and to implement desalination if feasible. The report of this investigation shall be submitted with any application for new quantities, and shall include a detailed economic analysis of desalination, including disposal costs, versus development of fresh water supplies, including land acquisition and transmission costs.

[the following is replaced by additions and edits in Chapters 5 and 6]

7: Metering of Withdrawals

All permitted withdrawal points, on permits at or above 100,000 gallons per day annual average daily withdrawal, shall be metered and the Permittee shall be required to record and submit withdrawal information. Withdrawal points on permits existing as of the January 1, 2003, shall be metered at the permittee's expense by July 31, 1995, except as provided below.

The following permit condition shall be applied to all active permits with quantities at or above 500,000 gpd which shall have meters provided by the District under the provisions of Section 5.1, Basis of Review, for withdrawal points existing prior to October 1, 1989:

At such time as the District completes installation of meter(s) on all applicable withdrawal points, the Permittee shall record the total withdrawal for each metered withdrawal point. Withdrawal points constructed after September 30, 1989 shall be equipped with non-resettable, totalizing flow meters within 90 days of construction, at Permittee's expense. Such devices shall maintain an accuracy within 5% of actual flow as installed. Total withdrawals shall be reported to the District (using District format) on or before the tenth day of the following month.

Withdrawal points existing prior to the January 1, 2003, on permits granted for quantities at or above 100,000 gpd, which will not receive District-supplied meters under the provisions of Section 5.1, Basis of Review, shall receive the following condition:

The following withdrawal points (District ID numbers) shall be equipped with non-resettable totalizing flow meters or other measuring devices as approved in writing by the Director, Resource Regulation Department. Such devices shall have and maintain an accuracy within 5% of the actual flow as installed. Those designated withdrawal points not equipped with such devices on the date of permit issuance shall be equipped by July 31, 1995.

Total withdrawal from each metered withdrawal point shall be recorded on a monthly basis and reported to the District (using District format) on or before the tenth day of the following month.

Permits granted for quantities at or above 100,000 gpd, which have withdrawal points constructed after the January 1, 2003, shall receive the following condition:

The following withdrawal points (District ID numbers) shall be equipped with non-resettable totalizing flow meters or other measuring devices as approved in writing by the Director, Resource Regulation Department. Such devices shall have and maintain an accuracy within 5% of the actual flow as installed. Those designated withdrawal points not equipped with such devices on the date of permit issuance shall be equipped within 90 days of completion of construction of the withdrawal facility, unless an extension is granted by the Director, Resource Regulation. Total withdrawal from each monitored source shall be recorded on a monthly basis and reported to the District (using District format) on or before the tenth day of the following month.

All permits with reporting requirements shall receive the following condition:

Three copies of all reports and one copy of data required by the permit shall be submitted to the District and shall be addressed to:

Permits Data

Southwest Florida Water Management District

2379 Broad Street

Brooksville, Florida 34609-6899

Section 8. Central System Permitting renumbered 6. Central System Permitting

The following Appendix A is added to the end of Chapter 3 of Part B, Basis of Review, of the Water Use Permit Information Manual.

APPENDIX A

ANNUAL RECLAIMED WATER SUPPLIER REPORT INSTRUCTIONS AND DEFINITIONS

The Southwest Florida Water Management District is committed to optimizing the efficient use of reclaimed water throughout its 16-county region. Development and maintenance of a thorough monitoring program of its reclaimed water distribution network and customer's end use enables public water supply permittees to track and maximize the reasonable-beneficial use of this resource.

The enclosed excel spreadsheet is provided to assist the permittee in meeting reclaimed water reporting requirements of the Annual Reclaimed Water Supplier Report required in Chapter 3 of Part B, Basis of Review, of the Water Use Permit Information Manual. Entries are intended to be line-item.

Page 1 of the spreadsheet is designed to allow the permittee to complete one form for multiple annual reporting requirements for the District as well as for the Florida Department of Environmental Protection (FDEP). Use of a common format can serve as a valuable worksheet for preparing the FDEP report while assuring that data submitted to FDEP corresponds to data provided to the District. In addition to District reporting requirements, the information requested in the spreadsheet covers the majority of data necessary for the reporting requirements associated with the following:

1. FDEP Annual Reuse Report.
2. FDEP Water Protection Sustainability Trust Fund, and
3. SWFWMD Cooperative Funding Initiative Agreement Special Conditions contained in Exhibit A

The list of items below (as well as each column in the excel spreadsheet) is annotated to indicate the report for which the information is required:

1. Required: Required for the SWFWMD Annual Reclaimed Water Supplier Report.
2. Optional: Not required for any of the reports but helpful to the District in alternative source planning programs, the SWFWMD regulatory report, and not required if not pertinent to the wastewater treatment facility or customer under Cooperative Funding.
3. CF Required: Contractually required for Cooperatively Funded Projects.
4. FDEP Required: Required as a component of the FDEP Annual Reuse Report or FDEP Water Protection Sustainability Trust Fund.

The reporting period of October 1 to the following September 30 is changed to coincide with the reporting period for the Annual FDEP Reuse Report. However, the due date for submittal to the District remains April 1 even though the FDEP due date remains December 31st each year.

Explanations and definitions for each of the various data elements (given as column headings) comprising this report are given below as well as briefly when you click in cells below the column headings. The input FORMAT or DOMAIN CODES are given after the explanation below. Text is case-sensitive and dropdowns are available for DOMAIN CODES.

Page 2 of the spreadsheet is formatted for input of monthly deliveries of reclaimed water (total gallons per month) to bulk customers or to categories of reclaimed water use.

PAGE 1

Column 1 – Water Year

Required

The water year (October 1 – September 30) for this report. For example, the period of time for October 1, 2008 – September 2009 is water year 2009.

FORMAT = yyyy

Column 2 – County

Required

The county in which the utility provides reclaimed water for the named customers. If more than one county is supplied, enter the amounts supplied for each county separately.

DOMAIN CODES: Charlotte, Citrus, Desoto, Hardee, Hernando, Highlands, Hillsborough, Lake, Levy, Manatee, Marion, Pasco, Pinellas, Polk, Sarasota, Sumter. (Dropdown available.)

Column 3 – Permittee – Wastewater Treatment Plant

Required

The name of the utility as it appears on its Water Use Permit and the name of the wastewater treatment plant if different from that of the utility.

FORMAT: 24 text characters.

Column 4 – Permittee Water Use Permit (WUP) Number

Required

The SWFWMD water use permit number or numbers issued to the utility. Typically, the permittee will be the potable water utility.

FORMAT: 12 digit number. For instance, 20012345.006.

Column 5 – Bulk Customer Name

Required

The name of the individual customer receiving reclaimed water (golf course, hospital, commercial facility, industrial plant, etc.). Residential customers can be categorized according to any distinct areas on the utilities reclaimed system (e.g., NE Service Area, etc.). Disposal and Natural System Restoration projects do not have to have a name.

FORMAT: 25 – text characters.

Column 6 – Customer Category or Use for Reclaimed Water Required

Identify the customer category or general intended use of the reclaimed water as follows:

- RES - residential irrigation.
- AGR - agricultural irrigation.
- IND - industrial/commercial process use.
- RAC - recreation, aesthetic, and commercial irrigation.
- GC - golf course irrigation.
- NSR – natural systems restoration.
- SPRAY – sprayfield disposal
- RIB – Rapid Infiltration Basin disposal
- SWD – Surface Water Disposal
- DWD – Deep Well Disposal
- ASR – Aquifer Storage (not used this year)
- RSV – Reservoir Stored (not used this year)

DOMAIN CODES: RES, AGR, IND, RAC, GC, NSR, SPRAY, RIB, SWD, DWD, ASR, RSV (Dropdown available.)

Column 7 – Customer WUP Number

Required

The SWFWMD water use permit number issued to this customer for withdrawal of water from a traditional source of water that will be replaced with reclaimed water. If the customer’s WUP number is 20012345.001, input 2012345. Input “None” if the customer does not have a WUP.

FORMAT: 10 digit number with 3 digit extension after the decimal.

Column 8 – Customer WUP – First Issue Date

Optional

The year the District first issued the customer the water use permit input in the previous column. Leave blank, if the customer does not have a WUP.

FORMAT: yyyy (valid range 1970-2010).

Columns 9 & 10 – Customer Location – Latitude/Longitude

Required

Data entry in these two columns define the single point of latitude and longitude for the interconnect between the utility’s transmission main and the customer’s reclaimed water. system.

Input degrees-minutes-seconds

FORMAT: 9–digit number. Format = ##*##’##”

Column 11 – Section, Township, Range

Required

Section, Township, Range where of the customer’s interconnection is located.

FORMAT: ## – ##S – ##E

Column 12 – Meter

Optional

“Yes” or “No” entry if the utility has installed a reclaimed water meter at a facility having a water use permit. NOTE: Subdivisions are not included unless they are a community development corporation with a water use permit.

DOMAIN CODES: Yes, No (Dropdown available.)

Column 13 – Meter Size

Optional

Meter size determines peak flow rate, or upper limit of water use in gpm. Enter meter size (or use dropdown) in inches. If no meter, leave blank. 6 characters maximum.

DOMAIN CODES: 3/4", 5/8", 1", 1-1/2", 2", 3", 4", 5", 6", 7", 8", 9", 10", 11", 12", etc. (Dropdown available.)

Column 14 – Meter Type

Optional

The type of flow meter the utility has installed at the customer’s location. Acceptable entries are “D” for digital flow meters or “A” for analog flow meters.

DOMAIN CODES: D, A, None (Dropdown available.)

Column 15 – Meter Serial Number

Optional

The serial number for the flow meter installed by the utility at the customer’s location. Please leave blank if there is no meter.

FORMAT: 12–digit number.

Column 16 – SWFWMD Project Number

CF Required

The project number associated with each project that received or is receiving District cooperative funding support. Project numbers are a single uppercase letter followed by three numbers such as K055, L051, K468. The summary report will be organized by District project numbers for those certain portions of the system that received or are receiving cooperative funding from the District. Those portions of the system not receiving such funding should enter N/A in this column.

FORMAT: 5 characters numbers and text.

Column 17 – Number Of Service Boxes

CF Required

The number of reclaimed water service boxes or connections that have been installed within the service area covered by the customer’s contract with the utility regardless of whether or not a meter has been installed. For example, give the total number of reclaimed water service boxes installed at all residences within a subdivision where each residence is capable of receiving reclaimed water service, whether the residence is using reclaimed water or not.

FORMAT: 6 – digit number.

Column 18 – Number Of Active Customers

FDEP Required and CF Required

The number of accounts (or service boxes) that are actually connected and actively using reclaimed water in the service area during the reporting period. For example, if a subdivision with 1,000 accounts (residences) has installed service boxes at each account, but only 500 accounts actually receive AND use reclaimed water, the entry in this field is “500” while entry for the previous field would be “1,000.”

FORMAT: 6 – digit number.

Column 19 – Proposed or Contracted Reclaimed Water to the Customer or Use (gpd)CF Required

The planned delivery volume, in gpd, of the reclaimed water system that was or is being constructed under the terms of the cooperative funding agreement for the customer named in Column 5 or the Use listed in Column 6. Typically, this flow should reflect the volume required to meet the negotiated contract(s) between the utility and the reclaimed water customer. NOTE: This is not the total capacity of the system nor is it the build out volume ultimately planned for the system.

FORMAT: 8 – digit number.

Column 20 – Actual Reclaimed Water Disposal Quantity (gpd) Required

The annualized (for the water year) actual quantity of reclaimed water that was disposed of via Rapid Infiltration Basins (RIBs), deep well injection, surface water disposal or spray fields during the reporting period. Please note: Spray fields, RIBs, surface water disposal and deep well injection are included on this form (as they can be reported to FDEP).

FORMAT: 8 digit number.

Column 21 – Actual Reclaimed Water Flow (gpd) Required

The actual reclaimed water flow, in gpd, that was delivered during the reporting period to reclaimed water customers or customer categories.

FORMAT: 8 – digit number.

Column 22 – Project Proposed Offset (gpd)CF Required

The volume of potable-quality water, in gpd, that was projected to be offset (or saved) by the reclaimed water projected to be provided through this project.

FORMAT: 8 – digit number.

Column 23 – Actual Public Supply Offset (gpd)CF Required

The actual potable – quality water from the public water supply system, in gpd, that was offset by the actual amount of reclaimed water supplied to this customer or service area during the reporting period.

FORMAT: 8 – digit number.

Column 24 – Actual Private Supply Offset (gpd)CF Required

The actual self-supplied potable-quality groundwater or surface water that customers discontinued using, in gpd, because they received reclaimed water during the reporting period.

FORMAT: 8 – digit number.

Column 25 – Offset Calculation MethodCF Required

Indicate whether the flow data previously provided in this reporting was metered (Meter) flows or estimated (Est.) values derived from master meters, plant pumpage, or similar indirect measurement procedures.

DOMAIN CODES: Meter, Est.

Column 26 – Acreage Irrigated with Reclaimed Water FDEP Required

The measured, calculated, or estimated acreage, by customer type, that is irrigated by reclaimed water made available through this project. Spray fields and RIBs are not considered irrigation.

FORMAT: 5 – digit number.

Column 27 – Reclaimed Water Rate/1,000 Gallons CF Required

Provide the rate or rates charged, if the service is based on a block rate structure, per 1,000 gallons (\$/Kgal) within the respective reclaimed water service areas. Data in this column should not include any fixed fees for wastewater service, initial reclaimed water connection, price of meters, base fees, or related fixed costs. If the utility does not base its charge on 1,000 gallon blocks, then leave blank.

FORMAT: US Currency, 5 digits \$###,## or Blank

Column 28 – Reclaimed Water Flat Rate Per Month CF Required

The flat rate charged by the utility for reclaimed water service. This should not include any fixed fees for wastewater service, initial reclaimed connection, price of meters, base fees, or related fixed costs. If the utility does not charge a flat monthly fee, then leave blank.

FORMAT: US Currency, 6 digits \$#,###,## (Do not enter the comma.)

Column 29 – Reclaimed Water Contracted Delivery Quantity (gpd) CF Required

The volume of reclaimed water, in gpd, that the customer has agreed to take from the utility to the end of the contract term stipulated in Column 31. For those permittees co-funded through the District, this number should be the same as the volume specified in their Cooperative Funding agreement with the District.

FORMAT: 8 – digit number.

Column 30 – Reclaimed Water Contract Start Date CF Required

The date specified in the contract as the beginning date of service for reclaimed water.

FORMAT: mm/yyyy (valid year range 1975-2010).

Column 31 – Reclaimed Water Contract End Date CF Required

The date specified in the contract between the utility and the reclaimed water customer and stipulates when reclaimed service will terminate.

FORMAT: mm/yyyy (valid year range 1975-2050).

Column 32 – Reclaimed Water Delivery ModeRequired

A code entry showing how the reclaimed water is supplied for reuse. The codes are:

- “P” which identifies reclaimed water delivered under sufficient pressure for immediate use by the reclaimed water customer; or
- “S” which identifies reclaimed water delivered under pressure for delivery into on-site storage for later use by the reuse customer.

DOMAIN CODES: P, S (Dropdown available.)

Column 33 – Interruptible Service AgreementCF Required

Enter “Yes” or “No” signifying that service to this customer is through an agreed-upon interruptible basis. Specifically, if reclaimed water availability is insufficient for overall system demand, this customer can have its service interrupted (suspended) until sufficient reclaimed water supply is again available. The customer would have to activate standby quantities from the water source used prior to becoming a reclaimed water customer if the customer’s water use permit provides for reinstatement of these previously permitted quantities if they lost reclaimed water through no fault of their own. Note: Does not include emergency interruptions.

DOMAIN CODES: Yes, No

Column 34 – Month & Year Reuse First On-LineCF Required

The month and year that reclaimed water was actually first used by this customer whether as part of the reclaimed water contract or prior to execution of a reclaimed water contract.

FORMAT: mm/yyyy (valid year range 1975-2010)

Column 35 – Customer’s Location in a WUCAOptional

Identifies if the customer is located in a SWFWMD water use caution area (WUCA), and if so, which one. This is a code entry using the following codes:

- SWUCA is the Southern Water Use Caution Area
- NTB is the Northern Tampa Bay Water Use Caution Area
- N/A if they are not in a Water Use Caution Area (do not leave this column blank).

DOMAIN CODES: SWUCA, NTB or N/A (Dropdown available.)

Column 36 – Traditional SourceOptional

The water source(s) identified in the water use permit for each of the reclaimed water customers. This source is represented by a code entry using the following codes:

- FL is the Floridan Aquifer
- IA is the Intermediate Aquifer
- SA is the Surficial Aquifer
- SW is surface water withdrawal
- DES for desalination

- PRMRWSA for the Peace River Manasota Water Supply Authority

- TBW for Tampa Bay Water

DOMAIN CODES: FL, IA, SA, SW, DES, PRMRWSA, TBW (Dropdown available.) For multiple sources, direct entry of the codes, separated by commas, are allowed in this column. (Do not use the dropdown for multiple source entry)

Column 37 – Basin BoardOptional

Identifies in which Basin Board the customer is located in. This is a code entry using the following codes:

- ALA – Alafia River
- WITH – Withlacoochee River
- COASTCoastal Rivers
- P-A – Pinellas Anclote River
- NW HILLS – Northwest Hillsborough River
- HILLS – Hillsborough River
- MANManasota
- PR Peace River

DOMAIN CODES: WITH, COAST, P-A, NW HILLS, HILLS, MAN, PR (Dropdown available.)

Column 38 – WAFR IDFDEP Required

Wastewater Facility Regulation Identification Number. If more than one treatment plant supplies the reclaimed water system, only the WAFR ID is necessary for the wastewater facility that supplies the most reclaimed water to this customer.

FORMAT: 9 – character input: 3 text + 6 – digit number or 9 – digit number

Column 39 – WWTP Treatment LevelFDEP Required

Identify the level of treatment (using FDEP coding) at all the wastewater treatment plant (WWTP) for the WAFR ID Number given in column 38.

- AWT – Sufficient for surface water discharge,
- HI – Sufficient for public access reclaimed water,
- BA – Not sufficient for public access reclaimed water

DOMAIN CODES: AWT, HI, BA (Dropdown available.)

Column 40 – Reclaimed Water Storage TypeRequired

Identify the type of reclaimed water storage facility used at the WWTP identified by the WAFR ID number in Column 38.

- POND = Surface water impoundment
- TANK = above ground or in-ground tank
- ASR = stored in an aquifer

DOMAIN CODES: POND, TANK, ASR (Dropdown available)

Column 41 – Reclaimed Water Storage Volume (Million Gallons)Required

Provide the total storage volume in million gallons per storage type at the WWTP identified by the WAFR ID number in Column 38.

FORMAT: numeric up to 10 characters

Column 42 – Comments

Optional

Unlimited entry because this column is formatted to wrap text.

PAGE 2

The Permittee shall input total gallons delivered to all bulk customers (column 5 on Page 1) or to all reclaimed water use categories (column 6 on Page 1) for the months of October through September of the following year.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bobby Lue, Brooksville Regulation Director

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 29, 2009

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 28, 2008, September 26, 2008, December 19, 2008

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-13.001
 RULE TITLE: Medicaid Providers Who Bill on the Non-Institutional 081

PURPOSE AND EFFECT: The purpose is to repeal Rule 59G-13.001, F.A.C., titled Medicaid Providers Who Bill on the Non-Institutional 081. The Non-Institutional 081 claims form is now obsolete. Providers that submitted paper claims on the Non-Institutional 081 claims form are now required to submit paper claims on the CMS-1500 claims form which is incorporated by reference in Rule 59G-4.001, F.A.C.

SUMMARY: The proposed repeal of the rule eliminates the requirement that Medicaid providers submit paper claims on the Non-Institutional 081 claims form.

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

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912 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: Monday, November 23, 2009, 3:00 p.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, Florida 32308-5407

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: Matt Ward at the Bureau of Medicaid Services, (850)488-9347. 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: Beth Kidder, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)488-9347, e-mail: kidderb@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.001 Medicaid Providers Who Bill on the Non-Institutional 081.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912 FS. History–New 2-3-05, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE:
Phil Emenheiser

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Holly Benson, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 6, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

RULE NO.: 61B-40.0062
 RULE TITLE: Waiver of Reserves

PURPOSE AND EFFECT: Section 721.13(3)(c)3., Florida Statutes, allows for the waiver or reduction of reserves for capital expenditures and deferred maintenance in a Florida timeshare plan. The purpose of this rule amendment is to delete subsection 61B-40.0062(2), F.A.C., which conflicts with Section 721.13(3)(c)3., Florida Statutes, by prohibiting the waiver or reduction of reserves in Florida timeshare plans.

SUMMARY: This rule addresses reserve funding for capital expenditures and deferred maintenance in Florida timeshare plans.

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.

RULEMAKING AUTHORITY: 718.501(1)(f), 721.03(2), 721.26(6) FS.

LAW IMPLEMENTED: 718.112(2)(f), 721.03(3), 721.07(5)(t) 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: November 23, 2009, 9:00 a.m.

PLACE: The Northwood Centre, Suite 16, Conference Room, 1940 N. Monroe 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 48 hours before the workshop/meeting by contacting: Sharon A. Malloy, Senior Management Analyst II at (850)488-1631. 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: Sharon A. Malloy, Senior Management Analyst II, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-40.0062 Waiver of Reserves.

~~(1) Annual vote required to waive funding requirements.~~

For condominium timeshare plans any vote to waive or reduce the funding of reserves required by Section 718.112(2)(f)2. or 721.07(5)(t)(u), F.S., shall be effective for only one annual budget. In a multi-condominium association no waiver or reduction of the funding of reserves shall be effective as to a particular condominium unless:

~~(1)(a)~~ Conducted at a duly called meeting of the association;

~~(2)(b)~~ The same percentage of voting interests of the condominium as is otherwise otherwise required for a quorum of the association is present, or represented by proxy; and

~~(3)(e)~~ A majority of those voting interests in that condominium that are present, or represented by proxy, vote to waive or reduce the funding of reserves.

~~(2) Waivers prohibited for non-condominium timeshare plans. For non-condominium timeshare plans, reserves required by Section 721.07(5)(u), F.S., shall be included on the proposed annual budget and shall not be waived or reduced.~~

~~Rulemaking Specific Authority 718.501(1)(f), 721.03(2), 721.26(6) FS. Law Implemented 718.112(2)(f), 721.03(3), 721.07(5)(t)(u) FS. History—New 2-5-96, Amended 12-18-01,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Cochran, Director, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles W. Drago, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 14, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 28, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.: 61E14-1.001 RULE TITLE: Prelicensure Education Requirements

PURPOSE AND EFFECT: The proposed rule amendment is designed to increase the qualifications of licensees by increasing the number of in-person classroom hours a person must complete prior to taking the licensure examination.

SUMMARY: The proposed rules change the number of in-person classroom hours a person must complete prior to taking the licensure examination from 18 to 24 hours.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting Anthony Spivey, Executive Director, at the address listed below. The following is a summary of the SERC:

- Approximately 3,180 individuals per year will be affected by the rule. All applicants who are applying for the Community Association Managers (CAM) license will be affected.
- The only costs to be incurred by the agency are rulemaking costs. No effect on state or local revenue is expected.
- Minimal transactional costs, which stem from the additional education classes to qualify for the CAM license will be incurred.
- There will be no small county or city affected by this rule.

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.

RULEMAKING AUTHORITY: 468.4315(2), 468.433(2)(d) FS.

LAW IMPLEMENTED: 468.433(2)(d) 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: Anthony Spivey, Executive Director, Regulatory Council of Community Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

THE FULL TEXT OF THE PROPOSED RULE IS:

61E14-1.001 Prelicensure Education Requirements.

(1) All community association manager applicants must satisfactorily complete a minimum of ~~24~~ ~~48~~ in-person classroom hours of instruction of 50 minutes each within 12 months prior to the date of examination. No applicant shall be allowed to take the licensure examination unless the applicant provides documentation of completion of the requisite prelicensure education. Each contact hour shall consist of at least 50 minutes of classroom instruction.

(2) The ~~24~~ ~~48~~ hours of prelicensure education shall be comprised of courses, including but not limited to ~~in~~ the following areas:

(a) State and federal laws relating to the operation of all types of community associations, governing documents, administrative code and state laws relating to corporations and nonprofit corporations – 20% and including:

- 1. Business Ethics;
- 2. Business Law;
- 3. Contract Law.

(b) Procedure for noticing and conducting community association meetings – 20% and including ~~25%~~:

- 1. Preparing First and Second Notice of Date of Election;
- 2. Preparing the Ballot;
- 3. Preparing Written Notice of Annual Meeting;
- 4. Preparing Annual Meeting Agenda;
- 5. Preparing Affidavit of Mailing;
- 6. Preparing Notice of Board Meeting and Board meeting Agenda;

7. Determining the timing, method, and form of giving notices of meetings;

8. Determining the votes necessary to take certain actions; and

9. Florida Statutes and Administrative Codes governing community associations.

(c) Preparation of Community Association Budgets and Community Association Finances – 20% and including ~~25%~~:

- 1. Budget Requirements;
- 2. Calculating Reserves;
- 3. Cash Management; and
- 4. Cash Protection.

(d) Insurance matters relating to Community Associations – 10% ~~12%~~; and including:

- 1. Statutory Requirements;
- 2. Identifying Risks; and
- 3. Establishing Replacement Costs.

(e) Management and maintenance – 20% and including ~~48%~~:

- 1. Office Management;
- 2. Disaster Planning;
- 3. Maintenance;
- 4. Communication;
- 5. Security;
- 6. Fire Safety;
- 7. Use Restriction Enforcement; and
- 8. Alternative Dispute Resolution.

(f) Management Firms' and Managers' responsibilities – 10%.

(3) Applicants who can document to the Council that they suffer from a disability or hardship shall be permitted to complete prelicensure education by either correspondence or on-line courses. Such documentation must be received and approved by the Council prior to enrolling and completing any correspondence or on-line prelicensure courses.

(a) The following shall constitute acceptable "hardships" as used in this rule:

1. The applicant's residence is more than 70 miles from the nearest physical location where prelicensure education is taught.

2. Providers are not offering any in-person prelicensure education courses within the twelve months preceding the next available examination.

(b) "Disability" as used in this rule shall mean a physical or mental impairment that substantially limits one or more of the major life activities of the applicant which would preclude the applicant from attending in-person prelicensure courses.

(4) Inclusion of a prelicensure course shall not preclude its inclusion in the continuing education curriculum.

Rulemaking Specific Authority 468.4315(2), 468.433(2)(d) FS. Law Implemented 468.433(2)(d) FS. History–New 1-3-01, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 22, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.: 61E14-1.002
 RULE TITLE: Examination for Manager’s License
 PURPOSE AND EFFECT: The proposed rule amendment is designed to increase the qualifications of licensees by revising the subjects tested in the Community Association Manager licensure examination.

SUMMARY: The proposed rules changes the subjects to be tested in the Community Association Manager to licensure examination to more closely track the pre-licensure education requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 468.4315 FS.
 LAW IMPLEMENTED: 455.217, 468.433 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: Anthony Spivey, Executive Director, Regulatory Council of Community Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

THE FULL TEXT OF THE PROPOSED RULE IS:

61E14-1.002 Examination for Manager’s License.

(1) An examination candidate must achieve a scaled score of 75 or higher in order to achieve a passing grade on the examination.

(2) The examination for a community association manager’s license as approved by the Council must test the applicant’s knowledge of the subjects in subsection 61E14-1.001(2), F.A.C. below, with the corresponding approximate percentages of questions to the examination as a whole:

- ~~(a) State and federal laws relating to the operation of all types of community associations, governing documents, and state laws relating to corporations and nonprofit corporations—20%;~~
- ~~(b) Proper preparation of community association budgets and community association finances—25%;~~
- ~~(c) Proper procedures for noticing and conducting community association meetings—25%;~~

- ~~(d) Insurance matters relating to community associations—12%; and~~
- ~~(e) Management skills—18%.~~

Rulemaking Specific Authority 468.4315 FS. Law Implemented 455.217, 468.433 FS. History—New 5-5-88, Amended 3-22-89, 8-17-89, 12-28-92, Formerly 7D-55.005, Amended 11-23-93, 10-9-94, Formerly 61B-55.005, Amended 5-4-97, 7-30-97, Formerly 61-20.502, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 5, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 22, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NOS.: 61H1-20.0094
 RULE TITLES: Standards for Accountants Services on Prospective Financial Statements
 61H1-20.0098 Standards for Business Valuations

PURPOSE AND EFFECT: The Board proposes the promulgation of Rule 61H1-20.0094, F.A.C., to clarify standards for accountants services on prospective financial statements; and the Board proposes the substantial rewrite of Rule 61H1-20.0098, F.A.C., to update the title and modify standards for business valuations.

SUMMARY: Standards for accountants’ services on prospective financial statements will be clarified; the title will be updated and the standards for business valuations will be modified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 473.304, 473.315 FS.
 LAW IMPLEMENTED: 473.315, 473.304 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULES IS:

61H1-20.0094 Standards for Accountants Services on Prospective Financial Statements.

“Standards for Accountants Services on Prospective Financial Statements” shall be deemed and construed to mean Statements on Standards Accountants Services on Prospective Financial Statements published by the American Institute of Certified Public Accountants in effect as of June 30, 2008, available from the AICPA’s Resource Online at www.cpa2biz.com or by telephonic request at 1(888)777-7077. A certified public accountant shall not permit his/her name to be used in conjunction with prospective financial statements unless he/she has complied with these standards and departures from these standards must be justified by those who do not follow them.

Rulemaking Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History–New _____.

61H1-20.0098 Standards for Business Valuations.

Certified public accountants performing business valuations for clients shall comply with the “Statement on Standards for Valuation Services No. 1.” as published by the American Institute of Certified Public Accountants, for engagements accepted after January 1, 2008. The Statement, hereby incorporated by reference, is dated June 2007 and is available from the AICPA’s resources online at <http://fvs.aicpa.org/Resources/Laws+Rules+Standards+and+Other+Related+Guidance/AICPA+Valuation+Standard+and+Implementation+Toolkit/> or call 1(888)777-7077. The rule does not encompass consulting engagements wherein a certified public accountant provides written or oral advisory services in which the client is informed in writing that the services provided were not performed in accordance with the “Statement on Standards for Valuation Services No. 1.” established by the AICPA.

Rulemaking Authority 473.304, 473.315 FS. Law Implemented 473.315 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 9, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-26.005 Address of Record

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify language concerning the certified public accountant, to delete unnecessary language, and to clarify change of address procedures.

SUMMARY: Language concerning the certified public accountant will be clarified; unnecessary language will be deleted; change of address procedures will be clarified.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 473.304 FS.

LAW IMPLEMENTED: 473.304 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-26.005 Address of Record ~~Notification of Address Change.~~

(1) All Florida certified public accountants ~~licensees~~ are required to have their correct street address on file with the Board office as their address of record. A post office box may be used for a mailing address, but it must be in addition to the ~~street address of record~~.

(2) Any time a Florida certified public accountant ~~that a licensee~~ changes his/her ~~their~~ street address of record or mailing address, ~~he/she they~~ must notify the Board office in writing within thirty days.

Rulemaking Specific Authority 473.304 FS. Law Implemented 473.304 FS. History–New 12-2-92, Formerly 21A-26.005, Amended 7-23-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 9, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-27.001
 RULE TITLE: College or University Requirements
 PURPOSE AND EFFECT: The Board proposes the rule amendment to add New Zealand to a list of countries for approval for its college or university accounting programs.

SUMMARY: New Zealand will be added to a list of countries for approval for its college or university accounting programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.306 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-27.001 College or University Requirements.

(1) An accredited college or university within the meaning of Section 473.306, F.S., is a four-year degree granting college or university in the State University System or other four-year degree granting educational institution accredited at the time applicant's degree was received by virtue of membership in one of the following regional accrediting agencies so listed:

- (a) through (g) No change.
- (h) Canadian, Mexican, Irish, ~~and~~ Australian, and New Zealand academic accounting programs approved by the provincial education bodies or the equivalent educational accreditation body for that country.

(2) through (3) No change.

Rulemaking Specific Authority 473.304, 473.306 FS. Law Implemented 473.306 FS. History--New 12-4-79, Amended 2-3-81, 3-21-84, 10-28-85, Formerly 21A-27.01, Amended 4-8-86, 9-1-87, 8-25-88, 12-28-89, 3-29-90, Formerly 21A-27.001, Amended 1-11-95, 5-11-03, 3-21-05, 4-9-06, 8-13-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Accountancy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Accountancy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 9, 2009

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.:	RULE TITLES:
62-348.100	Purpose and Applicability
62-348.200	Definitions
62-348.300	Application Requirements
62-348.500	Conditions for Issuance
62-348.600	Wetland Mitigation Design and Technical Criteria
62-348.700	Transfer of Permit
62-348.800	Reports
62-348.900	Forms

PURPOSE AND EFFECT: As required by Section 373.414(6)(e) of the Florida Statutes, the Department proposes to adopt a new Chapter 62-348 of the Florida Administrative Code. The proposed rule will apply to mining of predominantly high-quality peat that is being used by Florida's horticultural industry in products that incorporate other renewable or recyclable materials to replace or reduce the use of natural peat. The proposed rules are intended to provide alternative permitting and mitigation requirements when such mining is proposed in herbaceous and historically herbaceous wetlands.

SUMMARY: The alternative wetland mitigation requirements will be available for qualifying mines extracting high quality peat, based on the Von Post Humification Scale and the pH scale, from freshwater herbaceous wetlands or historically freshwater herbaceous wetlands. In accordance with the statutory provisions, the rule will not apply where excavation would occur in the sand or rock underlying the peat, where mining is part of a larger plan of development, or if any portion of the proposed mining involves an Outstanding Florida Water. The alternative requirements will allow a percentage of the excavated wetlands to be replaced with open water under certain conditions. The proposed rules will not require design modifications to reduce or eliminate adverse impacts to herbaceous wetlands having a current condition score of less than 0.80, as verified by the Department in accordance with the Uniform Mitigation Assessment Method of Chapter 62-345, F.A.C. The proposed rules will require that the project be designed to avoid adverse impacts to water quality, offsite flooding, significant historic or archeological resources, and listed species or their habitats.

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.

RULEMAKING AUTHORITY: 373.026(7), 373.043, 373.414, 373.4145, 373.418, 373.421, 403.0877, 403.805(1) FS.

LAW IMPLEMENTED: 373.019, 373.026(7), 373.042, 373.109, 373.117, 373.403, 373.409, 373.413, 373.4132, 373.414, 373.4141, 373.4142, 373.4145, 373.416, 373.418, 373.421, 373.4211, 373.426, 378.403, 403.031, 403.0877, 403.803 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: Wednesday, December 2, 2009, 1:00 p.m., Eastern Time

PLACE: Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, FL

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486 or Mary.VanTassel@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Howard J. Hayes, Program Administrator, Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Paul Dirac Drive, M.S. 715, Tallahassee, FL 32310-3760, or by e-mail at howard.hayes@dep.state.fl.us, or at (850)488-8217. (OGC No. 07-1077)

THE FULL TEXT OF THE PROPOSED RULES IS:

PERMITTING AND ALTERNATIVE Mitigation
for the Mining of High-quality Peat

62-348.100 Purpose and Applicability.

(1) Applicants who intend to mine high-quality peat may elect to use the provisions of this chapter. In accordance with Section 373.414(6)(e), F.S., this chapter provides additional permitting and alternative wetland mitigation requirements for processing wetland resource permits and environmental resource permits, in accordance with Part IV of Chapter 373, F.S., for the extraction of high-quality peat from certain herbaceous freshwater wetlands for use in the state's

horticultural industry. The requirements of this chapter are in addition to and not in lieu of the requirements of Chapters 62-312 and 62-345, F.A.C., for wetland resource permits and Chapters 62-330, 62-343, 62-345, and 62-346, F.A.C., for environmental resource permits, with the exception of the alternative wetland mitigation requirements for the extraction of high-quality peat.

(2) Florida's horticultural industry contributes to the economic strength of the state. High-quality peat is an important component of horticultural production in Florida. Obtaining high-quality peat typically and uniquely requires the mining of wetlands and other surface waters. Since high-quality peat is a limited resource, the use of recycled and renewable material to replace or reduce the use of natural peat is necessary for the future of the state's horticultural industry. This chapter shall be applied to the mining of peat from certain herbaceous freshwater wetlands, where no less than 80 percent of the extracted peat will be high-quality peat, and no less than 80 percent of the high-quality peat will be used in Florida by the horticultural industry in products that incorporate other renewable or recycled materials to replace or reduce the use of natural peat. Persons applying for use of this rule shall provide certification of the intended use of the resource by submitting Form 62-348.900(1), "Horticultural Use Certification for High-Quality Peat" incorporated by reference herein.

Rulemaking Authority 373.026(7), 373.043, 373.414, 373.4145 FS. Law Implemented 373.413, 373.414, 373.4145, 373.416, 373.421, 373.426 FS. History—New _____.

62-348.200 Definitions.

The definitions in Sections 373.019, 373.403, 378.403, 403.031 and 403.803, F.S., and the following definitions apply to this chapter:

(1) "Herbaceous freshwater wetlands" means wetlands where less than 10 percent of the vegetation is woody vegetation and the chloride concentration meets the definition of predominately freshwaters as defined in Rule 62-302.200, F.A.C. Such areas are typically known as marshes, but may include other forms of wetlands dominated by herbaceous freshwater vegetation.

(2) "High-quality peat" means peat from a herbaceous freshwater wetland that is classified as H1 to H4 on the von Post Humification Scale and has a pH less than 7. The following method, incorporated herein by reference, shall be used to determine the classification on the von Post Humification Scale, for use in this chapter: American Society for Testing and Materials, D5715-00 (Reapproved 2006) Standard Test Method for Estimating the Degree of Humification of Peat and Other Organic Soils (Visual/Manual Method), Volume 04.08, Issued March 2000. The following method, incorporated herein by reference, shall be used to determine the pH for use in this chapter: U.S. Environmental

Protection Agency, EPA 150.1, Methods for the Chemical Analysis of Water and Waste, EPA-600/4-79-020, Revised 1983.

(3) “High-quality peat extraction area” or “extraction area” means an area of herbaceous freshwater wetland, or an area of historically herbaceous freshwater wetland, where cumulatively no less than 80 percent of the extracted peat is high-quality peat.

(4) “Historically herbaceous freshwater wetlands” means wetlands that, as determined using aerial photography, would meet the definition of herbaceous freshwater wetlands if not for human alteration of environmental conditions.

(5) “Horticultural industry” means the industry that cultivates plants in Florida, such as, trees, shrubs, flowers, annuals, perennials, tropical foliage, liners, ferns, vines, bulbs, grafts, scions, or buds, but not turf grasses. The plants are grown or kept for propagation or distribution for retail, wholesale, or re-wholesale purposes.

(6) “Invasive Exotic” for purposes of this rule means those plant species listed in the Florida Exotic Pest Plant Council’s 2009 List of Invasive Species Category I and II, which is incorporated herein by reference.

(7) “Larger plan of development” means a common plan of development or sale that includes:

(a) Any activity initiated by the surveying, planning, or platting of contiguous real property, where such activity facilitates the advancement of a common type of land use (such as multiple residences, a residential subdivision, or phased site development) on the subject property; or

(b) Any activity on contiguous real property that comprises a total land area divided into three or more lots, parcels, tracts, tiers, blocks, sites, or units, and is served by a common road or road network or common surface water management system within that land area. Areas of land that are divided by public or private roads are considered contiguous if such areas are under one ownership or control.

(8) “Nuisance Species” shall mean plant species as defined in Rule 62-302.200, F.A.C.

(9) “Open water” means an area of surface waters as identified by Rule 62-340.600, F.A.C., which under normal circumstances does not support emergent vegetation. For the purpose of this definition, emergent vegetation does not include aquatic vegetation as defined in Rule 62-340.200, F.A.C.

(10) “Recycled materials” means those materials that are capable of being recycled and that would otherwise be processed or disposed of as solid waste.

(11) “Registered Professional” means a professional registered or licensed in Florida with the necessary expertise in the fields of hydrology, hydrogeology, hydraulics, drainage, flood control, erosion and sediment control, and stormwater pollution control, and who is qualified by education and experience in the technical analyses, design, and application of

required structures, processes, and systems, to design and certify the stormwater management systems under review. Examples of registered professionals, authorized pursuant to Chapter 455, F.S., and the respective practice acts by which they are regulated, are professional engineers licensed under Chapter 471, F.S., professional landscape architects licensed under Chapter 481, F.S., professional surveyors and mappers licensed under Chapter 472, F.S., and professional geologists licensed under Chapter 492, F.S. Registered professionals may sign and seal only those drawings, documents, and calculations commensurate with their skills, background, knowledge, education, and experience, and in accordance with their respective practice acts.

(12) “Renewable materials” means those materials that are able to be sustained indefinitely because of inexhaustible supplies or new growth.

Rulemaking Authority 373.026(7), 373.043, 373.414, 373.4145, 373.418, 373.421, 403.805(1) FS. Law Implemented 373.019, 373.403, 373.413, 373.414, 373.4145, 373.416, 373.421, 373.4211, 373.426, 378.403, 403.031, 403.803 FS. History—New _____.

62-348.300 Application Requirements.

Applicants using this rule shall submit Form 62-343.900(1) for an environmental resource permit, or within the geographical jurisdiction of the Northwest Florida Water Management District Form 62-312.900(1) for a wetland resource permit and Form 62-346.900(1) for an environmental resource permit. In addition, applicants shall submit the following plans and reports for the high-quality peat extraction area that will be subject to the wetland mitigation provisions of this chapter:

(1) Plans showing the depth to the clay, sand, or rock stratum under the area where peat is proposed for extraction, identified on a grid with a maximum horizontal interval no larger than 50 feet.

(2) Plans showing the proposed depth of excavation and extraction (below existing grade), identified on a grid with a maximum horizontal interval no larger than 50 feet.

(3) Plans and aerial photography showing the existing land use and land cover (acreage and percentages) mapped to at least Level III of the *Florida Land Use, Cover and Classification System* (Florida Department of Transportation, 1999), incorporated by reference herein. Each mapped unit shall be sufficiently homogenous in character to be assessed as a single unit. No mapped unit shall be smaller than 0.1 of an acre.

(4) For historically herbaceous freshwater wetlands that will be subject to the wetland mitigation provisions of this chapter, the application shall include documentation of the historic land cover conditions. Such documentation shall include at least a chronological sequence of dated aerial photographs demonstrating the historical character of the wetland. The applicant may provide any additional information

to supplement the aerial photography to demonstrate their claim that the wetland is a historically herbaceous freshwater wetland.

(5) A prospecting report describing the horizontal and vertical extent of the high-quality peat extraction area that will be subject to the wetland mitigation provisions of this chapter. The report shall be based on core samples from the proposed peat extraction area taken on a grid with a maximum horizontal sample spacing no larger than 100 feet. All core samples shall be included in the prospecting report. The report shall identify the location and relative depths where peat samples were collected and the results of the analysis, including for each core the classification and vertical extent of all layers that can be classified using the von Post Humification Scale. The analysis for any layer classified on the von Post Humification Scale as H1 to H4 shall also include the measurement of pH.

(6) Information required by Chapter 62-345, F.A.C., Uniform Mitigation Assessment Method, for all areas of wetlands proposed for extraction and for all wetland mitigation areas.

(7) Plans for all reclamation and wetland mitigation areas showing the proposed final grade elevations and water levels. Water levels shall include seasonal high and seasonal low water elevations. Wetland mitigation shall meet the design standards of Rule 62-348.600, F.A.C.

(8) Plans for the proposed land use and land cover (acreage and percentages) for all reclamation and wetland mitigation areas mapped to at least Level III of the *Florida Land Use, Cover and Classification System* (Florida Department of Transportation, 1999). Each mapped unit shall be sufficiently homogenous in character to be assessed as a single unit. No mapped unit shall be smaller than 0.1 of an acre.

(9) Form 62-348.900(1), "Horticultural Use Certification for High-Quality Peat."

Rulemaking Authority 373.026(7), 373.043, 373.118, 373.414, 373.415, 373.421, 403.0877 FS. Law Implemented 373.026(7), 373.109, 373.413, 373.414, 373.4141, 373.416, 373.426 FS. History—New _____.

62-348.500 Conditions for Issuance.

To obtain a permit under this chapter, an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal or abandonment of a surface water management system will meet all of the following requirements:

(1) Will meet the requirements of Chapters 62-312 and 62-345, F.A.C., for wetland resource permits, or Chapters 62-330, 62-343, 62-345, and 62-346, F.A.C., for environmental resource permits, except for wetland mitigation requirements for high-quality peat extraction areas. Chapter 62-348, F.A.C., specifies alternative wetland mitigation requirements for high-quality peat extraction areas;

(2) Will not include extraction in the underlying clay, sand or rock strata; however, nothing herein shall preclude the applicant from proposing plans for the excavation of sand necessary for the construction of onsite access or drainage features provided the underlying sand stratum is restored using the excavated materials or other clean clay, sand or rock during reclamation;

(3) No portion of the extraction or mitigation area is part of an existing or proposed larger plan of development;

(4) No portion of the mine is located in a body of water designated as Outstanding Florida Waters;

(5) Will not include within the high-quality peat extraction area wetlands having a current condition score of greater than or equal to 0.80, as verified by the Department in accordance with the Uniform Mitigation Assessment Method of Chapter 62-345, F.A.C.;

(6) No less than 80 percent of the peat to be extracted is high-quality peat and at least 80 percent of the high-quality peat will be used by the horticultural industry in products that incorporate other renewable or recycled materials to replace or reduce the use of natural peat; and

(7) Wetland mitigation will meet the design and technical criteria of Section 348.600, F.S.

Rulemaking Authority 373.026(7), 373.043, 373.4145, 373.421, 403.805(1) FS. Law Implemented 373.042, 373.409, 373.413, 373.4142, 373.4145, 373.416, 373.4142, 373.426 FS. History—New _____.

62-348.600 Wetland Mitigation Design and Technical Criteria.

The alternative wetland mitigation criteria for areas qualified for the provisions of this chapter shall meet all of the following requirements:

(1) The applicant shall not be required to modify the design to reduce or eliminate adverse impacts to high-quality peat extraction areas with a current condition score of less than 0.80, as verified by the Department in accordance with the Uniform Mitigation Assessment Method of Chapter 62-345, F.A.C., except to require that the project meet water quality standards, not cause adverse offsite flooding, not adversely impact significant historical and archeological resources pursuant to Section 267.061, F.S., and not cause adverse impacts to listed species or their habitats.

(2) Within extraction areas qualified for the provisions of this chapter, the applicant may reclaim up to 30 percent of the premining wetlands as open water, which shall be considered appropriate and sufficient mitigation for the adverse impacts to the wetlands. If the applicant chooses to reclaim more than 30 percent of the premining wetlands as open water, the applicant must propose wetland mitigation to address adverse impacts of the additional open water beyond the 30 percent. Regardless of the amount of mitigation proposed, the amount of open water within the extraction area shall not exceed 60 percent of the

premining wetlands. The wetland mitigation for open waters beyond 30 percent, shall meet the requirements of Chapters 62-312 and 62-345, F.A.C., for wetland resource permits and Chapters 62-330, 62-343, 62-345, and 62-346, F.A.C., for environmental resource permits, except for Rule 62-345.600, F.A.C.

(3) Wetland mitigation areas constructed within and contiguous to the extraction area, exclusive of the allowable open water, shall meet all of the following standards:

(3) Wetland mitigation areas constructed within and contiguous to the extraction area, exclusive of the allowable open water, shall meet all of the following standards:

(a) The requirements of Chapters 62-312 and 62-345, F.A.C., for wetland resource permits and Chapters 62-330, 62-343, 62-345, and 62-346, F.A.C., for environmental resource permits.

(b) Supports 80 percent cover by obligate and facultative wet emergent herbaceous vegetation.

(c) Slopes no steeper than 6 horizontal to 1 vertical, from the seasonal high water elevation to a depth of five feet below the seasonal high water elevation.

(d) Invasive exotic and nuisance species shall be less than 5 percent of the cover.

(e) The required slopes and vegetation cover shall be complete within three years of the initial contouring of the mitigation area.

(4) The permittee shall ensure that sufficient quantities of peat or sand are available to provide sufficient planting area to complete wetland mitigation within extraction areas.

(5) The annual reports required by subsection 62-348.800(1), F.A.C., shall demonstrate that no less than 80 percent of the extracted peat was high-quality peat and at least 80 percent of the high-quality peat was used by the Florida horticultural industry in products that incorporate other renewable or recycled materials to replace or reduce the use of natural peat.

Rulemaking Authority 373.026(7), 373.043, 373.414, 373.4145, 373.418, 373.421, 403.0877 FS. Law Implemented 373.026(7), 373.109, 373.413, 373.414, 373.4141, 373.416, 373.426 FS. History—New _____.

62-348.700 Transfer of Permit.

In addition to the requirements for transfer of Chapter 62-312, F.A.C., for wetland resource permits, or Chapters 62-330, 62-343, and 62-346, F.A.C., for environmental resource permits, the application for transfer of a permit under this chapter shall include the following:

(1) The permittee shall provide a production report using Form No. 62-348.900(2) “Annual Production Report For High-Quality Peat,” incorporated by reference herein, for that portion of the calendar year when production was under the control of the permittee.

(2) The transferee shall provide certification of the intended use of the resource by submitting Form 62-348.900(1), “Horticultural Use Certification for High-Quality Peat.”

Rulemaking Authority 373.026(7), 373.043, 373.414, 373.4145, 373.418, 403.0877 FS. Law Implemented 373.026(7), 373.109, 373.413, 373.414, 373.4141, 373.416, 373.426 FS. History—New _____.

62-348.800 Reports.

(1) The permittee shall maintain records for the life of the permit of the sales and usage of high-quality peat extracted from areas authorized by the permit. The sales and usage records shall include for each month: the quantity of high-quality peat extracted; a list of customers that received high-quality peat, and the quantity of high-quality peat received; the quantity of high-quality peat sold or used that included recycled or renewable materials to replace or reduce the use of natural peat, and the percentage of product that was recycled or renewable material; and the quantity of high-quality peat sold that did not contain recycled or renewable material. Records shall be available to Department staff upon request.

(2) On or before March 1 of each year, the permittee shall provide a report to the Department for the previous calendar year using Form No. 62-348.900(2) “Annual Production Report For High-Quality Peat,” incorporated by reference herein. The report shall identify only quantities of high-quality peat extracted from areas that will be subject to the provisions of this chapter. The report shall provide all of the following:

(a) Permittee name, project name, permit number, and calendar year of the report.

(b) The quantity of high-quality peat, based on weight or volume, extracted during the calendar year.

(c) The quantity of high-quality peat, based on weight or volume, sold or used during the calendar year that included renewable or recyclable materials used to replace or reduce the use of peat.

(d) The quantity of high-quality peat, based on weight or volume, sold or used during the calendar year that did not include renewable or recyclable materials.

(e) The cumulative total of high-quality peat extracted, sold, and used, from the start of extraction through the most recent calendar year based on previous annual reports.

(3) The Department shall be entitled to audit the monthly sales and usage records required to be maintained by subsection 62-348.800(1), F.A.C.

(4) Upon completion of extraction at a mine, or a portion of a mine, the permittee shall begin reclamation of wetlands within the extraction area. No later than 60 days after achieving final grade, the permittee shall provide to the Department a topographic and bathymetric map of the reclamation area that meets the following criteria:

(a) One-foot contour intervals based on a 10-foot, or finer, resolution grid;

(b) The topography/bathymetry of the site shall be depicted in such a way as to unambiguously show how the site will retain, detain, shed, or otherwise influence the flow and detention of water at the site; and

(c) Certification by a registered professional.

Rulemaking Authority 373.026(7), 373.043, 373.414, 373.4145, 373.418, 403.0877 FS. Law Implemented 373.019, 373.403, 373.413, 373.414, 373.4145, 373.416, 373.421, 373.4211, 373.426, 378.403, 403.031, 403.803 FS. History—New _____.

62-348.900 Forms.

The forms used in this chapter are listed by rule number, which is also the form number, with the subject title and effective date. Copies of forms may be obtained from the Internet site of the Department or from any local district or branch office of the Department, or by writing to the Florida Department of Environmental Protection, Bureau of Mining and Minerals Regulation, M.S. 715, 2041 East Paul Dirac Drive, Tallahassee, Florida 32310-3760.

(1) Horticultural Use Certification for High-Quality Peat. [Effective Date].

(2) Annual Production Report for High-Quality Peat. [Effective Date].

Rulemaking Authority 373.026(7), 373.043, 373.414, 373.4145, 373.418, 403.0877 FS. Law Implemented 373.019, 373.403, 373.413, 373.414, 373.4145, 373.416, 373.421, 373.4211, 373.426, 378.403, 403.031, 403.803 FS. History—New _____.

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

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 19, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2008

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-3.008
RULE TITLE: Board Expert or Technical Advice

PURPOSE AND EFFECT: To set forth in rule how the department uses the expert or technical advice of the boards regulating the health care professions.

SUMMARY: The health care regulatory boards help the department by approving expert witnesses and by recommending experts when the department needs expert or technical advice.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The agency has determined that this rule will not have an impact on small business.

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.

RULEMAKING AUTHORITY: 456.004(6) FS.

LAW IMPLEMENTED: 456.004(6) 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: Diane Orcutt, Deputy Director 4052 Bald Cypress Way, Bin #C75, Tallahassee, Florida 32399-3275

THE FULL TEXT OF THE PROPOSED RULE IS:

64B-3.008 Board Expert or Technical Advice.

The department shall contact the appropriate board for expert or technical advice as follows:

(1) The board or its designated probable cause panel shall be asked to review expert or technical credentials and shall approve all new expert witnesses with whom the department intends to enter into an agreement to provide services to support its investigations and prosecutions.

(2) As needed by the department, the board shall be asked to recommend an expert or experts for the department to consider for inspections, enforcement investigations, deposition or hearing testimony, or in other areas where the department determines a need for substantive expert or technical advice.

Rulemaking Authority 456.004 FS. Law Implemented 456.004(6), 456.073 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Diane Orcutt

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D. M.P.H.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 11, 2009

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.: 65C-35.001
65C-35.002
65C-35.003
RULE TITLES: Definitions
Behavioral Health Services
Parent or Legal Guardian Involvement

65C-35.004	Caregiver Involvement
65C-35.005	Child Involvement in Treatment Planning
65C-35.006	Taking a Child Into Custody who is Taking Psychotropic Medication
65C-35.007	Authority to Provide Psychotropic Medications to Children in Out-of-Home Care Placements
65C-35.008	Parent or Legal Guardian Declines to Consent to the Provision of Psychotropic Medication
65C-35.009	Parent/legal Guardian Rights Terminated; Parent/Legal Guardian Refuses to Participate; or Parent/legal Guardian Location/Identify Unknown
65C-35.010	Emergency Administration of Psychotropic Medication
65C-35.011	Medication Administration and Monitoring
65C-35.012	Requests for Second Opinions
65C-35.013	Medical Report

PURPOSE AND EFFECT: To promulgate rule as required by statute for the provision of psychotropic medications for children in out of home care.

SUMMARY: Psychotropic Medications.

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.

RULEMAKING AUTHORITY: 39.407(3) FS.

LAW IMPLEMENTED: 39.407(3) FS.

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

DATE AND TIME: December 7, 2009, 1:00 p.m. – 4:00 p.m.

PLACE: Department of Children and Families, Winnowed Complex, 1317 Winnowed Boulevard, Building 4, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Alan Abramowitz, Office of Family Safety, 1317 Winewood, Bldg. 1, Tallahassee, FL 32399-0700, phone: (850)488-8762; email: 65C_Psychotropic_Medication_Rule@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Alan Abramowitz, Office of Family Safety, 1317 Winewood, Bldg. 1, Tallahassee, FL 32399-0700, phone: (850)488-8762; email: 65C_Psychotropic_Medication_Rule@dcf.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

65C-35.001 Definitions.

(1) “Assent” when used in this Chapter means a process by which a provider of medical services helps the patient achieve a developmentally appropriate awareness of the nature of his or her condition; informs the patient of what can be expected with tests and treatment; makes a clinical assessment of the patient’s understanding of the situation and the factors influencing how he or she is responding; and solicits an expression of the patient’s willingness to accept the proposed care.

(2) “Behavioral Health Assessment” includes both Comprehensive Behavioral Health Assessments as defined by the Medicaid Community Mental Health Services Coverage and Limitations Handbook and all other assessments performed by mental health professionals.

(3) “Caregiver” means, for purpose of this chapter, the person or persons with whom the child resides or who is responsible for providing the child’s daily needs.

(4) “Chemical Restraint” means the use of a psychotropic drug as a restraint to control behavior or restrict freedom of movement that is not a standard treatment for the person’s medical or psychiatric condition.

(5) “Children’s Legal Services” is a statewide law firm within the Department of Children and Families.

(6) “Child Protective Investigator” means an authorized agent in a professional position within the Department or designated sheriff’s office with the authority and responsibility of investigating reports of child abuse, neglect, or abandonment received by the Florida Abuse Hotline as defined in Section 39.01(58), F.S.

(7) “Department” means the Department of Children and Family Services.

(8) “Dependency Case Manager” means an individual who is accountable for service delivery regarding safety, permanency, and well-being for a caseload of children in out-of-home care.

(9) “Dependency case plan” means the dependency case plan as defined in Section 39.01(11), F.S., which refers to the services plan jointly developed between the family and dependency case manager delineating specific interventions aimed at addressing the contributing factors and underlying conditions that lead to child maltreatment.

(10) “Express and Informed Consent” means consent from a child’s parent or legal guardian as defined in Section 394.455(9), F.S. and as described in Section 394.459(3)(a), F.S. See those sections for further details.

(11) “Florida Safe Families Network (FSFN)” is the Statewide Automated Child Welfare Information System (SACWIS) for the state of Florida. FSFN is the electronic system of record for each case. It contains information regarding a particular child and his or her family.

(12) “Lead Agency” means the not-for-profit or governmental community-based care provider responsible for the provision of support and services for eligible children and their families who have been abused, abandoned, or neglected.

(13) “Legal Guardian” means a permanent guardian as described in Section 39.6221, F.S., or a “guardian” as defined in Section 744.102, F.S., or a relative with a court order of temporary custody under Chapter 751, F.S. Dependency case managers and Guardian Ad Litem do not meet the definition of guardian.

(14) “Medical Report” means a report prepared by the prescribing physician that includes information required by Section 39.407(3)(c), F.S. The form for the medical report is “Medical Report” (form CF-FSP 5339 dated October 2009), which is hereby incorporated by reference and is available by contacting the Family Safety Program Office at 1317 Winewood Boulevard, Tallahassee, Florida 32399-0700, or at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.

(15) “Out-of-Home Care” means the placement of a child, arranged and supervised by the Department of Children and Families or its agent, outside the home of the child’s custodial parent or legal guardian. This includes placement in licensed shelter, foster home, group home, Residential Treatment Center (including Statewide Inpatient Psychiatric Programs), and non-licensed relative/non-relative settings.

(16) “Prescribing Physician” is a physician licensed under Chapter 458 or 459, Florida Statutes.

(17) “Psychotropic Medication” means, for the purpose of this rule, any chemical substance prescribed with the intent to treat: disturbances of reality testing, cognitive impairment, mood disorders or emotional dysregulation; and those substances, which though prescribed with the intent to treat other medical conditions have the effect of altering brain chemistry or involve any of the medications in the categories listed below. The medications include, without limitation, the following major categories:

(a) Antipsychotics;

(b) Antidepressants;

(c) Sedative Hypnotics;

(d) Lithium;

(e) Stimulants;

(f) Non-stimulant Attention Deficit Hyperactivity Disorder medications;

(g) Anti-dementia medications and cognition enhancers;

(h) Anticonvulsants and alpha-2 agonists; and

(i) Any other medication used to stabilize or improve mood, mental status, behavior, or mental illness.

(18) “Residential treatment center” means a 24-hour residential program which provides mental health services to emotionally disturbed children or adolescents as defined in Section 394.492(5) or (6), F.S., that is licensed by the Agency for Health Care Administration. For purposes of this rule, therapeutic group homes are not considered a residential treatment center.

(19) “Resource Record” means the child’s standardized record that contains copies of all available and accessible medical and psychological information pertaining to the child as described in subsections 65C-30.001(24) and 65C-30.011(4)-(6), F.A.C.

(20) “Statewide Inpatient Psychiatric Program” or “SIPP” means those residential mental health treatment programs selected and contracted by the Agency for Healthcare Administration to participate in the Institution for Mental Disease waiver.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(1), (2), (3) FS. History—New _____.

65C-35.002 Behavioral Health Services.

(1) Behavioral health services shall be provided to children in out-of-home care without delay once the need for such services is identified. Prior to prescribing a psychotropic medication, the physician must consider other treatment interventions that may include, but are not limited to, medical, mental health, behavioral, counseling, or other services.

(2) The child’s dependency case manager will ensure that all behavioral health services that are identified in behavioral health assessments or prescribed by a medical or mental health professional have been integrated into the child’s dependency case plan and are provided to the child in a timely manner.

(3) The department and contracted service providers who provide behavioral health services shall comply with the requirements of Section 39.407(3), F.S., and the Florida Rules of Juvenile Procedure 8.355 whenever a child is considered for administration of psychotropic medications.

(4) The Medical Report must include recommendations for behavioral health services that the psychotropic medication will be used in adjunct to as required by Section 39.407(3)(g), F.S.

(5) The administration of psychotropic medication for the sole purpose of chemical restraint is strictly prohibited.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(1), (3), 39.6012(2), 409.1671 FS. History—New _____.

65C-35.003 Parent or Legal Guardian Involvement.

(1) The dependency case manager or child protective investigator shall make reasonable efforts to ensure that the child's parent or legal guardian attends medical appointments and obtains the information about medications, possible side effects, etc.

(2) If the parent or legal guardian is unable to attend medical appointments, the dependency case manager or child protective investigator shall convey the information to the parent or legal guardian. The information conveyed shall include:

(a) A copy of the Medical Report;

(b) The method of administering the medication;

(c) An explanation of the nature and purpose of the treatment;

(d) The recognized side effects, risks and contraindications of the medication;

(e) Drug-interaction precautions;

(f) Possible side effects of stopping the medication; and

(g) How treatment will be monitored.

(h) The physician's plan to reduce and/or eliminate ongoing administration of the medication.

(3) When the court has authorized the provision of psychotropic medications, the dependency case manager or child protective investigator must continue to try to involve the parent or legal guardian in the child's ongoing medical treatment planning, and shall continue to facilitate the parent or legal guardian's communication with the prescribing physician so that the parent or legal guardian has the opportunity to consider whether to authorize the provision of any new medications or dosages, unless the parent or legal guardian's rights have been terminated.

(4) The dependency case manager or child protective investigator shall make the following minimum efforts to enable the prescribing physician to obtain express and informed consent from the child's parent or legal guardian.

(a) Attempt to invite the parent or legal guardian to the doctor's appointment and to offer them transportation to the appointment, if necessary.

(b) Attempt to contact the parent or legal guardian as soon as possible upon learning of the recommendation for psychotropic medication by the prescribing physician and provide specific information to them on how and when to contact the physician.

(c) Facilitate transportation arrangements to the appointment and/or telephone calls between the parent or legal guardian and the prescribing physician.

(5) If there are any changes in medication, including dosage or dosage range, that go beyond the existing authorization, the dependency case manager or child protective investigator will be responsible for facilitating discussions between the prescribing physician and the parent or legal

guardian or pursuing a new court authorization. The dependency case manager or child protective investigator shall inform Children's Legal Services and all parties of any changes in medication and shall provide Children's Legal Services with a copy of the amended Medical Report.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3), 409.1671 FS. History--New _____.

65C-35.004 Caregiver Involvement.

(1) The child's caregiver must make every effort to attend medical appointments and obtain the information about medications, possible side effects, etc. Caregivers do not have the authority to provide express and informed consent for psychotropic medication. However, nothing in this rule prohibits caregivers from expressing their concerns regarding prescribing psychotropic medication to children.

(2) If the caregiver is unable to attend, the child's appointment should be rescheduled to allow attendance. If the appointment cannot be rescheduled, the dependency case manager or child protective investigator shall attend the appointment and convey the information to the caregiver. The information to be conveyed shall include:

(a) The method of administering the medication;

(b) An explanation of the nature and purpose of the treatment;

(c) The recognized side effects, risks and contraindications of the medication;

(d) Drug-interaction precautions;

(e) Possible side effects of stopping the medication;

(f) How treatment will be monitored; and

(g) The physician's plan to reduce and/or eliminate ongoing administration of the medication.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3) FS. History--New _____.

65C-35.005 Child Involvement in Treatment Planning.

(1) The prescribing physician must discuss the proposed course of treatment with the child, in developmentally appropriate language the child can understand. The physician must explain the risks and benefits of the prescribed medication to the child.

(2) The physician will discuss the medication proposed, the reason for the medication, and the signs or symptoms to report to caregivers. Information discussed with the child shall include:

(a) Alternative treatment options;

(b) The method of administering the medication;

(c) An explanation of the nature and purpose of the treatment;

(d) The recognized side effects, risks and contraindications of the medication;

(e) Drug-interaction precautions;

(f) Possible side effects of stopping the medication;

(g) How treatment will be monitored; and

(h) The physician's plan to reduce and/or eliminate ongoing administration of the medication.

(3) The prescribing physician must ascertain the child's position with regard to the medication and consider whether to revise the recommendation based on the child's input. The child's position must be noted in the Medical Report.

(a) It is the physician's responsibility to inform the child as clearly as possible and as fully as is appropriate. However, the child's failure to understand or assent to treatment is not, by itself, sufficient to prevent the administration of a prescribed medication. Likewise, the child's assent to the treatment is not a substitute for express and informed consent by a parent or legal guardian or a court order. Children are more likely to be successful in treatment if they fully understand and participate in treatment decisions.

(b) If a child of sufficient age, understanding, and maturity declines to assent to the psychotropic medication, the dependency case manager or child protective investigator will request that Children's Legal Services request an attorney be appointed for the child.

(4) Whenever the child requests the discontinuation of the psychotropic medication, and the prescribing physician refuses to order the discontinuation, the dependency case manager or child protective investigator will request that Children's Legal Services request an attorney be appointed for the child. Children's Legal Services will notice all parties and file a motion with the court presenting the child's concerns, the physician's recommendation, and any other relevant information, pursuant to Section 39.407(3)(d)1., F.S.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3) FS. History--New _____.

65C-35.006 Taking a Child Into Custody who is Taking Psychotropic Medication.

(1) When a child protective investigator takes a child into custody they must determine whether the child is taking psychotropic medications. If so, the child protective investigator must ascertain the purpose of the medication, the name and phone number of the prescribing physician, the dosage, instructions regarding administration (e.g., timing, whether to administer with food), and any other information.

(a) The child protective investigator must seek written authorization from the parent or legal guardian to continue administration of currently prescribed psychotropic medications. This authorization is good for the first 28 days the child is in shelter.

(b) The child protective investigator must take the following actions:

1. If the medication is in its original container, and clearly marked as a current prescription for the child, the medication must continue to be provided to the child.

2. If the medication is not in the original container, is not clearly marked and current, a physician or pharmacist must confirm that the medication is the child's prescription and that the prescription is current. Current means the child is or should be taking the medication at the time the child is taken into custody, according to the prescription information.

3. If there is a pre-existing prescription and the other conditions regarding the medication's container, labeling, and current date above are met, the psychotropic medication must be provided to the child as prescribed, but only until the emergency shelter hearing is held as required by Section 39.407(3)(b)1., F.S.

4. The child protective investigator may determine that the medication does not meet the conditions of being "in the original container, clearly marked, and current." In this case, the medication provided by the parent or legal guardian will not be administered to the child until the identity of the medication is confirmed by a physician or pharmacist.

5. If a physician or pharmacist is unable to confirm the identity of any provided medications, the child will be evaluated by a physician at the child health check-up (within 72 hours). The physician will determine the on-going need for a currently prescribed psychotropic medication.

(2) To continue administering the medication beyond the date of the shelter hearing, the child protective investigator must have a determination from a physician licensed under Chapter 458 or Chapter 459, Florida Statutes, that the child should continue the psychotropic medication. This determination must be transmitted in writing to Children's Legal Services.

(3) If the dependency case manager or the child protective investigator is unable to contact the prescribing physician prior to the shelter hearing, the information on the medication bottle may be used by the court as evidence of the intent of the prescribing physician to continue the medication until medical advice can be obtained by the dependency case manager or child protective investigator.

(4) In the absence of parent or legal guardian authorization, when a physician determines the child should continue psychotropic medication, Children's Legal Services must file a motion requesting that continuation of the medication be determined at the shelter hearing. The motion must indicate the prescribing physician's reasons for wanting to continue the medication and provide the court with any other available information relevant to the request.

(5) Authorization in a shelter order to continue the medication shall be valid only until the arraignment hearing on the petition for dependency, or for 28 days following the date of removal, whichever occurs first.

(6) Within 28 days of removal, or no later than the arraignment hearing on the petition for dependency, whichever occurs first, the child must be evaluated by a physician to determine whether it is appropriate to continue the medication.

(7) All actions taken by the child protective investigator will be entered into FSFN within three (3) days of receipt of the parent or legal guardian authorization or court order approving the medication.

(8) The parent or legal guardian authorization to continue a psychotropic medication that was obtained at the point of a child's removal is separate from the general "Consent for Treatment and Release of Information". The general consent allows ordinary and necessary medical and dental care, to include immunizations, tuberculin testing, and well child care. The administration of psychotropic medication is considered an extraordinary procedure for which parental informed consent or a court order is required by law.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(1), (2), (3) FS. History—New

65C-35.007 Authority to Provide Psychotropic Medications to Children in Out-of-Home Care Placements.

(1) Parents or legal guardians retain the right to consent to or decline the administration of psychotropic medications for children taken into state care until such time as their parental rights, or court ordered guardianship or custodial rights, have been terminated.

(2) If the parents' or guardians' legal rights have been terminated; their identity or location is unknown; or they decline to approve administration of psychotropic medication, and any party believes that administration of the medication is in the best interest of the child and medically necessary, then authorization to treat with psychotropic medication must be pursued through a court order. Children's Legal Services must file a motion in court that will allow the court to "hear" the request and upon consideration of the facts, circumstances, and law, authorize the provision of the medication. Court authorization must occur before the psychotropic medication is administered to the child except in the circumstances described in Rule 65C-32.010, F.A.C.

(3) In no case may the dependency case manager, child protective investigator, the child's caregiver, representatives from the Department of Juvenile Justice, or staff from Residential Treatment Centers provide express and informed consent for a child in out-of-home care to be prescribed a psychotropic medication unless permitted pursuant to a court order with specificity.

(4) The dependency case manager or child protective investigator must assist the prescribing physician in obtaining express and informed consent and must take steps as required in subsection 65C-35.003(4), F.A.C., to include the parent or legal guardian in the child's consultation with the prescribing physician.

(5) All details about prescribed psychotropic medications, updates, (including changes in dosage or physician prescribed cessation of the medication), including all actions taken by the

dependency case manager or child protective investigator, will be entered into FSFN by the dependency case manager or child protective investigator within three (3) days of the action.

(6) If a child on psychotropic medication is moved from an out-of-home placement and placed into another out-of-home placement, the dependency case manager or child protective investigator must obtain the child's Resource Record and any psychotropic prescription medication currently taken by the child. The dependency case manager or child protective investigator must provide the caregiver receiving the child sufficient information about the medication, as provided below, to ensure that the medication is continued as directed by the prescribing physician. The dependency case manager or child protective investigator shall obtain the medication in labeled medication bottles, inventory the medications provided, and transport the medications to the child's new caregiver. At no time shall the medication be handed to the child. The information provided to the caregiver shall include, at a minimum:

(a) The full name of the child for whom the medication is prescribed;

(b) The condition and purpose for which the medication is prescribed for this child;

(c) The prescribing physician's name and contact information;

(d) The pharmacy from which the prescription was obtained and the contact information;

(e) The prescription number;

(f) The drug name and dosage;

(g) The times, frequency and method of administration, and if the dosages vary at different times;

(h) Any identified side effects, risks and contraindications (including possible side effects of stopping the medication);

(i) Any other specific instructions regarding the medication;

(j) The physician's plan to reduce and/or eliminate ongoing administration of the medication; and

(k) A space for the caregiver to sign and date the medication inventory to indicate receipt of the child's medication.

(7) If the child is moved from an out-of-home placement and placed into another out-of-home placement and the medication is in an unlabeled container or prescription information is insufficient, the dependency case manager or child protective investigator shall contact the prescribing physician to ensure the proper identification and labeling of the medication or to arrange for a medical evaluation in order that treatment not be interrupted.

(8) Whenever a child in out-of-home care is receiving psychotropic medications pursuant to express and informed consent by the parent or legal guardian or as authorized by an order of the court, the Department shall fully inform the court of the child's medical and behavioral status at each subsequent

Judicial Review hearing, and shall furnish copies of all pertinent medical records contained in the child's Resource Record that have been generated since the previous court hearing, including the Medical Report.

(9) When court authorization is needed to provide psychotropic medication, the dependency case manager or child protective investigator shall provide Children's Legal Services a written report that documents efforts made to enable the prescribing physician to obtain express and informed consent from the child's parent or legal guardian. This report must include:

(a) Dates and time the dependency case manager or child protective investigator attempted to contact the parent or legal guardian by phone or other means upon learning of the recommendation for psychotropic medication by the prescribing physician.

(b) Dates, times, and methods used to attempt to contact the parent or legal guardian and provide them with specific information for how and when to contact the physician.

(c) Efforts to facilitate transportation arrangements to the appointment and/or telephone calls between the parent or legal guardian and the prescribing physician.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(2), (3), 409.1671 FS. History--New _____.

65C-35.008 Parent or Legal Guardian Declines to Consent to the Provision of Psychotropic Medication.

(1) If the parent or legal guardian declines to authorize the provision of psychotropic medication, the parent or legal guardian's decision, and any reason provided therefore, must be recorded in the Medical Report. If the prescribing physician determines that the parent or legal guardian cannot provide express and informed consent, the basis for that determination must be recorded in the Medical Report. In either event, the following steps must be taken.

(a) The dependency case manager shall consult with the prescribing physician within one (1) business day of being notified that the parent will not authorize the provision of psychotropic medication or is found by the prescribing physician to lack the ability to provide express and informed consent.

(b) If the prescribing physician determines that the medication is medically necessary for the child despite the lack of authorization; the prescribing physician must include the reasons for recommending the administration of the medication in the Medical Report.

(c) The dependency case manager shall provide Children's Legal Services with the information necessary to inform the court that psychotropic medication has been recommended but not authorized; the reasons the parent or legal guardian did not authorize the provision of the medication, and the prescribing physician's position regarding the need to administer the

medication. Children's Legal Services shall file a motion to authorize medication within one business day of this consultation.

(2) If, after considering the parent or legal guardian's position, the prescribing physician chooses to revise the recommended treatment, the prescribing physician must document this revision in the Medical Report.

(3) When the parent declines to provide express and informed consent, the Department must seek court approval for the administration of psychotropic medication. The following steps must be taken:

(a) The dependency case manager must obtain a completed Medical Report from the prescribing physician.

(b) Within three (3) business days of receiving the Medical Report from the prescribing physician, the dependency case manager must submit the supporting documentation to Children's Legal Services, with a request for legal action to obtain a court order authorizing the administration of the prescribed medication.

(c) Children's Legal Services must file a motion in court that will allow the court to "hear" the request and upon consideration of the facts, circumstances, and law, determine whether to authorize the provision of the medication. Court authorization must occur before the psychotropic medication is administered to the child.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(1), (2), (3) FS. History--New _____.

65C-35.009 Parent/legal Guardian Rights Terminated; Parent/Legal Guardian Refuses to Participate; or Parent/legal Guardian Location/Identify Unknown.

(1) Whenever the parent or legal guardian rights have been terminated, the parent/legal guardian refuses to participate in the child's treatment, or the parent or legal guardian's location or identity is unknown or cannot reasonably be ascertained, the Department must seek court approval for the administration of psychotropic medication.

(2) The dependency case manager or child protective investigator must obtain from the prescribing physician the completed Medical Report.

(3) Within one (1) business day of receiving the Medical Report from the prescribing physician, the dependency case manager or child protective investigator must submit the Medical Report and other documentation to Children's Legal Services, with a request for court authorization to administer the prescribed medication.

(4) Children's Legal Services must file a motion in court that will allow the court to "hear" the request and upon consideration of the facts, circumstances, and law, authorize the provision of the medication. Court authorization must occur before the psychotropic medication is administered to the child.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3), 409.1671 FS. History—New _____.

65C-35.010 Emergency Administration of Psychotropic Medication.

(1) Psychotropic medications may be administered in advance of a court order or parental authorization at the time the child is admitted to any hospital, Crisis Stabilization Unit (CSU) or Psychiatric Residential Treatment Center if the prescribing physician certifies that delay in providing the prescribed psychotropic medication would more likely than not cause significant harm to the child.

(2) The dependency case manager or child protective investigator must assist the prescribing physician in obtaining express and informed consent and must take steps as required in subsection 65C-35.003(4), F.A.C., to include the parent or legal guardian in the child's consultation with the prescribing physician.

(3) If the prescribing physician did not obtain express and informed consent from the parent or legal guardian, the dependency case manager or child protective investigator must obtain a completed copy of the Medical Report that is signed by a treating physician and provide it to Children's Legal Services within two (2) business days after the medication is initiated. This report shall also be provided to the child's Guardian Ad Litem, the child's lawyer and all other parties within two (2) business days of initiation of the medication to the child.

(a) Children's Legal Services shall schedule the motion to be heard at the next regularly scheduled court hearing, or within 30 days after the date of the prescription, whichever occurs sooner. All parties shall be notified within three (3) working days.

(b) If any party objects to the court shall hold a hearing within seven (7) calendar days.

(c) Medication information will be entered into FSFN within three (3) days of beginning the medication.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(1), (2), (3) FS. History—New _____.

65C-35.011 Medication Administration and Monitoring.

(1) Psychotropic medications will be administered only by the child's caregivers. Children who are age and developmentally appropriate must be given the choice to self administer medication under the supervision of the caregiver or school personnel. Children assessed as appropriate to self administer medication must be educated on the following:

(a) The method of administering the medication;

(b) The recognized side effects, risks and contraindications of the medication;

(c) Drug-interaction precautions;

(d) Possible side effects of stopping the medication; and

(e) How medication administration will be supervised by the caregiver.

(2) The dependency case manager or other designee will attend medication reviews as requested by the prescribing physician and/or agency.

(3) The monitoring of the use of psychotropic medication provided to children will be a joint responsibility between the prescribing physician, caregiver, dependency case manager or child protective investigator, and the supervisor.

(4) The dependency case manager or child protective investigator is responsible for implementing the medication plan developed by the prescribing physician. The dependency case manager or child protective investigator will arrange for any additional medical evaluations and laboratory tests required. All information will be added to the child's Resource Record. Results of evaluations and tests will be reported to Children's Legal Services, all parties, and the prescribing physician.

(5) Any person with information that calls into question the child's health and safety, including but not limited to the signs or symptoms of side effects or adverse reactions to the medication, shall immediately bring that information to the attention of the prescribing physician and child protective investigator's or dependency case manager's supervisor, and emergency services arranged as appropriate to protect the child's safety and well being. This information shall be provided to Children's Legal Services, the court, and all parties within three (3) business days of the reported concerns.

(6) The dependency case manager or child protective investigator, the supervisor, and the caregiver have joint responsibility to assure the physician's directions and intent as documented in the completed Medical Report and Medication Treatment Plan are implemented.

(7) The Department or its contracted service providers will develop locally approved medication logs for documenting the administration of psychotropic medications and any side effects or adverse reactions.

(8) Dependency case manager supervisors and child protective investigator supervisors shall provide on-going review and oversight of children prescribed psychotropic medications.

(9) A statewide workgroup shall be appointed by the Secretary of the Department to give recommendations to the Department that will ensure the safety and efficacy of psychotropic medication, including the utilization of pre-consent reviews or second opinions by child psychiatrists. These recommendations may be amended into the lead agency contracts at the discretion of the Secretary.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(2), (3), 409.1671 FS. History—New _____.

65C-35.012 Requests for Second Opinions.

(1) The child protective investigator or dependency case manager may seek a second medical opinion at any time after consultation with a supervisor as to the need for a second opinion.

(2) When any party files a motion requesting that the court order a second medical opinion, the court may order the Department or its contracted service provider to obtain a second opinion within a reasonable timeframe as established by the court. Within one (1) business day of the court's order, the child protective investigator or the dependency case manager will make a referral for an appointment for the second opinion.

(3) The child protective investigator or dependency case manager must obtain the second opinion within twenty-one (21) calendar days or receipt of the court order. If the second opinion is not obtained within the required timeframes, the reasons for the delay must be reported to the court and all parties.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3)(d) FS. History--New _____.

65C-35.013 Medical Report.

If a court order is required to obtain authorization to administer psychotropic medication, the prescribing physician must complete and sign the Medical Report form that is incorporated by reference in Rule 65C-35.001, F.A.C., and includes all requirements set forth in Section 39.407(3)(c)1.-5., F.S. The physician may submit a medical report on a form of their choice as long as all information required in Section 39.407(3)(c)1.-5., F.S. and the Medical Report incorporated by reference in Rule 65C-35.001, F.A.C., is included.

Rulemaking Authority 39.407(3)(g) FS. Law Implemented 39.407(3)(c) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Alan Abramowitz, Office of Family Safety, 1317 Winewood, Bldg. 1, Tallahassee, FL 32399-0700, phone: (850)488-8762; email: 65C_Psychotropic_Medication_Rule@dcf.state.fl.us

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: George H. Sheldon, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 21, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 25, 2009, Vol. 35/38

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."

SPACE FLORIDA

RULE NOS.:	RULE TITLES:
57-50.001	General
57-50.002	Approval of Travel and Entertainment Expenses
57-50.003	Authority of the President to Make Advance Payment for Travel

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 33, August 21, 2009 issue of the Florida Administrative Weekly.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.:	RULE TITLE:
61E14-2.001	Standards of Professional Conduct

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 38, September 25, 2009 issue of the Florida Administrative Weekly.

The Board Staff submitted a revised Statement of Estimated Regulatory Costs (SERC), which supersedes the original SERC that was published in the Notice of Rulemaking. A summary of the revised SERC reads as follows:

- 2,768 Management Firms in addition to the already regulated 11,000 Community Association Manager will be required to comply with the rule; furthermore, all licensed Community Association Management Firms and Community Association Managers will be required to comply.
- The only costs to be incurred are rulemaking costs. No effect on state or local revenue is expected.
- The proposed change will impact 1,000 – 4,999 small businesses. No small county or city will be impacted by the rule.

The foregoing change does not affect the substance of the Notice. The person to be contacted regarding the above change is Anthony Spivey, Executive Director, Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: 61G10-18.002
 RULE TITLE: Board Approval of Continuing Education Providers

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. 35, No. 32, of the August 14, 2009, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures. The changes are as follows:

1. Subsection (2)(e)7. shall now read as follows:
 7. If applicant is providing a course by distanced learning: please outline the means by which the course promotes student involvement, and demonstrates that the course measures learning and addresses comprehension of content at regular intervals.

2. Subsection (2)(e)8. shall now read as follows:
 8. If applicant is not a business, but an individual, please attach a curriculum vitae or resume listing applicant's education and work experience. A list of the above requested information is available for your convenience from the Board Office or may be printed from the Board website at MyFloridaLicense.com.

3. Subsection (3) shall now read as follows:
 (3) Upon arrival, each continuing education provider shall be issued a provider number. That provider number shall be used in all advertising, course materials, promotional materials and on the required certificate.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NO.: 61G10-18.003
 RULE TITLE: Obligations of Continuing Education Providers

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. 35, No. 32, August 14, 2009 issue of the Florida Administrative Weekly.

The change is in response to written comments submitted by the staff of the Joint Administrative Procedures. The changes are as follows:

1. Subsection (2) shall now read as follows:
 (2) Comply with the requirements set forth in Section 455.2178, F.S.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-22.011
 RULE TITLE: Standards for Business Valuations

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 25, June 26, 2009 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-701.210	Documents Incorporated by Reference
62-701.300	Prohibitions
62-701.310	Approval of Alternate Procedures and Requirements
62-701.315	Permit Fees for Solid Waste Management Facilities
62-701.320	Solid Waste Management Facility Permit Requirements, General
62-701.520	Special Waste Handling
62-701.620	Long-Term Care
62-701.630	Financial Assurance
62-701.710	Waste Processing Facilities
62-701.730	Construction and Demolition Debris Disposal and Recycling

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. 35, No. 37, September 18, 2009 issue of the Florida Administrative Weekly.

62-701.210 Documents Incorporated by Reference.

Specific references to the documents listed below are made throughout this chapter. These documents are adopted as standards and are incorporated into this chapter by reference. The reference documents are available for inspection at the Department's district offices.

(1) through (11) No change.

(12) GRI Test Method GM13 revision ~~9 6~~ dated June ~~1 2009 23, 2003~~.

(13) PGI 1104 Specification for PVC Geomembrane, effective ~~April 15, 2008 January 1, 2004~~.

(14) through (17) No change.

(18) GRI Test Method GM17 revision ~~6 3~~ dated June ~~1 2009 23, 2003~~.

(19) through (20) No change.

62-701.300 Prohibitions.

(1) through (18) No change.

Rulemaking Authority No change.

Law Implemented 403.704, ~~403.7045(3)(d)~~, 403.707, 403.708 FS.

History No change.

62-701.310 Approval of Alternate Procedures and Requirements.

(1) through (7) No change.

Rulemaking Authority 403.0877, 403.704, 403.707 FS.

Law Implemented No change.

History No change.

62-701.315 Permit Fees for Solid Waste Management Facilities.

Notwithstanding the provisions of paragraph 62-4.050(4)(j), F.A.C., the following fees shall apply to permit applications for solid waste management facilities. The provisions of paragraphs 62-4.050(4)(o) through (v), F.A.C., continue to apply to such permits or applications. Fees for permit modifications are established in subsection 62-701.320(4), F.A.C.

(1) through (3) No change.

(4) Waste processing facility.

(a) Construction/operation permit \$2,000 ~~3,000~~

(b) No change.

(5) Construction and demolition debris disposal facilities.

(a) Construct, operate, and close a facility, including facilities that also recycle \$2,500 ~~4,000~~

(b) through (c) No change.

(6) through (11) No change.

62-701.320 Solid Waste Management Facility Permit Requirements, General.

(1) through (18) No change.

Rulemaking Authority No change.

Law Implemented 403.0877, 403.121(3)(e), 403.702, 403.704, 403.707, 403.716, FS.

History No change.

62-701.520 Special Waste Handling.

(1) through (3) No change.

(4) Contaminated soil. Soil that has been contaminated with petroleum products or any other materials that are not hazardous wastes may be disposed of in Class I landfills, and may be used as initial or intermediate cover material at solid waste disposal facilities; if it meets the criteria of subsections ~~62-701.200(53) or (55) 62-701.200(33) and (53)~~, F.A.C., as appropriate be used as initial or intermediate cover material at solid waste disposal facilities. Contaminated soil that has the potential to leach constituents in excess of Department ground water standards or criteria may be used only at Class I landfills and only in those areas of the landfill where runoff or infiltration is captured by the leachate collection system.

(5) No change.

62-701.620 Long-Term Care.

(1) through (9) No change.

Rulemaking Authority No change.

Law Implemented 403.703(5), 403.704, 403.707 FS.

History No change.

62-701.630 Financial Assurance.

(1) through (3) No change.

(4) Cost adjustments for closure.

(a) No change.

1. No change.

2. Using an inflation factor derived from the most recent Implicit Price Deflator for Gross National Product published by the U.S. Department of Commerce in its Survey of Current Business as specified in subparagraphs (4)(a)2.a. and b. ~~(4)(b)2.a. and b.~~ of this section. The inflation factor is the result of dividing the latest published annual Deflator by the Deflator for the previous year.

a. through b. No change.

(c) through (d) No change.

(5) No change.

(6) Alternate proof of financial assurance.

(b) 40 CFR Part 264 Subpart H which contains EPA's rules on financial requirements for owners and operators of hazardous waste facilities are hereby adopted as financial requirements for purposes of this section incorporated by reference as those rules appear in 40 CFR Part 264, revised as of July 1, 2007, except:

1. The following sections of 40 CFR Part 264, Subpart H are specifically not adopted as part of this rule:

a. 264.140(a); ~~264.140(b); 264.140(d)~~; 264.141(a); 264.141(e); 264.142(b); 264.142(c); 264.143(f)(1); 264.144(b); 264.144(c); 264.145(f)(1); 264.147; 264.149; 264.150; and 264.151.

(7) through (10) No change.

62-701.710 Waste Processing Facilities.

(1) through (3) No change.

(4) Operational requirements.

(a) A permit application for a waste processing facility shall include the following operational requirements:

(1) No change.

2. A plan to inspect the wastes received by the facility, that specifies inspection procedures and procedures to handle unauthorized wastes; and

3. A contingency plan to cover operational interruptions and emergencies such as fires, explosions, or natural disasters.; and

~~4. A plan for the separation of CCA treated wood and disposal in an approved disposal facility.~~

(5) through (11) No change.

62-701.730 Construction and Demolition Debris Disposal and Recycling.

(1) Applicability.

(a) No person shall construct, operate or close an off-site construction and demolition debris disposal facility without a permit issued by the Department. All holders of construction or operation permits issued prior to [eff date] that contain conditions not in conformance with this chapter shall apply for modification of the permit to conform to this chapter to the District Office of the Department that issued the permit. The submission shall occur at the time of application for renewal of an existing permit, or before [eff date + 180 days], whichever is earlier. For purposes of this paragraph, a permit issued prior to [eff date], is deemed to include a completed permit application received by the Department prior to [eff date]. However, the provisions of paragraph (4)(h) of this section will not apply to any disposal units of a facility that have received a Department permit authorizing construction or operation prior to [eff date].

(b) No change.

(2) through (21) No change.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.351
 RULE TITLE: Standards for Approval of Registered Pharmacy Technician Training Programs

NOTICE OF PUBLIC HEARING

The Board of Pharmacy announces a hearing regarding the above rule, as noticed in Vol. 35, No. 38, September 25, 2009 Florida Administrative Weekly.

DATE AND TIME: Monday, November 16, 2009, 10:00 a.m., via teleconference. The conference call number is 1(888)808-6959, Code 5642037.

PLACE: n/a

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed text of Rule 64B16-26.351, F.A.C.

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 five days before the workshop/meeting by contacting: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NO.: 64J-1.0201
 RULE TITLE: EMS Instructor Qualifications

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. 35, No. 42, October 23, 2009 issue of the Florida Administrative Weekly.

The following change was not included in the October 2, 2009. This change has been made based on a written comment received by the public hearing deadline. The comment notes that this is the same date placed in the rule language under the lead instructor.

64J-1.0201(4)(e) replace July 1, 2011 with July 1, 2013.

**Section IV
 Emergency Rules**

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.: 12BER09-04
 RULE TITLE: Tax on Transfers of Ownership Interest in Legal Entities

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2009-131, Laws of Florida, authorizes the Department to promulgate an emergency rule, and to renew such rule, to implement the provisions of the law. The law provides that conditions necessary for an emergency rule and its renewal have been met. Section 201.02(1)(b), F.S., provides for the imposition of tax on transfers of ownership interest in a conduit entity when the transfer is within three years of a transfer of Florida real property into the conduit entity, documentary stamp tax was not paid on the full consideration when the real property was transferred into the conduit entity,

and the ownership interest transferred belonged to the grantor of the real property. This emergency rule provides how the tax is imposed, when the tax is due, and examples of transfers of real property that would be subject to the tax.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of an emergency rule, and the renewal of such rule, to implement Chapter 2009-131, Laws of Florida, and determined that all conditions necessary for this emergency rule have been met. This law imposes a tax on the transfer of a grantor's ownership interest in a conduit entity when the grantor conveyed real property to the conduit entity without having paid tax on the full consideration for the real property and the transfer is within three years after the grantor conveyed the real property to the conduit entity.

SUMMARY: Emergency Rule 12BER09-04 (Tax on Transfers of Ownership Interest in Legal Entities), provides for the application of tax to transfers of a grantor's ownership interest in a conduit entity after the grantor has conveyed real property to the conduit entity without having paid tax on the full consideration for the real property. This emergency rule: (1) provides when the tax is imposed under Section 201.02(1)(b), F.S., as amended by Chapter 2009-131, L.O.F., how the tax is computed, and when the tax is due; (2) provides definitions of the terms "conduit entity" and "full consideration"; and (3) provides examples of transfers of real property that would be subject to the tax.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Tim Phillips, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-4724

THE FULL TEXT OF THE EMERGENCY RULE IS:

12BER09-04 Tax on Transfers of Ownership Interest in Legal Entities.

(1)(a) Scope. This rule applies to transfers of a grantor's ownership interest in a conduit entity after the grantor has conveyed real property to the conduit entity without having paid tax on the full consideration for the real property.

(b) Definitions. For purposes of this rule:

1. "Conduit entity" means a legal entity to which real property is conveyed without full consideration by a grantor who owns a direct or indirect interest in the entity or a successor entity.

2. "Full consideration" means the consideration that would be paid in an arm's length transaction between unrelated parties.

(2) When a grantor conveys real property to a conduit entity without tax being paid on full consideration and all or a portion of the grantor's ownership interest, either direct or indirect, is subsequently transferred for consideration within 3

years after the grantor conveyed the real property to the conduit entity, the transfer of the grantor's ownership interest in the conduit entity is subject to tax.

(3) The tax is based on the consideration paid or given for the grantor's ownership interest in the conduit entity. The tax rate is 70 cents for each \$100 or fraction thereof of the consideration. If the conduit entity owns assets other than the real property described in subsection (2), tax is calculated by multiplying the consideration for the interest in the conduit entity by a fraction, the numerator of which is the value of the real property described in subsection (2) and the denominator of which is the value of all assets owned by the conduit entity, and then multiplying the result by the tax rate.

(4) A gift of an ownership interest in a conduit entity is not subject to tax to the extent there is no consideration.

(5) The transfer of shares or similar equity interests that are dealt in or traded on public, regulated security exchanges is not subject to the tax.

(6) The tax is to be paid pursuant to Section 201.133, F.S., on the earliest of the 20th day of the month following the month the ownership interest is transferred or the date that an instrument evidencing the transfer is filed or recorded in Florida.

(7) The provisions of this rule do not affect the imposition of tax on transactions described in Section 201.02(4), F.S.

(8) Examples.

(a) Example 1: On July 2, 2009, Lloyd transferred Florida real property (the real property), owned by him alone, to a limited liability company (LLC) he owned alone. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 3, 2009, Lloyd transferred his interest in the LLC for \$1,000,000. The LLC owned no assets other than the real property. Documentary stamp tax of \$7,000.00 was due on the transfer of Lloyd's ownership interest in the LLC based on the \$1,000,000 consideration, since Lloyd was the grantor of the real property and since tax was not paid on full consideration when the real property was transferred to the LLC.

(b) Example 2: On July 2, 2009, Calvin and Sally transferred Florida real property (the real property) which they owned jointly, to a limited liability company (LLC) owned equally by Calvin and Sally. The full consideration at the time of the transfer would have been \$30,000. Documentary stamp tax of \$210 was paid on the document that transferred the real property to the LLC. On July 10, 2009, Calvin and Sally sold their ownership interests in the LLC for \$35,000. The only asset owned by the LLC at the time was the real property. No documentary stamp tax was due on the transfer of Calvin and Sally's ownership interests in the LLC, since tax was paid on the full consideration for the real property when it was transferred to the LLC.

(c) Example 3: On July 2, 2009, Vern and Carol transferred Florida real property (the real property) which they owned jointly, to a limited liability company (LLC) owned equally by Vern and Carol. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 10, 2009, Vern sold his interest in the LLC for \$200,000. Tax of \$1400 was due on the transfer of Vern's ownership interest in the LLC, since Vern was a grantor of the real property and since tax was not paid on full consideration for the real property when it was transferred to the LLC.

(d) Example 4: On July 2, 2009, Pam and Mike transferred Florida real property (the real property) which they owned jointly, to a corporation. The corporation was owned equally by Mike and a limited liability company (LLC) owned by Pam alone. No documentary stamp tax was paid on the document that transferred the real property to the corporation. On July 10, 2009, Pam sold her interest in the LLC (thereby selling her indirect ownership interest in the corporation) for \$45,000. The corporation owned property in addition to the real property transferred to it on July 2, 2009. Full consideration for the real property would have been \$85,000, and the real property made up 95% of the value of all assets owned by the corporation. The only asset owned by the LLC was its interest in the corporation. Tax of \$299.60 was due on the transfer of Pam's ownership interest based on consideration of \$42,750 (\$45,000.00 multiplied by the 95% attributable to the real property), since Pam was the grantor of the real property and since tax was not paid on full consideration for the real property when it was transferred to the corporation.

(e) Example 5: On July 2, 2009, Tom transferred Florida real property (the real property) owned by him alone, to a limited liability company (LLC) he owned alone. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 10, 2009, Tom sold 50% of his interest in the LLC to Imogene for \$200,000. Tax of \$1,400 was due on the transfer of Tom's ownership interest in the LLC based on consideration of \$200,000, since documentary stamp tax was not paid on full consideration for the real property when it was transferred to the LLC. On July 25, 2009, Tom sold one-half of his remaining 50% ownership interest in the LLC for \$105,000, and Imogene sold one-half of her 50% ownership interest in the LLC for \$105,000. Tax of \$735 was due on the transfer of Tom's ownership interest, since Tom was the grantor of the real property and since tax was not paid on the fair market value of the real property when it was transferred to the LLC. No tax was due on Imogene's transfer, since Imogene was not a grantor of the real property.

Rulemaking Authority Section 6, Ch. 2009-131, L.O.F. Law Implemented Ch. 2009-131, L.O.F. History--New 10-14-09.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: October 14, 2009

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.:	RULE TITLE:
12DER09-03	Forms for Use in the Truth in Millage and Maximum Millage Calculations Required by Section 200.065, Florida Statutes, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2008-173 (Senate Bill 1588), Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 18 months and that could be renewed. This act further provided that all conditions imposed by Chapter 120, Florida Statutes, were deemed to be met.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the Department of Revenue to adopt emergency rules that implement the provisions of Chapter 2008-173 (Senate Bill 1588), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 18 months and that they may be renewed. The forms included here are based on the requirements of and Chapter 2008-173 (Senate Bill 1588), Laws of Florida, and will replace the forms used in previous years. The Department of Revenue has taken several actions to inform interested parties about the forms, procedures, and emergency rules that are being developed to implement this new law, and to give such parties an opportunity to review and comment. These interested parties include Property Appraisers and the professional associations that represent them, taxing authorities, including counties, municipalities, and independent districts, school districts, their associations, and practitioners who have told the Department that they want to receive all information associated with property tax rulemaking. The actions that the Department has taken include: making the proposed drafts available via the Internet for public review and comments, maintaining a Department email address to make it easier for interested parties to submit comments and questions to the agency; emailing copies of the draft forms to interested parties, as well as receiving and incorporating public comments on the drafts of forms DR-420, DR-420DEBT, DR-420MM, DR-420MM-P, DR-420S, DR-420TIF, DR-422, DR-422DEBT, DR-428B, DR-487, and DR-487V.

SUMMARY: Emergency Rule 12DER09-03, (Forms for Use in the Truth in Millage and Maximum Millage Calculations Required by Section 200.065, Florida Statutes, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida), provides assistance regarding certain actions to be taken by local governments and officials. This rule adopts and incorporates by reference certain millage levy calculation forms to be used by each county, municipality, independent special district and their related dependent special districts, municipal service taxing units, and each local taxing authority. These forms are necessary to fully implement the requirements of section 200.065(5), F.S., as created by Chapter 2008-173 L.O.F (Senate Bill 1588). Emergency Rule 12DER09-03 replaces both Emergency Rules 12DER08-18 and 12DER08-27. Former Emergency Rule 12DER08-18 included Forms DR-420, DR-420TIF, DR-420VMA and DR-420MM-P. Former Emergency Rule 12DER08-27 included Forms DR-420MM, DR-420S, DR-422, DR-428A, DR-487 and DR-487V. New Forms DR-420DEBT and DR-422DEBT were created based on section 200.065, F.S., and will be used in place of Form DR-420VMA. Form DR-420VMA is replaced by Form DR-420DEBT, adopted in this rule. New Form DR-428B replaces Form DR-428A from Emergency Rule 12DER08-27. Forms DR-420, DR-420MM, DR-420MM-P, DR-420S, DR-420TIF, DR-422, DR-487, and DR-487V have been revised in this rule.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Janice Forrester, Department of Revenue, Property Tax Technical Unit, 725 S. Calhoun Street, Tallahassee, Florida 32399-0100; telephone (850)922-7945; Fax (850)488-9482; email address: forrestj@dor.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

12DER09-03 Forms for Use in the Truth in Millage and Maximum Millage Calculations Required by Section 200.065, Florida Statutes, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida.

(1) Emergency Rule 12DER09-03 applies to the property tax administered under Chapters 192 through 197, 200, and 218, Florida Statutes, and Chapter 2008-173 (Senate Bill 1588), Laws of Florida, relating to certain actions required to be taken by local governments and officials under those provisions of law.

(2) This rule shall replace emergency Rules 12DER08-18 (which took effect on 6/27/2008) and 12DER08-27 (which took effect on 9/11/2008) and shall supersede any existing rule in Chapter 12D-17, F.A.C., including Rules 12D-17.001, 12D-17.002, 12D-17.003, 12D-17.0035, 12D-17.004, 12D-17.005, 12D-17.006, 12D-17.007, 12D-17.008, 12D-17.009, and 12D-17.010, F.A.C., to the contrary to the extent necessary to implement Chapter 2008-173, Laws of Florida.

(3) This rule subsection adopts and incorporates by reference the following millage levy calculation forms:

(a) Form DR-420, Certification of Taxable Value (R. 06/09), hereby incorporated by reference, is the form to be used by each Property Appraiser to certify taxable value and to be used by each local taxing authority to certify property tax millage rates.

(b) Form DR-420DEBT, Certification of Voted Debt Millage (N. 06/09), hereby incorporated by reference, is the form to be completed by each Property Appraiser and taxing authority to report voted debt millage levies and voted millages in excess of the millage cap for a period of not more than 2 years.

(c) Form DR-420MM, Maximum Millage Levy Calculation-Final Disclosure (R. 06/09), hereby incorporated by reference, is the form to be completed by each county, municipality, and independent special district and their related dependent special districts and municipal service taxing units and submitted to the Department of Revenue. This form is used to calculate each government's and related governmental unit's maximum millages based on the vote of the governing body.

(d) Form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure (R. 06/09), hereby incorporated by reference, is the form to be completed by each county, municipality, and independent special district and their related dependent special districts and municipal service taxing units and submitted to the Property Appraiser. This form is used to calculate each government's and related governmental unit's maximum millages based on the anticipated vote of the governing body.

(e) Form DR-420S, Certification of School Taxable Value (R. 06/09), hereby incorporated by reference, is to be used by each Property Appraiser to certify school taxable value and to be used by each district school board to certify property tax millage rates.

(f) Form DR-420TIF, Tax Increment Adjustment Worksheet (R. 06/09), hereby incorporated by reference, is the form to be used by each Property Appraiser and taxing authority to determine and certify tax increment values for the applicable local taxing authorities in the county.

(g) Form DR-420VMA, Voted Millage Addendum (N. 06/08), is replaced by Form DR-420DEBT, adopted previously in this rule and has the same effective date as this rule.

(h) Form DR-422, Certification of Final Taxable Value (R. 06/09), hereby incorporated by reference, is the form to be used by each Property Appraiser to certify final taxable value to taxing authorities and for taxing authorities to report adopted millage rates and administrative adjustments pursuant to Section 200.065(6), Florida Statutes, if made.

(i) Form DR-422DEBT, Certification of Final Voted Debt Millage (N. 06/09), hereby incorporated by reference, is the form to be used by each Property Appraiser to certify final taxable value to taxing authorities and for taxing authorities to report adopted voted debt service millage rates, voted millages in excess of the millage cap for a period of not more than 2

years, and administrative adjustments within limits provided by law, pursuant to Section 200.065(6), Florida Statutes, if made.

(j) Form DR-428B, Maximum Millage Calculation, General Information for Fiscal Year 2009-10 and Thereafter (N. 06/09), hereby incorporated by reference, contains information offered by the Department to help affected governing bodies calculate and report their maximum millage and total maximum taxes under the requirements imposed by Chapter 2008-173, Laws of Florida. Form DR-428B replaces Form DR-428A.

(k) Form DR-487, Certification of Compliance (R. 06/09), hereby incorporated by reference, is the form to be used by taxing authorities to certify to the Department of Revenue compliance with the Truth in Millage and maximum millage requirements of Chapter 200, Florida Statutes.

(l) Form DR-487V, Vote Record for Final Adoption of Millage Levy (R. 06/09), hereby incorporated by reference, is to be used by each taxing authority as proof of the vote by which the millage levy was adopted at their final hearing.

(4) Copies of these forms are available, without cost, by downloading selected forms from the Department's Internet site at <http://dor.myflorida.com/dor/property/>. Form DR-428B can be found on the Internet address: <http://dor.myflorida.com/dor/forms/2009/dr428b.pdf>. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

Rulemaking Authority Section 13 of Ch. 2008-173 (Senate Bill 1588), L.O.F. Law Implemented Section 11 of Ch. 2008-173 (Senate Bill 1588), L.O.F. History--New 10-13-09.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: October 13, 2009

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 MANAGEMENT SERVICES

Agency for Workforce Innovation

RULE NO.: 60BBER09-3
 RULE TITLE: TANF Subsidized Employment
 SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: The Temporary Assistance for Needy Families (TANF) Program caseload has risen substantially from 24,017 TANF eligible adults in State Fiscal Year (SFY) 2006-2007 to 34,817 TANF eligible adults in SFY 2007-2008. At the end of

the SFY 2008-2009 the caseload stood at 47,554, representing a 49% increase from SFY 2006-2007. These numbers include many individuals who have either exhausted their unemployment benefits or do not qualify for unemployment compensation.

Congress passed the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) that provides supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization. Subtitle B of the Act creates the Emergency Contingency Fund for State Temporary Assistance for Needy Families Program ("Emergency Fund"), and authorizes states that have an increase in assistance caseloads or increased expenditures for non-recurrent short term benefits or for subsidized employment to request additional federal TANF funding in fiscal year 2009 and fiscal year 2010. The Emergency Fund provides grants equal to 80 percent of a state's increased TANF and maintenance-of-effort expenditures on basic assistance, non-recurrent short-term benefits, and subsidized employment to help families unable to find jobs or to help families with low earnings during this difficult economic time. In order to determine which individuals are eligible and most qualified for these subsidized employment projects, and to create and fill jobs as quickly as possible, it is necessary that the eligibility determinations and the application forms incorporated by reference into this emergency rule be established immediately, without the delay attendant with regular rulemaking procedures. The Agency will immediately begin the regular rulemaking process for incorporating these forms and procedures into Chapter 60BB-10, Florida Administrative Code.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The forms incorporated by reference provide the most efficient means of identifying those individuals that qualify for TANF services. In adopting these forms, the Agency has acted to ensure that all procedural remedies available to TANF and up-front Diversion applicants will be available to supplemental employment program applicants under state law and under the terms of the governing agreement with the United States Department of Health and Human Services.

SUMMARY: This rule prescribes the eligibility criteria and incorporates by reference the forms to be used to participate in subsidized employment.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: James Landsberg, Deputy General Counsel, 107 East Madison Street, MSC 110, Tallahassee, Florida 32399-4128, (850)245-7150

THE FULL TEXT OF THE EMERGENCY RULE IS:

60BBER09-3 TANF Subsidized Employment.

(1) Applicability. Temporary Assistance for Needy Families (TANF) work activities are designed to assist the participant in obtaining employment to achieve economic self-sufficiency. TANF participants who apply for or currently receive cash assistance and other persons who meet TANF eligibility requirements and all other requirements of this rule may engage in Subsidized Employment. Participation will be contingent upon funding and on the availability of jobs.

(2) Definitions. The following words, phrases, or terms, as used in this rule, shall have the following meanings:

(a) "Parent/Relative Caregiver" means the mother, legal father, natural or biological father, maternal relatives, relatives of the legal father, and relatives of the natural or biological father. The dependent child must be related within the fifth degree (no greater than the first cousin once removed) to the caretaker relative.

(b) "Participating Employer" means a public agency, nonprofit private agency, or private employer that agrees to participate in a subsidized employment project.

(c) "Eligible Individual" means a person who has been determined eligible to participate in a TANF funded Subsidized Employment Project.

(d) "Qualified Participant" means a TANF eligible individual who meets the requirements for participation in a TANF funded subsidized employment project and has the job skills required by the employer participating in the project.

(e) "Subsidized Employment" means employment for which the employer receives a subsidy from TANF to offset some or all the wages and costs of employing a TANF eligible participant. Public agencies, nonprofit private agencies, and private employers are eligible to participate.

(f) "Up-Front Diversion" means immediate assistance to secure or retain employment as an alternative to welfare (cash assistance), and includes linking a person to a job opportunity as a first option.

(3) Eligibility Requirements. To be eligible to be considered for participation in a subsidized employment project, an individual must:

(a) Be a TANF participant currently receiving cash assistance who is available for immediate employment; or

(b) Be a new TANF applicant who meets the TANF eligibility requirements for cash assistance, be available for immediate employment, and be accepted into subsidized employment as an up-front diversion; or

(c) Be an individual who meets the following requirements:

(i) Have a gross family income at or below 200% of the federal poverty guidelines, as established annually by the Department of Health and Human Services, available at <http://aspe.hhs.gov/poverty/> for the month of placement;

(ii) Be a U.S. citizen or qualified non-citizen as defined in Section 414.095(3), F.S.;

(iii) Be a legal resident of the State of Florida;

(iv) Be a pregnant woman or a parent or caretaker relative of an unmarried dependent child under age 18, or a full time student who is under the age of 19 and who resides in the home;

(v) Provide a social security number or proof of application for one; and

(vi) Sign an agreement not to apply for temporary cash assistance for six months from the month an individual begins subsidized employment, unless an unanticipated emergency occurs;

(vii) Be a noncustodial parent that has a family income below 200% of the federal poverty guidelines, if the regional workforce board has established an employment program for non-custodial parents.

(4) How to Participate.

(a) Current TANF Participants. A regional workforce board may review its current TANF caseload to identify individuals who are currently receiving cash assistance who meet the job skill requirements of a job created by a subsidized employment project. The regional workforce board shall refer qualified participants who wish to participate to the participating employer for consideration for the subsidized employment position. A TANF participant or other eligible person who is currently receiving cash assistance who enters subsidized employment must sign Form AWI-SEP 0011, *TANF Subsidized Employment Program Agreement*, incorporated herein by reference.

(b) An applicant for TANF cash assistance. Individuals who have made application and have been determined eligible for TANF cash assistance will be considered for participation in a subsidized employment project as a TANF diversion activity if that individual meets the job skill requirements of a job created by a subsidized employment project. The regional workforce board shall refer qualified participants who wish to participate to the participating employer for consideration for the subsidized employment position. A TANF applicant who enters subsidized employment must sign Form AWI-SEP 0011, *TANF Subsidized Employment Program Agreement*, incorporated herein by reference.

(c) Others. A person who meets the eligibility standards listed in subparagraphs (3)(b) (i) through (vi), above, who is neither a TANF applicant nor a current recipient of cash assistance must contact a Florida one stop career center or other designated location. Regional workforce board staff will collect the information necessary to complete Form AWI-SEP 0005(c), *Request for TANF Funds/Eligibility Determination – 2009/2010* from the individual and, if determined eligible, determine if that individual meets the job skill requirements of a job created by a subsidized employment project. The regional workforce board shall refer qualified participants who wish to participate to the participating employer for consideration for the subsidized employment position.

Rulemaking Authority 445.004(5)(c) FS. Law Implemented 445.004, 445.024(1)(b), 445.024(1)(c) FS. History—New 10-20-09.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: October 20, 2009

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

NOTICE IS HEREBY GIVEN THAT on September 17, 2009, the Department of Agriculture and Consumer Services, received a petition for Variance or Waiver from Michael Morrow on behalf of The Windsor at Bay Colony Condominium Association. The Petition requests a permanent variance or waiver from Rule 5F-11.002, F.A.C., which adopts the standards of the National Fire Protection Association for gas appliances and gas piping as published in NFPA No. 54, American National Standard National Fuel Gas Code (2006). The specific section of NFPA 54 for which the variance would apply is Section 7.9.2.2, NFPA 54, National Fuel Gas Code (2006).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lisa M. Bassett, Chief, Bureau of LP Gas Inspection, 3125 Conner Boulevard, Suite N, Tallahassee, Florida 32399-1650 or by calling Lisa M. Bassett at (850)921-8001.

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 October 13, 2009, the Suwannee River Water Management District has issued an order.

This Order (2009-0013) denies variance under Section 120.542, F.S., to Hamilton County Board of County Commissioners for a Works of the District boat ramp (ERP07-0006M). A petition for variance was received on April 6, 2009. Notice of receipt of petition requesting variance was published in the F.A.W., Vol. 35, No. 14, April 10, 2009. No public comment was received. This Order denies variance of SRWMD's criteria for paragraph 40B-4.3030(12)(b), F.A.C., as to the 75-foot setback requirements within Township 2 North, Range 12 East, Section 1, Hamilton County. SRWMD denied the petition because the petitioner did not demonstrate that the underlying statute will be or has been achieved by other means.

A copy of the Order may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN THAT on October 8, 2009, the South Florida Water Management District (District), received a petition for waiver from Miami-Dade County, Office of Public Transportation Management, Application No. 09-0708-2M, Permit (MOD) Number 9884 for utilization of Works or Lands of the District known as the C-103 Canal to allow 2 existing culvert connections within the C-103 Canal in conjunction with the Busway Extension to Florida City to remain. Location: C-103 Canal, Section 5, Township 57S, Range 39E, Miami-Dade County. The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, which governs the maximum invert elevation of culvert connections, requiring the crown elevation be a minimum of 1/2 foot below the design water surface or optimum water surface whichever is lower within Works and Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@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: South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on October 8, 2009, the South Florida Water Management District (District), received a petition for waiver from Miami-Dade County, Office of Public Transportation Management, Application No. 09-0708-3M, Permit (MOD) Number 9885 for utilization of Works or Lands of the District known as the C-103N Canal to allow 4 existing culvert connections within the C-103N Canal in conjunction with the Busway Extension to Florida City to remain. Location: C-103N Canal, Section 33, Township 56S, Range 39E, Miami-Dade County. The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code,

which governs the maximum invert elevation of culvert connections, requiring the crown elevation be a minimum of 1/2 foot below the design water surface or optimum water surface whichever is lower within Works and Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail: jurussel@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: Juli Russell, Office of Counsel.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the South Florida Water Management District (District) Governing Board has issued an order.

SFWMD Order No. 2009-262-DAO-ROW was issued to the Florida Department of Transportation (Application No. 09-0806-2M). The petition for waiver was received by the SFWMD on September 8, 2009. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 35, No. 37, on September 18, 2009. No public comment was received. This Order provides a waiver of the District's criteria to allow the installation of one multi-post street sign within the C-11 Canal right of way, Section 26, Township 50 South, Range 40 East, Broward County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent the Florida Department of Transportation from a suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the South Florida Water Management District (District) Governing Board has issued an order.

SFWMD Order No. 2009-263-DAO-ROW was issued to Mariela Sanchez (Application No. 07-0817-1). The petition for waiver was received by the SFWMD on September 14, 2007. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 33, No. 39, on September 28, 2007. No public comment was received. An amended petition for waiver was received by the SFWMD on March 12, 2009. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 35, No. 12, on March 27, 2009. No public comment was received. This Order provides a waiver of the District's criteria to allow the installation of a cross fence with two 16' vehicular gates located within the west right of way of the Faka Union Canal on the east side of 3884 16th Avenue, Southeast, Section 17, Township 49 South, Range 28 East, Collier County. Specifically, the Order grants a waiver from subsections 40E-6.011(4) and (6), Florida Administrative Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District, incorporated by reference in subsection 40E-6.091(1), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within 40 feet of the top of the canal bank within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) the facilities will not significantly interfere with the District's current ability to perform necessary construction, alteration, operation, and routine maintenance activities; and 2) the Order granting a waiver from the subject rule would prevent Mariela Sanchez from a suffering a substantial hardship.

A copy of the Order may be obtained by contacting: Juli Russell, South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406-4680, (561)682-6268 or by email: jurussel@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT on August 27, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, Vertical Assessment Associated on behalf of USF Marshal Center, Tampa, FL, to not comply with Rule 2.18.5.1, ASME A17., 2005 edition to allow installation 6.35mm steel ropes that provide the same or greater factor of safety at the above project (VW 2009-181).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on August 27, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has

received an order. That order granted a variance to Lee Rigby, Vertical Assessment Associated on behalf of Hotel Indigo, Sarasota, FL, to not comply with Rule 2.7.4.1, ASME A17., 2005 edition to allow installation 8mm steel ropes at the above project (VW 2009-185).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 5, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by Jane Calhoun, Calhoun Property Management, Raymond James Office Park and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-210 and 292).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Richard Higgins, President, Villa Del Verde Condominium Association, Boca Raton, FL, to provide a pit ladder (VW 2009-225 and 275).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 14, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to William Snyder, The Towers At Westshore, Tampa, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until October 5, 2012 (VW 2009-276).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on August 17, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby of Vertical Assessment Associated on behalf of Freedom Pointe Brookdale Senior Living of Lady Lake to not comply with Rule 2.7.4.1, ASME A17., 2005 edition to allow a minimum clearance of 80 inches in the machine room at the above project (VW 2009-305).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 14, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Beverly Rondeau, The Admiralty of Vanderbilt Beach, Naples, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 31, 2011 (VW 2009-342 and 490).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Cragg Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-347).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Laurel Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-348).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, St. Paul Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-349).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam

Magda, Palmetto Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-350).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Lexington Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-351).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Langley Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-352).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Independence Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-353).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Hollister Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-354).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Hollister Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-354).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Forrestal Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-355).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Essex Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-356).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Enterprise Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-357).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Chandler Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-358).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Carr Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-359).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Bennington Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-360).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Tedder Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-361).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pam Magda, Amherst Building, Orlando, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until October 12, 2012 (VW 2009-362).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby of Vertical Assessment Associated on behalf of Church of

Scientology, West Coast Building of Clearwater to not comply with Rules 2.1.5, 2.2.4, 2.3.3, 2.7.4, 3.3.2, 3.9, 3.10.4(e), 3.11.1 and 3.12.2, ASME A17.3, 1996 edition until August 31, 2015 (VW 2009-469).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Catherine M. Davidson, Siemens Energy, Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 30, 2010 (VW 2009-477).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Tom Floyd, LifeStream Behavioral Center, Leesburg, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until November 1, 2009 (VW 2009-479).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Jim Gentry, Lake Ella Manor, Tallahassee, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2010 (VW 2009-481).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for That order granted a variance to Randy Unwin, Bahia del Mar III, St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until July 31, 2012 (VW 2009-485).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Randy Unwin, Sand Pebble Point III Condominium Association, Inc., Port Richey, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until July 31, 2012 (VW 2009-486).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Bill Prout, Beach House, Indian Shores, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 1, 2012 (VW 2009-488).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Pat Scott, Howard Johnson, Orlando, FL, to not comply with Rule 3.3.4, ASME A17.3, 1996 edition to not provide top of car emergency hatches on two elevators (VW 2009-489).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to James Schenck, Dowling House, Live Oak, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 1, 2010 (VW 2009-498).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to James Schenck, Carter House, Live Oak, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 1, 2010 (VW 2009-499).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Tate Fuller, Boca Teeca Condo #1, Inc., Boca Raton, FL, to not comply with Rule 8.6.5.8, ASME A17.1, 2004 edition with 2005 Addenda until January 1, 2010 (VW 2009-507).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Michael Dean, The Atrium at Clearwater, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 31, 2012 (VW 2009-509).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Sheila Sostarich, Bellair Condominium, Daytona Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until September 30, 2010 (VW 2009-518).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Carol Bryant, Century Plaza, Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until September 23, 2012 (VW 2009-520).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Carol

Bryant, Century Plaza, Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until September 23, 2012 (VW 2009-521).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Carol Bryant, Century Plaza, Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until September 23, 2012 (VW 2009-522).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Larry Nelson, Buccaneer Condo, Satellite Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 31, 2010 (VW 2009-523).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Carol Bryant, Century Plaza, Orlando, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until September 23, 2012 (VW 2009-524).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Robert Settles, Ft. Walton Beach Medical Center, Ft. Walton Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2013 (VW 2009-525).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Ann Burt, BBW, Inc., Ormond Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until October 13, 2012 (VW 2009-532 and 473).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Linda Leopard, Dalton Place Condominium Association, Inc., Highland Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until January 1, 2010 (VW 2009-535).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Eddie G. Brooks, Central FL Regional Hospital, Sanford, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-552).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Eddie G. Brooks, Central FL Regional Hospital, Sanford, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-553).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Eddie G. Brooks, Central FL Regional Hospital, Sanford, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-554).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Eddie G. Brooks, Central FL Regional Hospital, Sanford, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-555).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Eddie G. Brooks, Central FL Regional Hospital, Sanford, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-556).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Eddie G. Brooks, Central FL Regional Hospital, Sanford, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-557).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That order granted a variance to Lee Rigby, Vertical Assessment Associated on behalf of Fairview Isles, Ft. Myers Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until December 1, 2010 (VW 2009-558).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 7, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from an unspecified Section

of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Hickory Building, West Melbourne, FL, and location of the Serial Number 37253, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Marco Lerra (VW 2009-596).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 7, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a variance from A17.1, Sections 2.18.5, 2.20.4 and 8.11.2.1.3(cc)1&3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Navy Federal Credit Union, Bldg. 4, Pensacola, FL, requests the variance for an extension of time to instal 6 Units and for economic/financial hardship. The petition was received from Heath Phillips, KONE, Inc. (VW 2009-597).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 7, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, 5728 Major Center Blvd., Orlando, FL, and location of the Serial Numbers 35337, 35338 and 35339, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Vertical Assessment Associates (VW 2009-598).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 7, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Flagler Center II, West Palm Beach, FL, and location of the Serial Numbers 33607 and 33610, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Richard S. Johnson, Jr., Co-Managing Partner (VW 2009-599).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 7, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Sections 3.11.3 and 3.10.4(u), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Panama Club, Marco Island, FL, and location of the Serial Number 37684, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Vertical Assessment Associates (VW 2009-600).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 8, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Mercantile Bank Plaza, Winter Park, FL, and location of the Serial Numbers 7949, 7950 and 7752, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Keleigh A. Brouwer, Property Manager (VW 2009-601).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 9, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3 (or an unspecified Section of A17.3), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Duval County Unified Courthouse, Jacksonville, FL, and location of the Serial Numbers 2939 and 2942, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Vertical Assessment Associates (VW 2009-602).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 9, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a permanent variance from A17.3, Section 3.10.3 and A17.1, Sections 8.6.1.4, 8.6.1.6.3 and 2.16.5, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Greater Plant City Chamber of Commerce of Plant City, and location of the Serial Number 2871. The petition was received from Marion M. Smith, President (VW 2009-603).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 9, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Capri, Singer Island Condominium Association, Inc., Singer Island, FL, and location of the Serial Numbers 33886 and 33885, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Kathy Jacobs, Manager (VW 2009-604).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 9, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Sections 2.7.4 and 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, River Plaza of Jupiter, and location of the Serial Number 37006, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Jeff A. Wilson (VW 2009-605).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 9, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3 and A17.1, Sections 211.3-211.8 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Whispering Sands Condominium Association, Inc., Sarasota, FL, and location of the Serial Number 20049-52, requests the variance for an

extension of time to complete repairs and for economic/financial hardship. The petition was received from Richard Jones, General Manager (VW 2009-606).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 9, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Southeastern Elevator Consulting LLC, Apollo Beach, FL, and location of the Serial Numbers 23688, 23689, and 23690, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Tray Edmonds (VW 2009-607).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 9, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Treasure Coast Medical Center, Port St. Lucie, FL, and location of the Serial Numbers 34127, 34128 and 34129, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Vertical Assessment Associates (VW 2009-608).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 9, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Sections 3.11.3, 2.7.4 and 3.10.4(u), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Florentine Gardens, Marco Island, FL, and location of the Serial Numbers 30030 and 30031, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Vertical Assessment Associates (VW 2009-609).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 9, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3 and A17.1, Sections 110.10(b), 2.2.3, 2.3.1, 3.3.2, 3.9.1 and 3.10.4(t), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Seville Condominium II, Inc., Clearwater, FL, and location of the Serial Numbers 10128 and 10129, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder, FL Certified Elevator Inspections, Inc. (VW 2009-610).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 8, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Sand Lake IV Building of Orlando, and location of the Serial Numbers 39083, 39084, 39085 and 39086, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Rachel Sardenga, Associate Director (VW 2009-612).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, MSLPC South Congress Holdings, Inc., Delray Beach, FL, and location of the Serial Numbers 33807-09, 33817, 37921-23, 37947, 51884-87, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from David Haysmer, Manager (VW 2009-613).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Municipal Parking Garage, West Palm Beach, FL, and location of the Serial Numbers 26450 and 28790, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Daniel Giust (VW 2009-614).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Episcopal-Catholic Apartments, Winter Haven, FL, and location of the Serial Numbers 21481 and 21482, requests the variance for an extension of time to complete repairs and for economic/ financial hardship. The petition was received from Haley Alam, Manager (VW 2009-615).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Regions Bank Building, Winter Park, FL, and location of the Serial Number 35502, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Jim Veigle, Owner (VW 2009-616).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received

a petition for an emergency temporary variance from A17.3, Section 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Flagler Center II, West Palm Beach, FL, and location of the Serial Numbers 33607-10, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Richard S. Johnson, Jr., Co-Manager (VW 2009-617).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Riverside Presbyterian Church Day School, Jacksonville, FL, and location of the Serial Number 24796, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mark DeWitt (VW 2009-618).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, SK Fairgreen LLC, Orlando, FL, and location of the Serial Number 44663, requests the variance for an extension of time to complete repairs and for economic/ financial hardship. The petition was received from Mona Adams, Manager (VW 2009-619).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.1, Sections 2.18.5, 2.20.4 and 8.11.2.1.3(cc)1&3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Navy Federal Credit Union, Pensacola, FL, requests the variance for

an extension of time to complete repairs and for economic/financial hardship. The petition was received from Heath Phillips, Agent (VW 2009-620).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Rocky Point Centre, Tampa, FL, and location of the Serial Numbers 36176-79, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Suzi Dixon, Director of Property Management (VW 2009-621).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Westshore Center, Tampa, FL, and location of the Serial Numbers 35303-09, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Suzi Dixon, Director of Property Management (VW 2009-622).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, HCC – Learning Center Resource Center, Tampa, FL, and location of the Serial Number 24757, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Ben Marshall, Manager (VW 2009-623).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 14, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Sections 3.11.3, and 2.7.4, and A17.1, Sections 101.3c, 210.4 and 1001.2(a)(18), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Tahitian Towers, Inc., Indian Rocks Beach, FL, and location of the Serial Numbers 21961 and 21962, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Joe Tawil, President (VW 2009-624).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on September 24, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from an unspecified Section of A17.3 and A17.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, South Seas East Condominiums, Inc. of Marco Island, and location of the Serial Numbers 26739, 26740, 26741, 26742, 26743 and 26744, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Avery Breeding, (VW 2009-628).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on September 24, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Synovus Bank, St. Petersburg, FL, and location of the Serial Number 11039, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lorraine Armstrong, Manager (VW 2009-629).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Sections 3.11.3, 3.11.3, and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Early Learning Coalition of Flagler and Volusia of Daytona Beach, and location of the Serial Number 5410, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Mark Stich, Agent (VW 2009-630).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Spring Lake Towers, Winter Haven, FL, and location of the Serial Number 9062, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Robert J. Sabiston, President (VW 2009-631).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Wachovia Bank Building, Pensacola, FL, and location of the Serial Number 6110, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Robin Maquiera (VW 2009-632).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Armenia Professional Center,

Clearwater, FL, and location of the Serial Number 11487, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Kay Vega, Property Manager (VW 2009-633).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 15, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Mansion at Tuckahoe, Stuart, FL, and location of the Serial Number 96747, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Bert L. Bender, Architect (VW 2009-634).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, City Center, St. Petersburg, FL, and location of the Serial Numbers 34431, 34432-37, 35674-75, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from John H. Murray, Vice President (VW 2009-635).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Hillcrest Building of Orlando, and location of the Serial Number 21043, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Michael Valore, Manager (VW 2009-636).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for an emergency temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Bridgeton North Condominium, St. Petersburg, FL, and location of the Serial Numbers 12205 and 12447, requests the variance for an extension of time to complete repairs and for economic/ financial hardship. The petition was received from Joint Administrative Procedures Committee (VW 2009-637).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Castillian Condominium, Longboat Key, FL, and location of the Serial Numbers 4525 and 4545, requests the variance for an extension of time to complete repairs and for economic/ financial hardship. The petition was received from Melissa Johnson, CAM (VW 2009-638).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Tennis Club of Palm Beach, West Palm Beach, FL, and location of the Serial Numbers 29874, 23172, 23171, 23173 and 29749, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Arlene Gross, Manager (VW 2009-639).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 16, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Section 509.221(1)(b), Florida Statutes, paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from 7th Floor Concierge Lounge, Coral Springs, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to utilize the public bathrooms located on a different level (1st floor) of the lodging.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on October 12, 2009, the Board of Accountancy, received a petition for Carmen A. Lopez, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

**Section VI
Notices of Meetings, Workshops and Public Hearings**

The following state governmental agencies, boards and commissions announce a public meeting to which all persons are invited:

- State Board of Administration
- Division of Bond Finance
- Financial Services Commission:
- Office of Insurance Regulation
- Office of Financial Regulation
- Agency for Enterprise Information Technology

Department of Veterans' Affairs
Department of Highway Safety and Motor Vehicles
Department of Law Enforcement
Department of Revenue
Administration Commission
Florida Land and Water Adjudicatory Commission
Board of Trustees of the Internal Improvement Trust Fund
Department of Environmental Protection

DATE AND TIME: November 17, 2009, 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regular scheduled meeting of the Governor and Cabinet to act on all executive branch matters provided by law and to act on any agendas submitted for their consideration. The Governor and Cabinet will proceed through each agenda, item by item.

The State Board of Administration will take action on matters duly presented on its agenda, which may include such matters as Executive Director's reports; approval of fiscal sufficiency of state bond issues; approval of sale of local bonds at an interest rate in excess of statutory interest rate limitation; reports on investment performance; designation of banks as depositories for state funds; adoption of rules and regulations; investment of state funds pursuant to Chapter 215, F.S.; and consideration of other matters within its authority pursuant to Chapters 215 and 344, F.S., and Section 16 of Article IX of the Florida Constitution of 1885, as continued by subsection 9(c) of Article XII of the Florida Constitution of 1968.

The Division of Bond Finance of the State Board of Administration will take action on matters duly presented on its agenda, which will deal with the issuance of State bonds, arbitrage compliance and related matters.

The Financial Services Commission will take action on matters duly presented on its agenda which may include, but not be limited to; matters relating to rulemaking for all activities of the Office of Insurance Regulation concerning insurers and other risk bearing entities, including licensing, rates, policy forms, market conduct, claims, adjusters, issuance of certificates of authority, solvency, viatical settlements, premium financing, and administrative supervision, as provided under the Insurance Code or Chapter 636, F.S., and matters related to rulemaking for all activities of the Office of Financial Regulation relating to the regulation of banks, credit unions, other financial institutions, finance companies, retail installment sales providers, title loan lenders, collection agencies, mortgage brokers, mortgage lenders, certified capital companies, money services businesses, and the securities industry.

The Agency for Enterprise Information Technology will take action on matters duly presented on its agenda which may include, but not be limited to, the presentation and approval of the Agency's Annual Operational Work Plan as well as matters relating to rulemaking for all activities of the Agency.

The Department of Veterans' Affairs will take action on matters duly presented on its agenda which may include the administration of the Department as well as actions taken to further the Department's mission of providing assistance to veterans and their dependents, pursuant to Section 292.05, F.S. The Department of Highway Safety and Motor Vehicles will take action on matters duly presented on its agenda, which may include such matters as approval of agency policies, taking agency action with regard to administrative procedure matters, and considering other matters within its authority pursuant to Florida Statutes.

The Department of Law Enforcement will take action on matters duly presented on its agenda which may include but not be limited to such matters as transfer of agency funds or positions, formulation of Departmental Rules, administrative procedure matters, submittal of reports as required, enter into contracts as authorized and to consider other matters within its authority pursuant to Chapters 20, 23, 120 and 943, F.S.

The Department of Revenue will act on matters duly presented on its agenda which may include approval of rules, legislative concept proposals, contracts over \$100,000, Departmental budgets, administrative procedure matters, and consideration of other matters within its authority.

The Administration Commission will take action on matters duly presented on its agenda which may include such matters as to create or transfer agency funds or positions, approve Career Service rules, administrative procedure matters, environmental matters arising under Chapter 380, F.S., comprehensive planning issues pursuant to Section 163.3184, F.S., determine sheriffs' budget matters, and consider other matters within its authority pursuant to various statutes including Chapters 110, 215 and 216, F.S.

The Florida Land and Water Adjudicatory Commission will take action on matters duly presented on its agenda including appeals of local government development orders in areas of critical state concern or of developments of regional impact under Section 380.07, F.S.; and review of water management matters under Chapter 373, F.S. The Commission will also review Department of Environmental Protection's rules and orders which, prior to July 1, 1993, the Governor and Cabinet, sitting as the head of the Department of Natural Resources, had authority to issue or promulgate.

The Board of Trustees of the Internal Improvement Trust Fund will take action on matters for which it is responsible pursuant to law (including duties pursuant to Title 18 of the Florida Statutes and Title 18 of the Florida Administrative Code) and that are duly presented on its agenda, which may include such matters as aquacultural issues as presented by the Division of

Aquaculture in the Department of Agriculture and Consumer Services; mineral leases or sales; state or sovereign land leases, sales, exchanges, dedications, and easements; conservation and preservation lands and other land purchases; land planning matters and other matters within its authority.

The Department of Environmental Protection will present for consideration those matters required by law to be reviewed by the Governor and Cabinet, sitting as the Siting Board, which may include, but are not limited to siting of power plants and electric and natural gas transmission lines.

A copy of any of the above agendas submitted to the Governor and Cabinet for this meeting may be obtained by viewing the website of the Governor and Cabinet at <http://www.myflorida.com/myflorida/cabinet/> or by contacting each individual agency.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to provide at least 48 hours' notification before the meeting by contacting the Governor's Cabinet Affairs Office, (850)488-5152.

CABINET AIDES BRIEFING: On the Wednesday of the week prior to the above meeting, there will be a meeting of the aides to the Governor and Cabinet Members at 9:00 a.m., Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, FL

DEPARTMENT OF STATE

The **Division of Historical Resources**, Bureau of Historic Preservation, Great Floridians Ad Hoc Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, November 13, 2009, 11:00 a.m.

PLACE: R. A. Gray Building, 500 South Bronough Street, 1st Floor, Secretary of State, Conference Room 117, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Convening of the Great Floridians Ad Hoc Committee to consider and recommend individuals for designation as 2010 Great Floridians (Section 267.0731, F.S., Great Floridians Program).

A copy of the agenda may be obtained by contacting: Susanne Hunt, Bureau of Historic Preservation at (850)245-6333 or shunt@dos.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: Susanne Hunt at (850)245-6333 or shunt@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Susanne Hunt at (850)245-6333 or shunt@dos.state.fl.us.

The Florida **Department of State, Division of Historical Resources**, Bureau of Historic Preservation, Florida Folklife Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, November 17, 2009, 10:30 a.m.

PLACE: R. A. Gray Building, 500 South Bronough Street, Room 306 B, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting to consider and review nominations for 2010 Florida Folk Heritage Awards.

A copy of the agenda may be obtained by contacting: Susanne Hunt, Bureau of Historic Preservation at (850)245-6333 or shunt@dos.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: Susanne Hunt at (850)245-6333 or shunt@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Susanne Hunt at (850)245-6333 or shunt@dos.state.fl.us.

The Florida **Department of State, State Library and Archives of Florida** announces a State Library Council Meeting via Conference Call. All persons are invited.

DATE AND TIME: Friday, November 13, 2009, 2:30 p.m. – 4:30 p.m.

PLACE: Archives Conference Room, State Library and Archives of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The council will review and discuss programs and issues related to the Division of Library and Information Services. As a side item of the Council meeting, the Friends of the State Library and Archives of Florida Inc.'s Board of Directors and State

Library Council members will receive a brief update on the State Library and Archives' citizen support organization's budget.

For additional information, contact: Judith Ring, State Librarian at (850)245-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or TDD (850)922-4085.

The **Division of Cultural Affairs** and the **Florida Council on Arts and Culture** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 12, 2009, 9:00 a.m. – to conclusion

PLACE: Conference Call. R. A. Gray Building, 500 South Bronough Street, Room 307, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss, review and take action on funding recommendations for grants and any other business which may appropriately come before the Council.

Note: If a quorum of members does not attend, items on the agenda for formal action will be discussed as a workshop by those present, and written minutes will be taken although no formal action will be taken. If you have questions or if you would like call-in instructions, please call (850)245-6490.

A copy of the agenda may be obtained by contacting: Rachelle Ashmore at (850)245-6490 or by email: rbashmore@dos.state.fl.us or via the Division's 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: Jennifer Hoelsing at (850)245-6462 or email: jshoesing@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Rachelle Ashmore at rbashmore@dos.state.fl.us.

DEPARTMENT OF LEGAL AFFAIRS

The **Florida Elections Commission** announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, November 17, 2009, 9:30 a.m. – until the Commission adjourns; Wednesday, November 18, 2009, 8:30 a.m. – 6:30 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.

A copy of the agenda may be obtained by contacting: Commission Clerk at (850)922-4539, ext. 103, by e-mail: patsy.rushing@myfloridalegal.com or write: 107 W. Gaines Street; Suite 224, Collins Building, Tallahassee, FL 32399-1050, by viewing the website of the Commission: www.fec.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 48 hours before the workshop/meeting by contacting: Commission Clerk. 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 AGRICULTURE AND CONSUMER SERVICES

The **Florida Agriculture in the Classroom, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 18, 2009, 10:00 a.m.

PLACE: Florida State Fairgrounds, 4800 Highway 301, North, Tampa, FL 33610

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Agriculture in the Classroom board of directors will gather for a regularly scheduled meeting. Rule 5F-2.001, F.A.C., Petroleum.

A copy of the agenda may be obtained by contacting: gaskalla@ufl.edu.

DEPARTMENT OF EDUCATION

The Florida **Department of Education** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 10, 2009, 9:30 a.m. – 12:30 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2459469. Please call five minutes prior to the scheduled meeting time.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Apprenticeship Advisory Council will hold a telephone conference call to discuss general items relating to

apprenticeship in Florida. The agenda includes follow-up actions from previous Council meetings on subjects of committee structure, assignments and responsibilities. The program will include an apprenticeship update relative to apprentices and programs registered in Florida.

A copy of the agenda may be obtained by contacting: Juanita Warren at (850)245-0454 or e-mail Mrs. Warren at Juanita.Warren@fldoe.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Mrs. Warren at (850)245-0454 or e-mail Mrs. Warren at Juanita.Warren@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Board of Governors**, State University System of Florida and the **State Board of Education** announces a workshop to which all persons are invited.

DATE AND TIME: November 12, 2009, 10:30 a.m. – 1:00 p.m.

PLACE: Scripps Research Institute Auditorium, 130 Scripps Way, Jupiter, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A dialogue regarding the role of education in creating an environment that will foster Florida's knowledge-based economy.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Office of Access and Equity, DOE at (850)245-9532, Voice. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The Florida **Department of Education** announces a public meeting to which all persons are invited.

DATE AND TIME: November 11, 2009, 1:00 p.m.

PLACE: Palm Beach Community College at Palm Beach Gardens, 3160 PGA Boulevard, Bio-Science Building, Room SC 127, Palm Beach Gardens, Florida 33410

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of approval of minutes of the State Board meeting held September 15, 2009, and updates on various reports and status of education initiatives by the Chairman and Commissioner. Items for consideration include amendments to the following rules: Rule 6A-1.039, F.A.C., Supplemental Educational Services in Title 1 Schools; Rule 6A-1.09401, F.A.C., Student Performance Standards; Rule 6A-1.099821, F.A.C., Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate; Rule 6A-1.0014, F.A.C., Comprehensive Management Information System; Rule 6A-2.0010, F.A.C., Educational Facilities; Rule 6A-2.0020, F.A.C., Eligibility for Charter School Capital Outlay; Rule 6A-2.0030, F.A.C., Qualified School Construction Bond Program; Rule 6A-6.03013, F.A.C., Exceptional Student Education Eligibility for Students Who are Deaf or Hard-of-Hearing; Rule 6A-6.030151, F.A.C., Exceptional Student Education Eligibility for Students Who are Physically Impaired with Orthopedic Impairments; Rule 6A-6.030152, F.A.C., Exceptional Student Education Eligibility for Students Who are Physically Impaired with Other Health Impairment; Rule 6A-6.030153, F.A.C., Exceptional Student Education Eligibility for Students Who are Physically Impaired with Traumatic Brain Injury; Rule 6A-6.03016, F.A.C., Exceptional Student Education Eligibility for Students with Emotional/ Behavioral Disabilities; Rule 6A-6.03022, F.A.C., Special Programs for Students Who are Dual-Sensory Impaired; Rule 6A-6.03023, F.A.C., Exceptional Student Education Eligibility for Students with Autism Spectrum Disorder; Rule 6A-6.03027, F.A.C., Special Programs for Children Three Through Five Years Old Who are Developmentally Delayed; Rule 6A-6.03028, F.A.C., Provision of Free Appropriate Public Education (FAPE) and Development of Individual Educational Plans for Students with Disabilities; Rule 6A-6.0331, F.A.C., General Education Intervention Procedures, Identification, Evaluation, Reevaluation and the Initial Provision of Exceptional Education; Rule 6A-6.05281, F.A.C., Educational Programs for Youth in Department of Juvenile Justice Detention, Commitment, Day Treatment or Early Intervention Programs; Rule 6A-6.0784, F.A.C., Approval of Charter School Governance Training; Rule 6A-10.0311, F.A.C., Assessment of Student Attainment of College-Level Communication and Computation Skills; Rule 6D-4.003, F.A.C., Business Manager; Rule 6D-5.002, F.A.C., Principal for the Deaf and Principal of the Blind, Administrator of Instructional Programs, Curriculum And Staff Development and Administrator of Residential Programs; and Rule 6D-5.003, F.A.C., Other Personnel. Other items for consideration include: Approval of 2010-2011 State Board of Education Strategic

Plan; Approval of the Critical Teacher Shortage Areas; Approval of Appointment and Reappointments to the Education Practices Commission; Approval of Pensacola Junior College's Request for Site Designation Change to the Milton Center from a Center to a Campus; Approval of Seminole State College of Florida's Request for Site Designation Change to the Altamonte Springs Center from a Center to a Campus. Presentations and updates to be provided will include: Teacher Quality, Textbook Affordability: Orange Grove Texts Plus, and Systemwide Postsecondary Online Course Registration.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661, lynn.abbott@fldoe.org or by visiting the Department's website at: <http://www.fldoe.org>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.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).

For more information, you may contact: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org.

The **State Board of Education** and **Board of Governors** announces a workshop to which all persons are invited.

DATE AND TIME: November 12, 2009, 10:30 a.m. – 1:00 p.m.

PLACE: Scripps Research Institute Auditorium, 130 Scripps Way, Jupiter, Florida 33458

GENERAL SUBJECT MATTER TO BE CONSIDERED: Creating an environment that will foster a knowledge-based economy through a seamless educational delivery system.

A copy of the agenda may be obtained by contacting: Lynn Abbott at (850)245-9661, lynn.abbott@fldoe.org or by visiting the Department's website at: <http://www.fldoe.org>.

For more information, you may contact: Lynn Abbott at (850)245-9661 or lynn.abbott@fldoe.org.

DEPARTMENT OF COMMUNITY AFFAIRS

The Florida **Department of Community Affairs, Housing and Community Development, Community Assistance Section** announces a public meeting to which all persons are invited.

DATE AND TIME: November 9, 2009, 10:00 a.m. – 11:00 a.m. (Central Time)

PLACE: Jackson County Board of County Commissioners Administration Building, County Commissioner Chamber Meeting Room, 2864 Madison Street, Marianna, Florida 32448, (850)482-9633

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs announces a public meeting to which all interested parties are invited. The Department of Community Affairs (DCA) is seeking a public entity or nonprofit corporation to administer the Weatherization Assistance Program (WAP) and the American Recovery and Reinvestment Act (ARRA) WAP in Jackson County. Entities interested in contracting with DCA to provide these services should be present at this public meeting in order to be informed of the qualifications and application requirements.

Selection of an entity will be based on the entity's experience and performance in weatherization or housing renovation activities, in assisting low-income persons in the area to be served, and in its capacity to undertake a timely and effective weatherization program. Preference will be given to any community action agency or other public or nonprofit entity which has, or is currently administering, an effective DCA funded WAP and ARRA WAP.

The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements.

Only one entity will be funded and that entity must be capable and willing to provide services to all eligible low-income citizens in the geographic service area.

The DCA will review the submitted applications, and make a decision regarding each applicant's eligibility to provide WAP and ARRA WAP services to Jackson County. Recommendations will then be prepared by the Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary.

Requests for a copy of the agenda, application criteria and additional information or questions may be addressed to: Mr. Norm Gempel, Manager, Weatherization Assistance Program, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax: (850)488-2488 or e-mail: norm.gempel@dca.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 hours before the workshop/meeting by contacting: Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: Department of Community Affairs, (850)488-7541 at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual

Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). 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.

Anyone who wants a copy of the agenda or additional information on this meeting may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax: (850)488-2488.

DEPARTMENT OF LAW ENFORCEMENT

The **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 19, 2009, 1:00 p.m. (Workshop starting at 1:00 p.m. immediately followed by the Medical Examiners Commission Meeting)

PLACE: Saddlebrook, 5700 Saddlebrook Way, Wesley Chapel, Florida 33543, (813)973-1111

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Examiners Commission Meeting and Revisions to Drug Data Submissions Workshop.

A copy of the agenda may be obtained by contacting: Ms. Victoria P. Gardner, Bureau Chief, Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

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: Medical Examiners Commission Office at (850)410-8600. 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: Medical Examiners Commission, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

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 CITRUS

The Florida **Department of Citrus**, Citrus Harvesting Research Advisory Council announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 10, 2009, 10:00 a.m.

PLACE: Bert J. Harris, Jr. Agricultural Center, Room 3, 4509 George Blvd., Sebring, Florida 33875

GENERAL SUBJECT MATTER TO BE CONSIDERED: The council will meet to discuss recommendations to be made to the Florida Citrus Commission regarding the process of allocating CMNP under the Experimental Use Permit and to discuss any other matters which might relate to this council.

A copy of the agenda may be obtained by contacting: Sandy Barros at (863)295-5932.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)499-2499. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sandy Barros at (863)295-5932.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** will consider at its November 10, 2009, Agenda Conference, Docket No. Docket No.: 090472-GU, Application of Florida City Gas, a Division of Pivotal Utility Holdings, Inc., for authority to issue short-term debt security pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to finance its on-going cash requirements through its participation and borrowings from and investments in AGL Resources Inc.'s (AGLR) Utility Money Pool. In addition, the Company seeks approval to make short-term borrowings not to exceed \$800 million (aggregate for the Company's three utilities) annually from the Utility Money Pool according to limits that are consistent, given the seasonal nature of the Company's business and its anticipated cash demands, with the Company's capitalization. The Company's share of these borrowings will not exceed \$250 million.

DATE AND TIME: Tuesday, November 10, 2009, Agenda Conference, 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in Docket No.: 090472-GU.

Emergency Cancellation of 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: Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this hearing because of a physical impairment should call: Office of Commission Clerk, (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, please contact: Katherine Fleming, Office of the General Counsel at (850)413-6218.

The Florida **Public Service Commission** will consider at its November 10, 2009, Agenda Conference, Docket No. 090473-EI, Application by Progress Energy Florida, Inc., for authority to issue and sell securities pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, to issue, sell or otherwise incur during 2010 up to \$1.5 billion of any combination of equity securities and long-term debt securities and other long-term obligations. Additionally, the Company requests authority to issue, sell or otherwise incur during 2010 and 2011 up to \$1.0 billion outstanding at any time of short-term debt securities and other obligations, which amount shall be in addition to and in excess of the amount the Company is authorized to issue pursuant to Section 366.04, Florida Statutes, which permits the Company to issue short-term securities aggregating to not more than five percent of the par value of the Company's other outstanding securities.

DATE AND TIME: Tuesday, November 10, 2009, Agenda Conference, 9:30 a.m., although the time at which this item will be heard cannot be determined at this time

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in Docket No. 090473-EI.

Emergency Cancellation of 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: Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring some accommodation at this hearing because of a physical impairment should call the Office of Commission Clerk, (850)413-6770 at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, 1(800)955-8771 (TDD).

For additional information, please contact: Katherine Fleming, Office of the General Counsel at (850)413-6218.

The Florida **Public Service Commission** announces a public customer meeting) in the following docket to which all persons are invited.

DATE AND TIME: November 18, 2009, 6:00 p.m.

PLACE: Cypress Lakes Clubhouse, 10000 US Highway 98 North, Lakeland, FL 33809

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 090349-WS – Application for limited proceeding rate increase in Polk County by Cypress Lakes Utilities, Inc. The purpose of the 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 this meeting. For questions, contact: Commission staff, Curt Mouring at (850)413-6427.

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: Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodation to participate in this meeting because of a physical impairment is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770. If you are hearing or speech impaired, please contact the Agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

The Florida **Public Service Commission** announces a Special Commission Conference in the following docket to which all interested persons are invited.

DOCKET NO.: 090079-EI

DATE AND TIME: November 19, 2009, 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 and make a decision regarding the petition for increase in rates by Progress Energy Florida, Inc.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350 and 367, F.S.

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: Office of Commission Clerk at (850)413-6770 or writing: Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendation 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 a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is 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.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 6, 2009, 1:00 p.m. – Completion. Conference Call: 1(866)233-5216 and the Conference Code: 5654699#.

PLACE: Toni Jennings Room, 110 Senate Building, 404 South Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Energy & Climate Commission (Commission) will hold a meeting to hear presentations on energy and climate change, discuss and consider mechanisms for implementing

the American Recovery and Reinvestment Act Spending Plan, and other Commission business. Staff will conduct the conference call from the Toni Jennings Room, 110 Senate Office Building, where members of the public are invited to attend. Members of the public are also invited to listen to the call, but due to noise considerations are asked to dial-in from a land line and keep their phone lines muted until the public comment section of the agenda.

A copy of the agenda may be obtained by contacting: Brittany Cummins at (850)487-3800.

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: Brittany Cummins at (850)487-3800. 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: Brittany Cummins at (850)487-3800.

The **Governor's Commission on Volunteerism and Community Service** (Volunteer Florida) announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 9, 2009, 8:00 a.m. – until business is complete

PLACE: 401 South Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Executive Committee.

A copy of the agenda may be obtained by contacting: Kristin Mullikin.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Kristin Mullikin.

The **Governor's Commission on Volunteerism and Community Service** (Volunteer Florida) announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, November 13, 2009, 8:00 a.m. – until business is complete. A conference call in line will be open. Dial-in Number: 1(888)808-6959, Passcode: 1918015#.

PLACE: 401 South Monroe Street, Tallahassee, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED:
 General Commission business.

A copy of the agenda may be obtained by contacting: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Kristin Mullikin.

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 19, 2009, 1:00 p.m. – Until Completion. Conference Call: 1(866)233-5216, Conference Code: 5654699#.

PLACE: Toni Jennings Room, 110 Senate Office Building, 404 South Monroe Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Energy and Climate Commission (Commission) will hold a meeting to hear presentations on energy and climate change, discuss and consider mechanisms for implementing the American Recovery and Reinvestment Act Spending Plan, and other Commission business. Staff will conduct the conference call from the Toni Jennings Room, 110 Senate Office Building, where members of the public are invited to attend. Members of the public are also invited to listen to the call, but due to noise considerations are asked to dial-in from a land line and keep their phone lines muted until the public comment section of the agenda.

A copy of the agenda may be obtained by contacting: Brittany Cummins at (850)487-3800.

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: Brittany Cummins at (850)487-3800. 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: Brittany Cummins at (850)487-3800.

The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 10:00 a.m. – 3:00 p.m.

PLACE: The Capitol Building, Room 2103, Tallahassee, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED:
 Statewide Drug Policy Advisory Council.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

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: Claude Shipley at (850)414-8820. 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: Claude Shipley at (850)414-8820.

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Monday, November 16, 2009, 4:00 p.m.; Executive Committee, 3:00 p.m. prior to the regular meeting

PLACE: Niceville City Hall, 208 North Partin Drive, Niceville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
 General business of the Council.

A copy of the agenda may be obtained by contacting: www.wfrpc.org or Ms. Terry Joseph, Executive Director, West Florida Regional Planning Council, terry.joseph@wfrpc.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 business days before the workshop/meeting by contacting: Ms. Terry Joseph, Exec. Dir., WFRPC, terry.joseph@wfrpc.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.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 19, 2009, 10:00 a.m.

PLACE: SiVance, LLC, 4044 Northeast 54th Avenue, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida (District 3) Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, FL 32653.

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 contacting: (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: November 19, 1009, 1:00 p.m.

PLACE: SiVance, LLC, 4044 Northeast 54th Avenue, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, 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 contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2009, 9:30 a.m.

PLACE: Hardee County Civic Center, 515 Civic Center Drive, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee and/or it's subcommittees, to discuss the provision of the Emergency Planning and Community Right-to-Know Program. Additionally, items pertaining to the State Emergency Response Commission and its subcommittee for training may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter, Program Director at ccarter@cfrpc.org.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Chuck Carter, Program Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, ext. 107.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 12, 2009, 10:30 a.m. (ET)

PLACE: Ramada Conference Center, 2900 N. Monroe Street, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: In addition to its regular business, the agenda will include the review of any local government plan amendments received in a timely manner.

A copy of the agenda may be obtained by contacting: Janice Watson, ARPC, 20776 Central Avenue, East, Blountstown, FL 32424.

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 **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: November 12, 2009, 9:00 a.m.

PLACE: Otter Springs Park & Campground, Springhouse Lodge, 6470 S. W. 80th Avenue, Trenton, Florida 32693, (352)463-0800

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters. A workshop held at: Cedar Key Public Library, 460 2nd Street, Cedar Key, Florida 32625, (352)543-5777, will follow the Board meeting.

A copy of the agenda may be obtained by contacting: Kristel Callahan or Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only), by email: kjc@srwmd.org or on the District's website: www.mysuwanneeriver.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 2 days before the workshop/meeting by contacting: Lisa Cheshire at (386)362-1001 or 1(800)226-1066 (Florida Only). 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** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 4, 2009, 9:30 a.m.

PLACE: SWFWMD Tampa Service Office, 7601 Hwy. 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Basin Board Education Committee Meeting – consider committee business (Ad Order 37698).

A copy of the agenda may be obtained by contacting: www.WaterMatters.org, Boards, Meetings & Event Calendar or call: 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at the address above; (352)796-7211 or 1(800)423-1476 (FL Only), ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. 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: Toi.Basso@watermatters.org or call: 1(800)423-1476 (FL Only), (352)796-7211, ext. 4756.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 5, 2009, 10:30 a.m.

PLACE: Hidden Creek Community, 15409 Key Breeze Place, Wimauma, FL 33598

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Water Star Gold (FWSG) and Florida Home Partnership (FHP) Certification Event (Ad Order 37698).

A copy of the agenda may be obtained by contacting: www.WaterMatters.org, Boards, Meetings & Event Calendar or call: 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at the address above; (352)796-7211 or 1(800)423-1476 (FL Only), ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. 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: Susan.Douglas@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4752.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, November 7, 2009, 9:30 a.m.

PLACE: Starkey Wilderness Preserve's Serenova Tract, 14900 SR 52, Land O' Lakes, FL 34638

GENERAL SUBJECT MATTER TO BE CONSIDERED: "Get Outside!" event to promote recreational activities on District lands (Ad Order 37698).

A copy of the agenda may be obtained by contacting: www.WaterMatters.org, Boards, Meetings & Event Calendar or call: 1(800)423-1476 (FL Only) or (352)796-7211.

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: SWFWMD Human Resources Director at the address above; (352)796-7211 or 1(800)423-1476 (FL Only), ext. 4702; TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. This nondiscrimination policy involves every aspect of the District's functions, including access to and participation in the District's programs and activities. 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: Toi.Basso@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4756

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: November 12-13, 2009, 9:00 a.m. – completed

PLACE: Nelson Government & Cultural Center, 10205 Overseas Highway, Key Largo, Florida 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Miccosukee Tribe of Indians of Florida, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No.: SC09-1817. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, F. Bartolone, R. Hanna, C. Lamia, K. Artin, F. Springer, K. Burns, J. Nutt.

Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: November 12-13, 2009, 9:00 a.m. – completed

PLACE: Nelson Government & Cultural Center, 10205 Overseas Highway, Key Largo, Florida 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No.: 88-1886-CIV-Moreno. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, J. Nutt.

Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: November 12-13, 2009, 9:00 a.m. – completed

PLACE: Nelson Government & Cultural Center, 10205 Overseas Highway, Key Largo, Florida 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in New Hope Sugar Company, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No.: SC09-1818. The subject matter shall be confined to the pending litigation. (All

or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, F. Bartolone, R. Hanna, C. Lamia, K. Artin, F. Springer, K. Burns, J. Nutt.

Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: November 12-13, 2009, 9:00 a.m. – completed

PLACE: Nelson Government & Cultural Center, 102050 Overseas Highway, Key Largo, Florida 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States Court of Appeals, Eleventh Circuit, Case No.: 07-13829-HH; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No.: 98-6057-CIV-Lenard/Klein. The subject matter shall be

confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt. Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: November 12-13, 2009, 9:00 a.m. – completed

PLACE: Nelson Government & Cultural Center, 102050 Overseas Highway, Key Largo, Florida 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8)(2008), Florida Statutes, to discuss strategy related to litigation expenditures and/or settlement negotiations in Black & Veatch Corp. v. SFWMD, Fifteenth Judicial Circuit, Palm Beach County, Case No.: 2009-CA-31734 AH. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members). ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, F. Mendez, C. Linton, J. Nutt, M. Compagno.

Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Project and Lands Committee

DATE AND TIME: November 12, 2009, 10:30 a.m.

PLACE: Nelson Government & Cultural Center, 102050 Overseas Hwy., Key Largo, FL 33037

Workshop Meeting

DATE AND TIME: November 12, 2009, 12:00 Noon

PLACE: Nelson Government & Cultural Center, 102050 Overseas Hwy., Key Largo, FL 33037

Regular Business Meeting

DATE AND TIME: November 13, 2009, 9:00 a.m.

PLACE: Nelson Government & Cultural Center, 102050 Overseas Hwy., Key Largo, FL 33037

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. If Workshop items are not discussed on November 12, 2009, the items may be discussed on November 13, 2009.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 09/10 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087 or at https://my.sfwmd.gov/portal/page?_pageid=2574,13014318&_dad=portal&_schema=PORTAL.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a hearing to which all persons are invited.

DATE AND TIME: November 13, 2009, 9:00 a.m.

PLACE: Nelson Government & Cultural Center, 102050 Overseas Highway, Key Largo, FL 33037

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuation of public hearing on amendments to Rules 40E-2.051, 40E-2.061, 40E-2.091, 40E-2.331, 40E-20.091, 40E-20.331, 40E-24.011, 40E-24.101, 40E-24.201, 40E-24.301, 40E-24.401, 40E-24.501, F.A.C., to amend year-round landscape irrigation conservation measures currently in place in Lee, Collier and portions of Charlotte County and to expand those conservation measures throughout the region of the South Florida Water Management District. Additionally, the proposed amendments create a general permit by rule for landscape irrigation use and allow modification of such a permit that does not allow more cumulative days and time to conduct landscape irrigation than those provided under Chapter 40E-24, F.A.C. Lastly, the conservation measures in the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District" will be amended to be consistent with the landscape irrigation conservation measures set forth in Chapter 40E-24, F.A.C.

A copy of the agenda may be obtained by contacting: South Florida Water Management District Clerk at (800)432-2045, ext. 2087 or (561)682-2087.

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: South Florida Water Management District Clerk at (800)432-2045, ext. 2087 or (561)682-2087. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jesus Rodriguez, Water Conservation Officer, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 3416-4680, 1(800)432-2045, ext. 6060 or (561)682-6060, email: jerodrig@sfwmd.gov.

For procedural questions contact: Jan Sluth, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, 1(800)432-2045, ext. 6299 or (561)682-6299, email: jsluth@sfwmd.gov.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs, Long-Term Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: November 5, 2009, 1:00 p.m. – 5:00 p.m. (EST)

PLACE: Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Advocacy Committee business.

A copy of the agenda may be obtained by contacting: Aubrey Posey Department of Elder Affairs, 4040 Esplanade Way, Ste. 280P, Tallahassee, FL 32399, (850)414-2323 or email: poseya@elderaffairs.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 72 hours before the workshop/meeting by contacting: Aubrey Posey Department of Elder Affairs, 4040 Esplanade Way, Ste. 280P, Tallahassee, Florida 32399, (850)414-2323 or email: poseya@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Aubrey Posey Department of Elder Affairs, 4040 Esplanade Way, Ste. 280P, Tallahassee, Florida 32399, (850)414-2323, or email: poseya@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: November 5, 2009, 1:00 p.m. – 5:00 p.m. (EST)

PLACE: Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Training Committee business.

A copy of the agenda may be obtained by contacting: Betty Cambor, 11351 Ulmerton Road, Ste. 303, Largo, FL 33778, (727)518-3913 or email: camblorbj@elderaffairs.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 72 hours before the workshop/meeting by contacting: Betty Cambor, 11351 Ulmerton Road, Ste. 303, Largo, FL 33778, (727)518-3913 or email: camblorbj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Betty Cambor, 11351 Ulmerton Road, Ste. 303, Largo, FL 33778, (727)518-3913 or email: camblorbj@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: November 5, 2009, 1:00 p.m. – 5:00 p.m. (EST)

PLACE: Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Data & Information Committee business.

A copy of the agenda may be obtained by contacting: Priscilla Zachary, 4040 Esplanade Way, Ste. 280P, Tallahassee, FL 32399, (850)414-2323 or email: zacharypa@elderaffairs.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 72 hours before the workshop/meeting by contacting: Priscilla Zachary, 4040 Esplanade Way, Ste. 280P, Tallahassee, FL 32399, (850)414-2323 or email: zacharypa@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Priscilla Zachary, 4040 Esplanade Way, Ste. 280P, Tallahassee, Florida 32399, (850)414-2323 or email: zacharypa@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: November 9, 2009; December 14, 2009, 10:00 a.m. (EST)

PLACE: 3601 Kirby Loop Road, Ft. Pierce, FL 34981

GENERAL SUBJECT MATTER TO BE CONSIDERED: Treasure Coast District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Nancy Schoemig, Department of Elder Affairs, 1903 S. 25th St., Ste. 100, Ft. Pierce, Florida 34947, (772)595-1385 or email: schoemign@elderaffairs.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 72 hours before the workshop/meeting by contacting: Nancy Schoemig, Department of Elder Affairs, 1903 S. 25th St., Ste. 100, Ft. Pierce, FL 34947, (772)595-1385 or email: schoemign@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Nancy Schoemig, Department of Elder Affairs, 1903 S. 25th St., Ste. 100, Ft. Pierce, FL 34947, (772)595-1385 or email: schoemign@elderaffairs.org.

The Department of Elder Affairs, Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

DATES AND TIME: November 10, 2009; December 8, 2009, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: Elder Source, 4160 Woodcock Drive, Bldg. 2800, 2nd Floor, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: First Coast District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Michael Milliken, 4161 Carmichael Ave., Ste. 141, Jacksonville, FL 32207, (904)391-3942 or email: millikenm@elderaffairs.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 72 hours before the workshop/meeting by contacting: Michael Milliken, 4161 Carmichael Ave., Ste. 141, Jacksonville, FL 32207, (904)391-3942 or email: millikenm@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Michael Milliken, 4161 Carmichael Ave., Ste. 141, Jacksonville, FL 32207, (904)391-3942 or email: millikenm@elderaffairs.org.

The Department of Elder Affairs, Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

DATES AND TIME: November 10, 2009; December 8, 2009, 1:00 p.m. – 2:00 p.m. (EST)

PLACE: 1400 West Commercial Blvd., 2nd Floor, Ft. Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: Broward District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: John McGovern, 7771 W. Oakland Park Blvd., Sunrise, FL 33351, (954)474-7919 or email: mcgovernj@elderaffairs.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 72 hours before the workshop/meeting by contacting: John McGovern, 7771 W. Oakland Park Blvd., Sunrise, FL 33351, (954)474-7919 or email: mcgovernj@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: John McGovern, 7771 W. Oakland Park Blvd., Sunrise, Florida 33351, (954)474-7919 or email: mcgovernj@elderaffairs.org.

The Department of Elder Affairs, Long-Term Care Ombudsman Program announces a public meeting to which all persons are invited.

DATES AND TIME: November 12, 2009; December 10, 2009, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: St. Anne Byzantine Catholic Church, 7120 Massachusetts Avenue, New Port Richey, FL 34653

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pasco & North Pinellas District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Lynn Penley, Department of Elder Affairs, 2435 US Hwy. 19, Ste. 330, Holiday, Florida 34691, (727)943-4955 or email: penleyl@elderaffairs.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 72 hours before the workshop/meeting by contacting: Lynn Penley, Department of Elder Affairs, 2435 US Hwy. 19, Ste. 330, Holiday, FL 34691. (727)943-4955 or email: penleyl@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Penley, Department of Elder Affairs, 2435 US Hwy. 19, Ste. 330, Holiday, Florida 34691, (727)943-4955 or email: penleyl@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: November 12, 2009; December 10, 2009, 10:00 a.m. – 12:00 Noon (EST)

PLACE: Rath Senior CoNEXTions & Education Center, 1350 E. Main Street, Ste. 200, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: South Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Tresa Johnston, Department of Elder Affairs, 200 N. Kentucky Ave., #224, Lakeland, FL 33801, (863)413-2764 or email: johnstont@elderaffairs.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 72 hours before the workshop/meeting by contacting: Tresa Johnston, Department of Elder Affairs, 200 N. Kentucky Ave, #224, Lakeland, FL 33801, (863)413-2764 or email: johnstont@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tresa Johnston, Department of Elder Affairs, 200 N. Kentucky Ave., #224, Lakeland, FL 33801, (863)413-2764 or email: johnstont@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: November 12, 2009; December 10, 2009, 10:30 a.m. – 11:45 a.m. (EST)

PLACE: North Miami Beach Public Library, 1601 N. E. 164th Street, North, North Miami Beach, FL 33162

GENERAL SUBJECT MATTER TO BE CONSIDERED: North Dade District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Ramon Keppis, Department of Elder Affairs, 7270 N. W. 12th Street, Suite 550, Miami, FL 33126, (786)336-1418 or email: keppisra@elderaffairs.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 72 hours before the workshop/meeting by

contacting: Ramon Keppis, Department of Elder Affairs, 7270 N. W. 12th Street, Suite 550, Miami, FL 33126, (786)336-1418 or email: keppisra@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ramon Keppis, Department of Elder Affairs, 7270 N. W. 12th Street, Suite 550, Miami, FL 33126, (786)336-1418 or email: keppisra@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: November 12, 2009; December 10, 2009, 12:00 Noon – 2:45 p.m. (EST)

PLACE: Mayor William Beardall Senior Center, 800 South Delaney Avenue, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: East Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Lashea Heidelberg, Department of Elder Affairs, 988 Woodcock Road, Ste. 198, Orlando, FL 32803, (407)228-7752 or email: heidelbergl@elderaffairs.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 72 hours before the workshop/meeting by contacting: Lashea Heidelberg, Department of Elder Affairs, 988 Woodcock Road, Ste. 198, Orlando, Florida 32803, (407)228-7752 or email: heidelbergl@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lashea Heidelberg, Department of Elder Affairs, 988 Woodcock Road, Ste. 198, Orlando, FL 32803, (407)228-7752 or email: heidelbergl@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: November 13, 2009, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: First Presbyterian Church of Brandon, 121 Carver Avenue, Room D, Brandon, FL 33510

GENERAL SUBJECT MATTER TO BE CONSIDERED: West Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, Florida 33612, (813)558-5591 or email: baker@elderaffairs.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 72 hours before the workshop/meeting by contacting: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, FL 33612, (813)558-5591 or email: baker@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, Florida 33612, (813)558-5591 or email: baker@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: November 16, 2009; December 14, 2009, 11:00 a.m. – 12:45 p.m. (EST)

PLACE: 111 South Sapodilla Ave., Room #113B, West Palm Beach, FL 33401

GENERAL SUBJECT MATTER TO BE CONSIDERED: Palm Beach District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Allen Jaggard, 111 S. Sapodilla Ave., #125 A-B-C, West Palm Beach, Florida 33401, (561)837-5038 or email: jaggarda@elderaffairs.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 72 hours before the workshop/meeting by contacting: Allen Jaggard, 111 S. Sapodilla Ave., #125 A-B-C, West Palm Beach, FL 33401, (561)837-5038 or email: jaggarda@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Allen Jaggard, 111 S. Sapodilla Ave., #125 A-B-C, West Palm Beach, FL 33401, (561)837-5038 or email: jaggarda@elderaffairs.org.

The Florida **Department of Elder Affairs, Statewide Public Guardianship Office** announces a telephone conference call to which all persons are invited.

DATES AND TIME: November 10, 2009; November 17, 2009; December 1, 2009; December 15, 2009; January 12, 2010, 8:00 a.m. – 9:00 a.m.

PLACE: Callers within Tallahassee and outside of Tallahassee: 1(888)808-6959. When prompted, enter Conference Code: 9247380 followed by #

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Lynn Visk, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2381, email: viskl@elderaffairs.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 72 hours before the workshop/meeting by contacting: Lynn Visk, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2381, email: viskl@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Lynn Visk, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2381, email: viskl@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: November 10, 2009, 10:00 a.m. – 1:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review legal policy issues for health information exchange including proposed uniform patient authorization forms, draft rules to establish the forms, standard provider participation agreements for health information exchange, and other matters as required.

A copy of the agenda may be obtained by contacting: Carolyn Turner at turnerc@ahca.myflorida.com. The agenda will be posted at: <http://www.fhin.net/PSresourceCtr/FLPSproject/LWGmeetings.shtml> seven (7) days prior to the 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: Carolyn H. Turner at (850)922-5861. 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: Dana Watson at (850)921-2032.

The **Agency for Health Care Administration**, Bureau of Medicaid Services announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 5, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, FL 32308
GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Medicaid is holding a public forum to discuss subjects related to the DME program. The Agency will discuss proposed and recent changes to the DME program.

A copy of the agenda may be obtained by contacting: Dan Gabric, DME Program Analyst, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, gabricd@ahca.myflorida.com.

If you would like to attend, please contact: Dan Gabric, DME Program Analyst, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, gabricd@ahca.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 10, 2009, 1:30 p.m.

PLACE: Florida Fish and Wildlife Office, Conference Room 329, 620 South Meridian St., Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Plan and organize for SSRC Board of Trustees' Customer Service Sub-Committee. SSRC Board Members Nelson Munn and Kevin Patten will be meeting to plan for the on-going operation, organization and function of the standing committee for Customer Service.

A copy of the agenda may be obtained by contacting: Rick Mitchell, rick.mitchell@ssrc.myflorida.com, (850)488-9895.

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: Rick Mitchell, rick.mitchell@ssrc.myflorida.com, (850)488-9895. 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: Rick Mitchell, rick.mitchell@ssrc.myflorida.com, (850)488-9895.

The **Office of Early Learning** announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2009, 10:00 a.m. – 3:00 p.m.

PLACE: Quorum Hotel Tampa, 700 North Westshore Blvd., Tampa, Florida 33609. For reservations, please contact the hotel at 1(877)478-6786, and state that you are part of the Agency for Workforce Innovation room block in order to get the \$89.00 room rate. Reservations must be made by November 25, 2009. A Conference Call Dial In Number is also available: 1(888)808-6959, Access Code: 9213167#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Early Learning Advisory Council Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Office of Early Learning Website 7 days before the scheduled date: <http://www.floridajobs.org/earlylearning/ELACMeetingMaterials.html> or lisa.billups@flaawi.com.

The **Department of Management Services, Division of Telecommunications**, E911 Board the following meeting schedule information whereby two (2) or more Board members will be in attendance: announces a workshop to which all persons are invited.

DATE AND TIME: November 18, 2009, immediately following the monthly scheduled E911 Board Meeting

PLACE: Embassy Suites Hotel, USF, 3705 Spectrum Boulevard, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida E911 Board Prepaid Taskforce Workshop to discuss issues related to Prepaid legislation and other related issues.

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 Management Services, Division of Telecommunications Office, E911 Board in writing at least five (5) days in advance: 4050 Esplanade Way, Tallahassee, Florida 32399-0950. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Board of Accountancy** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, December 10, 2009, Probable Cause, 9:00 a.m. – until all business is concluded; Thursday, December 10, 2009, Board meeting, 2:00 p.m. – until all business is concluded; Friday, December 11, 2009, Board meeting, 9:00 a.m. – until all business is concluded

PLACE: Department of Business and Professional Regulation, Board Room, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet to conduct hearings on disciplinary matters. These meetings are closed to the public; however, there may be cases where probable cause was previously found which are to be reconsidered. This is a public meeting. The Board will meet to consider enforcement proceedings including consideration of investigation officers' reports, rules, and other general business. This is a public meeting.

A copy of the agenda may be obtained by contacting: June Carroll, Administrative Assistant II, Board of Accountancy, 240 N. W. 76th Drive, Suite A, Gainesville, FL 32607.

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: June Carroll. 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: June Carroll.

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 CANCELLATION – The **Department of Environmental Protection** announces the cancellation of a hearing originally scheduled:

DATE AND TIME: November 3, 2009, 9:00 a.m. through November 6, 2009

PLACE: Palm Gardens, Florida

The hearing was initially noticed on September 18, 2009, for the Florida Power & Light Riviera Beach Energy Center application, Power Plant Site Certification Application number PA 09-54, DOAH Case number 09-001003EPP, DEP Office of General Counsel Case Number 09-0262. In accordance with the Florida Electrical Power Plant Siting Act, Section 403.508(6), F.S., on October 14, 2009, all parties to this proceeding stipulated that there are no disputed issues of material fact or law to be raised at the certification hearing and filed a motion requesting that the Administrative Law Judge cancel the certification hearing and relinquish jurisdiction to the Department of Environmental Protection pursuant to Section 403.508(6)(a), F.S. The Administrative Law Judge issued an order granting the request pursuant to Section

403.508(6)(b), F.S. Pursuant to Section 403.509(1), F.S., the Department of Environmental Protection will prepare and issue a Final Order within 40 days of the Judge's Order.

For more information, you may contact: Mr. Michael P. Halpin, Department of Environmental Protection, 3900 Commonwealth Blvd., M.S. #48, Tallahassee, Florida 32399-3000, (850)245-2002.

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: Tuesday, November 10, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4513843#

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: Becky Prado at rebecca.prado@dep.state.fl.us, by phone (850)245-2094 or by mail: 3900 Commonwealth Blvd., MS #235, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Becky Prado at rebecca.prado@dep.state.fl.us, by phone (850)245-2094 or by mail: 3900 Commonwealth Blvd., MS #235, Tallahassee, FL 32399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 12, 2009, 8:00 a.m.

PLACE: Jacksonville City Hall Annex (Jake Godbold Building), 407 North Laura Street, Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review results of the LSJR Fecal Coliform Source Identification for the 10 waterbodies that received intensive assessment. Topics for this meeting include the science behind the approach, the findings for each waterbody, and the incorporation of information into the BMAP.

A copy of the agenda may be obtained by contacting: Ms. Amy Tracy, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS #3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8506.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Ms. Amy Tracy at (850)245-8506. 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 **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 17, 2009, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Southwest District Office, Main Conference Room, 13051 N. Telecom Parkway, Temple Terrace, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Numeric Nutrient Criteria Technical Advisory Committee. The meeting will continue discussion of numeric nutrient criteria for Florida's waters, and will address the Department's proposed numeric nutrient criteria for streams, lakes, and springs under Chapters 62-302 and 62-303, Florida Administrative Code.

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us. Further information also may be obtained from the Department's web site: <http://www.dep.state.fl.us/water/wqssp/nutrients/index.htm>.

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: Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, November 17, 2009, 7:00 p.m.

PLACE: Keystone Heights City Hall, 555 South Lawrence Boulevard, Keystone Heights, Florida 32656

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Mike Roess Gold Head Branch State Park.

A copy of the management plan will be available at the park for review by contacting: Jason Cutshaw, Park Manager at (352)473-4701 or email (Jason.Cutshaw@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 48 hours before the workshop/meeting by contacting: Jason Cutshaw, Park Manager at (352)473-4701 or email (Jason.Cutshaw@dep.state.fl.us). If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, November 18, 2009, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Southwest District Office, Main Conference Room, 13051 N. Telecom Parkway, Temple Terrace, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public workshop will address proposed revisions to the surface water classification system in Rule 62-302.400, Florida Administrative Code. The workshop will focus on revisions to the rule that were made in response to public comments on the first workshop draft and on draft guidance for Use Attainability Analyses (UAAs), which will be incorporated by reference into the rule. No surface waters are proposed for reclassification as part of this rulemaking.

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS #6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us.

Further information also may be obtained from the Department's web site at: <http://www.dep.state.fl.us/secretary/designateduse.htm>.

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: Eric Shaw at (850)245-8429. 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 **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: November 18, 2009, 9:00 a.m.

PLACE: Videoconferencing Rooms as follows: Bob Martinez Center, 2600 Blair Stone Road, Tallahassee, FL 32399, Video Conference Room 609; 2295 Victoria Avenue, Fort Myers, FL 33901, Video Conference Room 38H; 7825 Baymeadows Way, Jacksonville, FL 32256, Video Conference Room 213A; 3319 Maguire Blvd., Orlando, FL 32803, Video Conference Room F; 160 Government Center, Pensacola, FL 32502, Video Conference Room 501A; 13051 North Telecom Parkway, Temple Terrace, FL 33637, Video Conference Room 111; 400 North Congress Avenue, West Palm Beach, FL 33401, Video Conference Room (no number)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be the eighth meeting of an advisory committee composed of technical experts from government and private industry to help develop educational materials for the generation, segregation, packaging, transport, and disposal of biomedical and universal pharmaceutical wastes that are regulated by three Florida agencies: DEP for waste management, DOH for infectious waste, drug distribution and diversion and DOT for transportation.

A copy of the agenda may be obtained by contacting: Yvonne Peters by e-mail: yvonne.peters@dep.state.fl.us or by calling (850)245-8707.

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: Yvonne Peters by e-mail: yvonne.peters@dep.state.fl.us or by calling (850)245-8707. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Environmental Protection, Division of Recreation and Parks** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 18, 2009, 9:00 a.m.

PLACE: Keystone Heights City Hall, 555 South Lawrence Boulevard, Keystone Heights, Florida 32656

GENERAL SUBJECT MATTER TO BE CONSIDERED: Presentation and discussion of the proposed management plan for Mike Roess Gold Head Branch State Park with the Advisory Group.

A copy of the agenda may be obtained by contacting: Jason Cutshaw, Park Manger at (352)473-4701 or email (Jason.Cutshaw@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 48 hours before the workshop/meeting by contacting: Jason Cutshaw, Park Manger at (352)473-4701 or email (Jason.Cutshaw@dep.state.fl.us). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Division of Air Resource Management** announces a public meeting to which all persons are invited.

DATE AND TIME: November 18, 2009, 6:00 p.m. – no later than 8:00 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to receive comments on the Department's Notice of Intent to issue an air construction modification (Permit No. 0990646-003-AC) to Florida Power and Light Company for the modification of permit conditions related to the existing natural gas fired auxiliary boiler at the West County Energy Center. The existing facility is located in Palm Beach County at 20505 State Road 80 in Loxahatchee, Florida. The purpose of the project is to modify the original air construction permit to recognize that only one natural gas fired auxiliary boiler is installed and to increase the total allowable hours of operation from 1000 to 1500 hours per year for the single auxiliary boiler.

A copy of the agenda may be obtained by contacting: Mr. Jeff Koerner at (850)921-9536, jeff.koerner@dep.state.fl.us or Ms. Tammy McWade at (850)488-1906, tammy.mcwade@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 48 hours before the workshop/meeting by contacting: Ms. Lynn Searce at (850)921-9551. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Office of Greenways and Trails**, State of Florida **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2009, 6:00 p.m. – 8:00 p.m.

PLACE: Brick City Park, 1211 S. E. 22nd Road, Ocala, Florida 34478

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will provide for public review and comment on a proposed paved trail corridor alignment, within the Marjorie Harris Carr Cross Florida Greenway, to connect the existing Baseline Road Trailhead to the Santos Trailhead. Comment cards will be available at the meeting and comments will be accepted through November 25, 2009.

A copy of the agenda may be obtained by contacting: Mickey Thomason, Office of Greenways and Trails, State of Florida, Department of Environmental Protection, 8282 S.E. Highway 314, Ocala, Florida 34470. Mr. Thomason at (352)236-7143 or by email: Mickey.Thomason@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jim Wood at (850)245-2052. If you are hearing or

speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Governor's Task Force on Autism Spectrum Disorders** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 2, 2009, 1:00 p.m. – 2:00 p.m.
PLACE: Conference Call: 1(888)808-6959, Conference Code: 9439484#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This call will be to discuss meeting logistics for the November 12, 2009, full Task Force meeting in Weston and discuss any recent updates pertinent to the Task Force.

A copy of the agenda may be obtained by contacting: There will be no formal agenda for this 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 3 days before the workshop/meeting by contacting: Kimberly Copley at (850)487-3763 or by email: Kimberly_Copley@apd.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: Kimberly Copley at (850)487-3763 or by email: Kimberly_Copley@apd.state.fl.us.

The **Governor's Task Force on Autism Spectrum Disorders** announces a public meeting to which all persons are invited.

DATE AND TIMES: November 12, 2009, 9:00 a.m. – 4:00 p.m. or conclusion; Public comment will be received from: 5:30 p.m. – 7:30 p.m.

PLACE: Hyatt Conference Center & Spa, Key West Room, Hotel Atrium, 250 Racquet Club Road, Weston, FL 33326

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be to further discuss items required of the Task Force as listed in Executive Order 09-82.

All members of the public wishing to give comment are asked to sign up at the public comment table by 5:00 p.m.

A copy of the agenda may be obtained by contacting: There will be no formal agenda for this 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 3 days before the workshop/meeting by contacting: Kimberly Copley at (850)487-3763 or by email: Kimberly_Copley@apd.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: Kimberly Copley at (850)487-3763 or by email: Kimberly_Copley@apd.state.fl.us.

The **Board of Medicine**, Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2009, 9:00 a.m.
PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Shamyah Gibson at Shamyah_Gibson@doh.state.fl.us or call (850)245-4131, ext. 3518.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Shamyah Gibson at Shamyah_Gibson@doh.state.fl.us or call (850)245-4131, ext. 3518. 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 Medicine**, Rules and Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2009, 4:00 p.m. or soon thereafter

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday and Saturday, December 4-5, 2009, 8:00 a.m.

PLACE: Renaissance Orlando Hotel, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call (850)245-4131, ext. 3517. 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 Medicine** and **Board of Osteopathic Medicine**, Pain Management Clinic Standards of Practice Joint Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, November 21, 2009, 10:00 a.m.
PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)850-0627

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss standards of practice for physicians practicing in pain management clinics subject to the provisions of SB 462. Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal_sanford@doh.state.fl.us or (850)245-4132.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Crystal Sanford at crystal_sanford@doh.state.fl.us or (850)245-4132. 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 Medicine**, Dietetics-Nutrition and Electrolysis Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2009, 5:00 p.m. or shortly thereafter (Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: www.flhealthsource.com for cancellations or changes to the meeting dates or call the Board of Medicine at (850)245-4131 for more information.)

PLACE: Renaissance Orlando Hotel-Airport, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the general business of the Dietetics-Nutrition and Electrolysis Committee.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131 or Gwyn_Willis@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 5 days before the workshop/meeting by contacting: Gwyn Willis at (850)245-4131 or Gwyn_Willis@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.

The **Board of Medicine**, Surgical Care and Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2009, 5:30 p.m. – or shortly thereafter (Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flahhealthsource.com for cancellations or changes to the meeting dates or call the Board of Medicine at (850)245-4131 for more information.)

PLACE: Renaissance Orlando Hotel-Airport, 5445 Forbes Place, Orlando, FL 32812, (407)240-1000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the general business of the Board of Medicine Surgical Care and Quality Assurance Committee.

A copy of the agenda may be obtained by contacting: Gwyn Willis at (850)245-4131 or Gwyn_Willis@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 5 days before the workshop/meeting by contacting: Gwyn Willis at (850)245-4131 or Gwyn_Willis@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.

The Florida **Board of Nursing**, South Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 19, 2009, 10:00 a.m. – 1:00 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Pass Code: 2458182#

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Rick García, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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. 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 Medicine** and **Board of Osteopathic Medicine**, Pain Management Clinic Standards of Practice Joint Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, November 21, 2009, 10:00 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)850-0627

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss standards of practice for physicians practicing in pain management clinics subject to the provisions of SB 462.

A copy of the agenda may be obtained by contacting: christy_robinson@doh.state.fl.us or call (850)245-4161.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Christy Robinson at crhisty_robinson@doh.state.fl.us or call (850)245-4161. 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 Pharmacy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 10, 2009, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)808-6959, Code: 5642037#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet to discuss general Board business.

A copy of the agenda may be obtained by contacting: The agenda will be available one week prior to the meeting date at www.doh.state.fl.us/mqa/pharmacy.

For more information, you may contact: Board of Pharmacy, 4052 Bald Cypress Way, MS #C-04, Tallahassee, FL 32399, (850)245-4292.

The **Board of Pharmacy**, Tripartite Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 16, 2009, 11:00 a.m.
PLACE: Conference Call: 1(888)808-6959, Conference Code: 5642037#
GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will approve minutes from previous meeting, Rules Update, Program/Provider Approval Discussions, Questions and Answers, and any other general committee business.
A copy of the agenda may be obtained by contacting: Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, FL 32399-3254, (850)245-4292. The agenda will also be available one week prior to the meeting date at: www.doh.state.fl.us/mqa/pharmacy.

The **Board of Podiatric Medicine** announces a public meeting to which all persons are invited.
DATE AND TIME: Friday, November 20, 2009, 9:00 a.m. (and will be held by telephone conference call if necessary)
PLACE: Hyatt Regency Orlando, International Airport, 9300 Airport Boulevard, Orlando, Florida 32847, (407)825-1234
GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.
A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: www.doh.state.fl.us/mqa/podiatry/index.html.
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 CHILDREN AND FAMILY SERVICES

The **Department of Children and Families**, Circuit 10 announces a public meeting to which all persons are invited.
DATE AND TIME: Friday, November 13, 2009, 10:00 a.m.
PLACE: Children's Advocacy Center, 1000 S. Highlands Avenue, Sebring, FL 33870
GENERAL SUBJECT MATTER TO BE CONSIDERED: Chapter 39, F.S., Local Planning Team 5-Year Plan Subcommittee Meeting. The meeting is being held to gather local input on adoption promotion and child abuse prevention programs.

A copy of the agenda may be obtained by contacting: Diane Dvorak, DCF at (863)619-4100.
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: Diane Dvorak, DCF at (863)619-4100. 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: Diane Dvorak, DCF at (863)619-4100.

The **Department of Children and Families** announces a telephone conference call to which all persons are invited.
DATE AND TIME: Monday, November 9, 2009, 8:00 a.m. – 9:00 a.m.
PLACE: Conference Call: 1(888)808-6959, Code: 49931698#
GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the ACCESS Advisory Committee on Economic Security co-chairs and subcommittee chairs to discuss the status of the subcommittee's recommendations.
A copy of the agenda may be obtained by contacting: ACCESS Program Office by calling (850)228-2906.
Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact: ACCESS Program Office, (850)228-2906 at least 48 hours in advance of the meeting.

The **Developmental Disabilities Prepaid Services Study Group** announces a public meeting to which all persons are invited.
DATE AND TIME: November 4, 2009, 3:00 p.m. – 4:30 p.m. or conclusion
PLACE: Conference Call: 1(888)808-6959, Conference Code: 9439484. Senate Office Building, Room 229, Tallahassee, FL 32399
GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will be to further discuss a draft of legislation put together by the Bill Drafting Sub-Committee, and to allow for question and answers to the Agency for Health Care Administration and Department of Children and Families' Medicaid divisions.
Please contact: Kimberly Copley at Kimberly_Copley@apd.state.fl.us for specific time of meeting to be determined at a later date.
A copy of the agenda may be obtained by contacting: There will be no formal agenda for this 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 3 days before the workshop/meeting by

contacting: Kimberly Copley at (850)487-3763 or by email: Kimberly_Copley@apd.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: Kimberly Copley at (850)487-3763 or by email: Kimberly_Copley@apd.state.fl.us.

The **Family Care Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 10, 2009, 12:00 Noon

PLACE: Faith Lutheran Church, 211 Easton Drive, Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Sara-Howerton@apd.state.fl.us or (863)413-3363.

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@apd.state.fl.us or (863)413-3363. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sara-Howerton@apd.state.fl.us or (863)413-3363.

The **Family Care Council** announces a public meeting to which all persons are invited.

DATE AND TIME: November 20, 2009, 10:00 a.m.

PLACE: Visions ADT, 155 US 27 North, Suite 2, Sebring, Florida 33872

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Meeting.

A copy of the agenda may be obtained by contacting: Sara_Howerton@apd.state.fl.us or (863)413-3360.

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@apd.state.fl.us or (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).

For more information, you may contact: Sara_Howerton@apd.state.fl.us or (863)413-3360.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, November 12, 2009, 1:30 p.m. (Eastern Time); Monday, November 23, 2009, 2:00 p.m. (Eastern Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: The first review committee meeting will be to discuss the proposals and answer any questions regarding the proposals received. The second review committee meeting will be to discuss, evaluate, score and rank the proposals submitted in response to Florida Housing Finance Corporation's Request for Qualifications #2009-04 for Printing/Copying and Reproduction Services.

A copy of the agenda may be obtained by contacting: Sherry Green at (850)488-4197 or sherry.green@floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sherry Green at (850)488-4197 or sherry.green@floridahousing.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.

The **Florida Housing Finance Corporation** announces a hearing to which all persons are invited.

DATE AND TIME: November 17, 2009, 10:00 a.m. (Tallahassee Local Time)

PLACE: Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of tax-exempt bonds by Florida Housing to finance the acquisition, construction or rehabilitation of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below:

Walden Pond Villas, a 290-unit multifamily residential rental development located at 20880 N. W. 7th Avenue, Miami Gardens, Miami-Dade County, FL 33169. The prospective owner and operator of the proposed development is Walden Pond Preservation, L.P., 60 Columbus Circle, New York, NY 10023, or such successor in interest in which Walden Pond Developer, LLC, or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The prospective manager of the proposed development is TRG Management

Company of Florida, 2828 Coral Way, Suite 101, Miami, FL 33145. The total tax-exempt bond amount is not to exceed \$13,700,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing by 5:00 p.m. (Tallahassee Local Time), November 16, 2009, and should be addressed to Attention: Wayne Conner, Director of Multifamily Bonds. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

A copy of the agenda may be obtained by contacting: Wayne Conner, Director of Multifamily Bonds, Florida Housing Finance Corporation at (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: Wayne Conner, Director of Multifamily Bonds, Florida Housing Finance Corporation 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.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a facilitated stakeholder meeting to discuss and examine manatee issues.

DATES AND TIME: November 10, 2009, 10:00 a.m.

PLACE: Florida Fish and Wildlife Research Institute, 100 – 8th Ave., S.E., St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is fact finding, to solicit input from stakeholders to the agency and its federal partners in evaluating current issues concerning the manatee. The public can attend the meeting; however, space is limited. This meeting will be structured and facilitated. No public comments will be taken.

A copy of the agenda may be obtained by contacting: Ms. Carol Knox at (850)922-4330 or Carol.Knox@MyFWC.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: FWC at (850)488-6411. 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: Ms. Carol Knox, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section 6A, 620 South Meridian Street, Tallahassee, Florida 32399, (850)922-4330.

The **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 10, 2009, 6:00 p.m. – 8:00 p.m.

PLACE: 1st Floor, Training Room, Thomas C. Kelly Administration Center, 123 W. Indiana Ave., DeLand, Florida 32720

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FWC is seeking public input on boating and recreational uses on Silver Glen Run at Lake George.

FWC staff is assisting the US Forest Service by compiling suggestions and ideas from the public on ways to balance and sustain recreational uses while minimizing environmental impacts in Silver Glen Run.

Additional information regarding the workshop will be available on line at: http://www.myfwc.com/RECREATION/boat_index.htm.

A copy of the agenda may be obtained by contacting: Ms. Elaine Richardson at (352)732-1225 or via email: elaine.richardson@myfwc.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ms. Elaine Richardson at (352)732-1225 or via email: elaine.richardson@myfwc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Elaine Richardson at (352)732-1225 or via email: elaine.richardson@myfwc.com. Directions: From Orlando: I-4 north to 44, head west into DeLand, 44 becomes New York Ave., turn right on Florida Ave., parking lot is on left. From Jacksonville: I-95 south to 44, head west into DeLand, 44 becomes New York Ave., turn right on Florida Ave., parking lot is on left.

DEPARTMENT OF FINANCIAL SERVICES

The Committee on Preneed and Care and Maintenance Trusts – Financial Issues, of the **Board of Funeral, Cemetery, and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: November 20, 2009, 10:00 a.m.

PLACE: Alexander Building, 2020 Capital Circle, S. E., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Committee business. Please monitor the Division's webpage for any notice of cancellation or change in start time of the meeting.

A copy of the agenda may be obtained by contacting: Division of Funeral, Cemetery and Consumer Services. The agenda for the meeting will be published on the Division's webpage, under the heading "Announcements," at least 7 days prior to the meeting. The Division's webpage is at the following web address: www.myfloridacfo.com/FuneralCemetery/.

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: LaTonya Bryant-Parker at LaTonya.Bryant-Parker@myfloridacfo.com or (850)413-3039. 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: LaTonya Bryant-Parker at LaTonya.Bryant-Parker@myfloridacfo.com or (850)413-3039.

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: November 10, 2009, 9:00 a.m.

PLACE: Senator Jim King Committee Room (401 Senate Office Building), Tallahassee, Florida (adjacent to The Capitol)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Citizens Property Insurance Corporation has requested rate increases for its Florida High-Risk Account (HRA) homeowners, mobile homeowners, dwelling fire, commercial property residential, and commercial property non-residential programs. The effective date of the proposed rate increases for the programs listed herein is January 1, 2010, for new and renewal business. The requested rate increases are not uniform. Florida law allows the Office of Insurance Regulation to hold a public hearing for any purpose within the scope of the Insurance Code deemed to be necessary. Input from the insurers as well as interested parties will be received at this public hearing. If you are unable to attend this public hearing,

please forward your comments to the Office of Insurance Regulation at ratehearings@flor.com; the subject line of your e-mail should read "Citizens HRA."

A copy of the agenda may be obtained by contacting: Rhoda K. Johnson, Esquire at (850)413-4252 or Cindy Walden at (850)413-2616.

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: Cindy Walden at (850)413-2616 or e-mail: cindy.walden@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rhoda K. Johnson, Esquire at (850)413-4252 or Cindy Walden at (850)413-2616.

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

The **Agency for Enterprise Information Technology**, Chief Information Officers Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 16, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Betty Easley Conference Center, Room 152, 4075 Esplanade Way, Tallahassee, FL 32399-0850

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

A copy of the agenda may be obtained by contacting: Lauren Pope, Florida Fish and Wildlife Conservation Commission, Office of Information Technology at email: Lauren.Pope@MyFWC.com or (850)414-2870.

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: Lauren Pope. 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 ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The **Florida Atlantic Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, November 4, 2009, 8:00 a.m.

PLACE: Conference Room, Technology Incubator, Suite 210, 3701 FAU Blvd., Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business and lease estoppel.

Complete agenda and minutes from previous meeting can be found on our web site at www.research-park.org.

A copy of the agenda may be obtained by contacting: Scott Ellington at (561)416-6092, Scott@research-park.org or on web site: www.research-park.org.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 5, 2009, 3:00 p.m.

PLACE: SSRC, Southwood Shared Resource Center, Conference Room 102, 2585 Shumard Oak Blvd., Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Initial Planning Meeting of the SSRC Standing Committee on Operations and Finance.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895; rick.mitchell@ssrc.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 2 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895; rick.mitchell@ssrc.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).

For more information, you may contact: Rick Mitchell at (850)488-9895; rick.mitchell@ssrc.myflorida.com.

GOVERNOR'S COMMISSION ON DISABILITIES

The **Governor's Commission on Disabilities** announces a public meeting to which all persons are invited.

DATE AND TIMES: Monday, November 9, 2009, 9:00 a.m. – 6:00 p.m. or until close of business; public Comments from 4:00 p.m. – 5:00 p.m.

PLACE: Senate Room 401, The Capitol, 400 S. Monroe St., Tallahassee, FL 32399-0001

GENERAL SUBJECT MATTER TO BE CONSIDERED: The commission is meeting to fulfill the mandate of Executive Order 08-193.

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).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to: commission@dms.myflorida.com.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

The Audit Committee of the **Florida Workers' Compensation Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2009, 9:30 a.m. (EST)

PLACE: Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The general business of the Committee.

A copy of the agenda may be obtained by contacting: Cathy Irvin at cirvin@agfgroup.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: Cathy Irvin at cirvin@agfgroup.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).

FLORIDA ALLIANCE FOR ASSISTIVE SERVICES AND TECHNOLOGY, INC.

The **Florida Alliance for Assistive Services and Technology, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 12, 2009, 8:50 a.m. – until completion of agenda

PLACE: Hyatt Regency Riverfront, 225 East Coastline Dr., Jacksonville, FL 32202. Conference Call: 1(888)808-6959, Conference Code: 2373773#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet to conduct a quarterly board meeting as specified on the agenda. At the conclusion of the meeting's public comments the Board of Directors South Florida Regional Demonstration Center RFP Scoring Committee will convene. If you have any questions, please contact: FAAST, Inc., 325 John Knox Road, Bldg. 400, Ste. 402, Tallahassee, FL 32303, 1(888)788-9216. If you would like to present information to the Board of Directors, or if you

require reasonable accommodations due to a disability, please contact FAAST, Inc. at the above address at least 14 working days in advance of the meeting.

A copy of the agenda may be obtained by contacting: FAAST, Inc., 325 John Knox Road, Bldg. 400, Ste. 402, Tallahassee, FL 32303, 1(888)788-9216.

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 14 days before the workshop/meeting by contacting: FAAST, Inc., 325 John Knox Road, Bldg. 400, Ste. 402, Tallahassee, FL 32303, 1(888)788-9216. 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: FAAST, Inc., 325 John Knox Road, Bldg. 400, Ste. 402, Tallahassee, FL 32303, 1(888)788-9216.

FLORIDA SELF-INSURERS GUARANTY ASSOCIATION, INC.

The **Florida Self-Insurers Guaranty Association, Inc.**, Finance Committee of its Board of Directors announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, November 12, 2009, 10:00 a.m.

PLACE: 1427 E. Piedmont Drive, 2nd Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Brian Gee, Executive Director at (850)222-1882.

VISIT FLORIDA

The Florida **Commission on Tourism** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 2, 2009, 12:30 p.m. – adjournment

PLACE: Saddlebrook Resort and Spa, 5700 Saddlebrook Way, Wesley Chapel, FL 33543

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Commission.

A copy of the agenda may be obtained by contacting: sgale@visitflorida.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: sgale@visitflorida.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).

For more information, you may contact: sgale@visitflorida.org.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT the Agency for Health Care Administration, Health Quality Assurance has issued an order disposing of the petition for declaratory statement filed by Israel A. Gomez, Arilys Rutkevich and Bernardo R. Reyes on October 14, 2009. The following is a summary of the agency's disposition of the petition:

The Agency for Health Care Administration hereby gives notice of the issuance of an Order regarding the Petition for Declaratory Statement for Israel A. Gomez, Arilys Rutkevich and Bernardo R. Reyes, received on July 16, 2009. The Notice of Petition for Declaratory Statement was published in Vol. 35, No. 31, of the August 7, 2009, Florida Administrative Weekly. The Petitioners sought a Declaratory Statement regarding whether their anticipated transaction constituted a change of ownership for the purposes of Section 408.803(5), Florida Statutes (2009). The Petitioners' transaction involves the transfer of 100% of the ownership of a health care clinic in two separate contracts. Based on the particular circumstances outlined by the Petitioners the Agency answered in the affirmative.

A copy of the Agency's Order may be obtained by contacting: Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Construction Industry Licensing Board hereby gives notice that on October 1, 2009, it received a Petition for Declaratory Statement filed by Rodney S. Fischer. The petition seeks the Board's interpretation of Section 489.105, Florida Statutes, and whether pursuant to Section 489.105, Florida Statutes, removal of concrete decks, penetrations of the pool structure, installing a completely different piping arrangement and installation of collector tanks and secondary main drain lines to mitigate the direct suction of pools and spas for the federal VGB act and Chapter 64E-9, F.A.C.

Copies of the petition may be obtained from: G. W. Harrell, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

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 Dietetics and Nutrition Practice Council has received the petition for declaratory statement from Sheah Rarback, RD, LD/N. The petition seeks the agency's opinion as to the applicability of Section 468.516(1)(a), F.S., and subsection 64B8-44.0009(1), F.A.C., as it applies to the petitioner.

The petition seeks the Board's interpretation of subsection 64B8-44.0009(1), F.A.C., and Section 468.516(1)(a), F.S., with respect to practice requirements and unauthorized treatments.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Allen Hall, Executive Director, Dietetics and Nutrition Practice Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

Please refer all comments to: Allen Hall, Executive Director, Dietetics and Nutrition Practice Council, 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:

Brian L. Blair vs. Florida Elections Commission; Case No.: 09-4732RX; Rule No.: 2B-1.002

Classical Christian Academy, School Number 4614 vs. Department of Education; Case No.: 09-5250RX; Rule No.: 6A-6.03315(1)(c)

WSG Key West Holdings, LLC. vs. Department of Community Affairs; Case No.: 09-5536RP; Rule No.: 9K-9

Susan Nagelsen vs. Florida Parole Commission; Case No.: 09-4859RX; Rule Nos.: 23-21.015(9), 23-21.0155, 23-21.0161

Susan Nagelsen vs. Florida Parole Commission; Case No.: 09-5354RX; Rule Nos.: 23-21.015(9), 23-21.0155, 23-21.0161

IGT, Inc., Bally Technologies, Inc.; and Gulf Stream Park Racing Association, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 09-4654RX; Rule No.: 61D-14.022(2)

MDG Capital Corporation vs. Florida Housing Finance Corporation; Case No.: 09-5115RX; Rule Nos.: 67ER09-3, 67ER09-4

Prime Homebuilders vs. Florida Housing Finance Corporation; Case No.: 09-5116RX; Rule Nos.: 67ER09-3, 67ER09-4

Legacy Pointe, Inc. vs. Florida Housing Finance Corporation; Case No.: 09-5117RX; Rule Nos.: 67ER09-3, 67ER09-4

Villa Capri, Inc. vs. Florida Housing Finance Corporation; Case No.: 09-5118RX; Rule Nos.: 67ER09-3, 67ER09-4

American Council of Life Insurance vs. Department of Financial Services; Case No.: 09-4909RP; Rule No.: 69B-162.011

Seven Springs Water vs. Suwannee River Water Management District; Case No.: 09-4940RU

Amada Tro, Anan Perez, Hector Gonzalez, Eloisa Arandia, Henry James, Nadime Hay-Harb, Jairo Gonzalez, Isabel Rojas, Lizania Monter, Elizabeth Quintana, Rosanna Grullon, Pompilio Payan, Mailyn Albuerne, Carlos Gomez, Leonardo Inclan, and Ernesto De Varona vs. Agency for Persons with Disabilities; Case No.: 09-5233RU

Progressive Select Insurance Company and Progressive American Insurance Company vs. Office of Insurance Commission and Financial Services Commission; Case No.: 09-5328RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

Florida Chamber of Commerce, Inc.; Florida Land Council, Inc.; and Florida Farm Bureau Federation vs. Department of Community Affairs; Case No.: 09-3488RP; Rule Nos.: 9J-5, 9J-5.003(80), 9J-11; Dismissed

All in One Consultants, LLC. vs. Department of Revenue; Case No.: 09-3012RX; Rule No.: 12A-1.060(6); Dismissed

Bernard Montgomery Myers vs. Department of Environmental Protection and Board of Trustees of The Internal Improvement Trust Fund; Case No.: 09-2928RX; Rule Nos.: 18-14.003(4), 18-21.004(1)(g)-(h), 18-21.004(7)(i); Dismissed

First Quality Home Care, Inc. vs. Department of Elder Affairs; Case No.: 09-3802RP; Rule No.: 58C-1.0031; Voluntarily Dismissed

MDG Capital Corporation vs. Florida Housing Finance Corporation; Case No.: 09-5115RX; Rule Nos.: 67ER09-3, 67ER09-4; Dismissed

Prime Homebuilders vs. Florida Housing Finance Corporation; Case No.: 09-5116RX; Rule Nos.: 67ER09-3, 67ER09-4; Dismissed

Legacy Pointe, Inc. vs. Florida Housing Finance Corporation; Case No.: 09-5117RX; Rule Nos.: 67ER09-3, 67ER09-4; Dismissed

Villa Capri, Inc. vs. Florida Housing Finance Corporation; Case No.: 09-5118RX; Rule Nos.: 67ER09-3, 67ER09-4; Dismissed

American Council of Life Insurance vs. Department of Financial Services; Case No.: 09-4909RP; Rule No.: 69B-162.011; Dismissed

Pronational Insurance Company; The Medical Assurance Company, Inc.; and Red Mountain Casualty Insurance Company, Inc. vs. Financial Services Commission and Office of Insurance Regulation; Case No.: 06-1143RP; Rule No.: 69O-171.003; Voluntarily Dismissed

Sharon R. Huberty vs. State Board of Administration; Case No.: 09-2268RU; Invalid

Health and Palliative Services of the Treasure Coast, Inc., through its licensees Hospice of the Treasure Coast, Inc., and the Hospice of Martin and St. Lucie, Inc.; Hope Hospice and Community Services, Inc.; Hospice of Lake and Sumter, Inc., Et. Al. vs. Agency for Health Care Administration and Compassionate Care Hospice of Miami-Dade, Inc. and HCR Manor Care Services of Florida, II, Inc., and Odyssey Healthcare of Polk County, Inc. (Intervenor); Case No.: 08-5941RU; Voluntarily Dismissed

Friends of Perdido Bay, Inc., and James Lane and Jacqueline Lane (Intervenor) vs. Department of Environmental Protection and International Paper Company (Intervenor); Case No.: 08-6033RU; Valid

Ramdass Ramphal and Lucia Calventi vs. Department of Children and Family Services; Case No.: 08-6370RU; Dismissed

**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

NOTICE TO DESIGN/BUILD TEAMS

The Florida State University, announces that Qualifications Based Design/Build Services will be required for the project listed below.

PROJECT NUMBER: FS-268

PROJECT NAME AND LOCATION: Free Electron Laser Buildings, Florida State University, Tallahassee, Florida

The project consists of the construction of two buildings totaling approximately 38,500 sf. One building will host the Free Electron Laser (FEL), including laboratory and offices. Additionally, a separate cryogenic plant will be constructed to support the FEL. The proposed site is located adjacent to the National High Magnetic Field Laboratory within the SW Campus of FSU at Innovation Park.

The Design/Build Services contract shall be in compliance with the qualifications based Design/Build selection provisions in Section 287.055, F.S. and BOG Regulation 14.007, including design and pre-construction fees, construction related service costs and a guaranteed maximum price. The University will contract with a single contract entity whose Design/Build Team shall provide all services including, but not necessarily limited to professional services, budgeting,

construction services, labor, materials, and equipment required to design and construct the project. Blanket professional design liability insurance will be required for this project in the amount of \$1,000,000 and will be provided as a part of Basic Services.

The proposed value of this project is approximately \$26,000,000.00. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best rating of A, Class IX. Project development including professional services is contingent upon availability of funds.

Location will be scored as follows: Florida firms will receive a score of "1", and out of state firms will receive a score of "0".

INSTRUCTIONS:

Teams desiring to apply for consideration shall submit a letter of interest, a completed "Design/Build Services Qualification Supplement" form (DBSQS), dated March 2009, with attachments, and additional information required as described in the DBSQS. Applications submitted in any other format will not be considered. The Design/Build Services Qualifications Supplement form dated March 2009, project information and selection criteria, may be obtained on line at www.fpc.fsu.edu. For further information, contact: Jim Reynolds, Project Manager, Facilities Design and Construction, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, (850)644-2843.

Each applicant must be properly licensed and registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, or a joint venture, it must be registered by the Department of State to do business in the State of Florida at the time of application. If the applicant is the contract entity and has a consultant to perform the design or construction services, the contract entity and consultant must have an agreement at the time of application to formally contract for consulting services. Firms applying as "Associations" without a registered joint venture agreement or a contract entity and consultant without an agreement will not be considered.

Selection of finalists for interview will be made on the basis of qualifications of the proposed design/build team, including team qualifications, team related experience, and ability to provide service in meeting the project requirements. Florida State University strongly encourages the use of certified Minority and Women-owned Business Enterprises ("MBEs") in the provision of design and construction-related services by providing a fair and equal opportunity to compete for, or for participation in, design and/or construction related services.

Applications that do not comply with the above instructions may be disqualified. Submittals are part of the public record and no submittal material will be returned. The plans and specifications for The Florida State University projects are subject to reuse in accordance with the provisions of Section 287.055, F.S. As required by Section 287.133, F.S., 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 \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Five (5) bound copies of the required proposal data shall be submitted. Submittals must be received in the: FSU Facilities Design and Construction Office, 109 Mendenhall Maintenance Building A, Florida State University, Tallahassee, Florida 32306-4152, by 2:00 p.m. (Local Time), Tuesday, December 1, 2009. Facsimile (FAX) or electronic submittals will not be considered.

The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of Design/Build proposals without obligation to the respondent. The award of this contract is subject to availability of funds. If additional funding is realized, the University has the option to incorporate additional scope/funding under this contract.

CLARIFICATION – CALL FOR QUALIFICATIONS

The University of West Florida Board of Trustees is soliciting sealed Qualifications submittals for Construction Manager at Risk services for the construction of a Maritime Museum in Pensacola, FL.

Any and all firms interested in submitting a response to this solicitation are required to attend a mandatory pre-submittal conference. The mandatory meeting is scheduled for November 3, 2009, 2:00 p.m. (Central Time), Bldg. 92, Room 110, The University of West Florida, 11000 University Parkway, Pensacola, FL. Submittals will be rejected from any firm not directly represented at the mandatory meeting by an employee or agent of the firm.

Sealed submittals will be received until 2:00 p.m. (Central Time), November 24, 2009, at the Department of Procurement and Contracts, Bldg. 90, Room 133, University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

All potential respondents are hereby advised that the obligations of the University of West Florida to proceed with this project are subject to the availability of funds lawfully obtained through donations, State matches, Tax Exempt programs and other contract or grant programs. Some of the funding sources may not be in place at the time of the release of this solicitation.

View this solicitation and related information on UWF's Procurement and Contracts' website at: <http://uwf.edu/procurement>.

All inquiries should be submitted to: Elaine Smith at etsmith@uwf.edu.

NOTICE TO CONSTRUCTION MANAGERS

Florida Gulf Coast University Board of Trustees, announces that Construction Management Services will be required for the project listed below:

Project No. BR-1066

Project and Location: Academic Building 8
Florida Gulf Coast University
Ft. Myers, Florida

This new FGCU academic building will be utilized by the College of Health Professions, and will fulfill a campus need for additional classrooms and laboratories serving a variety of nursing, physical therapy, occupational therapy and rehabilitation programs.

The AB8 facility will be the third FGCU classroom building which will be a LEED (Leadership in Energy and Environmental Design) Building. The architect has been directed to design the building for a LEED Silver certification. The AB8 Building will be 4 stories in height and total approximately 60,000 gross square feet.

The site of AB8 will be located west of the existing Academic Building 5 and east of the Lutgert Building. The major areas of the building will include a reception/lobby area, various laboratories for the CHP programs noted above, traditional classrooms, a large lecture room, and offices for the CHP Dean, faculty and staff.

The site has been conceptually permitted with both the Corps of Engineers and South Florida Water Management District. This project will have to modify an existing construction and operation permit issued by the South Florida Water Management District.

The total project budget is \$20,000,000 and construction budget is approximately \$17,000,000. The project will be contracted through the construction management method. Due to budget restraints, there may be a delay between preconstruction services required of the CM during the design process and the actual start of construction.

Selection will be made on the basis of construction manager's qualifications, including experience and ability; past experience; bonding capacity; record-keeping/administrative ability, critical path scheduling expertise; cost estimating; cost control ability; quality control capability and qualification of the firm's personnel, staff and consultants.

The Selection Committee may reject all proposals and stop the selection process at any time. The construction manager shall have no ownership, entrepreneurial or financial affiliation with the selected architect/engineer involved with this project.

Firms desiring to provide construction management services for the project shall submit a letter of application and a completed Board of Regents "Construction Manager

Qualifications Supplement". Proposals must not exceed 80 pages, including the Construction Manager Qualifications Supplement and letter of application. Pages should be numbered consecutively. Submittals, which do not comply with these requirements or do not include the requested data, will not be considered. No submittal information will be returned.

All applicants must be licensed to practice as general contractors in the State of Florida at the time of application. Corporations must be registered to operate in the State of Florida by the Department of State, Division of Corporations, at the time of application. As required by Section 287.133, F.S., a construction management firm 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 management firm 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.

The Board of Regents Construction Manager Qualifications Supplement forms and the Project Fact Sheet may be obtained by contacting: Mr. Barrett Genson, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Ft. Myers, Florida 33965-6565, (239)590-1503, Fax: (239)590-1505.

Five (5) bound copies of the required proposal data shall be submitted to: Mr. Barrett Genson, Director of Facilities Planning, Florida Gulf Coast University, 10501 FGCU Blvd., South, Fort Myers, Florida 33965-6565.

Submittals must be received in the Facilities Planning Office by 2:00 p.m. local time on Wednesday, December 2, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

New College of Florida, announces that professional engineering services are required for the project listed below.

PROJECT NUMBER: NCF-06

PROJECT NAME: SEAWALL REPLACEMENT
New College of Florida
Sarasota, Florida

SERVICES TO BE PROVIDED: Architectural/Engineering Services

ESTIMATED CONSTRUCTION BUDGET: \$2,000,000

RESPONSE DUE DATE: By 4:00 p.m. (Local Time), December 2, 2009

Proposals are to be sent to: Mr. Jack Whelan, Project Manager, Facilities Planning and Construction, New College of Florida, 5800 Bay Shore Road., PHS 104, Sarasota, FL 34243-2109, (941)487-4694.

INSTRUCTIONS: Submit ten (10) bound copies and one (1) PDF copy on a compact disk of the following:

1. Letter of interest.
2. The most recent version of the New College of Florida "Professional Qualifications Supplement" completed by the applicant. Applications on any other form will not be considered.
3. A copy of the applicant's current Florida Professional License renewal. (Proper registration at the time of application is required.)
4. (CORPORATIONS ONLY) Current Corporate Certification providing evidence of validation date and the designation of professional or professionals qualifying the corporation to practice Architecture and/or Engineering.
5. Completed Standard Form 330.
6. Applicants are urged to limit their submittal content to fifty (50) pages, excluding front and back covers and all section dividers. However, this is not a mandatory requirement.

The New College PQS instructions and form, and project fact sheet may be obtained by contacting: Mr. Jack Whelan, Project Manager, Facilities Planning and Construction, 5800 Bay Shore Road., PHS 104, Sarasota, FL 34243-2109, (941)487-4694, email: jwhelan@ncf.edu or they may be downloaded from New College's web site at: www.ncf.edu/facilities/.

All proposal information submitted becomes the property of New College of Florida, will be placed on file, and not returned. Applications that do not comply with the instructions set forth above and/or do not include the qualification data required will be considered improper and disqualified. Proposals submitted by qualified firms shall be evaluated in accordance with regulations of the Florida Board of Governors. **SHORTLIST SELECTION PROCESS:** From the proposals received, the College shall shortlist a minimum of three (3) firms. Evaluation criteria are explained in the Project Fact Sheet.

At the time of application, the applicant must hold a current design Professional Registration Certificate(s) from the appropriate governing board; must be properly registered to practice its profession 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. 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 professional 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.

The selected firm or firms will be required to be registered with MyFloridaMarketPlace before a contract can be executed. However they will be exempt from the one percent fee.

PUBLIC ANNOUNCEMENT OF PROFESSIONAL SERVICES FOR ENVIRONMENTAL HEALTH & SAFETY SELECTION RESULTS

The Florida School for the Deaf and the Blind announces its intention to negotiate, in accordance with the Consultants Competitive Negotiation Act, for the following:

PROJECT NAME: Continuing Contract for EH&S Services

1. Geosyntec Consultants
2. Mactec Engineering & Consulting, Inc.
3. Lan Associates, Inc.

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

R. O. Ranch Bath House RFB 08/09-010LM

The Suwannee River Water Management District is requesting bids to construct a Bathhouse. The bathhouse will be constructed at the District's R.O. Ranch Equestrian Park in Lafayette County, approximately 12 miles south of Mayo, Florida. The bathhouse will contain approximately 1,431 square feet of air-conditioned space and 610 square feet of covered porch. District will evaluate all submittals on the basis of quoted price, compliance with specifications, and quality of reference. Bidders are required to complete and submit Section II, Bid Documents". One original and five (5) copies of the Bid Documents shall be sent in one sealed envelope to: Pennie Flickinger, Business Resource Specialist II, Suwannee River Water Management District, 9225 County Road 49, Live Oak, Florida 32060. The above sealed envelope shall have the following clearly marked in large, bold and/or colored lettering: ITB No. 08/09-010LM, R. O. Ranch Bath House, Bid Opening November 12, 2009, 4:00 p.m. Bids received after this time for any reason, will be rejected. Bids must be hard copy. Fax transmittals will not be accepted. Additional bid packages may be obtained by logging on to: www.my.suwanneeriver.com or contacting: Pennie Flickinger, Business Resource Specialist II at (386)362-1001 or email: pff@srwmd.org.

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 29-09/10

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from certified or registered contractors licensed to work in the jurisdiction for the project listed below:

PROJECT NAME: Sebastian Inlet State Park-New Concession Building

SCOPE OF WORK: The Contractor shall furnish all labor, material, equipment and supervision to construct a new two story concession building. The work will also include all associated demolition, site work and utilities.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PROJECT BUDGET: \$1,100,000.00

PARK LOCATION: Sebastian Inlet, 9700 South A1A, Melbourne Beach, Florida in Brevard County

PROJECT MANAGER: Hubert Baxter, Architect, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax: (850)488-3537.

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 including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information,

Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

INSTRUCTIONS: Any firm desiring a Project Manual for this project may obtain a copy by writing to the address or calling the telephone number below. A Compact Disk (CD) containing the plans and specifications will be available on October 30, 2009, at: Sebastian Inlet State Park, 9700 South A1A, Melbourne Beach, Florida 32951, Attention: Terence Coulliette, Park Manager at (321)984-4852, Fax: (321)984-4854.

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 2:00 p.m. (ET), Tuesday, December 1, 2009, 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 at (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, December 8, 2009, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS #35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax: (850)245-2303, Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

**NOTICE TO MECHANICAL CONTRACTORS
INVITATION TO BID**

Proposals are requested from qualified mechanical contractors by the Department of Children and Family Services, hereinafter referred to as Owner, for the construction of:

PROJECT NUMBER: DCF 09265100
PROJECT: REPLACEMENT OF EXIT LIGHTS,
REPLACEMENT OF FIRE ALARM SYSTEM AND RETROFIT OF HVAC EQUIPMENT
WEST FLORIDA COMMUNITY CARE CENTER
MILTON, FLORIDA

PREQUALIFICATION: The Owner accepts bids from those contractors who demonstrate current licensed status with the Department of Business and Professional Regulations. The Instructions 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 is required.

DATE AND TIME: Sealed bids will be received at the architect’s office on November 24, 2009 until 2:00 p.m. (Local Time) (CST), at which time they will be publicly opened and read aloud.

MANDATORY PRE-BID INSPECTION: We will conduct a mandatory prebid inspection with the architect at the project site on Tuesday, November 17, 2009, 1:00 p.m. (CST), 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 Architect/Engineer:

STOA ARCHITECTS
121 E. GOVERNMENT STREET
PENSACOLA, FL 32502
TELEPHONE: (850)432-1912

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted by 5:00 p.m. (Local Time), November 25, 2009, at the architect’s office. 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 contract will be awarded to the qualified, responsive low bidder by the Owner.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation invites all qualified Public Housing Authorities to submit proposals for consideration in accordance with the terms and conditions set forth in this Request for Proposals (RFP) 2009-07. During the 2009 Legislative Session, Florida lawmakers appropriated \$1,000,000 to be allocated to Public Housing Authorities (PHAs) to serve as a match to the funds that they received through the American Reinvestment and Recovery Act. This funding, to be administered by Florida Housing, is to be used to address the rehabilitation needs of the aging public housing stock.

Proposals shall be accepted until 2:00 p.m. (Eastern Time), Wednesday, December 2, 2009, to the Attention: Sherry Green, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact: Sherry Green at (850)488-4197 or sherry.green@floridahousing.org. To obtain a copy of the Request for Proposals, which outlines selection criteria and applicant’s responsibilities, please submit your request to the attention of Sherry Green, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at: http://apps.floridahousing.org/StandAlone/FHFC_ECM/AppPage_LegalRFPs.aspx. The proposal will be published on Monday, November 2, 2009.

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.

DEPARTMENT OF MILITARY AFFAIRS

REQUESTING QUALIFICATIONS FOR DESIGN FOR PN 120188, CONVOY LIVE FIRE/ENTRY CONTROL, PN 120192, LIVE FIRE SHOOT HOUSE & PN 120213, MULTI-PURPOSE MACHINE GUN RANGE

The State of Florida, Department of Military Affairs (DMA), Construction & Facility Management Office (CFMO) requests qualifications from State of Florida registered licensed Architect/Engineer (A/E) for Design Services for Project Number 120188, New Convoy Live Fire/Entry Control, Project Number 120192, New Live Fire Shoot House, and Project Number 120213, New Multi-Purpose Machine Gun Range located at Camp Blanding Joint Training Center, Starke, Florida.

FOR COMPLETE INFORMATION AND SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM AT http://vbs.dms.state.fl.us/vbs/main_menu.

The Scope of Work for these projects may be obtained from the MyFlorida Vendor Bid System site at http://vbs.dms.state.fl.us/vbs/main_menu.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA. The State of Florida's performance and obligation to pay under any contract is contingent upon availability of funding and an annual appropriation by the Legislature.

SERVICES TO BE PROVIDED: The CFMO will contract with a single entity who shall provide all services per National Guard Regulation (NGR) 415-5 Architect/Engineer Services Title I – Type A and B and Title II – Type C, including but not necessarily limited to site investigation, topographical and utility survey, soils report, user design conferences to finalize the design, determine and prioritize project components/additive bid items, programming, schematic and preliminary designs, preconstruction, constructability reviews, complete design and engineering, life cycle cost analysis, construction documents (plans & specifications), detailed line-item construction cost estimates, Florida Department of Environmental Protection (FDEP) wastewater permit, FDEP water main extension permit, St. Johns River Water Management District (SJRWMD) general storm water permit, and construction administration required to provide a complete facility. The A/E will also need to provide technical assistance and signed/sealed documents to aid the General Contractor to secure the required building permits and the Florida State Fire Marshal plan review stamped set.

SELECTION INFORMATION: Selection of applicants for consideration will be made on the basis of Design successful relative experience of the Architect-Engineer firm and their ability to perform based on, but not limited to the information submitted on DBC Form 5112 for licensed and/or professional personnel; professional services qualifications, financial capability, recent, current, and projected workloads of the Design team members, and location of their office in relation to the project site. A minimum requirement of two successfully completed projects within the previous three years of similar size, scope, and complexity shall apply. The qualifications packages will be reviewed and three semi-finalists will be interviewed to determine the best qualified Design team for this project. The three semi-finalists may be required to participate in formal presentations or telephone interviews. The selection committee may reject all submissions and stop the selection process at any time. Additional building requirements and information will be provided to short-listed firms at the Mandatory Site Visit. Order of Negotiations for the selected shortlisted firms will be made on the basis of past performance references, knowledge of site and local conditions, proposed project staff, ability to meet budget, ability to meet project schedule, understanding program and requirements, and approach and methodology.

CONTRACT AWARD: The short list for interviews and the final order of negotiations will be posted on the MyFlorida.com website http://vbs.dms.state.fl.us/vbs/main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, a contract will be negotiated with the firm which the Department considers the most qualified for the intended project. If an agreement, for compensation which the Department determines is fair, competitive, and reasonable, cannot be reached and the Department is unable to negotiate a satisfactory contract, negotiations will be formally ceased and negotiations shall be undertaken with the firm the Department has determined is the second most qualified after Departmental review of the submissions.

One original and four copies of each submission documents are required. Form must be electronically obtained in Microsoft Word software format (file extension “.doc”-document format) from CFMO-Contracting Branch, telephone: (904)823-0252 or (904)823-0255 or e-mail: cfmocontracting@fl.ngb.army.mil. Form is available in Adobe Acrobat software (file extension “.pdf”-portable document format) with the original solicitation on the Vendor Bid System on MyFlorida.com. CFMO issued form must be used. No other form or format will be accepted.

POINT OF CONTACT: Department of Military Affairs, Construction & Facility Management Office, Contracting Branch (904)823-0255 or 0252 or e-mail cfmocontracting@fl.ngb.army.mil.

Submittals received after the due date will not be considered. However, submittals may be sent to the CFMO-Contracting Branch any time prior to the final due date.

Submittals are to be sent to Department of Military Affairs, Construction & Facility Management Office (CFMO), Attention: Contracting Branch, Robert F. Ensslin, Jr., National Guard Armory, 2305 State Road 207, St. Augustine, Florida 32086.

Faxed or e-mailed submittals are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners, or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation,

except in writing to the procurement officer or as provided in the solicitation documents. Violation of this provision may be grounds for rejecting a response.

**REQUESTING QUALIFICATIONS FOR DESIGN – BUILD
TEAMS FOR PROJECT NUMBER 207006,
PRE-ENGINEERED METAL STORAGE BUILDING**

The State of Florida, Department of Military Affairs (DMA), Construction and Facility Management Office (CFMO) requests qualifications from State of Florida registered licensed General/Building Contractors (GC) and Architect/Engineering (A/E) Teams for Design – Build Services for the following project located at: Robert F. Ensslin, Jr., National Guard Armory, Saint Augustine, Florida.

FOR COMPLETE INFORMATION AND SUBMISSION REQUIREMENTS YOU MUST GO TO THE WWW.MYFLORIDA.COM VENDOR BID SYSTEM AT: http://vbs.dms.state.fl.us/vbs/main_menu.

The Scope of Work for Project Number 207006, Pre-Engineered Metal Storage Building may be obtained from the MyFlorida Vendor Bid System site at: http://vbs.dms.state.fl.us/vbs/main_menu.

The Department reserves the right to reject any and all submissions or accept minor irregularities in the best interest of the DMA. The State of Florida's performance and obligation to pay under any contract is contingent upon availability of funding and an annual appropriation by the Legislature.

SERVICES TO BE PROVIDED: CFMO will contract with a single contract entity, for the project listed above, whose Design-Build team shall provide all services including, but not necessarily limited to site investigation, preconstruction, schematic and preliminary designs, constructability reviews, complete design and engineering, construction documents, specifications, detailed line-item construction cost estimates, procurement, permitting and permits, bidding, labor, materials, equipment, construction management, and construction required to provide upgrades and repair to code.

Blanket professional design liability insurance will be required for the project in the amount of \$250,000.00 and will be provided as a part of the services. The respondent must be capable of bonding at 100% of the value of the contract with a surety licensed to do business in the State of Florida with a Best Rating of A, Class VIII.

SELECTION INFORMATION: Selection of applicants for consideration will be made on the basis of Design-Build successful relative experience of the Architect-Engineer firm and the General/Building Contractor and their ability to perform based on, but not limited to the information submitted on DBC Forms 5085 and 5112 for licensed and/or professional personnel; professional services qualifications, financial capability, recent, current, and projected workloads of the Design-Build team members, and location of their office in relation to the project site. A minimum requirement of two

successfully completed projects within the previous three years of similar size, scope and complexity shall apply. The qualifications packages will be reviewed and three semi-finalists will be interviewed to determine the best qualified Design-Build team for this project. The three semi-finalists may be required to participate in formal presentations or telephone interviews. The selection committee may reject all submissions and stop the selection process at any time. Additional building requirements and information will be provided to short-listed firms at the Mandatory Site Visit. Order of Negotiations for the selected shortlisted firms will be made on the basis of past performance references, knowledge of site and local conditions, proposed project staff, ability to meet budget, ability to meet project schedule, understanding program and requirements, and approach and methodology.

CONTRACT AWARD: The short list for interviews and the final order of negotiations will be posted on the MyFlorida.com website http://vbs.dms.state.fl.us/vbs/main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed, a contract will be negotiated with the firm which the Department considers the most qualified for the intended project. If an agreement, for compensation which the Department determines is fair, competitive, and reasonable, cannot be reached and the Department is unable to negotiate a satisfactory contract, negotiations will be formally ceased and negotiations shall be undertaken with the firm the Department has determined is the second most qualified after Departmental review of the submissions.

One original and four copies of each submission documents are required. Forms must be electronically obtained in Microsoft Word software format (file extension “.doc”-document format) from CFMO-Contracting Branch, telephone: (904)823-0252 or (904)823-0255 or e-mail: cfmocontracting@fl.ngb.army.mil. Forms are available in Adobe Acrobat software (file extension “.pdf”-portable document format) with the original solicitation on the Vendor Bid System on MyFlorida.com. CFMO issued forms must be used. No other forms or format will be accepted.

POINT OF CONTACT: Department of Military Affairs, Construction and Facility Management Office, Contracting Branch at (904)823-0255 or 0252, e-mail: cfmocontracting@fl.ngb.army.mil.

Submittals received after the due date will not be considered. However, submittals may be sent to the CFMO-Contracting Branch any time prior to the final due date. Submittal date may be obtained from the MyFlorida Vendor Bid System site at: http://vbs.dms.state.fl.us/vbs/main_menu.

Submittals are to be sent to Department of Military Affairs, Construction and Facility Management Office (CFMO), Attention: Contracting Branch, Robert F. Ensslin, Jr., National Guard Armory, 2305 State Road 207, St. Augustine, Florida 32086.

Faxed or e-mailed submittals are not acceptable and will not be considered. All instructions must be complied with and requested data must be included in order for your firm to be considered for this project. All information received will be maintained with the Department and will not be returned.

Request for private meetings by individual firms will not be granted. No individual verbal communication shall take place between any applicants and the Owners, or Owner's representatives. Request for any additional information, clarifications, or technical questions must be requested in writing.

BALFOUR BEATTY CONSTRUCTION LLC

INVITATION TO BID

Lowell Correctional Institution Phase II – Ancillary Buildings Construction of Food Service and Visitors Center Buildings, Renovation of Security Offices.

Balfour Beatty Construction LLC (BBC) is accepting bids for the above referenced project no later than Tuesday, November 10, 2009, 2:00 p.m., Churchill Ballroom, The Hilton of Ocala, 3600 S. W. 36th Avenue, Ocala, Florida 34474. The bids will be opened immediately following the 2:00 p.m., bid close at the same location.

Bids will be accepted for the following Bid Packages at this time:

For the following scopes contract Watson Rogers:

- 3A – Cast-In-Place Concrete
- 4A – Masonry
- 8A – Detention Equipment, Security Controls, Doors, Windows and Glass, and Misc. Specialties
- 9A – Trusses, Walls and Ceilings
- 15A – HVAC
- 15B – Plumbing & Natural Gas Piping

For the following scopes contact Mike Miller:

- 2B – Security Fencing and Gates
- 5A – Structural Steel/Misc Metals
- 7A – Caulking & Sealants
- 7B – Roofing, Siding and Metal Panels
- 9E – Paint & Wall Coverings
- 11A – Food Service Equipment
- 16 A – Electrical

For the following scopes contact Marcus Niceley:

- 8B – Overhead Doors
- 9B – Carpet, Ceramic tile and Resilient Flooring
- 10A – Covered Walkways
- 12A – Millwork & Casework
- 13A – Metal Buildings (Alternate)

All of the above can be reached at (352)369-6183:

Bid Packages will be available at: NGI, Monday, October 19, 2009.

SEALED BIDS AND PREQUALIFICATION FORMS RECEIVED PRIOR TO BID DAY ARE TO BE SENT TO:

Attn: Mike Miller/Project Manager
 Balfour Beatty Construction LLC.
 *11650 N. W. Gainesville Road
 Ocala, Florida 34482
 (352)369-6183

*Bids will only be accepted at this address up to the day prior to bid day. All bids being submitted on bid day must be hand delivered to the Churchill Ballroom located in the Hilton of Ocala as listed above.

Interested parties can obtain plans, specifications, bid package and prequalification forms at the following location. Estimated cost of a full set of Bidding Documents is \$300. CD's with bidding documents will also be available. All bidders must follow the bidding requirements listed in the instructions to bidders available at:

NGI
 304A S. W. Broadway St.
 Ocala, FL 34474
 (352)622-5039

A pre bid conference will be held at:

The Hilton of Ocala
 3600 S. W. 36th Ave.
 Ocala, FL 34474
 Ph: (352)854-1400
 On October 29, 2009, 9:00 a.m.

Balfour Beatty Construction does not discriminate on the basis of race, color, religion, age, sex, national origin, marital status, handicap or other reason prohibited by law.

LICENSE CGC 05623.

Mayo Correctional Institution – Construction of the Annex adjacent to and the Future Expansion/Renovation of the Main Unit at the Mayo Correctional Institution

Water Treatment Equipment and Installation For Treating Ground Water To Potable Water From a 650GPM Well

Balfour Beatty Construction LLC (BBC) will be accepting Sealed bids for all or part of the WTP Work from qualified Subcontractors/Suppliers for the above referenced project no later than 2:00 p.m., Tuesday, November 24, 2009, at the address provided below: Bids will be opened publicly immediately following the 2:00 p.m. cut off.

All questions will be addressed by: Kevin Gray, Balfour Beatty at (386)294-3100, email: kgray@balfourbeattyus.com. The test results from the well are available immediately upon request.

Bid Package will be available at NGI on Tuesday, November 17, 2009. Interested parties can obtain plans, specifications, bid package and prequalification forms at the following location. The estimated cost for the documents is less than \$100.

NGI (Ocala)
(352)622-5039
304A Southwest Broadway Street
Ocala, FL 34474

SEALED BIDS AND PREQUALIFICATION FORMS ARE TO BE SENT TO:

Attention Kevin Gray
Balfour Beatty Construction
804 N. W. Jackson Bluff Road
Mayo, FL 32066

Please note that the project is located in a remote location and each bidder is encouraged to contact their shipping company regarding delivery times to avoid missing the bid cut off.

A pre bid conference will be held at 9:00 a.m., Thursday, November 19, 2009, at:

Jobsite Construction Trailer
804 N. W. Jackson Bluff Road
Mayo, FL 32066

Balfour Beatty Construction does not discriminate on the basis of race, color, religion, age, sex, national origin, marital status, handicap or other reason prohibited by law.

LICENSE CGC 05623.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

NOTICE TO DESIGN-BUILD FIRMS

The Hillsborough County Aviation Authority hereby requests, pursuant to the Consultants Competitive Negotiation Act, Section 287.055, Florida Statutes, letters of interest design-build firms desiring to render design-build services on the following Project:

**CCTV ENHANCEMENT AND EXPANSION
TAMPA INTERNATIONAL AIRPORT
HCAA PROJECT NO. 5230 09**

This project will enhance the airports existing video surveillance system of critical security areas by installing additional cameras to public, sterile, secure, passenger checkpoint and baggage screening areas. The project will also replace the existing analog recording system with digital network video recorders, increase the video storage capabilities and improve video quality.

Significant Dates:

Letters of interest due: By 5:00 p.m., October 30, 2009
RFQ posted on web site: After 12:00 Noon, November 4, 2009

Mandatory pre-qualification conference: At 2:00 p.m., November 18, 2009

Qualification Proposals Due: By 5:00 p.m., December 3, 2009
For additional information on submitting letters of interest, location of meeting and other Project details, go to the Authority website at: www.tampaairport.com, Quick Links, Airport Business, Notice of Solicitation.

**Section XII
Miscellaneous**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Department of Agriculture and Consumer Services announces a referendum on the proposed Amended Citrus Research Order in which all producers of citrus in Florida are invited to participate.

TIME PERIOD FOR REFERENDUM: Ballots and copies of the proposed order will be mailed to all citrus producers affected who are in the state and whose names and addresses are known on November 16, 2009. Ballots and copies of the proposed order may be obtained from county extension offices in Desoto, Polk, Hardee, Hendry, Highlands, Indian River, and St. Lucie. counties by producers not receiving them by mail, or by calling: Marshall Wiseheart at (850)488-4366 or Sarah Oglesby at (850)488-3022.

The date by which ballots must be returned to the Department is: **WEDNESDAY, DECEMBER 9, 2009.**

GENERAL INFORMATION ABOUT THE REFERENDUM: The Department has received an application from representatives of over 10 percent of the affected producers to conduct a referendum on reenacting the order. The current order expires on July 31, 2010.

On October 13, 2009, the Department held a public meeting concerning the continuation of the marketing order.

The proposed order raises the assessment cap from 1 cent to 3 cents per box of citrus sold and designates the Citrus Research and Development Foundation, Inc. to administer the box tax funds.

If you have any questions, please call: Marshall Wiseheart at (850)488-4366.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this referendum is asked to advise the Department by contacting: Marshall Wiseheart at (850)488-4366. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TTY) or 1(800) 955-8770 (Voice).

DEPARTMENT OF COMMUNITY AFFAIRS

Final DCA Order No.: DCA09-OR-340

In Re: LAKE COUNTY LAND DEVELOPMENT
REGULATIONS APPROVED BY
LAKE COUNTY ORDINANCE NO. 2009-39.

FINAL ORDER

The Department of Community Affairs (the “Department”) hereby issues its Final Order, pursuant to Sections 380.05(6), (11), Florida Statutes, (2008), approving a land development regulation adopted by a local government within the Green Swamp Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern, and Lake County is a local government within the Green Swamp Area. Section 380.0551(1), Florida Statutes (2008).
2. On July 28, 2009, the Department received for review Lake County Ordinance 2009-39 (“Ord. No. 2009-39”) adopted by the Lake County Board of County Commissioners on July 21, 2009.
3. Ord. No. 2009-39 repeals Chapter V of the Land Development Regulations and replaces it with updated Concurrency Management regulations. Ord. No. 2009-39 sets out the following sections: General, Applicability, Level of Service Standards, Concurrency Evaluations, Concurrency Management Review, Capacity Information Letters, Capacity Encumbrance Letters, Capacity Reservation Certificates, Administrative Provisions, Concurrency Appeal/Mitigation Process (Non Transportation) and Proportionate Fair Share Program (Transportation).

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 Green Swamp Area of Critical State Concern. Sections 380.05(6), (11), Florida Statutes (2008).
5. Lake County is a local government within the Green Swamp Area of Critical State Concern. Section 380.0551, Florida Statutes (2008) and Rule Chapter 28-26, Florida Administrative Code.
6. “Land development regulations” include local zoning, subdivision, building and other regulations controlling the development of land. Section 380.031(8), Florida Statutes (2008). The regulations adopted by the Ordinances 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 for that area. Section 380.05(6), Florida Statutes; see *Rathkamp v. Department of Community Affairs*, 21

F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development in the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Florida Administrative Code. (“Principles”).

8. Ord. No. 2009-39 is furthers the Green Swamp Principles in subsection 28-26.003(1), Florida Administrative Code, Objectives to Be Achieved, and is not inconsistent with the Principles as a whole.
9. Ord. No. 2009-39 is generally consistent with Lake County Comprehensive Plan Goals and Policies; and furthers Policies 1-1.6C, 1-5.2, 1-7.1, and 2-2.6.

WHEREFORE, IT IS ORDERED that the above identified Lake County Ord. No. 2009-39 is consistent with the Principles for Guiding Development of the Green Swamp 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: AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this ____ day of October, 2009.

Paula Ford, Agency Clerk

By U.S. Mail:
Sanford A. Minkoff
County Attorney
Lake County
P. O. Box 7800
Tavares, FL 32778-7800
Neil Kelly
Clerk of the Board of County
Commissioners of Lake County
P. O. Box 7800
Tavares, FL 32778-7800

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 Peace Industry Group (USA), Inc., intends to allow the establishment of 2 Wheel Toystore, LLC, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacturing Co. Ltd. (BASH) at 1041 Silver Beach Road Bay 17, 18, 19, 20, 21 and 22, Riviera Beach (Palm Beach County), Florida 33403, on or after October 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of 2 Wheel Toystore, LLC are dealer operator(s): Ottmar Schmidt, 1041 Silver Beach Road, Riviera Beach, Florida 33403; principal investor(s): Ottmar Schmidt, 1041 Silver Beach Road, Riviera Beach, Florida 33403.

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: Meredith Huang, Peace Industry Group (US), Inc., 6600 B Jimmy Carter Boulevard, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

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 BMW Motorrad USA, a Division of BMW of North America, LLC, intends to allow the establishment of Atlantic Motorcycles, LLC d/b/a BMW Motorcycles of Palm Beach, as a dealership for the sale of motorcycles manufactured by BMW Motorcycles of North America, LLC (BMW) at 12550 South Military Trail, #8, Boynton Beach (Palm Beach County), Florida 33436, on or after November 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Atlantic Motorcycles, LLC d/b/a BMW Motorcycles of Palm Beach are dealer operator(s): Eric Mayer, 12550 South Military Trail, #8, Boynton Beach, Florida 33436; principal investor(s): Eric Mayer, 12550 S. Military Trail, #8, Boynton Beach, Florida 33436.

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: Elizabeth Taschler, BMW of North America, LLC, Post Office Box 1227, Westwood, New Jersey 07677.

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 Moto Dealer Import, LLC, intends to allow the establishment of Carley's Scooters, as a dealership for the sale of motorcycles manufactured by Shanghai JMSTAR Motorcycle Co. Ltd. (JMST) at 595 Avenue K, Southeast, Winter Haven, (Polk County), Florida, 33880, on or after October 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Carley's Scooters are dealer operator(s): Carla Smith, 595 Avenue K Southeast, Winter Haven, Florida 33880; principal investor(s): Carla Smith, 595 Avenue K Southeast, Winter Haven, Florida 33880.

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 MS65, 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: Jack Lin, Moto Dealer Import, LLC, 4998-B South Royal Atlanta Drive, Tucker, Georgia 30084.

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 Moto Dealer Import, LLC, intends to allow the establishment of Carley's Scooters, as a dealership for the sale of motorcycles manufactured by Shanghai Shenke Motorcycle Co. Ltd. (SHEN) at 595 Avenue K Southeast, Winter Haven (Polk County), Florida 33880, on or after October 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Carley's Scooters are dealer operator(s): Carla Smith, 595 Avenue K Southeast, Winter Haven, Florida 33880; principal investor(s): Carla Smith, 595 Avenue K Southeast, Winter Haven, Florida 33880.

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: Jack Lin, Moto Dealer Import, LLC, 4998-B South Royal Atlanta Drive, Tucker, Georgia 30084.

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 X-Power Motorsports, Inc., intends to allow the establishment of Motorcycle Enthusiasts, Inc., as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (LINH) at 5138 Commercial Way, Springhill (Hernando County), Florida 34606, on or after October 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycle Enthusiasts, Inc. are dealer operator(s): David Bernard, 1311 Ken Lake Avenue, Spring Hill, Florida 34606, principal investor(s): David Stephen Bernard, 1311 Ken Lake Avenue, Spring Hill, Florida 34606.

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, 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: Ronald Ho, X-Power Motorsports, Inc., 225 Horizon Drive, Suwanee, Georgia 30024.

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 CF Moto Powersports, Inc., intends to allow the establishment of Clifton Warning d/b/a Scooter King Motorsports, as a dealership for the sale of motorcycles manufactured by Chunfeng Holding Group Co. Ltd. (CFHG) at 602 South State Street, Bunnell (Flagler County), Florida 32110, on or after October 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Clifton Warning d/b/a Scooter King Motorsports are dealer operator(s): Clifton Warning, 602 South State Street, Bunnell, Florida 32110, principal investor(s): Clifton Warning, 602 South State Street, Bunnell, Florida 32110.

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, 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: Lev Mirman, CF Moto Powersports, Inc., 3555 Holly Lane, #30, Plymouth, Minnesota 55447.

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."

STATE BOARD OF ADMINISTRATION

NOTICE IS HEREBY GIVEN by the State Board of Administration of Florida (the Board) of the estimated borrowing capacity, estimated claims-paying capacity, and projected balance of the Florida Hurricane Catastrophe Fund (the Fund) as of December 31, 2009, in compliance with the requirements of Section 215.555(4)(c)2., Florida Statutes. The projected year-end balance on December 31, 2009, is estimated to be \$4.498 billion, which represents the amount of assets available to pay claims, not including any bond proceeds, resulting from Covered Events which may occur during the June 1, 2009 through May 31, 2010 Contract Year. The Fund's projected post-event borrowing capacity estimate is \$11 billion. Given the current state of the financial markets, the range of potential borrowing capacity estimates is dependent on many factors, such as: the size of the event, the markets accessed, the time necessary to access such markets, and the interest rates utilized. The estimated borrowing capacity and projected available year-end cash balance, together with other liquid resources, provides the Fund with a total estimated claims-paying capacity of \$18.998 billion over the next twelve months. Greater detail can be obtained in the "October 2009 Estimated Claims Paying Capacity Report," which can be found on the Fund's website at www.sbafla.com/fhcf/ under "Bonding Program." The obligation of the Board for the payment of reimbursable losses is limited in Section 215.555(4)(c)2., Florida Statutes, and shall not exceed the actual claims-paying capacity of the Fund. The Board recognizes that its good faith estimate is being made while highly volatile global financial market conditions exist; therefore, changing market conditions can dramatically impact the Fund's actual claims-paying capacity either positively or negatively. Current conditions may or may not be the same if and when the Board determines that it is necessary to seek the issuance of revenue bonds.

SECURITIES LITIGATION COUNSEL SEARCH

The State Board of Administration of Florida (the "SBA") is seeking responses to an Invitation To Negotiate ("ITN") from law firms that are interested and qualified to provide legal representation to the SBA on matters relating to securities

litigation (class actions, opt-out and individual actions and derivative actions). The SBA is a constitutional entity that acts as investment fiduciary for the Florida Retirement System Trust Fund and other state and local funds. As of July 31, 2009, the SBA had \$126.87 billion total assets under management.

The ITN will be available on Monday, October 19, 2009, and responses are due no later than 5:00 p.m. EST on Tuesday, November 3, 2009. The ITN is posted and available on the SBA's website at www.sbafla.com under the tab labeled "Vendors."

AGENCY FOR HEALTH CARE ADMINISTRATION

LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following letters of intent for the November 18, 2009 application filing date for Other Beds and Programs batching cycle:

County: Marion District: 3
 Date Filed: 10/19/2009 LOI #: N0910001
 Facility/Project: Mulberry Grove NH LLC
 Applicant: Mulberry Grove NH LLC

Project Description: Establish a new 60-bed community nursing home through delicensure of 60 beds from New Horizon NH, L.L.C. d/b/a New Horizon Rehabilitation Center
 County: Duval District: 4
 Date Filed: 10/19/2009 LOI #: N0910002
 Facility/Project: American Eldercare, Inc.
 Applicant: American Eldercare, Inc.

Project Description: Establish a new hospice program
 County: Duval District: 4
 Date Filed: 10/19/2009 LOI #: N0910003
 Facility/Project: AseraCare Hospice – Florida, Inc.
 Applicant: AseraCare Hospice – Florida, Inc.

Project Description: Establish a new hospice program
 County: Duval District: 4
 Date Filed: 10/19/2009 LOI #: N0910004
 Facility/Project: Compassionate Care Hospice of Florida, Inc.
 Applicant: Compassionate Care Hospice of Florida, Inc.

Project Description: Establish a new hospice program
 County: Duval District: 4
 Date Filed: 10/19/2009 LOI #: N0910005
 Facility/Project: Evercare Hospice, Inc.
 Applicant: Evercare Hospice, Inc.

Project Description: Establish a new hospice program
 County: Duval District: 4
 Date Filed: 10/19/2009 LOI #: N0910006
 Facility/Project: Odyssey HealthCare of Central Florida
 Applicant: Odyssey HealthCare of Collier County, Inc.
 Project Description: Establish a new hospice program
 County: Duval District: 4

Date Filed: 10/19/2009 LOI #: N0910007
 Facility/Project: United Hospice of Florida, Inc.
 Applicant: United Hospice of Florida, Inc.
 Project Description: Establish a new hospice program
 County: Duval District: 4
 Date Filed: 10/19/2009 LOI #: N0910008
 Facility/Project: VITAS Healthcare Corporation of Florida
 Applicant: VITAS Healthcare Corporation of Florida
 Project Description: Establish a new hospice program
 County: Pinellas District: 5
 Date Filed: 10/19/2009 LOI #: N0910009
 Facility/Project: American Eldercare, Inc.
 Applicant: American Eldercare, Inc.
 Project Description: Establish a new hospice program
 County: Pinellas District: 5
 Date Filed: 10/19/2009 LOI #: N0910010
 Facility/Project: AseraCare Hospice – Florida, Inc.
 Applicant: AseraCare Hospice – Florida, Inc.
 Project Description: Establish a new hospice program
 County: Pinellas District: 5
 Date Filed: 10/19/2009 LOI #: N0910011
 Facility/Project: Compassionate Care Hospice of Florida, Inc.
 Applicant: Compassionate Care Hospice of Florida, Inc.
 Project Description: Establish a new hospice program
 County: Pinellas District: 5
 Date Filed: 10/19/2009 LOI #: N0910012
 Facility/Project: LifePath Hospice, Inc.
 Applicant: LifePath Hospice, Inc.
 Project Description: Establish a new hospice program
 County: Pinellas District: 5
 Date Filed: 10/19/2009 LOI #: N0910013
 Facility/Project: Odyssey HealthCare of Central Florida
 Applicant: Odyssey HealthCare of Collier County, Inc.
 Project Description: Establish a new hospice program
 County: Pinellas District: 5
 Date Filed: 10/19/2009 LOI #: N0910014
 Facility/Project: VITAS Healthcare Corporation of Florida
 Applicant: VITAS Healthcare Corporation of Florida
 Project Description: Establish a new hospice program
 County: Polk District: 6
 Date Filed: 10/19/2009 LOI #: N0910015
 Facility/Project: Lakeland Investors II, LLC
 Applicant: Lakeland Investors II, LLC
 Project Description: Establish a new 60-bed community
 nursing home through delicensure of 60 beds from Lakeland
 Investors, L.L.C. d/b/a Valencia Hills Health and
 Rehabilitation Center
 County: Orange District: 7
 Date Filed: 10/19/2009 LOI #: N0910016
 Facility/Project: American Eldercare, Inc.

Applicant: American Eldercare, Inc.
 Project Description: Establish a new hospice program
 County: Orange District: 7
 Date Filed: 10/19/2009 LOI #: N0910017
 Facility/Project: AseraCare Hospice – Florida, Inc.
 Applicant: AseraCare Hospice – Florida, Inc.
 Project Description: Establish a new hospice program
 County: Orange District: 7
 Date Filed: 10/19/2009 LOI #: N0910018
 Facility/Project: Compassionate Care Hospice of Florida, Inc.
 Applicant: Compassionate Care Hospice of Florida, Inc.
 Project Description: Establish a new hospice program
 County: Orange District: 7
 Date Filed: 10/19/2009 LOI #: N0910019
 Facility/Project: Evercare Hospice, Inc.
 Applicant: Evercare Hospice, Inc.
 Project Description: Establish a new hospice program
 County: Orange District: 7
 Date Filed: 10/19/2009 LOI #: N0910020
 Facility/Project: Florida Hospital HospiceCare
 Applicant: Memorial Hospital Flagler, Inc.
 Project Description: Establish a new hospice program
 County: Orange District: 7
 Date Filed: 10/19/2009 LOI #: N0910021
 Facility/Project: Odyssey HealthCare of Central Florida
 Applicant: Odyssey HealthCare of Collier County, Inc.
 Project Description: Establish a new hospice program
 County: Orange District: 7
 Date Filed: 10/19/2009 LOI #: N0910022
 Facility/Project: United Hospice of Florida, Inc.
 Applicant: United Hospice of Florida, Inc.
 Project Description: Establish a new hospice program

If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after December 23, 2009, the date the application is scheduled to be deemed complete. Tentative hearing dates will be published on December 4, 2009.

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 AVAILABILITY
 FLORIDA REAFFIRMATION NOTICE
 MINNEOLA, FLORIDA**

The Department of Environmental Protection has determined that the City of Minneola proposed project for construction of wastewater collection and transmission facilities will not have

a significant adverse impact on the environment. The project cost is estimated at \$1,200,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds.

A full copy of the Florida Reaffirmation Notice can be obtained by writing to: Bob Ballard, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-8358.

The Department of Environmental Protection gives notice of its intent to grant an exemption from the Class G-II ground water standards for color, iron, and odor pursuant to Rule 62-520.500, F.A.C., as part of the Class V underground injection control construction Permit Number 0127837-008-UC for the Miami-Dade Water and Sewer Department (MDWASD), 3071 S. W. 38th Avenue, Miami, Florida 33146. The exemption is for the aquifer storage and recovery (ASR) project injecting ground water from the Biscayne aquifer into Class G-II ground water. The ASR facility is located 1/2 mile west of the intersection of S. W. 72nd Street and S. W. 167th Avenue in unincorporated Miami-Dade County. The exemption is granted for the duration of MDWASD's underground injection control construction permit number 0127837-008-UC for ASR-1, 2, and 3, subsequent renewals of said permit, and future construction permits to conduct cycle testing on ASR-1, 2, and 3 and is made a part of the permit. The applicant, in conjunction with the Permit Number 0127837-008-UC, must petition for any future exemptions for any additional ASR wells or an operation permit for any ASR project at the facility.

A person whose substantial interests are affected by the Department's proposed exemption decision 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) in the: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice. The petitioner must mail a copy of the petition to the applicant: Miami-Dade Water and Sewer Department, Mr. Rafael A. Terrero, Assistant Director of Water System Operations, 3071 S. W. 38th Avenue, Miami, Florida 33146, at the time of filing. The failure of any person to file a petition 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, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department case or identification number and the county in which the subject matter or activity is located;
- (b) A statement of when and how each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) Demand for relief (sought by the petitioner, stating precisely the action that the petitioner wants the Department to take).

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 contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation is not available for this proceeding.

The application 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: Florida Department of Environmental Protection, 2600 Blairstone Road, Room 212E, Tallahassee, Florida 32399-2400 or contact: Joe Haberfeld at (850)245-8655.

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.

DEPARTMENT OF HEALTH

On October 19, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Anthony R. Balbontin, R.N. License #RN 3146152. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On October 19, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Melissa Ann Deviot, L.P.N. License #PN 5156353. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On October 15, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Anthony M. Njoroge, C.N.A. License #CNA 59358. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On October 19, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the registration of Nicholas John Pariaros, P.S.I. Registration #PSI 23812. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon

General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On October 20, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Rasool S. Sharif, D.P.M. License #DPM 3017. This Emergency Suspension Order was predicated upon the State Surgeon General'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 State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

FINANCIAL SERVICES COMMISSION**NOTICE OF FILINGS**

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the: Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., November 20, 2009):

APPLICATION TO MERGE

Constituent Institutions: BBU Bank, Coral Gables, Florida, and Banesco International Bank Corp., San Juan, Puerto Rico
Resulting Institution: BBU Bank
Received: October 15, 2009

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Marquis Bank, Miami, Florida
Proposed Purchasers: Javier Holtz, Indian Creek Village, Florida
Received: October 15, 2009

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN October 12, 2009
 and October 16, 2009

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
14-61.0024	10/16/09	11/5/09	35/24	
14-61.0025	10/16/09	11/5/09	35/24	
14-61.0026	10/16/09	11/5/09	35/24	
14-61.0027	10/16/09	11/5/09	35/24	
14-61.0028	10/16/09	11/5/09	35/24	

DEPARTMENT OF COMMUNITY AFFAIRS
Division of Housing and Community Development

9B-70.002	10/13/09	11/2/09	35/19	35/35
-----------	----------	---------	-------	-------

DEPARTMENT OF REVENUE
Sales and Use Tax

12A-1.011	10/14/09	11/3/09	33/41	35/3
12A-1.0115	10/14/09	11/3/09	33/41	35/30
12A-1.071	10/14/09	11/3/09	33/41	35/36
12A-1.097	10/14/09	11/3/09	35/37	

DEPARTMENT OF TRANSPORTATION

14-54.0012	10/16/09	11/5/09	35/32	
14-54.00121	10/16/09	11/5/09	35/32	
14-54.00131	10/16/09	11/5/09	35/32	
14-54.00161	10/16/09	11/5/09	35/32	
14-54.005	10/16/09	11/5/09	35/32	
14-54.006	10/16/09	11/5/09	35/32	
14-54.0061	10/16/09	11/5/09	35/32	
14-54.007	10/16/09	11/5/09	35/32	
14-54.0071	10/16/09	11/5/09	35/32	
14-54.008	10/16/09	11/5/09	35/32	
14-54.0081	10/16/09	11/5/09	35/32	
14-54.010	10/16/09	11/5/09	35/32	
14-54.011	10/16/09	11/5/09	35/32	
14-54.012	10/16/09	11/5/09	35/32	
14-54.013	10/16/09	11/5/09	35/32	
14-54.014	10/16/09	11/5/09	35/32	
14-54.015	10/16/09	11/5/09	35/32	
14-61.0011	10/16/09	11/5/09	35/24	
14-61.0012	10/16/09	11/5/09	35/24	
14-61.0013	10/16/09	11/5/09	35/24	
14-61.0014	10/16/09	11/5/09	35/24	
14-61.0015	10/16/09	11/5/09	35/24	
14-61.0016	10/16/09	11/5/09	35/24	
14-61.0017	10/16/09	11/5/09	35/24	
14-61.0018	10/16/09	11/5/09	35/24	
14-61.0019	10/16/09	11/5/09	35/24	
14-61.0020	10/16/09	11/5/09	35/24	
14-61.0021	10/16/09	11/5/09	35/24	
14-61.0022	10/16/09	11/5/09	35/24	
14-61.0023	10/16/09	11/5/09	35/24	

WATER MANAGEMENT DISTRICTS
Southwest Florida Water Management District

40D-1.1003	10/13/09	11/2/09	35/32	
40D-1.1010	10/13/09	11/2/09	35/32	
40D-1.600	10/13/09	11/2/09	35/32	
40D-1.604	10/13/09	11/2/09	35/32	
40D-1.6105	10/13/09	11/2/09	35/32	
40D-2.041	10/13/09	11/2/09	35/32	
40D-2.091	10/13/09	11/2/09	35/32	
40D-2.311	10/13/09	11/2/09	35/32	
40D-2.331	10/13/09	11/2/09	35/32	
40D-2.381	10/13/09	11/2/09	35/32	
40D-3.037	10/13/09	11/2/09	35/34	
40D-4.021	10/13/09	11/2/09	35/32	
40D-4.091	10/14/09	11/3/09	35/28	
40D-4.091	10/13/09	11/2/09	35/32	
40D-22.201	10/16/09	11/5/09	35/23	35/35
40D-22.401	10/16/09	11/5/09	35/23	35/35
40D-40.302	10/13/09	11/2/09	35/32	
40D-40.381	10/13/09	11/2/09	35/32	

AGENCY FOR HEALTH CARE ADMINISTRATION
Office of Licensure and Certification

59A-3.2085	10/14/09	11/3/09	35/23	35/35
59A-20.0085	10/14/09	11/3/09	35/33	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

61G4-18.014	10/13/09	11/2/09	35/36	
-------------	----------	---------	-------	--

Board of Accountancy

61H1-20.001	10/14/09	11/3/09	35/31	
61H1-29.004	10/14/09	11/3/09	35/36	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.415	10/13/09	11/2/09	35/31	
62-304.605	10/13/09	11/2/09	35/31	
62-304.615	10/13/09	11/2/09	35/31	
62-304.620	10/13/09	11/2/09	35/31	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.	Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
DEPARTMENT OF HEALTH									
Board of Medicine									
64B8-30.005	10/14/09	11/3/09	35/35		64J-2.013	10/16/09	11/5/09	35/35	
64B8-30.013	10/14/09	11/3/09	35/35		64J-2.014	10/16/09	11/5/09	35/35	
Board of Osteopathic Medicine									
64B15-6.0035	10/14/09	11/3/09	35/35		64J-2.015	10/16/09	11/5/09	35/35	
64B15-6.0105	10/14/09	11/3/09	35/35		64J-2.016	10/16/09	11/5/09	35/35	
Division of Emergency Medical Operations									
64J-1.001	10/16/09	11/5/09	35/35		64J-2.017	10/16/09	11/5/09	35/35	
64J-2.001	10/16/09	11/5/09	35/35		FISH AND WILDLIFE CONSERVATION COMMISSION				
64J-2.004	10/16/09	11/5/09	35/35		Marine Fisheries				
64J-2.006	10/16/09	11/5/09	35/35		68B-14.0036	10/16/09	10/16/09	35/38	
64J-2.011	10/16/09	11/5/09	35/35		68B-14.0038	10/16/09	10/16/09	35/38	
64J-2.012	10/16/09	11/5/09	35/35		DEPARTMENT OF FINANCIAL SERVICES				
					Division of State Fire Marshal				
					69A-48.008	10/12/09	11/1/09	35/28	35/36