

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

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

**RULE NO.:** 5E-2.042                      **RULE TITLE:** Secondary Containment Standards  
**PURPOSE AND EFFECT:** To adopt by reference Federal containment regulations stipulated in 40 CFR 165, relevant to secondary containment of containers of dry pesticides and to containment pads of liquid and dry pesticides for pesticide dispensing activities. Adoption of the regulations referenced in the proposed rule will address the areas of non-equivalency which were identified by the US Environmental Protection Agency during their evaluation of Florida’s Aboveground Storage Tank Systems Rule, Chapter 62-762, F.A.C.  
**SUBJECT AREA TO BE ADDRESSED:** Secondary containment of containers of dry pesticides and to containment pads of liquid and dry pesticides for pesticide dispensing activities.

**RULEMAKING AUTHORITY:** 487.051, 570.07(23) FS.  
**LAW IMPLEMENTED:** 487.051(2) FS.  
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Mr. Bruce Nicely, Chief of the Bureau of Compliance Monitoring, 3125 Conner Boulevard, Building 8, Tallahassee, Florida 32399-1650; (850)487-8731  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-1.09430                      **RULE TITLE:** Florida Alternate Assessment Requirements  
**PURPOSE AND EFFECT:** This rule establishes procedures for the implementation of the Florida Alternate Assessment and establishes test cut scores for the performance levels. This assessment is designed specifically for students with significant cognitive disabilities and is aligned to the Next Generation Sunshine State Standards Access Points.  
**SUBJECT AREA TO BE ADDRESSED:** Alternate Assessment for students with significant cognitive disabilities.

**RULEMAKING AUTHORITY:** 1001.02, 1008.22(3)(c), (11) FS.  
**LAW IMPLEMENTED:** 1001.11, 1008.22, 1008.25 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:** January 29, 2010, 10:00 a.m.  
**PLACE:** Florida Department of Education, 325 W. Gaines St., Tallahassee, Florida  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Karen Denbroeder, Administrator, Bureau of Exceptional Education and Student Services, (850)245-0475, Karen.Denbroeder@fldoe.org  
**TO REQUEST A RULE DEVELOPMENT WORKSHOP PLEASE CONTACT:** Lynn Abbott, Agency Clerk, Department of Education, 325 West Gaines Street, Room 1520, Tallahassee, Florida 32399-0400; lynn.abbott@fldoe.org  
**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.**

**DEPARTMENT OF EDUCATION**

**State Board of Education**

**RULE NO.:** 6A-5.071                      **RULE TITLE:** Master Inservice Plan Requirements  
**PURPOSE AND EFFECT:** The purpose of this rule development is to review the existing requirements and to include Florida’s Professional Development System Evaluation Protocol Standards as part of the requirements.  
**SUBJECT AREA TO BE ADDRESSED:** Master Inservice Plan Requirements.  
**RULEMAKING AUTHORITY:** 1012.98 FS.  
**LAW IMPLEMENTED:** 1001.42, 1010.20, 1011.62, 1012.98 FS.  
**A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:**  
**DATE AND TIME:** January 29, 2010, 2:00 p.m. – 4:00 p.m.  
**PLACE:** Via conference call: (877)219-9773. Conference ID # is 49802213. Anyone wishing to attend in person: Department of Education, 325 West Gaines Street, Room 1727, Tallahassee, Florida 32399-0400  
**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Eileen McDaniel, Chief, Bureau of Educator Recruitment, Development and Retention, Department of Education, 325 West Gaines Street, Room 124, Tallahassee, Florida 32399-0400. To request a rule development workshop, please

contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**DEPARTMENT OF LAW ENFORCEMENT  
 Criminal Justice Standards and Training Commission**

RULE NOS.:           RULE TITLES:  
 11B-18.004           Regional Training Areas  
 11B-18.0053         Officer Training Monies Budget and  
                           Expenditure Categories

PURPOSE AND EFFECT: Rule 11B-18.004, F.A.C.: Revised to update the name of training schools in the regional training areas. Rule 11B-18.0053, F.A.C.: Revised to allow reimbursement of travel expenses to training center director designee's to attend Criminal Justice Standards and Training Commission meetings.

SUBJECT AREA TO BE ADDRESSED: Reimbursement of travel expenses to training center director designees and update of regional training school names.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), (2), 943.25(2), (4), (5) FS.

LAW IMPLEMENTED: 943.25 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: February 2, 2010, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615. 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: Donna Hunt at (850)410-8615 at the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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

**DEPARTMENT OF LAW ENFORCEMENT  
 Criminal Justice Standards and Training Commission**

RULE NOS.:           RULE TITLES:  
 11B-20.001           Definitions and Minimum  
                           Requirements for General  
                           Certification of Instructors  
 11B-20.0017         Maintenance and Duration of  
                           Instructor Certifications

PURPOSE AND EFFECT: Rules 11B-20.001 and 11B-20.0017, F.A.C.: Revised to allow a training center director's designee to administer polices set by the Commission or the director, approve documents or make routine requests consistent with the Commission or director's guidance, and represent the director at meetings.

SUBJECT AREA TO BE ADDRESSED: Delegation of specific training center director duties to a designee appointed by the training center director.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), 943.14(3) FS.

LAW IMPLEMENTED: 943.12(3), (9), 943.14(3) 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: February 2, 2010, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615. 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: Donna Hunt at (850)410-8615 at the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NOS.:	RULE TITLES:
11B-27.0011	Moral Character
11B-27.002	Certification, Employment or Appointment, Reactivation, and Terminating Employment or Appointment of Officers
11B-27.00212	Maintenance of Officer Certification
11B-27.00213	Temporary Employment Authorization
11B-27.0022	Background Investigations
11B-27.004	Probable Cause Determination
11B-27.005	Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances
11B-27.013	Canine Team Certification
11B-27.014	Implementation of the Federal Law Enforcement Officers Safety Act of 2004

**PURPOSE AND EFFECT:** Subparagraph 11B-27.0011(4)(b)1., F.A.C.: Added the new statutes for “dating violence” (Section 784.046(15), F.S.) and for “video voyeurism” (Section 810.145, F.S.) to the list of misdemeanor or criminal offenses. Subparagraph 11B-27.0011(4)(c)5., F.A.C.: Added specific sexual acts that define “sex on duty,” or at any time the officer is acting under the color of authority as a Commission-certified criminal justice officer, and is not done for a bona fide medical purpose or in the lawful performance of the officer’s duty. Subparagraph 11B-27.0011(4)(c)11., F.A.C.: Added the offense of “public nudity” to the list of acts or conduct of an officer for failure to maintain good moral character and defines “public nudity.” Paragraph 11B-27.0011(4)(d), F.A.C.: Added the current evidentiary rules and accepted testing practices for drug testing listed in Sections 112.0455, 440.102, or 944.474, F.S. Subsection 11B-27.0011(8), F.A.C.: Deleted rule text that discloses where individuals may obtain CJSTC forms. Rule 11B-27.002, F.A.C., and subsection 11B-27.0022(2) old (a), F.A.C.: Amended, in rule and on the Employment Background Investigative Report Form CJSTC-77 form, the requirement for door-to-door neighborhood checks from mandatory to recommended. Subsection 11B-27.00212(14), F.A.C.: Revised to require officers, who have been separated from employment or appointment for failure to complete the Commission’s Firearms Qualification Standard, to complete the required training within six months of the date the officer separated from employment or appointment, or comply with the certification or reactivation of certification requirement(s) in subsection 11B-27.002(1), F.A.C., prior to re-employment. Paragraph 11B-27.00213(2)(b), F.A.C.: Deleted the requirement on the CMS Firearms Performance Evaluation form CJSTC-4 CMS to shoot with a rifle or carbine in the “4

and 5 zone” of the B-29 reduced police silhouette target. Subsection 11B-27.0022(2) new(a), F.A.C.: Revised the Authority for Release of Information form CJSTC-58 to include new language for obtaining additional information needed to determine the good moral character of an applicant. Subsection 11B-27.0022(3), F.A.C.: Deleted the requirement for individuals to electronically submit the Employment Affidavit of Compliance form CJSTC-60 via the Commission’s Automated Training Management System. Paragraph 11B-27.004(12)(a), F.A.C.: Revised to allow cases to be “no caused” when a violation has been committed more than eight years prior to Commission action at a Probable Cause Determination Hearing. Subparagraphs 11B-27.005(5)(a)16.-17., F.A.C.: Added “Bribery or unlawful compensation or reward for official behavior,” in Sections 838.015 and 838.016, F.S., to the enumerated felony offenses, absent aggravating or mitigating circumstances, with a recommended penalty of revocation. Paragraph 11B-27.005(5)(b), F.A.C.: Added “video voyeurism,” (Section 810.145, F.S.) to the enumerated misdemeanor offenses, absent aggravating or mitigating circumstances, with a recommended penalty of “Prospective suspension, and probation with counseling to revocation.” Rules 11B-27.013 and 11B-27.014, F.A.C.: Revised to allow a training center director designee to implement policies set by the Commission or the director, approve documents or make routine requests consistent with the Commission or director’s guidance, and represent the director at meetings.

**SUBJECT AREA TO BE ADDRESSED:** Dating violence and video voyeurism; Sex on duty; Public nudity; Drug testing rules and accepted testing practices; bribery and unlawful compensation or reward for official behavior felony offenses; Information for obtaining CJSTC forms; Video voyeurism misdemeanor offenses; Door-to-door neighborhood background checks; Employment Background Investigative Report form CJSTC-77; Evidentiary rules and accepted testing practices for drug testing; Unlawful taking of controlled substances; Authority for Release of Information form CJSTC-58; CMS Firearms Performance Evaluation form CJSTC-4 CMS; Procedures for compliance with the Commission’s Firearms Qualification Standard; Procedures for processing violations more than eight years old for probable cause determination hearings; Delegation of specific authority to training center director designees.

**RULEMAKING AUTHORITY:** 943.03(4), 943.12(1), 943.133(3), 943.1395 FS.

**LAW IMPLEMENTED:** 943.12, 943.12(3), 943.12(17), 943.13, 943.13(11), 943.13(7), 943.131, 943.132, 943.133, 943.135, 943.139, 943.1395(3), 943.1395, 943.1395(7), 943.1395(8), 943.17(1)(a), 943.1701, 943.1715, 943.1716, 943.253 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: February 2, 2010, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615. 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: Donna Hunt at (850)410-8615 at the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NO.:	RULE TITLE:
11B-30.006	State Officer Certification Examination General Eligibility Requirements

PURPOSE AND EFFECT: Deleted the Law Enforcement Traditional State Officer Certification Examination from the State Officer Certification Examination and updated the names of the training schools on the Application for Officer Certification Examination form CJSTC-500.

SUBJECT AREA TO BE ADDRESSED: Application for Officer Certification Examination form CJSTC-500 and Commission-approved criminal justice training schools.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1) FS.

LAW IMPLEMENTED: 943.12(17), 943.131(2), 943.1397 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: February 2, 2010, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615. 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: Donna Hunt at (850)410-8615 at the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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

**DEPARTMENT OF LAW ENFORCEMENT**

**Criminal Justice Standards and Training Commission**

RULE NOS.:	RULE TITLES:
11B-35.001	General Training Programs; Requirements and Specifications
11B-35.003	Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training
11B-35.006	Advanced Training Program

PURPOSE AND EFFECT: Rule 11B-35.001, F.A.C.: Restructured and clarified existing rule language. Revised to allow training center director designees administer polices set by the Commission or the director, approve documents or make routine requests consistent with the Commission or director's guidance, and represent the director at meetings. Subsection 11B-35.003(5), F.A.C.: Revised to exempt the following individuals from completing the 40-hour CMS First Aid for Criminal Justice Officers course CJK\_0031, in the CMS Law Enforcement Auxiliary Officer Basic Recruit Training Program based on their education and training experience: Certified emergency medical technicians, certified paramedics, licensed physicians, licensed physician's assistants, registered nurses or licensed practical nurses, and Members of the Armed Forces of the United States on active duty entitled to practice as an Emergency Medical Technician (EMT) or a Florida paramedic set forth in Chapter 401, F.S., Part III., who have three years experience in emergency medical care. Rule 11B-35.006, F.A.C.: Revised to update the name of advanced training program course(s).

SUBJECT AREA TO BE ADDRESSED: Delegation of specific training center director duties to a designee appointed by the training center director and exemption from completing the CMS First Aid for Criminal Justice Officers Course in the

CMS Law Enforcement Auxiliary Officer Basic Recruit Training Program based on education and training experience in the United States or its territories.

RULEMAKING AUTHORITY: 943.03(4), 943.12(1), (2), 943.17 FS.

LAW IMPLEMENTED: 943.12, 943.12(5), 943.17, 943.17(1)(a) 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: February 2, 2010, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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: Donna Hunt at (850)410-8615. 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: Donna Hunt at (850)410-8615 at the Florida Department of Law Enforcement, Criminal Justice Professionalism Program, 2331 Phillips Road, Tallahassee, Florida 32308

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

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Systems**

RULE NO.:                      RULE TITLE:  
11C-6.004                      Procedures for Requesting Criminal History Records

PURPOSE AND EFFECT: To update the rule to conform to statutory criminal history fee requirements.

SUBJECT AREA TO BE ADDRESSED: Fees for criminal history checks.

RULEMAKING AUTHORITY: 943.03(4), 943.053(3), 943.0542, 943.056 FS.

LAW IMPLEMENTED: 943.053(3), 943.0542, 943.056 FS.

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

DATE AND TIME: Tuesday, February 2, 2010, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips 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: Martha Wright at (850)410-8113 or marthawright@fdle.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: Martha Wright at (850)410-8113 or marthawright@fdle.state.fl.us, Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

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

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Criminal Justice Information Systems**

RULE NOS.:	RULE TITLES:
11C-7.006	Procedures on Court-Ordered Expunctions
11C-7.007	Procedures on Court-Ordered Sealings

PURPOSE AND EFFECT: To clarify the language contained in the State Attorney’s endorsement on FDLE form 40-021 - Application for Certification of Eligibility.

SUBJECT AREA TO BE ADDRESSED: Criminal History Seal and Expunge Application for Certification of Eligibility form.

RULEMAKING AUTHORITY: 943.03(4), 943.058(2), 943.059(2) FS.

LAW IMPLEMENTED: 943.0585, 943.059 FS.

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

DATE AND TIME: Tuesday, February 2, 2010, 10:00 a.m.

PLACE: Department of Law Enforcement, 2331 Phillips 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: Louis Sloan at (850)410-7973 or louisloan@fdle.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: Louis

Sloan at (850)410-7973 or louisloan@fdle.state.fl.us, Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308  
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

**DEPARTMENT OF LAW ENFORCEMENT**

**Division of Local Law Enforcement Assistance**

RULE NOS.:           RULE TITLES:  
 11D-6.001           Definitions  
 11D-6.003           Procedures

PURPOSE AND EFFECT: To update the definitions and procedures as applied to the collection of specimens for the DNA Investigative Support Database.

SUBJECT AREA TO BE ADDRESSED: DNA Database Collection.

RULEMAKING AUTHORITY: 943.03(4), 943.325(9)(d) FS.  
 LAW IMPLEMENTED: 943.325 FS.

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

DATE AND TIME: Tuesday, February 2, 2010, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips 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: Christopher Carney, (850)617-1337 or Lisa Bohl, (850)617-1303. 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: Christopher Carney, (850)617-1337 or Lisa Bohl, (850)617-1303, Florida Department of Law Enforcement, Criminal Justice Information Services, 2331 Phillips Road, Tallahassee, Florida 32308

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

**DEPARTMENT OF LAW ENFORCEMENT**

**Medical Examiners Commission**

RULE NOS.:           RULE TITLES:  
 11G-2.005           Records, Autopsy Report  
 11G-2.006           Practice Guidelines

PURPOSE AND EFFECT: Clarifies information required in an autopsy report; updates the Medical Examiners' Practice Guidelines.

SUBJECT AREA TO BE ADDRESSED: Autopsy Reports and Medical Examiners' Practice Guidelines.

RULEMAKING AUTHORITY: 406.04 FS.

LAW IMPLEMENTED: 406.075, 406.11, 406.13 FS.

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

DATE AND TIME: Tuesday, February 2, 2010, 10:00 a.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips 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: Doug Culbertson at (850)410-8609. 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: Doug Culbertson, Medical Examiner Commission Staff, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, Florida 32302, Tel. (850)410-8609

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

**DEPARTMENT OF REVENUE**

RULE NO.:           RULE TITLE:  
 12-6.0015           Public Use Forms

PURPOSE AND EFFECT: Section 1, Chapter 2009-237, L.O.F., requires agencies to identify in writing the specific federal or state laws governing the collection, use, and release of social security numbers. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The Department has updated the information regarding the collection of social security numbers as unique identifiers for tax administration purposes. The purpose of the proposed amendments to Rule 12-6.0015, F.A.C. (Public Use Forms), is to adopt, by reference, changes that will update the privacy notice statement on Form DR-835, Power of Attorney and Declaration of Representative, used by taxpayers to grant a representative authority to perform certain acts on behalf of the taxpayer and to receive and inspect confidential information from the Department.

**SUBJECT AREA TO BE ADDRESSED:** The subject area of the workshop is the proposed changes to the privacy statement required by Chapter 2009-237, L.O.F., to Form DR-835, Power of Attorney and Declaration of Representative.

**RULEMAKING AUTHORITY:** 213.06(1), 213.21(1) FS.

**LAW IMPLEMENTED:** 72.011, 119.071(5), 120.54(5), 120.569, 120.57, 213.21 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:** February 2, 2010, 9:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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: Larry Green at (850)922-4830. 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:** Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT:** myflorida.com/dor/rules

**DEPARTMENT OF REVENUE**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
12-18.004	Submission of Information and Claims for Compensation

**PURPOSE AND EFFECT:** Section 1, Chapter 2009-237, L.O.F., requires agencies to identify in writing the specific federal or state laws governing the collection, use, and release of social security numbers. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The Department has updated the information regarding the collection of social security numbers as unique identifiers for tax administration purposes. The purpose of the proposed amendments to Rule 12-18.004, F.A.C. (Submission of Information and Claims for Compensation), is to adopt, by reference, changes that will update the privacy notice statement

on Form DR-55 (Application for Compensation for Tax Information), used by the Department in the compensation for tax information.

**SUBJECT AREA TO BE ADDRESSED:** The subject area of the workshop is the proposed changes to the privacy statement required by Chapter 2009-237, L.O.F., to Form DR-55 (Application for Compensation for Tax Information).

**RULEMAKING AUTHORITY:** 213.06(1), 213.30(1) FS.

**LAW IMPLEMENTED:** 92.525(2), 119.071(5), 213.30 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:** February 2, 2010, 9:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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: Larry Green at (850)922-4830. 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:** Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT:** myflorida.com/dor/rules

**DEPARTMENT OF REVENUE**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
12-24.011	Public Use Forms

**PURPOSE AND EFFECT:** Section 1, Chapter 2009-237, L.O.F., requires agencies to identify in writing the specific federal or state laws governing the collection, use, and release of social security numbers. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The Department has updated the information regarding the collection of social security numbers as unique identifiers for tax administration purposes. The purpose of proposed amendments to Rule 12-24.011, F.A.C. (Public Use Forms), is to adopt, by reference, changes that will update the privacy notice statement on Form DR-600 (Enrollment and

Authorization for e-Services Program), used by the Department in the administration of the e-Services Program for paying taxes and filing returns electronically.

**SUBJECT AREA TO BE ADDRESSED:** The subject area of the workshop is the proposed changes to the privacy statement required by Chapter 2009-237, L.O.F., to Form DR-600 (Enrollment and Authorization for e-Services Program).

**RULEMAKING AUTHORITY:** 202.26(3)(a), 206.485(1), 213.06, 213.755(8), (9), 220.21(2), (3) FS.

**LAW IMPLEMENTED:** 119.071(5), 202.30, 206.485, 213.755, 220.21(2), (3), 443.1317, 443.163 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:** February 2, 2010, 9:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun Street, Tallahassee, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:** Janet Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT:** [myflorida.com/dor/rules](http://myflorida.com/dor/rules)

**DEPARTMENT OF REVENUE**

**Sales and Use Tax**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
12A-1.060	Registration
12A-1.061	Rentals, Leases, and Licenses to Use Transient Accommodations
12A-1.097	Public Use Forms

**PURPOSE AND EFFECT:** Section 1, Chapter 2009-237, L.O.F., requires agencies to identify in writing the specific federal or state laws governing the collection, use, and release of social security numbers. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The Department has updated the information regarding the collection of social security numbers as unique identifiers for tax administration purposes on its applications for registration for sales and use tax purposes. The purpose of the proposed amendments to Rule 12A-1.060, F.A.C. (Registration), Rule 12A-1.061, F.A.C. (Rentals, Leases, and Licenses to Use

Transient Accommodations), and Rule 12A-1.097, F.A.C. (Public Use Forms), is to update the privacy notice statement on applications for registration with the Department.

**SUBJECT AREA TO BE ADDRESSED:** The subject area of the workshop is the proposed changes to the privacy statement required by Chapter 2009-237, L.O.F., on applications to register with the Department for tax purposes.

**RULEMAKING AUTHORITY:** 201.11, 202.17(3)(a), 202.22(6), 202.26(3), 212.0515(7), 212.07(1)(b), 212.08(5)(b)4., (7), 212.11(5)(b), 212.12(1)(b)2., 212.17(6), 212.18(2), (3), 213.06(1), 376.70(6)(b), 376.75(9)(b), 403.718(3)(b), 403.7185(3)(b), 443.171(2), (7) FS.

**LAW IMPLEMENTED:** 92.525(1)(b), (3), 95.091, 119.071(5), 125.0104, 125.0108, 201.01, 201.08(1)(a), 201.133, 201.17(1)-(5), 202.11(2), (3), (6), (16), (24), 202.17, 202.22(3)-(6), 202.28(1), 203.01, 212.02, 212.03, 212.0305, 212.031, 212.04, 212.05, 212.0501, 212.0515, 212.054, 212.055, 212.0596(1), (2), 212.06, 212.0606, 212.07(1), (8), (9), 212.08, 212.084(3), 212.085, 212.09, 212.096, 212.11(1), (2), (4), (5), 212.12(1), (2), (5), (6), (7), (9), (12), (13), 212.13, 212.14(4), (5), 212.16(1), (2), 212.17, 212.18(2), (3), 213.235, 213.29, 213.37, 213.756, 219.07, 288.1258, 376.70, 376.75, 403.717, 403.718, 403.7185, 443.036, 443.121(1), (3), 443.131, 443.1315, 443.1316, 443.171(2), (7) 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:** February 2, 2010, 9:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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: Larry Green at (850)922-4830. 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:** Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT:** [myflorida.com/dor/rules](http://myflorida.com/dor/rules)



**DEPARTMENT OF REVENUE****Sales and Use Tax**

RULE NO.: 12A-19.100  
 RULE TITLE: Public Use Forms

**PURPOSE AND EFFECT:** Section 1, Chapter 2009-237, L.O.F., requires agencies to identify in writing the specific federal or state laws governing the collection, use, and release of social security numbers. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The Department has updated the information regarding the collection of social security numbers as unique identifiers for tax administration purposes. The purpose of the proposed amendments to Rule 12A-19.100, F.A.C. (Public Use Forms), is to adopt, by reference, changes that will update the privacy notice statement on Form DR-700019 (Communications Services Use Tax Return), used by the Department in the administration of communications services tax.

**SUBJECT AREA TO BE ADDRESSED:** The subject area of the workshop is the proposed changes to the privacy statement required by Chapter 2009-237, L.O.F., to Form DR-700019 (Communications Services Use Tax Return).

**RULEMAKING AUTHORITY:** 175.1015(5), 185.085(5), 202.151, 202.16(2), 202.26(3)(a), (c), (d), (e), (j), 202.27(7) FS.

**LAW IMPLEMENTED:** 119.071(5), 175.1015, 185.085, 202.11(3), (10), (11), 202.12(1), (3), 202.13(2), 202.151, 202.16(2), (4), 202.17(6), 202.19(1), (7), 202.22(6), 202.27, 202.28(1), (2), 202.30(3), 202.33, 202.34(3), (4)(c), 202.35(1), (2) 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:** February 2, 2010, 9:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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: Larry Green at (850)922-4830. 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:** Janet L.

Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT:** myflorida.com/dor/rules

**DEPARTMENT OF REVENUE****Miscellaneous Tax**

RULE NO.: 12B-4.003  
 RULE TITLE: Public Use Forms

**PURPOSE AND EFFECT:** Section 1, Chapter 2009-237, L.O.F., requires agencies to identify in writing the specific federal or state laws governing the collection, use, and release of social security numbers. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The Department has updated the information regarding the collection of social security numbers as unique identifiers for tax administration purposes. The purpose of the proposed amendments to Rule 12B-4.003, F.A.C. (Public Use Forms), is to adopt, by reference, changes that will update the privacy notice statement on Form DR-228 (Documentary Stamp Tax Return for Non-Registered Taxpayers' Unrecorded Documents), used by the Department in the administration of documentary stamp tax.

**SUBJECT AREA TO BE ADDRESSED:** The subject area of the workshop is the proposed changes to the privacy statement required by Chapter 2009-237, L.O.F., to Form DR-228 (Documentary Stamp Tax Return for Non-Registered Taxpayers' Unrecorded Documents).

**RULEMAKING AUTHORITY:** 201.11, 213.06(1) FS.

**LAW IMPLEMENTED:** 119.071(5), 201.01, 201.02(1), 201.022, 201.031(1), 201.07, 201.08(1)(a), 201.133 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:** February 2, 2010, 9:00 a.m.

**PLACE:** Room 118, Carlton Building, 501 S. Calhoun 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: Larry Green at (850)922-4830. 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: [myflorida.com/dor/rules](http://myflorida.com/dor/rules)

## DEPARTMENT OF REVENUE

### Miscellaneous Tax

RULE NO.:                   RULE TITLE:  
12B-5.150                   Public Use Forms

PURPOSE AND EFFECT: Section 1, Chapter 2009-237, L.O.F., requires agencies to identify in writing the specific federal or state laws governing the collection, use, and release of social security numbers. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The Department has updated the information regarding the collection of social security numbers as unique identifiers for tax administration purposes. The purpose of the proposed amendments to Rule 12B-5.150, F.A.C. (Public Use Forms), is to adopt, by reference, changes that will update the privacy notice statement on forms used by the Department in the administration of taxes imposed on fuels and pollutants.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to the privacy statement required by Chapter 2009-237, L.O.F., to forms used by the Department in the administration of the taxes imposed on fuels and pollutants.

RULEMAKING AUTHORITY: 206.14(1), 206.485(1), 206.59(1), 213.06(1), 213.755(8), 526.206 FS.

LAW IMPLEMENTED: 119.071(5), 206.02, 206.021, 206.022, 206.025, 206.026, 206.027, 206.028, 206.05, 206.055, 206.095, 206.11, 206.404, 206.41, 206.43, 206.44, 206.485, 206.86, 206.874, 206.8745, 206.877, 206.90, 206.91, 206.92, 206.9835, 206.9865, 206.9931, 206.9943, 212.0501, 213.255, 213.755, 526.203 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: February 2, 2010, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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: Larry Green at (850)922-4830. 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: [myflorida.com/dor/rules](http://myflorida.com/dor/rules)

## DEPARTMENT OF REVENUE

### Corporate, Estate and Intangible Tax

RULE NO.:                   RULE TITLE:  
12C-1.051                   Forms

PURPOSE AND EFFECT: Section 1, Chapter 2009-237, L.O.F., requires agencies to identify in writing the specific federal or state laws governing the collection, use, and release of social security numbers. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The Department has updated the information regarding the collection of social security numbers as unique identifiers for tax administration purposes. The purpose of the proposed amendments to Rule 12C-1.051, F.A.C. (Forms), is to adopt, by reference, changes that will update the privacy notice statement on forms used by the Department in the administration of the corporate income tax.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to the privacy statement required by Chapter 2009-237, L.O.F., to forms used by the Department in the administration of the corporate income tax.

RULEMAKING AUTHORITY: 213.06(1), 220.51 FS.

LAW IMPLEMENTED: 119.071(5), 213.755(1), 220.11, 220.12, 220.13(1), (2), 220.14, 220.15, 220.16, 220.181, 220.182, 220.183, 220.184, 220.1845, 220.185, 220.186, 220.187, 220.1895, 220.19, 220.191, 220.21, 220.211, 220.22, 220.221, 220.222, 220.23, 220.24, 220.241, 220.31, 220.32, 220.33, 220.34, 220.41, 220.42, 220.43, 220.44, 220.51, 220.721, 220.723, 220.725, 220.737, 220.801, 220.803, 220.805, 220.807, 220.809, 221.04 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: February 2, 2010, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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: Larry Green at (850)922-4830. 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: [myflorida.com/dor/rules](http://myflorida.com/dor/rules)

## DEPARTMENT OF REVENUE

### Corporate, Estate and Intangible Tax

RULE NO.: 12C-3.008                      RULE TITLE: Public Use Forms

PURPOSE AND EFFECT: Section 1, Chapter 2009-237, L.O.F., requires agencies to identify in writing the specific federal or state laws governing the collection, use, and release of social security numbers. Social security numbers are used by the Florida Department of Revenue as unique identifiers for the administration of Florida's taxes. Social security numbers that are obtained for tax administration purposes continue to remain confidential under Sections 213.053 and 119.071, F.S., and are not subject to disclosure as public records. The Department has updated the information regarding the collection of social security numbers as unique identifiers for tax administration purposes. The purpose of the proposed amendments to Rule 12C-3.008, F.A.C. (Public Use Forms), is to adopt, by reference, changes that will update the privacy notice statement on forms used by the Department in the administration of the estate tax.

SUBJECT AREA TO BE ADDRESSED: The subject area of the workshop is the proposed changes to the privacy statement required by Chapter 2009-237, L.O.F., to forms used by the Department in the administration of the estate tax.

RULEMAKING AUTHORITY: 198.08, 198.32(2), 213.06(1) FS.

LAW IMPLEMENTED: 92.525(1)(b), 119.071(5), 198.08, 198.13, 198.22, 198.23, 198.26, 198.32(2), 198.33(1), 198.38, 198.39, 213.37, 837.06 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: February 2, 2010, 9:00 a.m.

PLACE: Room 118, Carlton Building, 501 S. Calhoun 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: Larry Green at (850)922-4830. 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: Janet L. Young, Tax Law Specialist, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)922-9407

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS PUBLISHED ON THE DEPARTMENT'S INTERNET SITE AT: [myflorida.com/dor/rules](http://myflorida.com/dor/rules)

## BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

### Building Code Administrators and Inspectors Board

RULE NO.: 61G19-5.002                      RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose of this rule is to raise the remaining fine limits of \$1500.00 for a first offense to \$2500.00.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 455.227, 455.2273, 468.606 FS.

LAW IMPLEMENTED: 455.227, 455.2273, 468.607, 468.621, 468.629 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

- 61G19-5.002 Disciplinary Guidelines.
- (1) through (2) No change.

VIOLATION	RECOMMENDED RANGE OF PENALTY
(a) through (o) No change	
(p) Failing to report to the department any person who the licensee knows is in violation of Chapter 468, Part XII, Chapter 455, or the rules of the Board or Department. (455.277(1)(I), F.S.)	(p)1. In case of an applicant, the usual action of the Board shall be denial or licensure with probation and an administrative fine. In case of the licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to <u>\$2,500</u> <del>1,500</del> . (p)2. After the first offense, in the case of an applicant the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension followed by probation to revocation and a fine of up to \$5,000.
(q) No change	
(r) Practicing or offering to practice beyond the scope of law or competence. (455.227(1)(o), F.S.)	(r)1. In the case of an applicant, the usual action of the Board shall be licensure with probation and an administrative fine or denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from probation to suspension of license and a fine of up to <u>\$2,500</u> <del>1,500</del> . (r)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action of the Board shall be to impose a penalty from suspension of license followed by probation to revocation and a fine of up to \$5,000.
(s) Knowingly delegating professional responsibilities to an unqualified person. (455.227(1)(p), F.S.)	(s)1. In case of an applicant, the usual action of the Board shall be licensure with probation and an administrative fine or denial. In case of the licensee, the usual action of the Board shall be to impose a penalty from suspension to revocation and a fine of up to <u>\$2,500</u> <del>1,500</del> . (s)2. After the first offense, in the case of an applicant, the usual action of the Board shall be denial. In the case of a licensee, the usual action shall be to impose a penalty from suspension of license followed by probation to revocation and a fine of up to \$5,000.
(t) No change	
(u) Failing to lawfully execute the duties and responsibilities specified in this part and in Sections 553.73, 553.781, 553.79 and 553.791, F.S.	(u)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to <u>\$2,500</u> <del>1,500</del> . (u)2. After the first offense, a minimum of one year's probation to revocation or denial of licensure, and a fine of up to \$3,000 depending on the underlying offense and the magnitude of the violation.

<p>(v) Performing building code inspection services under Section 553.791, F.S., without satisfying the insurance requirements of said section.</p>	<p>(v)1. Unless otherwise specified in this rule, in the case of an applicant, the usual action of the Board shall be from licensure with an administrative fine and probation to denial; in the case of a licensee, the usual action of the Board shall be to impose a penalty from reprimand to probation and a fine of up to <u>\$2,500</u> <del>1,500</del>.</p> <p>(v)2. After the first offense, a minimum of one year's probation to revocation or denial of license, and a fine of up to \$3,000 depending on the underlying offense and the magnitude of the violation.</p>
<p>(3) through (5) No change.</p>	

Rulemaking Authority 455.227, 455.2273, 468.606 FS. Law Implemented 455.227, 455.2273, 468.607, 468.621, 468.629 FS. History—New 5-23-94, Amended 8-14-96, 8-3-97, 11-2-00, 4-10-06, 1-10-07, 9-20-09, \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-36.003  
 RULE TITLE: Time for Payment of Civil Penalties  
 PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Time for Payment of Civil Penalties.

RULEMAKING AUTHORITY: 455.227(2), 473.304 FS.

LAW IMPLEMENTED: 455.227(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-36.004  
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

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

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

RULEMAKING AUTHORITY: 455.2273 FS.

LAW IMPLEMENTED: 455.2273, 473.323(1)(m) 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-36.005  
 RULE TITLE: Citations  
 PURPOSE AND EFFECT: The Board proposes to review the existing language in this rule to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Citations.

RULEMAKING AUTHORITY: 455.224, 455.225, 473.304 FS.

LAW IMPLEMENTED: 455.224 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-36.0055  
 RULE TITLE: Minor Violation, Notice of Non-Compliance

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

SUBJECT AREA TO BE ADDRESSED: Minor Violations, Notice of Non-Compliance.

RULEMAKING AUTHORITY: 455.225(3), 473.304 FS.

LAW IMPLEMENTED: 455.225, 473.3101 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: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607

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 Dentistry**

RULE NO.: 64B5-10.011  
 RULE TITLE: Retired Status and Reactivation of Retired Status License.

PURPOSE AND EFFECT: To clarify and update language.

SUBJECT AREA TO BE ADDRESSED: Clarified and updated language.

RULEMAKING AUTHORITY: 456.036 FS.

LAW IMPLEMENTED: 456.036 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 Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NOS.:	RULE TITLES:
64B8-9.0131	Standards of Practice for Physicians Practicing in Pain Management Clinics
64B8-9.0132	Requirement for Pain Management Clinic Registration; Inspection or Accreditation
64B8-9.0133	Approval of Pain Management Clinic Accrediting Organizations

PURPOSE AND EFFECT: The Board proposes the development of rules to address the standards of practice for physicians practicing in pain management clinics. In addition the Board proposes the development of rules to address the criteria for clinic registration and inspection as well as those entities which will be approved as accrediting organizations for pain management clinics.

SUBJECT AREA TO BE ADDRESSED: Standards of practice for pain management clinics; requirements for registration, inspection or accreditation; and approval of pain management clinic accrediting organizations.

RULEMAKING AUTHORITY: 458.309(5) FS.

LAW IMPLEMENTED: 458.309(4),(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-44.003  
 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The purpose of this rule change is to bring the rule into compliance with the mandates of SB 1986.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 456.072(1)(t), 456.079, 458.309, 468.507 FS.

LAW IMPLEMENTED: 456.072(1)(t), 456.079, 468.517, 468.518(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:	RULE TITLE:
64B8-51.006	Rule Governing Licensure and Inspection of Electrology Facilities

PURPOSE AND EFFECT: To bring the rule into compliance with current standards for Electrology facilities and to clarify existing language for a clear understanding of facility requirements.

SUBJECT AREA TO BE ADDRESSED: Rule Governing Licensure and Inspection of Electrology Facilities.

RULEMAKING AUTHORITY: 478.43(1), (4), 478.51(3) FS.

LAW IMPLEMENTED: 478.49, 478.51, 478.51(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anna King, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.:	RULE TITLE:
64B8-55.002	Citations

PURPOSE AND EFFECT: To streamline the time for payment of fines and completion of education for improved tracking of compliance and to reconcile citation grounds with language of rules pertaining to practice standards.

SUBJECT AREA TO BE ADDRESSED: Citations.

RULEMAKING AUTHORITY: 456.077(1), (2) FS.

LAW IMPLEMENTED: 456.072(3)(b), 456.077(1), (2), 478.51, 478.52 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: Anna King, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

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

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.:	RULE TITLE:
64B14-3.001	Definitions

PURPOSE AND EFFECT: The Board is adding mandatory courses and renumbering accordingly.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 468.802, 468.803, 468.807, 468.808, 468.809 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-3.001 Definitions.

As used in this chapter, the following terms shall mean:

(1) through (18) No change.

(19) Mandatory courses – those courses defined by Board Rule 64B14-5.005, F.A.C., and required by the Board for registration, initial license, and license renewal.

(19) through (30) renumbered (20) through (31) No change.

Rulemaking Specific Authority 468.802 FS. Law Implemented 468.802, 468.803, ~~468.807~~, 468.808, 468.809 FS. History—New 10-21-99, Amended 2-19-04, 5-5-04, 5-23-07, 8-8-07, 3-2-08, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-4.003  
 RULE TITLE: Documentation of Eligibility for Licensure

PURPOSE AND EFFECT: The Board proposes to add new language for requirements for eligibility of licensure.

SUBJECT AREA TO BE ADDRESSED: Documentation of Eligibility for Licensure.

RULEMAKING AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 456.013(1), (7), 468.803 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-4.003 Documentation of Eligibility for Licensure.

(1) In order to establish eligibility for licensure as an orthotist or prosthetist under Section 468.803(3)(a) or (b), F.S., the applicant must submit an Application for Licensure, form DH-MQA 1132m 8/08, herein incorporated by reference, which is available from the Board office or at the board’s website: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>, and provide:

(a) through (d) No change.

(e) Documentation of completion of the mandatory courses.

(2) In order to establish eligibility for licensure as an orthotic fitter under Section 468.803(3)(c), F.S., the applicant must provide at a minimum:

(a) through (d) No change.

(e) Documentation of completion of the mandatory courses.

(3) In order to establish eligibility for licensure as an orthotic fitter assistant under Section 468.803(3)(d), F.S., the applicant must provide at a minimum:

(a) through (c) No change.

(d) Documentation of completion of the mandatory courses.

(4) In order to establish eligibility for licensure as a pedorthist under Section 468.803(3)(e), F.S., the applicant must provide at a minimum:

(a) through (c) No change.

(d) Documentation of completion of the mandatory courses.

~~(5) Each applicant, as a condition to initial licensure, shall attend and provide proof of attending, a Board approved two-hour course relating to the prevention of medical errors. The course must include a study of root cause analysis, error reduction and prevention, and patient safety.~~

Rulemaking Specific Authority 468.802 FS. Law Implemented 456.013(1), (7), 468.803 FS. History—New 12-10-98, Amended 11-11-02, 11-1-05, 9-21-06, 4-19-09, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-4.110  
 RULE TITLE: Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify documentation for completion of mandatory courses.

SUBJECT AREA TO BE ADDRESSED: Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist.

RULEMAKING AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-4.110 Requirements for Orthotic Fitter, Orthotic Fitter Assistant and Pedorthist.

(1) Requirements for Licensure as an Orthotic Fitter. The applicant must demonstrate:

(a) through (b) No change.

(c) Documentation of completion of the mandatory courses.



(2) Requirements for Licensure as an Orthotic Fitter Assistant. The applicant must demonstrate successful completion of the 32-hour Trulife Healthcare or the 32-hour Surgical Appliance Industries orthotics course and examination, documentation of completion of the mandatory courses, and completion of an approved eight hour course in custom-molded shoes.

(3) Requirements for Licensure as a Pedorthist.

(a) through (b) No change.

(c) Documentation of completion of the mandatory courses.

Rulemaking Specific Authority 468.802, 468.803 FS. Law 468.803 FS. History–New 11-1-99, Amended 1-16-06, 9-21-06, 8-13-08,

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:

64B14-5.005 Mandatory Courses

PURPOSE AND EFFECT: The Board is adding a list of mandatory courses.

SUBJECT AREA TO BE ADDRESSED: Mandatory Courses.

RULEMAKING AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 468.802, 468.803, 468.806, 468.808, 468.809 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B14-5.005 Mandatory Courses.

(1) Mandatory courses consist of the following:

(a) Two hours on Chapters 456, 468 Part XIV, F.S., and Rule Chapter 64B14, F.A.C.; and

(b) Two hours relating to the prevention of medical errors, which shall include a study of root cause analysis, error reduction and prevention, and patient safety; and

(c) One hour on infection disease control, including HIV/AIDS; and

(d) A Course resulting in current registration or certification demonstrating competency in CPR sponsored by the American Heart Association, the American Safety and Health Institute or the American Red Cross.

(2) With the exception of the CPR and infectious disease control courses, mandatory courses shall be designed and developed specifically for the fields of Orthotics and Prosthetics.

(3) Mandatory courses may be used for multiple registrations, examinations or initial license applications and for license renewal, if they are used within two years of the date the courses were completed.

(4) Mandatory courses set forth in paragraphs (1)(a), (1)(b) and (1)(c) must be individually approved by the Board.

(5) To be considered for approval, each mandatory course must meet the requirements set forth in Rule 64B14-5.003, F.A.C., and must:

(a) Be resubmitted for review and renewal every biennium;

(b) Be authored and presented by individual(s) knowledgeable in the course material and the field of orthotics and prosthetics;

(c) Contain the name of the author, the author’s credentials demonstrating expertise and knowledge, the original date of authorship, and the date last reviewed and/or modified; and

(d) Be submitted to the Board by an approved continuing education provider.

(6) Providers and a list of mandatory courses may be obtained from [www.cebroker.com](http://www.cebroker.com).

Rulemaking Authority 468.802 FS. Law Implemented 468.802, 468.803, 468.808, 468.809 FS. History–New \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NOS.: RULE TITLES:

64B15-14.0051 Standards of Practice for Physicians Practicing in Pain Management Clinics

64B15-14.0052 Requirement for Pain Management Clinic Registration; Inspection or Accreditation

64B15-14.0053 Approval of Pain Management Clinic Accrediting Organizations

PURPOSE AND EFFECT: The Board proposes the development of rules to address the standards of practice for physicians practicing in pain management clinics. In addition the Board proposes the development of rules to address the criteria for clinic registration and inspection as well as those entities which will be approved as accrediting organizations for pain management clinics.

SUBJECT AREA TO BE ADDRESSED: Standards of practice for pain management clinics; requirements for registration, inspection or accreditation; and approval of pain management clinic accrediting organizations.

RULEMAKING AUTHORITY: 459.005(4) FS.

LAW IMPLEMENTED: 459.005(3),(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: 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 CHILDREN AND FAMILY SERVICES**

**Agency for Persons with Disabilities**

RULE NO.: 65G-4.014  
 RULE TITLE: Eligibility for Services

PURPOSE AND EFFECT: To establish criteria for determining eligibility for services as for persons with disabilities as defined in Section 393.063, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development would create new rules for eligibility criteria, what information is required to document eligibility as well as providing interpretative guidelines.

RULEMAKING AUTHORITY: 393.501(1), 393.065(7), 393.066(8) FS.

LAW IMPLEMENTED: 393.063, 393.065, 393.066 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 7 days before the workshop/meeting by contacting: Terri McGarrity, Senior Management Analyst Supervisor, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)414-7452 or Suncom 994-7452. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Terri McGarrity, Senior Management Analyst Supervisor, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)414-7452 or Suncom 994-7452

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

**Section II  
 Proposed Rules**

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

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
59G-13.030	Aged and Disabled Adult Waiver Services
59G-13.031	Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-13.030, F.A.C., is to incorporate by reference the revised Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook, May 2009. The effect will be to give providers information on services and procedures on the waiver program.

The purpose of the amendment to Rule 59G-13.031, F.A.C., is to incorporate by reference the Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule, May 2009. The effect will be to give providers updated reimbursement rates for services under the waiver program.

SUMMARY: The revised handbook contains updated policies and procedures for Aged and Disabled Adult Waiver providers and policy for the Aging Out Program. The procedure codes and fee schedule give current reimbursement rates for providers under the waiver program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A SERC has been prepared for the amendment to Rule 59G-30.031, F.A.C. The amendment to Rule 59G-13.031, F.A.C., will increase the reimbursement rate for physical and occupational therapy and home delivered meals and add reimbursement for Case Management Aging Out Enhanced. This will result in increased revenues for Aged and Disabled Adult waiver physical and occupational therapy providers, home delivered meal providers and case management agencies.

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: 409.906, 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: Tuesday, February 9, 2010, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room B, 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: Carol Schultz at the Bureau of Medicaid Services, (850)922-7349. 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: Carol Schultz, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, e-mail: schultzc@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULES IS:

59G-13.030 Aged and Disabled Adult Waiver Services.

(1) No change.

(2) All aged and disabled adult waiver services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook, May 2009 March 2004, updated August 2005, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, CMS-1500, Non-Institutional-084 which is incorporated by reference in Rule 59G-4.001 43.004, F.A.C. Both handbooks are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Medicaid fiscal agent at (800)289-7799 and selecting option 7.

(3) The following forms that are included in the Florida Medicaid Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook are incorporated by reference:

(a) Appendix A contains the Adult Services Client Assessment, CF-AA 3019, PDF 10/2005, eight pages. The form is available at the Department of Children and Families website at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.

Appendix B contains the AS Screening for Consideration for Community Based Programs, CF AA Form 1022, PDF 08/2004, four pages; Appendix C contains the Florida

Department of Children and Family Services and Florida Department of Elder Affairs, CF MED 3008, Oct. 96, two pages;

(b) Appendix D contains the Notification of Level of Care, DOEA-CARES Form 603 (Revised March 2003), one page; The form is mailed to the provider by the Department of Elder Affairs, CARES Unit.

(c) Appendix E contains the Aged and Disabled Adult Services Waiver Agreement of Expectations, AHCA-Med Serv Form 033, May 2009, two pages. The form is available by photocopying it from the handbook, Notice of Hospice Election Waiver, AHCA Form 5000 29, March 2004, one page, and the Cooperative Agreement for a Hospice and Medicaid Waiver Enrolled Recipient, AHCA Form 5000 30, March 2004, two pages. Appendix B also contains the Department of Elder Affairs Assessment Instrument, DOEA Form 701B, which is incorporated by reference in Rule 58A-1.010, F.A.C. The Department of Children and Family Services (DCFS) forms are available from DCFS. The Department of Elder Affairs (DOEA) forms are available from DOEA. The Agency for Health Care Administration (AHCA) forms are available by photocopying the forms in this handbook.

(d) Appendix G contains the Request for Approval of Care Plan Services Increase, CF-AA 1116, PDF 05/2004, two pages. The form is available from the Department of Children and Families website at <http://www.dcf.state.fl.us/DCFForms/Search/DCFFormSearch.aspx>.

(e) Appendix H contains the Aged/Disabled Adult Waiver Aging Out Plan of Care, AHCA-Med Serv Form 047, May 2009, five pages. The form is available by photocopying it from the handbook.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.912 FS. History–New 6-1-05, Amended 4-17-06,\_\_\_\_\_.

59G-13.031 Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule.

(1) This rule applies to all aged and disabled adult waiver services providers enrolled in the Medicaid program.

(2) All aged and disabled adult waiver services providers enrolled in the Medicaid program must be in compliance with the Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule, May 2009, which is incorporated by reference. The Procedure Codes and Fee Schedule are available from the Medicaid fiscal agent's Web Portal at <http://mymedicaid-florida.com>. Click on Public Information for Providers, then on Provider Support, and then on Fee Schedules. Paper copies may be obtained from the Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, M.S. 20, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.906, 409.908 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Carol Schultz  
NAME OF AGENCY HEAD WHO APPROVED THE  
PROPOSED RULE: Holly Benson, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: August 17, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: December 12, 2008

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-19.009  
RULE TITLE: Other Board Business for Which  
Compensation is Allowed

PURPOSE AND EFFECT: The Board proposes to repeal the rule.

SUMMARY: The rule is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules 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: 455.207 FS.

LAW IMPLEMENTED: 455.207 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 A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-19.009 Other Board Business for Which Compensation is Allowed.

~~The following are considered to be other business involving the Board as required by Section 455.207(4), F.S.:~~

~~(1) All joint Board or Committee meetings required by statutes, Board rule or Board action.~~

~~(2) Meetings of Board members with Department staff or contractors of the Department at the Department's or the Board's request. Any participation or meeting of members notice or unnoticced will be on file in the Board office.~~

~~(3) Where a Board member has been requested by the Secretary of the Department to participate in a meeting.~~

~~(4) Probable Cause Meeting.~~

~~(5) All activity of Board members, if authorized by the Board, when grading, proctoring or reviewing examinations given by the Department.~~

~~(6) All participation in Board authorized meetings with professional associations of which the Board is a member or invitee. This would include all meetings of national associations of registration Boards of which the Board is a member as well as Board authorized participation in meetings of national or professional associations or organizations involved in educating, regulating or reviewing the profession over which the Board has statutory authority.~~

~~(7) Any and all other activities which are Board approved and which are necessary for Board members to attend in order to further protect the public health, safety and welfare, through the regulation of which the Board has statutory authority.~~

Rulemaking Specific Authority 455.207 Law Implemented 455.207 History-New 11-2-81, Formerly 21A-19.09, 21A-19.009, Amended 1-11-95, Repealed \_\_\_\_\_.

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: December 10, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL  
REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-35.001  
RULE TITLE: Application for Foreign Licensure  
Examination

PURPOSE AND EFFECT: The Board proposes to repeal the rule.

SUMMARY: The rule is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules 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: 455.11, 473.304 FS.

LAW IMPLEMENTED: 455.11 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 A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-35.001 Application for Foreign Licensure Examination.

~~The Department or the Board, if delegated by the Department, shall accept application pursuant to Section 455.11, F.S., from an individual who provides proper documentation that he has successfully completed, or is currently enrolled in, an approved course of study created pursuant to Section 455.11(2), F.S. Such original or re-application shall be delivered to the Department or the Board no later than July 1 for the November examination and January 1 for the May examination. If mailed, postmark will constitute date of delivery.~~

~~Rulemaking Specific Authority 455.11, 473.304 FS. Law Implemented 455.11 FS. History–New 12-4-79, Amended 2-3-81, Formerly 21A-35.01, 21A-35.001, Repealed \_\_\_\_\_.~~

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: December 10, 2009

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NO.: 61H1-36.002  
RULE TITLE: Return of Certificates or Licenses  
PURPOSE AND EFFECT: The Board proposes to repeal the rule.

SUMMARY: The rule is being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules 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, 473.322, 473.323 FS.

LAW IMPLEMENTED: 473.322, 473.323 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 A. Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-36.002 Return of Certificates or Licenses.

~~Any certificate or license issued by the Department and subsequently suspended or revoked, other than for failure to pay biennial registration fee as required by Section 473.305, F.S., shall be promptly returned to Department’s administrative offices.~~

~~Rulemaking Specific Authority 473.304, 473.322, 473.323 FS. Law Implemented 473.322, 473.323 FS. History–New 12-4-79, Amended 2-3-81, Formerly 21A-36.02, 21A-36.002, Repealed \_\_\_\_\_.~~

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: December 10, 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 HEALTH**

**Board of Medicine**

RULE NO.: 64B8-51.001  
RULE TITLE: Manner of Application  
PURPOSE AND EFFECT: To clarify and update language in order to comply with statutes, and to change the electrology exam fee.

SUMMARY: The proposed change brings the rule into compliance with the new legislative requirements.

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

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

RULEMAKING AUTHORITY: 478.43(1), (4) FS.

LAW IMPLEMENTED: 478.45 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: Anna King, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.001 Manner of Application.

(1) All persons applying for licensure as an electrologist shall submit a signed application to the Executive Director of the Council on forms provided by the Council and approved and incorporated herein by reference by the Board as Form DH-MQA 1164, ~~8/09 44-08~~, Electrologist Application, which can be accessed through [www.doh.state.fl.us/mqa](http://www.doh.state.fl.us/mqa). The initial application must be accompanied by the application fee, as set forth in Rule 64B8-51.007, F.A.C.

Rulemaking Authority 478.43(1), (4) FS. Law Implemented 478.45 FS. History—New 5-31-93, Formerly 21M-76.001, Amended 11-10-93, Formerly 61F6-76.001, Amended 5-29-96, Formerly 59R-51.001, Amended 12-23-97, 5-28-00, 8-9-01, 2-15-04, 10-31-05, 2-11-08, 5-7-09,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 2009

**DEPARTMENT OF HEALTH**

**Board of Medicine**

RULE NO.: 64B8-51.006  
 RULE TITLE: Rule Governing Licensure and Inspection of Electrology Facilities

PURPOSE AND EFFECT: To clarify and update language in order to comply with statutes, and to change the electrology exam fee.

SUMMARY: The proposed change brings the rule into compliance with the new legislative requirements.

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

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

RULEMAKING AUTHORITY: 456.037, 478.43(1), (4), 478.51(3) FS.

LAW IMPLEMENTED: 456.037(2), (3), (5), 478.49, 478.51 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: Anna King, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.

(2)(b) To obtain the license, the applicant shall provide information to the Department as required by this rule on a form provided by the Department and approved and incorporated herein by reference by the Board as Form ~~DH-MQA 1213, 08/09, DOH/MQA/EP APP/REV 7/97~~, entitled "Application for Electrolysis Facility Licensure," effective ~~8-03-09, 12-23-97~~, which can be obtained from the Council at address set forth in paragraph 64B8-50.002(3)(b), F.A.C. The applicant must pay a \$100 application fee, which is nonrefundable, and a \$100 inspection fee.

Rulemaking Specific Authority 456.037, 478.43(1), (4), 478.51(3) FS. Law Implemented 456.037(2), (3), (5), 478.49, 478.51 FS. History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, 2-17-00, 3-25-01, 4-8-02, 6-16-03,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 13, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 13, 2009

**DEPARTMENT OF HEALTH**

**Board of Optometry**

RULE NO.: 64B13-18.002  
 RULE TITLE: Formulary of Topical Ocular Pharmaceutical Agents

PURPOSE AND EFFECT: The Board is adding the drug, Besivance, to the formulary.

SUMMARY: This rule adds a topical ocular pharmaceutical agent.

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: 463.005, 463.0055(2)(a) FS.

LAW IMPLEMENTED: 463.0055 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Optometry/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B13-18.002 Formulary of Topical Ocular Pharmaceutical Agents.

The topical ocular pharmaceutical formulary consists of pharmaceutical agents which a certified optometrist is qualified to administer and prescribe in the practice of optometry pursuant to Section 463.0055(2)(a), F.S. The topical ocular pharmaceutical agents in the formulary include the following legend drugs alone or in combination in concentrations up to those specified, or any lesser concentration that is commercially available:

- (1) through (4)(o) No change.
- (p) Besifloxacin Ophthalmic Suspension – 0.6%
- (5) through (9)(e) No change.

Rulemaking Authority 463.005, 463.0055(2)(a) FS. Law Implemented 463.0055 FS. History–New 3-30-87, Amended 4-5-88, 5-7-90, Formerly 21-18.002, Amended 5-10-92, 1-29-93, Formerly 21Q-18.002, Amended 8-31-93, 7-30-94, Formerly 61F8-18.002, Amended 2-11-96, 4-21-96, 1-12-97, 6-8-97, Formerly 59V-18.002, Amended 6-15-00, 6-7-05, 6-10-06, 6-26-08, 10-16-08, 3-23-09, 6-28-09, 10-18-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Optometry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Optometry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 18, 2009

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-4.001  
 RULE TITLE: Approved Examinations

PURPOSE AND EFFECT: The Board is deleting text from the rule as the portion of the authorizing statute no longer exists.

SUMMARY: Text is being deleted as the portions of authorizing statute no longer exist.

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: 456.017(1)(c), 468.802, 468.803(2) FS.

LAW IMPLEMENTED: 456.017(1)(c), 468.803(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.001 Approved Examinations.

(4) The board accepts the examination results of the following national ~~nations~~ standards organization in lieu of administering a state examination:

(1)(a) Orthotist, prosthetist, prosthetist/orthotist – the ABC examination

(2)(b) Pedorthist – the Board of Certification in Pedorthics or ABC pedorthic BCP examination.

(3)(e) Orthotic Fitter, Orthotic Fitter Assistant – Surgical Appliance Institute and Trulife Healthcare examinations.

(2) ~~The board approves the following examinations for licensure pursuant to Section 468.805, F.S.:~~

(a) ~~Orthotist prosthetist, prosthetist/orthotist – the written and written simulation modules of the ABC examination.~~

(b) ~~Pedorthist – the BCP examination~~

Rulemaking Specific Authority 456.017(1)(c), 468.802, 468.803(2) FS. Law Implemented 456.017(1)(c), 468.803(2) FS. History–New 11-1-99, Amended 9-21-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 18, 2009

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-4.100  
 RULE TITLE: Requirements for Prosthetic or Orthotic Residency or Internship

PURPOSE AND EFFECT: The Board proposes the amendment to modify the application form number 1126 and 1133 and by reference into the rule, deleting unnecessary language and add new language to clarify requirements for Prosthetic or Orthotic Residency or Internship.

SUMMARY: The proposed rule incorporates the application form for residency or internship by reference and defines requirements for registration as an intern and resident.

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: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.100 Requirements for Prosthetic or Orthotic Residency or Internship.

(1) through (2) No change.

(3) Internships must be completed at facilities primarily engaged in providing orthotic and prosthetic patient care. Interns must provide direct patient care, but only under the supervision of a qualified licensed orthotist or prosthetist; the educational mission must not be compromised by an excessive reliance on residents to fulfill facility service obligations. Interns ~~Students~~ should progress from observing to actually providing direct patient care. Sufficient amounts of lab and technical experience must accompany the clinical training.

(8) To register for an orthotic or prosthetic internship or residency program, the applicant must submit a completed ~~Registration Form for Orthotic or Prosthetic Internship/Residency Program~~, Application Form for Internship/Residency form number DH-MQA1126, ~~07/09 11/08~~, which is available from the Board office or at the Board's web site: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>.

(9) If a change in supervisor is required, the applicant must submit a completed Update Supervisor Form Registration in an Orthotic or Prosthetic Internship/Residency Program, form number DH-MQA 1133, 07/09, which is available from the Board office or the Board's web site: <http://www.doh.state.fl.us/mqa/OrthPros/index.html>.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803 FS. History—New 11-1-99, Amended 7-2-07, 5-28-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2009

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

**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: RULE TITLE:

64B14-5.001 Licensure Renewal

PURPOSE AND EFFECT: The Board is deleting text from the rule as the portion of the authorizing statute no longer exists.

SUMMARY: The rule amendment is deleting provisional licensees language.

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: 468.802, 468.806(2) FS.

LAW IMPLEMENTED: 468.805(2), 468.806 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-5.001 Licensure Renewal.

Each licensee, ~~including provisional licensees~~, must renew his or her license no later than November 30 of each odd-numbered year. Each applicant shall remit the licensure renewal fee established in Rule 64B14-2.002, F.A.C.

Rulemaking Specific Authority 468.802, 468.806(2) FS. Law Implemented ~~468.805(2)~~, 468.806 FS. History—New 7-1-98, Amended 12-10-98, 11-11-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 18, 2009



**DEPARTMENT OF HEALTH**

**Board of Orthotists and Prosthetists**

RULE NO.: 64B14-5.002  
 RULE TITLE: Continuing Education Requirement  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to add new language to clarify continuing education requirements.

SUMMARY: The rule amendment will clarify the rule in the practice of prosthetics and orthotics.

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: 468.802, 468.806 FS.

LAW IMPLEMENTED: 456.013, 456.024, 468.806 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists /MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-5.002 Continuing Education Requirement.

(1) As a condition of license renewal or recertification, each licensee must complete approved continuing education.

(a) No change.

(b) For the biennium beginning December 1, 2009, each licensee's continuing education must include the mandatory courses as identified in Rule 64B14-5.005, F.A.C. two hours on Chapters 456, 468 Part XIV, F.S., and Rule Chapter 64B14, F.A.C.; an up to date registration showing competency as a Healthcare Provider by the American Red Cross; and two hours of continuing education relating to the prevention of medical errors in the practice of prosthetics and orthotics, which shall include a study of root cause analysis, error reduction and prevention, and patient safety; and one hour in infection control, including HIV/AIDS.

(2) through (8) No change.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 456.013, 456.024, 468.806 FS. History—New 7-1-98, Amended 5-18-00, 7-18-02, 11-11-02, 2-15-05, 11-1-05, 3-2-08. 7-13-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Orthotists and Prosthetists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists and Prosthetists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: November 20, 2009

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.103  
 RULE TITLE: Continuing Education Credits Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to clarify continuing education requirements and renewal.

SUMMARY: Continuing education and renewal requirements 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: 456.033, 465.009 FS.

LAW IMPLEMENTED: 456.013(7), (9), 456.033, 465.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca R. Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.103 Continuing Education Credits; ~~License Renewal; Consultant Pharmacist License Renewal; Nuclear Pharmacist License Renewal.~~

(1) Prior to biennial renewal of pharmacist licensure, a licensee shall complete no less than 30 hours of approved courses of continued professional pharmaceutical education within the 24 month period prior to the expiration date of the license. The following conditions shall apply.

(a) through (h) No change.

(i) ~~In addition to the continuing education credits authorized above,~~ Any volunteer expert witness who is providing expert witness opinions for cases being reviewed by the Department of Health pursuant to Chapter 465, F.S., shall receive five (5) hours of credit in the area of risk management

for each case reviewed in the 24 months prior to the expiration date of the license, up to a maximum of ten (10) hours per biennium.

(j) The presenter of a live seminar, a live video teleconference or through an interactive computer-based application shall receive 1 credit for each course credit hour presented, however presenter will not receive additional credit for multiple same course presentations. At least ten (10) of the required 30 hours must be obtained either at a live seminar, a live video teleconference, or through an interactive computer-based application.

(k) through (l) No change.

(m) At least ten (10) of the required 30 hours must be obtained either at a live seminar, a live video teleconference, or through an interactive computer-based application.

(2)(a) No change.

~~(a)(b)~~ No change.

~~(b)(e)~~ No change.

~~(3)(a)~~ No change.

~~(a)(b)~~ No change.

~~(b)(e)~~ No change.

(c) All programs approved by the ACPE for continuing education for nuclear pharmacists are deemed approved by the Board for general continuing education hours for nuclear pharmacists.

(4) Prior to renewal a registered pharmacy technician shall complete no less than twenty (20) hours of Board approved continuing education in the course work specified in Rule 64B16-26.355, F.A.C., within the 24 month period prior to the expiration date of the pharmacy technician registration.

(a) Upon a pharmacy technician's first renewal, registrant must document the completion of one (1) hour of board approved continuing education which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome; the modes of transmission, including transmission from a healthcare worker to a patient and the patient to the healthcare worker; infection control procedures, including universal precautions; epidemiology of the disease; related infections including tuberculosis (TB); clinical management; prevention; and current Florida law on AIDS and its impact on testing, confidentiality of test results, and treatment of patients. In order to meet this requirement, licensees must demonstrate that the course includes information on the State of Florida law on HIV/AIDS and its impact on testing, reporting, the offering of HIV testing to pregnant women, and partner notification issues pursuant to Sections 381.004 and 384.25, F.S. Any HIV/AIDS continuing education course taken during the second or subsequent renewal of registration may be applied to satisfy the general continuing education hours requirement.

(b) If the initial renewal of a pharmacy technician registration occurs less than 12 months after the initial licensure, then completion of courses of a pharmacy technician registration education hours will not be required.

(c) If the initial renewal of a pharmacy technician registration occurs 12 months or more after the initial licensure, then 12 hours of registered pharmacy technician continuing education hours must be completed prior to the renewal date of the license but no earlier than the date of initial licensure.

(d) All programs approved by the ACPE for continuing education for pharmacy technicians are deemed approved by the Board for general continuing education hours registered pharmacy technicians. Any course necessary to meet the continuing education requirement for HIV/AIDS license renewal shall be Board approved.

(e) Prior to renewal a licensee must complete, within the 24 month period prior to the expiration date of the license, a two-hour continuing education course approved in advance by the Board or the Accreditation Council for Pharmacy Education (ACPE) on medication errors that covers the study of root-cause analysis, error reduction and prevention, and patient safety. Hours obtained pursuant to this section may be applied by the licensee to the requirements of subsection (1).

(f) At least four (4) of the required 20 hours must be obtained either at a live seminar, a live video teleconference, or through an interactive computer-based application.

Rulemaking Authority 456.033, 465.009 FS. Law Implemented 456.013(7), (9), 456.033, 465.009 FS. History—New 3-19-79, Formerly 21S-6.07, Amended 1-7-87, Formerly 21S-6.007, Amended 7-31-91, 10-14-91, Formerly 21S-26.103, 61F10-26.103, Amended 7-1-97, Formerly 59X-26.103, Amended 7-11-00, 10-15-01, 1-2-02, 1-12-03, 4-12-05, 5-26-09, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Pharmacy  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 2009  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 29, 2009

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.: 64B16-26.355  
RULE TITLE: Pharmacy Technician Continuing Education Subject Matter

PURPOSE AND EFFECT: The Board proposes the rule promulgation to establish pharmacy technician continuing education subject matter.

SUMMARY: Subject matter for registered pharmacy technician continuing education will be established.

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: 465.005, 465.014 FS.

LAW IMPLEMENTED: 465.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca R. Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-26.355 Subject Matter for Registered Pharmacy Technician Continuing Education.

A Registered Pharmacy Technician Continuing Education Program must contain subject matter specifically designed to meet the objectives and the stated level and learning needs of the participants. The content shall be planned in logical order and reflect input from experts in the subject matter. Appropriate subject matter for continuing education offering shall reflect the professional educational needs for the learner in order to meet the health care needs of the consumer and consist of content from one or more of the following:

- (1) Pharmacy technician practice areas and special health care problems.
- (2) Biological, physical, behavioral and social sciences.
- (3) Legal aspects of health care.
- (4) Management/administration of health care personnel and patient care.
- (5) Teaching/learning process of health care personnel and patients.
- (f) Subjects which are taken at an accredited educational institution as verified by an official transcript, that meet any one of the criteria in Rule 64B16-26.351, F.A.C., and are advanced beyond that completed for original registration may be approved for continuing education under this rule.

Rulemaking Authority 465.005, 465.014 FS. Law Implemented 465.014 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 8, 2009

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

**DEPARTMENT OF HEALTH**

**Division of Emergency Medical Operations**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
64J-2.011	Trauma Center Requirements
64J-2.012	Process for the Approval of Trauma Centers
64J-2.013	Extension of Application Period
64J-2.014	Certificate of Approval
64J-2.015	Process for Renewal of Trauma Centers
64J-2.016	Site Visits and Approval
64J-2.017	Application by Hospital Denied Approval

PURPOSE AND EFFECT: To revise the Florida Trauma Center Standards – DH Pamphlet 150-9, forms, and applicable rules.

SUMMARY: The following is a summary of the proposed revisions to the Trauma Center Standards, DOH Pamphlet 150-9, which is incorporated by reference in Rules 64J-2.011-2.017, F.A.C., and applicable rules:

- 1) Adds an additional state required performance outcome indicator for all trauma centers to track the percentage of traumatic C1, C2 and/or C3 spinal cord injury patients who are admitted or transferred to the trauma center ICUs that are eligible for and receive the diaphragm pacer surgery;
- 2) Reduces the number of indicators the trauma centers must identify and monitor relevant to their respective facility from seven to six;
- 3) Requires the trauma centers to maintain written policies and procedures for the implementation of the preventive ulcer program standards of care (Sample policies and procedures are provided); and
4. Technical revisions to change the date of the pamphlet and forms, and to comply with statutory language in Section 395.401(2), F.S.

The revisions to the rules include technical changes to the date of the DOH Pamphlet 150-9 as referenced in Rules 64J-2.011-2.017, F.A.C, clarification of the trauma centers’ compliance date of the new standards, and clarification of the process for the approval of trauma centers.

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: 395.401, 395.405 FS.

LAW IMPLEMENTED: 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 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: Thursday, February 11, 2010, 2:00 p.m. – 5:00 p.m. EST

PLACE: Department of Health, Division of Emergency Medical Operations, Capital Circle Office Complex, 4052 Bald Cypress Way, Conference Room 301, Tallahassee, FL 32399-1738; Conference Call Number: (888)808-6959, Conference Code: 2354440. If a hearing is not requested, the hearing noticed above will not be held. Written comments may be submitted in lieu of a request for a hearing at the address below, Email: susan\_mcdevitt@doh.state.fl.us or by Fax: (850)488-2512.

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 24 hours before the workshop/meeting by contacting: Janet Collins at the following email address: janet\_collins@doh.state.fl.us or by Fax: (850)488-2512. 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: Susan McDevitt, Office of Trauma, Department of Health, 4052 Bald Cypress Way, Bin C-18, Tallahassee, Florida 32399-1738, (850)245-4440, ext. 2760, susan\_mcdevitt@doh.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

64J-2.011 Trauma Center Requirements.

(1) The standards for Level I, Level II and Pediatric trauma centers are published in DH Pamphlet (DHP) 150-9, \_\_\_\_\_ ~~2010 January 2008~~, which is incorporated by reference and available from the department, as defined by subsection 64J-2.001(4), F.A.C. Any hospital that has been granted Provisional trauma center status or has been granted a 7-year Certificate of Approval to operate as a verified trauma center at the time this rule is amended must be in full compliance with the revised standards one year from the date the rule is amended. On or after the effective date of the amended rule, completed applications for Provisional trauma center status that do not demonstrate full compliance with these standards shall be denied. Trauma centers must be in full compliance with these standards by January 1, 2009.

(2) To be a Level I trauma center, a hospital shall be a state licensed general hospital and shall:

(a) Meet and maintain after receiving provisional status and during the 7 year approval period the standards for a Level I trauma center as provided in DHP 150-9, \_\_\_\_\_ ~~2010 January 2008~~;

(b) through (d) No change.

(3) To be a Level II trauma center, a hospital shall:

(a) Meet and maintain after receiving provisional status and during the 7 year approval period the standards for a Level II trauma center, as provided in DHP 150-9, \_\_\_\_\_ ~~2010 January 2008~~;

(b) through (d) No change.

(4) To be a pediatric trauma center, a hospital shall:

(a) Meet and maintain after receiving provisional status and during the 7 year approval period the standards for a pediatric trauma center, as provided in DHP 150-9, \_\_\_\_\_ ~~2010 January 2008~~;

(b) through (d) No change.

~~(5) The standards published in DHP 150-9, January 2008, are subject to revision at any time through rule promulgation. Any hospital that has been granted Provisional trauma center status or has been granted a 7 year Certificate of Approval as a trauma center shall comply with all revisions to the standards published in DHP 150-9, beginning on the date the amended rule becomes effective.~~

Rulemaking Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.108, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.023, Amended \_\_\_\_\_.

64J-2.012 Process for the Approval of Trauma Centers.

(1) and Table 1 No change.

(a) The department shall accept a letter of intent, DH Form 1840, \_\_\_\_\_ ~~2010 January 2008~~, “Trauma Center Letter of Intent”, which is incorporated by reference and available from the department, as defined by subsection 64J-2.001(4), F.A.C., postmarked no earlier than September 1 and no later than midnight, October 1, from any acute care general or pediatric hospital. The letter of intent is non-binding, but preserves the hospital’s right to complete its submit an application by the required due date if an available position, as provided in Rule 64J-2.010, F.A.C., exists in the hospital’s TSA. If the hospital does not submit a completed an application or does not request an extension to complete its application by April 1 of the following year, in accordance with Rule 64J-2.013, F.A.C., the hospital’s letter of intent is void;

(b) By October 15, the department shall send to those hospitals submitting a letter of intent an application package which will include, as a minimum, instructions for submitting information to the department for selection as a trauma center, DHP 150-9, \_\_\_\_\_ ~~2010 January 2008~~, Trauma Center Standards, which is incorporated by reference in Rule 64J-2.011, F.A.C., and available from the department, as defined by subsection 64J-2.001(4), F.A.C., and the requested application(s);

(c) No change.

1. To apply for approval as a Level I Trauma Center, applicants must submit all forms contained in the Level I Trauma Center Application Manual, \_\_\_\_\_ ~~2010 January 2008~~. The manual and the forms contained therein are incorporated by reference and available from the department, as defined by subsection 64J-2.001(4), F.A.C. The manual contains the following forms:

- a. DH Form 2032, \_\_\_\_\_ ~~2010 January 2008~~, General Information for Level I Trauma Center Application;
- b. DH Form 2032-A, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center Approval Standards Summary Chart;
- c. DH Form 2032-B, \_\_\_\_\_ ~~2010 January 2008~~, Application for Level I Trauma Center Approval Letter of Certification;
- d. DH Form 2032-C, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center Surgical Specialties Certifications;
- e. DH Form 2032-D, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center Non-Surgical Specialties Certifications;
- f. DH Form 2032-E, \_\_\_\_\_ ~~2010 January 2008~~ 2008, Level I Trauma Center General Surgeons Commitment Statement;
- g. DH Form 2032-F, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center General Surgeons Available for Trauma Surgical Call;
- h. DH Form 2032-G, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center Neurosurgeons Available for Trauma Surgical Call;
- i. DH Form 2032-H, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements;
- j. DH Form 2032-I, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center Surgical Specialists On Call and Promptly Available;
- k. DH Form 2032-J, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center Emergency Department Physicians;
- l. DH Form 2032-K, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center Anesthesiologists Available for Trauma Call;
- m. DH Form 2032-L, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center C.R.N.A.s Available for Trauma Call; and
- n. DH Form 2032-M, \_\_\_\_\_ ~~2010 January 2008~~, Level I Trauma Center Non-Surgical Specialists On Call and Promptly Available.

2. To apply for approval as a Level II Trauma Center, applicants must submit all forms contained in the Level II Trauma Center Application Manual, \_\_\_\_\_ ~~2010 January 2008~~. The manual and the forms contained therein are incorporated by reference and available from the department, as defined by subsection 64J-2.001(4), F.A.C. The manual contains the following forms:

- a. DH Form 2043, \_\_\_\_\_ ~~2010 January 2008~~, General Information for Level II Trauma Center Application;

- b. DH Form 2043-A, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center Approval Standards Summary Chart;

- c. DH Form 2043-B, \_\_\_\_\_ ~~2010 January 2008~~, Application for Level II Trauma Center Approval Letter of Certification;

- d. DH Form 2043-C, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center Surgical Specialties Certifications;

- e. DH Form 2043-D, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center Non-Surgical Specialties Certifications;

- f. DH Form 2043-E, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center General Surgeons Commitment Statement;

- g. DH Form 2043-F, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center General Surgeons Available for Trauma Surgical Call;

- h. DH Form 2043-G, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center Neurosurgeons Available for Trauma Surgical Call;

- i. DH Form 2043-H, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements;

- j. DH Form 2043-I, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center Surgical Specialists On Call and Promptly Available;

- k. DH Form 2043-J, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center Emergency Department Physicians;

- l. DH Form 2043-K, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center Anesthesiologists Available for Trauma Call;

- m. DH Form 2043-L, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center C.R.N.A.s Available for Trauma Call; and

- n. DH Form 2043-M, \_\_\_\_\_ ~~2010 January 2008~~, Level II Trauma Center Non-Surgical Specialists On Call and Promptly Available.

3. To apply for approval as a Pediatric Trauma Center, applicants must submit all forms contained in the Pediatric Trauma Center Application Manual, \_\_\_\_\_ ~~2010 January 2008~~. The manual and the forms contained therein are incorporated by reference and available from the department, as defined by subsection 64J-2.001(4), F.A.C. The manual contains the following forms:

- a. DH Form 1721, \_\_\_\_\_ ~~2010 January 2008~~, General Information for Pediatric Trauma Center Application;

- b. DH Form 1721-A, \_\_\_\_\_ ~~2010 January 2008~~, Pediatric Trauma Center Approval Standards Summary Chart;

- c. DH Form 1721-B, \_\_\_\_\_ ~~2010 January 2008~~, Application for Pediatric Trauma Center Letter of Certification;

- d. DH Form 1721-C, \_\_\_\_\_ ~~2010 January 2008~~, Pediatric Trauma Center Surgical Specialties Certifications;

- e. DH Form 1721-D, \_\_\_\_\_ ~~2010 January 2008~~, Pediatric Trauma Center Non-Surgical Specialties Certifications;

- f. DH Form 1721-E, \_\_\_\_\_ ~~2010 January 2008~~, Pediatric Center General Surgeons Commitment Statement;

g. DH Form 1721-F, ~~\_\_\_\_\_ 2010 January 2008~~, Pediatric Trauma Center General Surgeons Available for Trauma Surgical Call;

h. DH Form 1721-G, ~~\_\_\_\_\_ 2010 January 2008~~, Pediatric Trauma Center Neurosurgeons Available for Trauma Surgical Call;

i. DH Form 1721-H, ~~\_\_\_\_\_ 2010 January 2008~~, Pediatric Trauma Center Neurological, Pediatric Trauma and Neurological, and Neuroradiology Statements;

j. DH Form 1721-I, ~~\_\_\_\_\_ 2010 January 2008~~, Pediatric Trauma Center Surgical Specialists On Call and Promptly Available;

k. DH Form 1721-J, ~~\_\_\_\_\_ 2010 January 2008~~, Pediatric Trauma Center Emergency Department Physicians;

l. DH Form 1721-K, ~~\_\_\_\_\_ 2010 January 2008~~, Pediatric Trauma Center Anesthesiologists Available for Trauma Call;

m. DH Form 1721-L, ~~\_\_\_\_\_ 2 010 January 2008~~, Pediatric Trauma Center C.R.N.A.s Available for Trauma Call; and

n. DH Form 1721-M, ~~\_\_\_\_\_ 2010 January 2008~~, Pediatric Trauma Center Non-Surgical Specialists On Call and Promptly Available.

(d) After considering the results of the local or regional trauma agency’s recommendations, the department shall, by April 15, conduct a provisional review to determine completeness of the application and the hospital’s compliance with the standards of critical elements for provisional status. The standards of critical elements for provisional review for Level I and Level II trauma center applications are specified in DHP 150-9, ~~\_\_\_\_\_ 2010 January 2008~~, as follows:

- Level I – No change.
- Level II – No change.
- Pediatric – No change.
- (e) through (m)2. No change.
- (2) through (4) No change.

~~Rulemaking Specific Authority 395.405 FS. Law Implemented 395.1031, 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History–New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.109, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.024, Amended \_\_\_\_\_.~~

64J-2.013 Extension of Application Period.

- (1) No change.
- (2) To be considered for an extension, a hospital must submit an application in accordance with the requirements in Rule 64J-2.012, F.A.C., together with a request for extension. The request for extension must contain the following:

(a) The specific date the hospital desires to have the department begin the provisional review of the hospital’s application;

(b) A reference to each standard, or specific part of a standard, in DHP 150-9, ~~\_\_\_\_\_ 2010 January 2008~~, Trauma Center Standards, which is incorporated by reference in Rule

64J-2.011, F.A.C., and available from the department, as defined by subsection 64J-2.001(4), F.A.C., that the hospital is unable to meet;

- (c) through (d) No change.
- (3) through (14) No change.

~~Rulemaking Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History–New 12-10-92, Amended 12-10-95, Formerly 10D-66.1095, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.025, Amended \_\_\_\_\_.~~

64J-2.014 Certificate of Approval.

Each hospital approved as a trauma center shall be issued a DH Form 2032-Z, ~~\_\_\_\_\_ 2010 January 2008~~, Level I Trauma Center Certificate of Approval, DH Form 2043-Z, ~~\_\_\_\_\_ 2010 January 2008~~, Level II Trauma Center Certificate of Approval, or DH Form 1721-Z, ~~\_\_\_\_\_ 2010 January 2008~~, Pediatric Trauma Center Certificate of Approval, which are incorporated by reference and available from the department, as defined by subsection 64J-2.001(4), F.A.C. The certificates shall include:

- (1) through (3) No change.

~~Rulemaking Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History–New 8-3-88, Amended 12-10-92, Formerly 10D-66.110, Amended 2-20-00, 4-15-01, 6-9-05, 3-5-08, Formerly 64E-2.026, Amended \_\_\_\_\_.~~

64J-2.015 Process for Renewal of Trauma Centers.

(1) At least 14 months prior to the expiration of the trauma center’s certification, the department shall send, to each trauma center that is eligible to renew, a blank DH Form 2032R, ~~\_\_\_\_\_ 2010 January 2008~~, Trauma Center Application to Renew, which is incorporated by reference and available from the department, as defined by subsection 64J-2.001(4), F.A.C., in accordance with the provisions of this section. Within 15 calendar days after receipt, the trauma center choosing to renew its certification shall submit to the department the completed DH Form 2032R, ~~\_\_\_\_\_ 2010 January 2008~~.

(2) All renewing trauma centers shall receive an on-site survey after the department’s receipt of the completed DH Form 2032R, ~~\_\_\_\_\_ 2010 January 2008~~. The department shall notify each trauma center of the results of the site survey within 30 working days from completion of the site survey. If the trauma center desires to provide additional information regarding the results of the site survey to the department to be considered, the information must be provided in writing and be received by the department within 30 calendar days of the hospital’s receipt of the department’s notice. If the trauma center elects not to respond to the department’s notice within 30 calendar days, the department shall make the final determination of approval or denial based solely on information collected during the applicant’s site survey.

- (3) through (4) No change.

Rulemaking Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 1-23-96, Formerly 10D-66.111, Amended 3-15-98, 2-20-00, 6-9-05, 3-5-08, Formerly 64E-2.027, Amended \_\_\_\_\_.

64J-2.016 Site Visits and Approval.

(1) Each Provisional trauma center shall receive an on-site evaluation to determine whether the hospital is in substantial compliance with standards published in DHP 150-9, \_\_\_\_\_ 2010 January 2008, Trauma Center Standards, which is incorporated by reference in Rule 64J-2.011, F.A.C., and available from the department, as defined by subsection 64J-2.001(4), F.A.C., and to determine the quality of trauma care provided by the hospital.

(2) through (3) No change.

(4) The reviewers shall assess each applicant hospital’s compliance with the standards published in DHP 150-9, \_\_\_\_\_ 2010 January 2008, by means of direct observation, review of call schedules, and review of patient charts. Reviewers also shall assess the quality of trauma patient care and trauma patient management by reviewing facility trauma mortality data, by reviewing patient charts and by reviewing trauma case summaries and minutes of trauma quality management committee meetings pursuant to Standard XVIII of DHP 150-9, \_\_\_\_\_ 2010 January 2008.

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

(c) Patient charts to be reviewed shall be selected by the department from cases meeting the criteria listed in Standard XVIII B.2., published in DHP 150-9, \_\_\_\_\_ 2010 January 2008. A minimum of 75 cases shall be selected for review in each facility. If the cases total less than 75, then all cases are subject to review.

(d) through (e) No change.

(6) The reviewers shall rate a Provisional trauma center which they have reviewed as either acceptable, acceptable with corrections, or unacceptable. The rating shall be based on each facility’s substantial compliance with the standards published in DHP 150-9, \_\_\_\_\_ 2010 January 2008, and upon the performance of each Provisional trauma center in providing acceptable trauma patient care and trauma patient management which resulted in acceptable patient outcomes.

(7) through (12) No change.

Rulemaking Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 10-2-94, 12-10-95, Formerly 10D-66.112, Amended 8-4-98, 2-20-00, 6-3-02, 6-9-05, 3-5-08, Formerly 64E-2.028, Amended \_\_\_\_\_.

64J-2.017 Application by Hospital Denied Approval.

Any hospital that was not approved as a trauma center based on the application of criteria in Rule 64J-2.016, F.A.C., may submit a completed Letter of Intent DH Form 1840, \_\_\_\_\_ 2010 January 2008, which is available from the department, as

defined by subsection 64J-2.001(4), F.A.C., postmarked no earlier than September 1 and no later than midnight October 1 of the following year.

Rulemaking Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.113, Amended 2-20-00, 6-9-05, 3-5-08, Formerly 64E-2.029, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Susan McDevitt, Director, Office of Trauma

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: January 5, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 12, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

RULE NO.:	RULE TITLE:
68-1.003	Florida Fish and Wildlife Conservation Commission Grants Program

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update the Florida State Wildlife Grant Program guidelines from September 2008 to February 2010. The guidelines are incorporated by reference into rule 68-1.003, dealing with the issuance of agency grants. The guidelines are being changed to update the referenced web site addresses; clarify the application preparation and submittal procedures; revise the application evaluation and selection process; and refine the reporting and invoicing requirements. These changes reflect the Program’s progress and development within the agency, along with the changes in agency policy.

SUMMARY: The amendment makes one change to Rule 68-1.003, F.A.C.; it changes the version of Florida State Wildlife Grant Program guidelines from September 2008 to February 2010.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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: 206.606, 327.04, 327.47, 379.106 FS.

LAW IMPLEMENTED: 206.606, 327.04, 327.47, 379.106 FS. A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW:

**DATES AND TIME:** During the Commission’s regular meeting February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day  
**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Laura Morse, State Wildlife Grants Coordinator, Florida Fish and Wildlife Conservation Commission, Division of Habitat and Species Conservation, 620 South Meridian Street, Room 308E, Tallahassee, Florida 32399, telephone (850)410-0656, extension 17285, or email [laura.morse@myfwc.com](mailto:laura.morse@myfwc.com)

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68-1.003 Florida Fish and Wildlife Conservation Commission Grants Program.

(1) through (10) No change.

(11) Florida’s State Wildlife Grants Program grants shall meet all additional program requirements set forth in Florida’s State Wildlife Grants Program Guidelines (dated February 2010 ~~September 2008~~), which are hereby incorporated by reference. The following forms are hereby adopted and incorporated by reference: FWC/SWG-1, entitled “Florida State Wildlife Grants Program Budget Form,” June 2008 and FWC/SWG-2, entitled “Florida State Wildlife Grants Program Application Form,” June 2008. The guidelines and forms are available from the Commission at 620 South Meridian Street, Tallahassee, Florida 32399-1600.

(12) No change.

Rulemaking Specific Authority 206.606, 327.04, 327.47, 379.106 FS. Law Implemented 206.606, 327.47, 328.72, 379.106 FS. History–New 4-4-04, Amended 3-15-05, Formerly 68A-2.015, Amended 5-22-07, 7-6-08, 1-18-09,\_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Laura Morse, State Wildlife Grants Coordinator, Florida Fish and Wildlife Conservation Commission, Division of Habitat and Species Conservation, 620 South Meridian Street, Room 308E, Tallahassee, Florida 32399

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 9, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** August 21, 2009.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
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

**PURPOSE AND EFFECT:** The purpose of the proposed rule changes is to (1) update and clarify requirements for the issuance of permits for the importation and possession of conditional and prohibited species; (2) codify eligibility requirements for issuance of such permits; (3) establish criteria for denial of research permits for conditional and prohibited species; and (4) retain conditional and prohibited species status for any taxa that subsequently undergoes any taxonomic alterations, such as reclassifying into a different genus or splitting into subspecies.

The Commission is considering changes to state regulations that would: (1) revise protocols for importation of leopard (*Geochelone pardalis*), African spurred (*Geochelone sulcata*) and Bell’s hingeback tortoises (*Kinixys belliana*); (2) prohibit the outdoor culture and harvest of Nile perches (family Latidae) from aquaculture facilities using fee fishing; (3) add the Northern largemouth bass (*Micropterus salmoides salmoides*) as a conditional species to prevent the genetic contamination of the native Florida subspecies; and (4) add the Quagga mussel (*Dreissena bugensis*) as a prohibited species, which has been as problematic as zebra mussels in the Great Lakes, and the genus *Dreissena* is on the federal list of injurious wildlife.

The effects of these rule changes will be stricter, more consistent regulations regarding the importation and possession of certain nonnative species, conditional species and prohibited species. These species are considered to be dangerous to the ecology and/or the health and welfare of the people of Florida. By adopting these regulations the State of Florida will be contributing to the effort to prevent introductions of non-native species.

**SUMMARY:** Rule 68-5.001, F.A.C. (Introduction of Non-native Species into the State) would be amended to codify eligibility requirements for issuance of research permits for conditional species, establish criteria for denial of research permits for conditional and prohibited species and revise protocols for importation of leopard, African spurred and Bell’s hingeback tortoises. Rule 68-5.002, F.A.C. (Conditional Non-native species) would be amended so that the owners of certain aquaculture facilities where Nile perches are possessed will be limited to using indoor facilities and prohibited from allowing take on a fee or for-hire basis using hook and line or rod and reel and that the Northern largemouth bass



(*Micropterus salmoides salmoides*) would be added as a conditional species while allowing possession of hybrid bass on the Suwannee River and its tributaries and to the north and west of same. Rule 68-5.003, F.A.C. (Prohibited Non-native Species) would be amended so the Quagga mussel (*Dreissena bugensis*) would be added as a prohibited species. Quagga mussels are closely related to the zebra mussel, which is already a prohibited species.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS:** Michael Yaun, Deputy General Counsel, Legal Office, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, FL 32399-1600

**THE FULL TEXT OF THE PROPOSED RULES IS:**

68-5.001 Introduction of Non-native Species into the State.

(1) No change.

(2) Conditional Non-native Species – No person shall import into the state, sell, possess, or transport any live specimens of the species or hybrids or eggs thereof listed in Rule 68-5.002, F.A.C., except as provided in paragraphs (a), (b) and (c) below: The species or hybrids or eggs thereof listed

~~in Rule 68-5.002, F.A.C., may be possessed only pursuant to permit issued by the Executive Director, with the following restrictions:~~

(a) Such special permits may be issued only to individuals or institutions engaged in research, ~~or~~ to commercial import or export businesses, or to public aquaria, public zoological parks, or public exhibitors that have current accreditation by the Association of Zoos and Aquariums, the American Association of Museums or the Zoological Association of America providing educational exhibits. Special pPermits shall not be issued for display of these species in private aquaria, private zoological parks, or for personal possession.

~~(b) Individuals or institutions engaged in research will be issued such a special permit, provided the following requirements are met: Prior to the issuance of a permit to possess conditional non native species, facilities where conditional species are to be kept and waters where their use is intended may be inspected by Commission personnel to assure that adequate safeguards exist to prevent escape or accidental release into the waters of the state.~~

1. Eligibility. A special permit for research involving conditional species will be issued only to a principal investigator who is a faculty member of a college or university, is affiliated with an accredited institution, or is a member of a federal, state or county agency.

2. A detailed research proposal shall accompany the application for the research permit. The proposal shall state with particularity research objectives, methodology and study duration, and outline planned safeguards to assure proper containment of the species. An annual record of progress toward the research project objectives will be maintained, and such research proposal and record of progress shall be available for inspection upon request of Commission personnel.

3. Applications for research involving conditional species may be denied based on lack of benefit to the State of Florida.

~~(c)(b)~~ Prior to the issuance of a special permit to possess conditional non-native species, facilities where conditional species are to be kept and waters where their use is intended may be inspected by Commission personnel to assure that adequate safeguards exist to prevent escape or accidental release into the waters of the state.

~~(d)(e)~~ Special pPermits for conditional ~~freshwater fish and aquatic invertebrate~~ species may be issued by the Commission subject to the following:

1. through 4. No change.

(3) Prohibited Non-native Species – No person shall import into the state, sell, possess, or transport any live specimens of the species or hybrids or eggs thereof listed in Rule 68-5.003, F.A.C., except as provided in paragraphs (a) and (b) below:

(a) Public aquaria, zoological parks, or public exhibitors ~~that have with~~ current accreditation by the American Zoo and Aquarium Association or the American Association of Museums ~~may will~~ be ~~issued granted~~ a ~~special~~ permit for public exhibition purposes.

(b) Individuals or institutions engaged in research may be granted such a ~~special~~ permit, provided the following requirements are met:

~~1. Eligibility. A special permit for research involving prohibited species may be issued only to a principal investigator who is a faculty member of a college or university, is affiliated with an accredited institution, or is a member of a federal, state or county agency.~~

~~2.1. A detailed research proposal shall accompany the application for the research permit. The proposal shall state with particularity research objectives, methodology and study duration, and outline planned safeguards per FWC laboratory protocols to assure proper containment of the species. An annual record of progress toward the research project objectives will be maintained, and such research proposal and record of progress shall be available for inspection upon request of Commission personnel.~~

~~3.2. All research on prohibited aquatic species shall be conducted in indoor facilities in containers or other confinement facilities designed to prevent escape and having no exterior water discharge or having a water discharge through a closed drain system that terminates in a dry-bed wastewater retention area with no public access pond.~~

~~4.3. All research on prohibited terrestrial wildlife species shall be conducted in indoor facilities in cages or other confinement facilities which to prevent escape.~~

~~5. Commission approved laboratory protocols will be followed for research involving prohibited species. In the event that there are no protocols for a given species on an application, laboratory protocols will be developed, submitted by the applicant and approved by the Commission before a permit will be issued.~~

~~6. All research facilities where research on prohibited species is to be conducted will be inspected by Commission personnel or an authorized representative of the Commission prior to issuance of a special permit. Scheduled and unannounced inspections may be conducted at any time during the permit period.~~

~~7. Applications for research involving prohibited species may be denied based on lack of benefit to the State of Florida.~~

~~8.4. The special permit will shall expire 12 months from the date of issuance. A new special permit will not be issued and shall not be renewed until a new application and detailed report of research findings is received and approved by the Commission. The report will shall include a description of activities undertaken in the permit period, progress toward research project objectives, and proposed additional activities~~

to be undertaken during any renewal period. Such reports are public records subject to the requirements for public disclosure under Chapter 119, F.S.

(4) through (5) No change.

(6) No leopard tortoise (*Geochelone pardalis*), African spurred tortoise (*Geochelone sulcata*), or Bell's hingeback tortoise (*Kinixys belliana*) shall be imported or transported into this state, without a special permit issued by the Commission. The basis for the issuance of such permit shall include:

~~(a) That tortoises imported on a single occasion will be inspected by a veterinarian and certified as being free of external parasites prior to being imported. Certified veterinary health certificates and the special permit application will be submitted to the Commission no less than 10 days before arrival of any tortoise. each shipment is accompanied by a veterinary certificate stating that all specimens are free from external parasites;~~

~~1. Containers used to transport tortoises will be incinerated within 24 hours of arrival in the state unless tortoises are being imported for a temporary event such as an expo, in which case containers used to transport tortoises will be disinfected prior to importation and will be incinerated or exported out of state within 72 hours.~~

~~(b) That shipments of tortoises imported on a recurring basis (mainly for commercial purposes) will be inspected by a veterinarian and certified as being free of external parasites prior to being imported. Written notice of each shipment, a copy of the tortoise import permit and certified veterinary health certificates for each tortoise that is to be imported will be submitted to the Commission no less than 10 days before arrival of any tortoise. all shipping containers used to transport such tortoises are incinerated within 24 hours;~~

~~1. Containers used to transport shipments of tortoises will be disinfected prior to importation and will be incinerated or exported out of state within 72 hours.~~

~~2. Residents that hold a valid special permit to import tortoises for commercial use will maintain a record of the sale/transfer of all specimens for a period of one year following the receipt of each shipment. This information will include the name(s) and address(es) of recipients and numbers of unsold tortoises including mortalities during the tracking period.~~

(c) Such other conditions as may be necessary to ensure that no tortoise infested with ticks capable of transmitting the Heartwater disease is imported into Florida.

(7) through (8) No change.

**PROPOSED EFFECTIVE DATE: July 1, 2010.**

**Rulemaking Specific Authority** Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-7-07, Amended 7-1-10.

68-5.002 Conditional Non-native Species.

Live specimens of the following species, including their taxonomic successors, subspecies, or hybrids or eggs thereof may be possessed only pursuant to permit issued by the Executive Director except with restrictions as provided in subsection 68-5.001(2), F.A.C.

(1) Non-native freshwater aquatic species.

(a) No change.

(b) Bony-tongue fishes (Family Arapaimidae Osteoglossidae, all species except silver arowana, *Osteoglossum bicirrhosum*).

1. Arapaima (*Arapaima gigas*)

2. Heterotis (*Heterotis niloticus*)

(c) through (g) No change.

(h) Nile perches (Genus *Lates*, all species). For owners of aquaculture facilities that are operating under permit or a certificate of registration, but which are not cultivating Nile perches as of April 11, 2007, and for owners of aquaculture facilities which are issued original permits or certificates of registration after April 11, 2007, Nile perches:

1. through 2. No change.

(i) No change.

(j) Wami tilapia (*Oreochromis urolepis hornorum*)

(k) through (q) No change.

(r) Arowanas (Family Osteoglossidae, all species except silver arowana, *Osteoglossum bicirrhosum*)

(s) Northern largemouth bass (*Micropterus salmoides salmoides*), except that intergrade largemouth bass (northern largemouth bass x Florida largemouth bass *Micropterus salmoides floridanus*) may be possessed in the Suwannee River and its tributaries and north and west of the Suwannee River.

(2) No change.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-7-07, Amended 7-1-10.

68-5.003 Prohibited Non-native Species.

Live specimens of the following species, including their taxonomic successors, subspecies, or hybrids or eggs thereof may be possessed only pursuant to permit issued by the Executive Director. No person shall import into the state, sell, possess, or transport any live specimens of the species, or hybrids or eggs thereof, of the species listed below, except as provided in subsection 68-5.001(3), F.A.C.

(1) Non-native freshwater aquatic species:

(a) No change.

(b) African tigerfishes (Genus *Hydrocynus* Subfamily *Hydrocyninae*, all species).

(c) through (d) No change.

(e) Freshwater electric eels (*Electrophorus electricus* Family *Electrophoridae*, all species).

(f) Lampreys (Family *Petromyzontidae* *Petromyzonidae*, all species).

(g) through (h) No change.

(i) Tilapias (Genera *Tilapia*, *Sarotherodon*, *Alcolapia* and *Oreochromis*, all species except *Oreochromis aureus*, *Oreochromis urolepis hornorum*, *Oreochromis mossambicus*, and *Oreochromis niloticus*).

(j) through (n) No change.

(o) Quagga mussel (*Dreissena bugensis*).

(2) No change.

(3) Non-native marine species:

(a) through (d) No change.

(d) Genus *Synanceia*, all species.

(e) Pitted stonefish (*Erosa erosa*).

(f) Red rock cod (*Scorpaena papillosa*).

(g) Stonefish (*Leptosynanceia asteroblepa*).

(h) Stargazing stonefish (*Trachicephalus uranoscopus*).

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-7-07, Amended 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Breault, Director, Division of Habitat and Species Conservation, Florida Fish and Wildlife Conservation Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-1.004  
 RULE TITLE: Definitions

**PURPOSE AND EFFECT:** The purpose of the proposed rule changes is to replace the term “gallinule” with “common moorhen” to make it consistent with taxonomic changes. It will also add geese as legal game and add migratory birds, in addition to ducks and coots, to the legal game list.

**SUMMARY:** Replace gallinule with common moorhen, add geese as legal game and add migratory birds, other than ducks and coots, to the legal game list.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Diane R. Eggeman, Director. 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:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and

freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) through (39) No change.

(40) Game birds – Wild turkey, quail, rails, snipe, woodcock, ducks, geese, brant, dove, coot, common moorhen ~~gallinule~~, and non-native species generally considered game such as pheasant, chukar partridge, and coturnix quail.

(41) through (43) No change

(44) Legal game – Antlered ~~d~~Deer, gray squirrel, rabbit, quail, rail, snipe, woodcock, duck, dove, geese, coot and common moorhen ~~gallinule~~ during open seasons established for each species by Rule 68A-13.003, ~~or~~ 68A-13.004; or Rule 68A-13.008, F.A.C., unless otherwise stipulated for a particular species in a regulation established for a specific wildlife management area, wildlife and environmental area, public small game hunting area or public use areas.

(45) through (47) No change.

(48) Migratory game birds – Ducks, geese, brant, rail or marsh hen, coot, common moorhen ~~gallinule~~, snipe, woodcock and doves.

(49) through (99) No change.

**PROPOSED EFFECTIVE DATE:** July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, 5-26-05, 7-1-06, 4-1-07, 7-1-08, 10-23-08, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 9, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** December 11, 2009.

## FISH AND WILDLIFE CONSERVATION COMMISSION

### Freshwater Fish and Wildlife

RULE NO.: 68A-1.004  
 RULE TITLE: Definitions

**PURPOSE AND EFFECT:** The purpose and effect of these rule changes are to conserve or improve the status of endangered and threatened species by effectively reducing the risk of extinction through the use of a science-based process that is objective and quantifiable, that accurately identifies endangered and threatened species that are in need of special actions to prevent further imperilment, that identifies a framework for developing management strategies and interventions to reduce threats causing imperilment, and that prevents species from being threatened to such an extent that they become regulated and managed under the Federal Endangered Species Act.

**SUMMARY:** These rule changes are revising definitions in conjunction with rule changes being made to Chapter 68A-27, F.A.C., related to imperiled species.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL, 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Mr. Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

### THE FULL TEXT OF THE PROPOSED RULE IS:

#### 68A-1.004 Definitions.

The following definitions are for the purpose of carrying out the provisions of the rules of the Fish and Wildlife Conservation Commission relating to wild animal life and freshwater aquatic life. As used herein, the singular includes the plural. The following shall be construed respectively to mean:

(1) through (18) No change.

~~(19) Candidate species — A species, subspecies, or isolated population of a species or subspecies, which has been determined by the Commission to warrant listing under Rule 68A-27.003, 68A-27.004 or 68A-27.005, F.A.C., but for which actual listing in the aforementioned rules is pending development of a management plan.~~

(20) through (29) renumbered (19) through (28) No change.

~~(30) Direct take — Intentionally pursuing, hunting, capturing, killing, or destroying fish or wildlife or the nests, eggs, homes or dens of fish or wildlife.~~

~~(31) Endangered species — As designated by the Commission, a species, subspecies, or isolated population of a species or subspecies which is so few or depleted in number or so restricted in range or habitat due to any man-made or natural factors that it is in imminent danger of extinction, or extirpation from Florida, as determined by paragraph (a), (b), (c), (d), or (e) below in accordance with Rule 68A-27.0012, F.A.C.~~

~~(a) Reduction in population size based on any of the following:~~

~~1. An observed, estimated, inferred or suspected population size reduction of at least 80% over the previous ten years or three generations, whichever is longer, where the reduction or its causes may not have ceased or may not be understood or may not be reversible, based on (and specifying) any of the following:~~

~~a. Direct observation;~~

~~b. An index of abundance appropriate for the taxon;~~

~~c. A decline in area of occupancy, extent of occurrence, or quality of habitat;~~

~~d. Actual or potential levels of exploitation;~~

~~e. The effects of introduced taxa, hybridization, pathogens, pollutants, competitors, or parasites.~~

~~2. A population size reduction of at least 80%, projected or suspected to be met within the next ten years or three generations, whichever is longer (up to a maximum of 100 years), based on (and specifying) any of subparagraph 1.b., 1.c., 1.d., or 1.e. above.~~

~~3. An observed, estimated, inferred, projected, or suspected population size reduction of at least 80% over any 10 year or three generation period, whichever is longer (up to a~~

~~maximum of 100 years in the future), where the time period must include both past and future, and where the reduction or its causes may not have ceased or may not be understood or may not be reversible, based on (and specifying) any of subparagraph 1.a., 1.b., 1.c., 1.d., or 1.e. above.~~

~~4. An observed, estimated, inferred, or suspected population size reduction of at least 90% over the last 10 years or three generations, whichever is longer, where the causes of reduction are clearly reversible and understood and ceased, based on (and specifying) any of subparagraph 1.a., 1.b., 1.c., 1.d., or 1.e. above.~~

~~(b) Geographic range in the form of either extent of occurrence estimated to be less than 40 square miles or area of occupancy estimated to be less than 4 square miles, and estimates indicating any two of the following:~~

~~1. Severity fragmented or known to exist at only a single location.~~

~~2. Continuing decline, observed, inferred or projected, in any of the following:~~

- ~~a. Extent of occurrence.~~
- ~~b. Area of occupancy.~~
- ~~c. Area, extent, and/or quality of habitat.~~
- ~~d. Number of locations or subpopulations.~~
- ~~e. Number of mature individuals.~~

~~3. Extreme fluctuations in any of the following:~~

- ~~a. Extent of occurrence.~~
- ~~b. Area of occupancy.~~
- ~~c. Number of locations or subpopulations.~~
- ~~d. Number of mature individuals.~~

~~(c) Population size estimated to number fewer than 250 mature individuals and either:~~

~~1. An estimated continuing decline of at least 25% within three years or one generation, whichever is longer (up to a maximum of 100 years in the future), or~~

~~2. A continuing decline, observed, projected or inferred, in numbers of mature individuals and at least one of the following:~~

~~a. Population structure in the form of either no subpopulation estimated to contain more than 50 mature individuals, or at least 90% of mature individuals in one subpopulation.~~

~~b. Extreme fluctuations in number of mature individuals.~~

~~(d) Population size estimated to number less than 50 mature individuals.~~

~~(e) Quantitative analysis showing the probability of extinction in the wild is at least 50% within ten years or three generations, whichever is longer (up to a maximum of 100 years).~~

~~(32) through (34) renumbered (29) through (31) No change.~~

(32) Florida Endangered and Threatened Species – species of fish or wild animal life, subspecies or isolated populations of species or subspecies, whether vertebrate or invertebrate, that are native to Florida which are endangered and threatened under Commission rule as either (a) Federally-designated Endangered and Threatened species by virtue of designation as endangered or threatened by the United States Departments of Interior or Commerce under the Endangered Species Act, 16 U.S.C. § 1531, et seq. and rules thereto or (b) as a State-designated Threatened species. Florida Endangered and Threatened species retain their status regardless of subsequent changes in scientific nomenclature or subsequent identification of species or subspecies within the species listed.

~~(35) through (81) renumbered (33) through (79) No change.~~

~~(82) Species of special concern — As designated by the Commission, a species, subspecies, or isolated population of a species or subspecies which is facing a moderate risk of extinction, or extirpation from Florida, in the future, as determined by paragraph (a), (b), (c), (d), or (e) below in accordance with Rule 68A-27.0012, F.A.C.~~

~~(a) Reduction in population size based on any of the following:~~

~~1. An observed, estimated, inferred or suspected population size reduction of at least 30% over the last ten years or three generations, whichever is longer, where the reduction or its causes may not have ceased or may not be understood or may not be reversible, based on (and specifying) any of the following:~~

- ~~a. Direct observation.~~
- ~~b. An index of abundance appropriate for the taxon.~~
- ~~c. A decline in area of occupancy, extent of occurrence, and/or quality of habitat.~~
- ~~d. Actual or potential levels of exploitation.~~
- ~~e. The effects of introduced taxa, hybridization, pathogens, pollutants, competitors, or parasites.~~

~~2. A population size reduction of at least 30%, projected or suspected to be met within the next ten years or three generations, whichever is longer (up to a maximum of 100 years), based on (and specifying) any of subparagraph 1.b., 1.c., 1.d., or 1.e. above.~~

~~3. An observed, estimated, inferred, projected, or suspected population size reduction of at least 30% over any 10 year or three generation period, whichever is longer (up to a maximum of 100 years in the future), where the time period must include both past and future, and where the reduction or its causes may not have ceased OR may not be understood OR may not be reversible, based on (and specifying) any of subparagraph 1.a., 1.b., 1.c., 1.d., or 1.e. above.~~

~~4. An observed, estimated, inferred, or suspected population size reduction of at least 50% over the last 10 years or three generations, whichever is longer, where the causes of~~

~~reduction are clearly understood and reversible and ceased, based on (and specifying) any of subparagraph 1.a., 1.b., 1.c., 1.d., or 1.e. above.~~

~~(b) Geographic range in the form of either extent of occurrence estimated to be less than 7,700 square miles or area of occupancy estimated to be less than 770 square miles, and estimates indicating any two of the following:~~

~~1. Severely fragmented or known to exist at no more than 10 locations.~~

~~2. Continuing decline, observed, inferred or projected, in any of the following:~~

~~a. Extent of occurrence.~~

~~b. Area of occupancy.~~

~~c. Area, extent, and/or quality of habitat.~~

~~d. Number of locations or subpopulations.~~

~~e. Number of mature individuals.~~

~~3. Extreme fluctuations in any of the following:~~

~~a. Extent of occurrence.~~

~~b. Area of occupancy.~~

~~c. Number of locations or subpopulations.~~

~~d. Number of mature individuals.~~

~~(c) Population size estimated to number fewer than 10,000 mature individuals and either:~~

~~1. An estimated continuing decline of at least 10% within ten years or three generations, whichever is longer (up to a maximum of 100 years in the future); or~~

~~2. A continuing decline, observed, projected, or inferred, in numbers of mature individuals and at least one of the following:~~

~~a. Population structure in the form of either no subpopulation estimated to contain more than 1,000 mature individuals, or all mature individuals are in one subpopulation.~~

~~b. Extreme fluctuations in number of mature individuals~~

~~(d) Population very small or restricted in the form of either of the following:~~

~~1. Population size estimated to number fewer than 1,000 mature individuals.~~

~~2. Population with a very restricted area of occupancy (typically less than 8 square miles) or number of locations (typically 5 or fewer) such that it is prone to the effects of human activities or stochastic events within a very short time period in an uncertain future.~~

~~(e) Quantitative analysis showing the probability of extinction in the wild is at least 10% within 100 years.~~

~~(83) through (85) renumbered (80) through (82) No change.~~

~~(86) Threatened species — As designated by the Commission, a species, subspecies, or isolated population of a species or subspecies which is facing a very high risk of extinction, or extirpation from Florida, in the future, as determined by paragraph (a), (b), (c), (d), or (e) below in accordance with Rule 68A-27.0012, F.A.C.:~~

~~(a) Reduction in population size based on any of the following:~~

~~1. An observed, estimated, inferred, or suspected population size reduction of at least 50% over the last ten years or three generations, whichever is longer, where the reduction or its causes may not have ceased or may not be understood or may not be reversible, based on (and specifying) any of the following:~~

~~a. Direct observation,~~

~~b. An index of abundance appropriate for the taxon,~~

~~c. A decline in area of occupancy, extent of occurrence, and/or quality of habitat,~~

~~d. Actual or potential levels of exploitation,~~

~~e. The effects of introduced taxa, hybridization, pathogens, pollutants, competitors, or parasites.~~

~~2. A population size reduction of at least 50%, projected or suspected to be met within the next ten years or three generations, whichever is longer, (up to a maximum of 100 years), based on (and specifying) any of subparagraph 1.b., 1.c., 1.d. or 1.e. above.~~

~~3. An observed, estimated, inferred, projected, or suspected population size reduction of at least 50% over any 10 year or three generation period, whichever is longer (up to a maximum of 100 years in the future), where the time period must include both past and future, and where the reduction or its causes may not have ceased or may not be understood or may not be reversible, based on (and specifying) any of subparagraph 1.a., 1.b., 1.c., 1.d., or 1.e. above.~~

~~4. An observed, estimated, inferred, or suspected population size reduction of at least 70% over the last 10 years or three generations, whichever is longer, where the causes of reduction are clearly understood and reversible and ceased, based on (and specifying) any of subparagraph 1.a., 1.b., 1.c., 1.d., or 1.e. above.~~

~~(b) Geographic range in the form of either extent of occurrence estimated to be less than 2,000 square miles or area of occupancy estimated to be less than 200 square miles, and estimates indicating any two of the following:~~

~~1. Severely fragmented or known to exist at no more than five locations.~~

~~2. Continuing decline, observed, inferred or projected, in any of the following:~~

~~a. Extent of occurrence~~

~~b. Area of occupancy~~

~~c. Area, extent, and/or quality of habitat~~

~~d. Number of locations or subpopulations~~

~~e. Number of mature individuals~~

~~3. Extreme fluctuations in any of the following:~~

~~a. Extent of occurrence~~

~~b. Area of occupancy~~

~~c. Number of locations or subpopulations~~

~~d. Number of mature individuals~~

~~(e) Population size estimated to number fewer than 2,500 mature individuals and either:~~

~~1. An estimated continuing decline of at least 20% within five years or two generations, whichever is longer (up to a maximum of 100 years in the future); or~~

~~2. A continuing decline, observed, projected, or inferred, in numbers of mature individuals and at least one of the following:~~

~~a. Population structure in the form of either no subpopulation estimated to contain more than 250 mature individuals, or at least 95% of mature individuals in one subpopulation~~

~~b. Extreme fluctuations in number of mature individuals~~

~~(d) Population size estimated to number fewer than 250 mature individuals:~~

~~(e) Quantitative analysis showing the probability of extinction in the wild is at least 20% within 20 years or five generations, whichever is longer (up to a maximum of 100 years):~~

(87) through (99) renumbered (83) through (95) No change.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-15-81, 11-17-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-1.04, Amended 6-1-86, 5-10-87, 10-8-87, 3-1-88, 4-13-88, 4-27-89, 4-11-90, 7-1-92, 4-20-93, 3-1-94, 7-1-94, 4-1-96, 11-23-97, 7-1-98, 6-23-99, Formerly 39-1.004, Amended 7-1-00, 5-1-01, 5-1-03, 7-1-04, 5-26-05, 7-1-06, 4-1-07, 7-1-08, 10-23-08, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-4.004  
 RULE TITLE: Possession of Wildlife or Freshwater Fish or the Carcasses Thereof

PURPOSE AND EFFECT: The purpose of the proposed rule change is to revise the current rule to allow the possession of deer (carcasses) resulting from the accidental collision with a vehicle. The effect of the proposed rule change will accommodate possession of incidentally taken deer to prevent the waste of said animal.

SUMMARY: The proposed rule change would allow for the possession of deer accidentally killed by the collision with a vehicle, thereby preventing the waste of said deer.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not X have an impact on small business. A SERC has \_\_\_or has not X 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 375.313, 379.2223 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 3rd Floor Courtroom, 33 Market Street, Apalachicola, Florida 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jim Brown, Director, Division of Law Enforcement, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:



68A-4.004 Possession of Wildlife or Freshwater Fish or the Carcasses Thereof.

(1) Whenever the taking or possession of wildlife or freshwater fish is prohibited, the possession of any carcass or portion of the carcass of such wildlife or freshwater fish is prohibited. The possession of any wildlife or freshwater fish showing evidence of being taken by any unlawful method is prohibited. Wildlife or freshwater fish lawfully taken during the open season and properly identified may be possessed and stored in freezers or freezer lockers except when otherwise provided in Rule 68A-12.004 or 68A-23.006, F.A.C.

(2) through (3) No change.

(4) The prohibition in subsection (1) does not apply to deer carcass or parts thereof from a deer that was killed by accidental collision with a vehicle.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-4.04, Amended 5-10-87, 7-1-89, 7-1-96, Formerly 39-4.004, Amended 7-1-00, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Col. Jim Brown, Director, Division of Law Enforcement, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:	RULE TITLE:
68A-9.002	Permits to Take Wildlife or Freshwater Fish for Justifiable Purposes

PURPOSE AND EFFECT: The purpose of the proposed rule change is to allow volunteers of the Commission to take fish and wildlife under an approved volunteer program according to conditions specified for the program. The effect will be to facilitate use of volunteers in the Commission’s conservation efforts while reducing the workload of permitting staff.

SUMMARY: The proposed rule change will allow volunteers of the Commission to take fish and wildlife under an approved volunteer program according to conditions specified for the program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not Xhave an impact on small business. A SERC has \_\_\_ or has not Xbeen 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution n; Sections 375.313, 379.2223, Florida Statutes.

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

DATES AND TIME: During the Commission’s regular meeting February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day  
 PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, Florida 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy E. O’Meara, Leader, Wildlife Research Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.002 Permits to Take Wildlife or Freshwater Fish for Justifiable Purposes.

(2) Employees of the Commission may take wildlife or freshwater fish or their nests or eggs for scientific, educational, propagation, exhibition or other justifiable purposes when such taking has been authorized by the executive director or is essential to the performance of their assigned duties. The authority granted under this section shall not be construed to exempt any person from purchasing hunting or fishing licenses as required by Section 372.57, F.S. The executive director may issue permits authorizing the taking or managing of wildlife or freshwater fish for specified commercial purposes.

(3) Commission volunteers may take wildlife or freshwater fish or their nests or eggs for scientific, educational, propagation, exhibition or other justifiable purposes provided that:

(a) Such taking is pursuant to a volunteer program approved by the Division/Office director or his or her designee.

(b) The Division/Office director or his or her designee has approved specific conditions under which wildlife or freshwater fish or their nests or their eggs may be taken by volunteers, and

(c) The volunteers are in possession of written authorization from the volunteer program's Volunteer Program Coordinator or Volunteer Workday Leader specifying those conditions.

PROPOSED EFFECTIVE DATE: As soon as possible after adoption.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.02, Amended 12-25-95, 4-1-96, Formerly 39-9.002, Amended 7-1-02,\_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Timothy E. O'Meara, Leader, Wildlife Research Section, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-9.004  
RULE TITLE: Permits for Hunting or Other Recreational Use on Wildlife Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule change is to revise the number of Recreational User Permits (RUPs) issued for Twelve Mile Swamp Wildlife Management

Area (WMA). The effect of the proposed rule change will accommodate a corresponding reduction in acreage on the area.

SUMMARY: The proposed rule change would adjust the number of Recreational User Permits (RUPs) as follows:

Twelve Mile Swamp WMA – reduce the number of recreational user permits issued from 200 to 125.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not \_\_X\_\_ have an impact on small business. A SERC has \_\_\_ or has not \_\_X\_\_ 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: Article IV, Section 9, Florida Constitution; 379.354 FS.

LAW IMPLEMENTED: 379.2223, 375.313, 375.591 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Section 379.354(8)(g) and (h), F.S.

(a) through (b) No change.

(c) The total number of permits available for each of the following privately owned wildlife management areas established pursuant to Section 379.354(8)(h)1., F.S., shall be:

1. Nassau WMA – 350
2. Flint Rock – 450
3. Twelve Mile Swamp – ~~125~~ 200
4. Relay – 300
5. Ft. McCoy – 150
6. Gulf Hammock – 450
7. Grove Park – 200

(d) through (f) No change.

(2) No change.

**PROPOSED EFFECTIVE DATE:** July 1, 2010.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.354 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.1025, 379.2223, 375.313, 375.591 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, 7-15-04, 6-1-05, 4-3-08, 4-1-09, 7-20-09, ~~7-1-10~~.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:	RULE TITLE:
68A-9.007	Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing

PURPOSE AND EFFECT: The purpose of the proposed rule change is to remove established permit fees for special-opportunity hog hunts, which have been or will be converted to no-cost wild hog quota hunts. The effect of the proposed rule change will remove unnecessary references to permits fees for special-opportunity hog hunts.

SUMMARY: The proposed rule change would remove the area specific references to special-opportunity hog hunt fees for Fort Drum WMA, Green Swamp WMA - West Unit and Lake Panasoffkee WMA because these hunts have been or will be converted to no-cost wild hog quota hunts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_have an impact on small business. A SERC has \_\_\_ or has not \_\_\_X\_\_\_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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 379.354 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.007 Special-use Permits; Short-term Use Permits; Fees; Special-Opportunity Hunting and Fishing.

Special-use permits, short-term use permits, and fees for such permits are hereby established as follows:

- (1) No change.
- (2) The Commission establishes fees for special-use permits and non-refundable application fees as follows:
  - (a) through (e) No change.
  - (f) Except as otherwise provided in this paragraph, the fee for a special-opportunity hog hunt permit is \$50 per day and the application fee is \$5.

~~1. The fee for the special opportunity hog hunt permit on the Ft. Drum WMA is \$50 per hunt.~~

~~2. The fee for a special opportunity hog hunt permit on Green Swamp WMA (West Unit) and Lake Panasoffkee WMA is \$75 each.~~

(g) through (i) No change.

(3) through (4) No change.

**PROPOSED EFFECTIVE DATE:** July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.354 FS. History—New 9-15-96, Amended 1-9-97, 6-1-97, 4-12-98, 4-15-99, Formerly 39-9.007, Amended 7-1-00, 5-13-02, 7-1-06, 8-22-06, 7-1-07, 7-1-08, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 9, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** 68A-9.010 **RULE TITLE:** Taking Nuisance Wildlife

**PURPOSE AND EFFECT:** The purpose of the proposed rule change is to clarify regulations relating to methods of take, provisions for release or euthanasia of nuisance wildlife and the take of bobcats. The effect of the proposed rule change is a clarification of regulations which will more clearly articulate FWC’s role and policy in nuisance wildlife issues.

**SUMMARY:** The proposed rule would clarify that bobcats may be taken under the authority of this rule only when the bobcat is causing or about to cause property damage, or when a bobcat is a threat to public safety; allow humane euthanasia as defined by the American Veterinary Medical Association; clarify that a chemical repellent may be used, but it is not an approved exclusion device for removal of bats from a structure; require live traps and snares to be inspected at least once every 24 hours; require live-captured nuisance wildlife to

be released or euthanized within 24 hours of capture or trap inspection; and allow the transportation and release of nuisance wildlife at an off-site location if the following conditions are met: The nuisance wildlife must be a native species; the release site is within the same county of capture; the release site is a minimum of 40 contiguous acres; the person releasing the nuisance wildlife has written permission from the owner of the release site and the transportation of wildlife does not violate any rabies alert or area quarantine issued by a County Health Department or County Animal Service.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_have an impact on small business. A SERC has \_\_\_or has not \_\_\_X\_\_\_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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Michael Yaun, Deputy General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-9.010 Taking Nuisance Wildlife.

Any person owning property may take nuisance wildlife or they may authorize another person to take nuisance wildlife on their behalf except those species listed in subsection (1) below on their property by any method except those methods listed in subsection (2) below. Persons responsible for government owned property are considered “landowners” for the purpose of this rule. Notwithstanding the provisions of this section, the

~~The executive director or a designee may issue permits authorizing~~ authorize the take of additional species of wildlife, ~~or additional methods of take or alternative forms of disposition and transportation for justifiable purposes by permit issued~~ pursuant to Rule 68A-9.002, F.A.C., provided authorizations shall be denied or revoked upon reasonable conclusion that the requested or permitted activity would be detrimental to fish and wildlife resources or public health and safety.

(1) Wildlife that may not be taken as nuisance wildlife:

(a) No change.

(b) The following mammals:

1. through 2. No change.

3. Bats – Except that bats may be taken either when:

a. ~~The That~~ take is incidental to the use of an exclusion device, a device which allows escape from and blocks re-entry into a roost site located within a structure, or incidental to the use of a registered chemical repellent, (including chemical repellants), at any time from August 15 to April 15 or

b. ~~The That~~ take is incidental to permanent repairs which prohibit the egress of bats from a roost site located within a structure provided an exclusion device as described in sub-subparagraph a. above is used for a minimum of four consecutive days/nights for which the low temperature is forecasted by the U.S. National Weather Service to remain above 50° F prior to repairs and during the time-period specified.

4. Bobcat – Except that a bobcat may be taken, as provided by subsections (2), (3) and (4) below, when it causes or is about to cause property damage, or presents a threat to public safety.

(c) No change.

(2) Methods that may not be used to take nuisance wildlife:

(a) Gun and light, except as provided in paragraph ~~(5)(b)~~ (4)(b) below.

(b) No change.

(c) Live traps and snares unless they are visited at intervals not exceeding 24 hours.

(c) through (e) renumbered (d) through (f) No change.

(3) Disposition of live-captured nuisance wildlife.

(a) Wildlife live captured by any method shall be released or euthanized within 24 hours following capture or inspection of a trapping device containing wildlife, provided any species described in subsection (1) above or any non-target wildlife shall be released immediately at the site of capture.

(b) Nuisance wildlife may only be released if:

1. The nuisance wildlife is released on the property of the landowner provided the release site and capture site are located on one contiguous piece of property or

2. The nuisance wildlife is a native species and,

3. The property where the nuisance animal is to be released is located within the county of capture and is a minimum of 40 contiguous acres and

4. The person releasing the nuisance wildlife is in possession, at time of release, of written permission from the property owner allowing such action.

(c) Euthanasia of nuisance wildlife shall be humane as defined by the American Association of Zoo Veterinarians or the American Veterinary Medical Association.

(d) The provisions of this subsection shall not prohibit the personal possession of wildlife as authorized by subsection 68A-6.0022(2), F.A.C.

~~(4)(3)~~ Transportation and release of nuisance wildlife.

(a) Live-captured nuisance wildlife may be transported under authority of this section only for:

1. The purpose of euthanasia as provided in subsection (3) above or

2. The purpose of release as provided in subsection (3) above.

(b) Transportation of wildlife authorized by this section shall not supersede the provisions of any rabies alert or area quarantine issued by County Health Departments or County Animal Services.

~~(a) Live captured nuisance wildlife transported under authority of this section may be done only for the purpose of euthanizing the nuisance wildlife, provided any euthanasia shall be humane as defined by the American Association of Zoo Veterinarians. Euthanasia of those species listed in subsection 68A-6.0022(2), F.A.C., is not required.~~

~~(b) Live captured nuisance wildlife may be released on the property of the landowner provided the release site and capture site are located on one contiguous piece of property.~~

~~(5)(4)~~ Take of nuisance wildlife on airport property.

(a) through (b) No change.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-1-08, Amended 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Roland Garcia, Regional Director, 3377 East U.S. Highway 90,  
Lake City, Florida 32409-1658

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-12.007  
 RULE TITLE: Hunting Dogs; Molesting Game in Closed Season; Training; Field Trials; Prohibited for Certain Hunting

PURPOSE AND EFFECT: The purpose of the proposed rule change is update deer dog training seasons on private lands to correspond with proposed changes to zonal deer seasons.

SUMMARY: The proposed rule would allow free running dogs to be trained beginning 35 days prior to the first day of the antlered deer season and closing 19 days thereafter, except in Zone D when the period shall begin the last Saturday of October and continue for 19 days thereafter.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_ have an impact on small business. A SERC has \_\_\_ or has not \_\_\_X\_\_\_ 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-12.007 Hunting Dogs; Molesting Game in Closed Season; Training; Field Trials; Prohibited for Certain Hunting.

(1) through (5) No change

(6) Deer dogs may be trained during the closed season for taking deer when such dogs are constantly attached to a leash or rope in the hands of the trainer. Deer dogs may be allowed to run free for training purposes only during the period beginning 35 days prior to the first day of the antlered deer season and closing 19 days thereafter ~~the first Saturday of October and continuing 19 days thereafter~~, except in Zone D ~~the Northwest Zone~~ when the period shall begin the last Saturday of October and continue for 19 days thereafter. Taking wildlife with any gun while training deer dogs is prohibited.

(7) through (10) No change.

PROPOSED EFFECTIVE DATE: July 1, 2010.

~~Rulemaking Specific~~ Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-22-80, 6-21-82, 7-27-83, 7-5-84, 7-1-85, Formerly 39-12.07, Amended 4-11-90, 3-1-94, 7-1-94, 9-7-97, Formerly 39-12.007, Amended 12-9-99, 8-22-04, 7-17-05, 7-1-08, ~~7-1-10.~~

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

## FISH AND WILDLIFE CONSERVATION COMMISSION

### Freshwater Fish and Wildlife

RULE NO.: 68A-13.003  
 RULE TITLE: Hunting Regulations for Ducks, Geese, and Coots

**PURPOSE AND EFFECT:** The purpose of the proposed rule change is to replace the term "Florida gallinule" with "Common moorhen". The effect will align the taxonomic nomenclature with the current American Ornithological Union standard.

**SUMMARY:** The proposed rule change would replace "Florida gallinule" with "Common moorhen" to reflect a taxonomic change.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_ have an impact on small business. A SERC has \_\_\_ or has not \_\_\_X\_\_\_ 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-13.003 Hunting Regulations for Ducks, Geese, and Coots.

The Commission has approved the following regulations and bag limits for taking ducks, geese, and coots:

(1) Duck, light goose, and coot season:

(a) through (c) No change.

(d) In addition to the open season specified in paragraph (1)(a) above, a "Youth Waterfowl Hunt" will be held on the first Saturday and Sunday following the last Sunday in January. Youth hunters must be under 16 years of age and must be accompanied by a non-hunting adult at least 18 years of age. Daily bag limits and species restrictions for ducks, geese, and coots will be as described in paragraph (1)(f) and subsection (4). Common moorhens ~~Florida gallinules (common moorhens)~~ may also be taken on the "Youth Waterfowl Hunt;" bag and possession limits for this species will be as specified in Rule 68A-13.008, F.A.C.

(e) through (f) No change.

(2) through (5) No change.

**PROPOSED EFFECTIVE DATE:** July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 10-23-79, 8-19-80, 9-29-81, 8-30-82, 7-27-83, 8-13-84, 8-13-85, 10-1-85, Formerly 39-13.03, Amended 8-5-86, 8-24-87, 8-18-88, 12-12-88, 8-17-89, 10-30-89, 8-9-90, 10-31-90, 8-22-91, 10-31-91, 8-23-92, 10-22-92, 9-2-93, 10-28-93, 11-6-94, 10-23-95, 10-20-96, 8-7-97, 10-28-97, 11-12-98, 6-23-99, Formerly 39-13.003, Amended 11-7-00, 5-13-02, 5-1-03, 7-1-04, 7-1-05, 2-1-06, 7-1-06, 1-9-07, 1-8-08, 7-1-08, 1-6-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 9, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-13.004  
 RULE TITLE: Open Season for Taking and Bag Limits for Non-Migratory Game and Issuance of Antlerless Deer Permits

**PURPOSE AND EFFECT:** The purpose of the proposed rule change is to adjust statewide management zone boundaries, shift open season dates for deer and fall wild turkey and establish a new 2-day “Youth Turkey Hunt” prior to the spring turkey season. The effect of the proposed rule change will be to provide for the timing of the deer seasons to better coincide with preferred hunting periods, maintain the fall turkey season during preferred dates within the deer season, and provide an additional outdoor recreational opportunity for youth in the state of Florida.

**SUMMARY:** The proposed rule would adjust the boundaries of management zones and open season dates for deer to better coincide with the rut and hunter preference; adjust the fall turkey season dates to align with management zones; create a special 2-day “Youth Turkey Hunt” the weekend prior to the opening weekend of spring turkey season within each management zone with the following provisions: allow only youth hunters under 16 years of age who are supervised by an adult at least 18 years of age to harvest a turkey; allow adult supervisors with all required licenses and permits for turkey hunting to participate with the youth, but not be allowed to harvest any wildlife with a gun; allow adults who do not have required licenses and permits to supervise a youth, but not be allowed to participate in the hunt; retain the current daily bag limit for turkey as one gobbler or bearded turkey per day and any wild turkey harvested during the Youth Turkey Hunt would count towards the spring season limit of two.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-13.004 Open Season for Taking and Bag Limits for Non-Migratory Game and Issuance of Antlerless Deer Permits. The open season and bag limits for non-migratory game shall be as follows unless otherwise amended by the Commission, provided that regulations for hunting on wildlife management areas shall be as established by specific rule.

- (1) No change
- (2) Open seasons:
  - (a) Antlered deer:

1. Zone A comprised of the counties of Broward, Charlotte, Collier (except that portion lying south of State Road 84, west of State Road 29, north of U.S. Highway 41 and east of the western boundary of the Fakahatchee Strand State Preserve where there will be no open season), Dade, DeSoto (south of State Road 70), Glades, Hendry, Highlands (south of State Road 70), Lee, Martin, Manatee (south of State Road 70), Monroe (except in the Florida Keys where there will be no open season), Okeechobee (south of State Road 70), Palm Beach, St. Lucie (south of State Road 70) and Sarasota: Opening the third Saturday in September and closing 29 days thereafter and reopening the Saturday before the fourth Thursday in November and closing the first Sunday in January.

2. Zone B comprised of the counties of Hernando (south of State Road 50), Hillsborough (north of State Road 60), Lake (south of State Road 50), Orange (south of State Road 50 and west of U.S. Highway 17), Osceola (west of U.S. Highway 17, south and west of County Road 525, west of the western shoreline of Lake Tohopekaliga, west of C-35 canal, west of the western shoreline of Cypress Lake, west of C-36 canal and west of the eastern shoreline of Lake Hatchineha), Pasco, Pinellas (north of State Road 60), Polk (north of State Road 60) and Sumter (south of State Road 50): Opening 9 days after the fourth Thursday in November and closing 78 days thereafter.



3. Zone C comprised of the counties of Alachua, Baker, Bradford, Brevard, Citrus, Clay, Columbia, DeSoto (north of State Road 70), Dixie, Duval, Flagler, Gadsden (east of U.S. Highway 27), Gilchrist, Hamilton, Hardee, Hernando (north of State Road 50), Highlands (north of State Road 70), Hillsborough (south of State Road 60), Indian River, Jefferson, Lafayette, Lake, Leon (east of U.S. Highway 27, east of State Road 61 and east of U.S. Highway 319), Levy, Madison, Manatee (north of State Road 70), Marion, Nassau, Okeechobee (north of State Road 70), Orange (north of State Road 50 and east of U.S. Highway 17), Osceola (east of U.S. Highway 17, north and east of County Road 525, east of the western shoreline of Lake Tohopekaliga, east of C-35 canal, east of the western shoreline of Cypress Lake, east of C-36 canal and east of the eastern shoreline of Lake Hatchineha), Pinellas (south of State Road 60), Polk (south of State Road 60), Putnam, St. Johns, St. Lucie (north of State Road 70), Seminole, Sumter (north of State Road 50), Suwannee, Taylor, Union, Volusia and Wakulla (east of U.S. Highway 319, north and east of U.S. Highway 98 and east of Spring Creek Highway): Opening the first Saturday in November closing 78 days thereafter.

4. Zone D comprised of the counties of Bay, Calhoun, Escambia, Franklin, Gadsden (west of U.S. Highway 27), Gulf, Holmes, Jackson, Leon (west of U.S. Highway 27, west of State Road 61 and west of U.S. Highway 319), Liberty, Okaloosa, Santa Rosa, Wakulla (west of U.S. Highway 319, south of U.S. Highway 98 and west of Spring Creek Highway), Walton and Washington: Opening the fourth Thursday in November and closing 3 days thereafter and reopening the second Saturday in December and closing 71 days thereafter.

1. South Zone comprised of the counties of Broward, Charlotte, Collier (except that portion lying south of State Road 84, west of State Road 29, north of U.S. Highway 41 and east of the western boundary of the Fakahatchee Strand State Preserve where there will be no open season), Dade, DeSoto (south of State Road 70), Glades, Hendry, Highlands (south of State Road 70), Lee, Martin, Manatee (south of State Road 70), Monroe (except in the Florida Keys where there will be no open season), Okeechobee (south of State Road 70), St. Lucie (south of State Road 70), Sarasota and Palm Beach: Opening the last Saturday in October and closing 71 days thereafter.

2. Central Zone comprised of the counties of Alachua, Baker, Bradford, Brevard, Citrus, Clay, Columbia, DeSoto (north of State Road 70), Dixie, Duval, Flagler, Gilchrist, Hamilton, Hardee, Hernando, Highlands (north of State Road 70), Hillsborough, Indian River, Jefferson (north of U.S. Highway 27, east of State Road 59 and south of U.S. Highway 98), Lafayette, Lake, Levy, Madison, Manatee (north of State Road 70), Marion, Nassau, Okeechobee (north of State Road 70), Orange, Osceola, Pasco, Pinellas, Polk, Putnam, St. Johns, St. Lucie (north of State Road 70), Seminole, Sumter, Suwannee, Taylor, Union, Volusia, Leon (north of U.S.

Highway 27 and east of State Road 155) and Wakulla (south of U.S. Highway 98 and east of the St. Marks River): Opening the second Saturday in November and closing 71 days thereafter.

3. Northwest Zone comprised of the counties of Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Okaloosa, Santa Rosa, Walton and Washington, Leon (except that portion north of U.S. Highway 27 and east of State Road 155), Jefferson (south of U.S. Highway 27, west of State Road 59 and north of U.S. Highway 98), and Wakulla (except that portion south of U.S. Highway 98 and east of the St. Marks River): Opening the fourth Thursday in November and closing 3 days thereafter and reopening the second Saturday in December and closing 67 days thereafter.

(b) Antlerless deer:

1. Zone A: Opening the Saturday before the fourth Thursday in November and closing 6 days thereafter, except those portions of the eastern Everglades south of the Tamiami Trail (U.S. 41) and east of Everglades National Park, or in Collier County south of Alligator Alley (State Road 84).

2. Zone B: Opening December 26 and closing January 1.

3. Zone C: Opening the Saturday before the fourth Thursday in November and closing 6 days thereafter.

4. Zone D: Opening December 26 and closing January 1.

1. During the eighth through fourteenth day of the antlered deer season in the South Zone except those portions of the eastern Everglades south of the Tamiami Trail (U.S. 41) and east of Everglades National Park, or in Collier County south of Alligator Alley (S.R. 84):

2. During the eighth through fourteenth day of the antlered deer season in the Central Zone.

3. During the twelfth through eighteenth day of the antlered deer season in the Northwest Zone:

(c) Turkey:

1. Fall season (gobblers or bearded turkeys only): During the last 58 days of the antlered deer season in the South Zone A; during the first 58 days of the antlered deer season in Zones B and C the Central Zone; and during the first 41 days of the antlered deer season in the Northwest Zone D except in Holmes County where there will be no open season.

2. Spring season (gobblers or bearded turkeys only):

a. Opening on the first Saturday of March and closing 36 days thereafter in the South Zone A. Opening on the third Saturday of March and closing 36 days thereafter in the Central and Northwest Zones B, C and D except in Holmes County where the season will open on the third Saturday of March and close 15 days thereafter.

b. In addition to the season specified in sub-subparagraph a. above, a "Youth Turkey Hunt" shall open on the last Saturday of February and close 1 day thereafter in Zone A and open the second Saturday of March and close 1 day thereafter in Zones B, C and D. Only youth under 16 years of age may hunt and must be under the supervision and in the presence of

an adult not younger than 18 years of age. Adults with required license and permits for taking wild turkeys or otherwise exempt from these requirements by Section 379.353, F.S., may participate in the hunt when in the presence of at least one youth under 16 years of age. Adults shall not take wildlife with a gun.

(d) Quail: Opening the second Saturday of November and closing 113 days thereafter. Opening October 1 and closing March 31 for falconry.

(e) Gray squirrel: Opening the second Saturday of November and closing 113 days thereafter. Opening October 1 and closing March 31 for falconry. No open season on fox squirrels.

(f) Rabbit: Throughout the year.

(g) Notwithstanding the provisions of paragraphs (2)(a)-(g) deer of either sex, gobblers or bearded turkeys, gray squirrel and quail may be taken where same are legal game, during an archery season opening 49 days prior to the first day of the antlered deer season and closing 29 days thereafter in Zones A, B and C the South Zone, opening 49 days prior to the first day of the antlered deer season and closing 29 days thereafter in the Central Zone, and opening 33 40 days prior to the first day of the antlered deer season and closing 32 29 days thereafter in Zone D the Northwest Zone except that turkey may not be taken in Holmes County.

(h) Notwithstanding the provisions of paragraphs (2)(a), (b), (c), (d), (e), and (h), antlered deer, gobblers or bearded turkeys, gray squirrel and quail may be taken:

1. During a crossbow season opening 19 days prior to the first day of the antlered deer season and closing 4 days thereafter in Zones A, B and C the South Zone; opening 19 days prior to the first day of the antlered deer season and closing 4 days thereafter in the Central Zone, and opening 4 days after the fourth Thursday in November and closing 4 days thereafter in Zone D on the Monday following Thanksgiving Day and closing 6 days thereafter in the Northwest Zone except that turkey may not be taken in Holmes County.

2. During a muzzleloading gun season opening 14 days prior to the first day of the antlered deer season and closing 13 8 days thereafter in Zones A, B and C; the South Zone; opening 14 days prior to the first day of the antlered deer season and closing 8 days thereafter in the Central Zone, and opening 2 6 days after prior to the first day of the antlered deer season and closing 6 2 days thereafter in Zone D the Northwest Zone except that turkey may not be taken in Holmes County.

3. During a muzzleloading gun season in Zone D the Northwest Zone opening the day following the last day of the antlered deer season and closing 6 10 days thereafter, provided that turkeys may not be taken.

(3) Issuance of antlerless deer permits to landowners – Antlerless deer may be taken under permit from the executive director during the crossbow, muzzleloading gun, ~~archery/muzzleloading gun,~~ and antlered deer seasons in accordance with the following:

(a) through (d) No change.

**PROPOSED EFFECTIVE DATE: July 1, 2010.**

~~Rulemaking Specific~~ Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-83, 7-1-84, 7-1-85, Formerly 39-13.04, Amended 6-1-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-1-92, 7-1-93, 3-1-94, 7-1-94, 7-1-96, 10-28-97, 4-27-98, 12-28-98, Formerly 39-13.004, Amended 7-1-01, 5-13-02, 10-16-02, 7-1-05, 7-1-06, 7-1-08, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-13.008  
 RULE TITLE: Hunting Regulations for Migratory Birds Other than Ducks and Coots

PURPOSE AND EFFECT: The purpose of the proposed rule change is to replace the terms “gallinule” and “Florida gallinule” with “Common moorhen”. The effect will align the taxonomic nomenclature with American Ornithological Union standard.

SUMMARY: The proposed rule change would replace “gallinule” and “Florida gallinule” with “Common moorhen” to reflect a taxonomic change.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-13.008 Hunting Regulations for Migratory Birds Other than Ducks and Coots.

The Commission has approved the following regulations and bag limits for taking crows and migratory game birds other than ducks and coots:

- (1) No change.
- (2) Rails and Common moorhens ~~gallinules (Common moorhens)~~:
  - (a) through (b) No change.
  - (c) Limits:
    - 1. through 2. No change.
    - 3. Common moorhens ~~Florida gallinules (common moorhens)~~:
      - a. through b. No change.
- (3) through (5) No change.
- (6) Falconry:
  - (a) No change.
  - (b) Open seasons:
    - 1. through 2. No change.
    - 3. Common moorhens ~~Florida gallinules (common moorhens)~~: Opening September 1 and closing December 14.

4. through 5. No change.

**PROPOSED EFFECTIVE DATE:** July 1, 2010.

**Rulemaking Specific Authority** Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-17-89, Amended 8-9-90, 8-22-91, 8-23-92, 9-2-93, 9-15-94, 9-15-96, 9-7-97, Formerly 39-13.008, Amended 7-1-01, 7-1-04, 1-9-07, 1-6-09, 7-1-10.

**BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.**

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 9, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

**RULE NO.:** 68A-14.001 **RULE TITLE:** Establishment Orders

**PURPOSE AND EFFECT:** The purpose of the proposed rule change is to consolidate rules on establishment of Critical Wildlife Areas (CWAs) and provide the Executive Director, with the oversight of the Commission, limited authority to establish a CWA for a restricted period of time. The effect of the proposed rule change will be to consolidate and clarify rule language while improving management flexibility for more effective wildlife conservation.

**SUMMARY:** The proposed rule change would clarify that CWAs will not be established without approval of the property owner. The changes also provide authority for the Executive Director to establish a CWA for a restricted period of time, but only when an urgent need is demonstrated and only with prior concurrence of the chairman of the Commission. The word “wildlife” is added in reference to refuges for clarity and consistency with Rule 68A-18.004, F.A.C.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

**68A-14.001 Establishment Orders.**

Whenever the Commission establishes an area to be a wildlife management area; a wildlife and environmental area; a wildlife refuge; a bird sanctuary; a restricted hunting area; a critical wildlife area; a fish management area; or a miscellaneous area, it shall do so by an establishment order.

(1) The establishment order shall recite, at least, the following:

- (a) The legal description of the area to be established.
- (b) Any terms and conditions under which the area is established.

(2) The establishment orders shall be kept by the Commission in its headquarters office and lists of all orders establishing an area as a wildlife management area; a wildlife and environmental area; a wildlife refuge; a bird sanctuary; a restricted hunting area; a critical wildlife area; a fish management area; a Commission managed shooting range or a

miscellaneous area shall be kept by the Commission in its headquarters office and shall be available to the public for inspection.

(3) Public small-game hunting areas may be established within wildlife management areas, wildlife and environmental areas, fish management areas, and public use areas pursuant to Rule 68A-13.007, F.A.C. Regulations for each public small-game hunting area so established shall supersede regulations for the wildlife management area, wildlife and environmental area, fish management area or public use area within which it occurs.

(4) No critical wildlife area shall be established without the prior concurrence in such designation by the owner of the property wherein the area will be situated.

(5) A critical wildlife area may be established by order of the Executive Director, with prior concurrence of the Chairman of the Commission, when there is an imperative need that an important aggregation of fish or wildlife be protected as quickly as possible. Critical wildlife areas shall be established in this manner for a specified period of time that shall not exceed 180 days unless extended by approval of the Commission at a regularly scheduled public meeting.

PROPOSED EFFECTIVE DATE: March 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-21-82, Formerly 39-14.01, Amended 10-28-97, 6-30-99, Formerly 39-14.001, Amended 12-20-99, 7-18-00, 5-1-03, 7-1-06, 7-1-08, 3-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 9, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-14.0011  
 RULE TITLE: Opening or Closing Areas Other Than Restricted Hunting Areas or Bird Sanctuaries; General

**PURPOSE AND EFFECT:** The purpose of the proposed rule changes is to provide a new title and language to better address Critical Wildlife Areas, which are currently the only areas established and managed by FWC that are not covered by this rule. The effect of the proposed rule changes will be to clarify and improve the consistency of rule language.

**SUMMARY:** The proposed rule changes would add a reference to critical wildlife areas in rule language. The word "wildlife" is added in reference to refuges for clarity and consistency with rule 68A-18.004.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_have an impact on small business. A SERC has \_\_\_or has not \_\_\_X\_\_\_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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day.

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-14.0011 Opening or Closing Areas Other Than Restricted Hunting Areas, or Bird Sanctuaries ~~or Critical Wildlife Areas~~; General.

The Commission may establish wildlife refuges, wildlife management areas, critical wildlife areas, fish management areas, wildlife and environmental areas and miscellaneous areas and regulate and manage the lands or water therein in the best interest of the state; and in furtherance thereof:

(1) Open or close any lake, stream or river or parts thereof, any county or part of a county to the taking of wildlife or freshwater fish for the purpose of establishing, protecting, or managing wildlife or freshwater fish, and prohibit hunting, trapping or fishing within such areas.

(2) All closed waters or lands shall be posted and it shall be unlawful for any person to deface, remove or change any posters or signs placed by the Commission or its cooperating agents.

(3) Open or close any lake, stream or river or parts thereof, any county or part of a county to the taking of wildlife or freshwater fish when it is found or believed that an emergency exists where, absent such action on the part of the Commission, harm or disaster to the wildlife or fish population within the area under consideration might occur. Such opening or closing action shall become effective immediately as prescribed by emergency order adopted by the Commission.

**PROPOSED EFFECTIVE DATE:** March 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121 FS. History–New 6-21-82, Formerly 39-14.011, Amended 11-23-97, Formerly 39-14.0011, Amended 7-1-08, 3-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 9, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-15.004  
 RULE TITLE: General Regulations Relating to Wildlife Management Areas

PURPOSE AND EFFECT: The proposed rule change clarifies that during a specific season only those species listed in each area-specific rule are legal to take. It will also require that the taking of furbearers with traps or hunting furbearers at night must be explicitly allowed in the area-specific regulations.

SUMMARY: The proposed rules changes would identify those species legal to take during each season and require that taking furbearers with traps or hunting furbearers at night must be explicitly allowed in the area-specific regulations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_ have an impact on small business. A SERC has \_\_\_ or has not \_\_\_X\_\_\_ 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.354, 375.313 FS.

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

DATE AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.004 General Regulations Relating to Wildlife Management Areas.

(1) General prohibitions: Hunting, fishing or trapping is prohibited on any portion of any wildlife management area posted as closed to hunting, fishing or trapping. Hunting, fishing, trapping, camping or other usage related to such activity on any wildlife management area shall only be at the time and in the manner provided by the regulations for the particular wildlife management area. During a given season, all ~~all~~ legal methods for taking fish, frogs or wildlife during the season will be allowed permitted, unless prohibited under the rules governing a particular area. Taking furbearers with traps, snares or at night is prohibited unless allowed by an area specific rule.

(2) through (15) No change.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 379.354 FS. History–New 8-1-79, Amended 6-4-81, 6-21-82, 6-9-83, 9-27-83, 7-5-84, 7-1-85, Formerly 39-15.04, Amended 5-7-86, 5-10-87, 4-13-88, 8-18-88, 4-19-90, 4-4-91, 4-14-92, 10-22-92, 7-26-94, 11-6-94, 3-30-95, 10-23-95, 9-15-96, 6-1-97, 7-1-98, 12-28-98, 4-15-99, Formerly 39-15.004, Amended 7-1-00, 6-2-02, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-15.005  
 RULE TITLE: Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits

PURPOSE AND EFFECT: The purpose of the proposed rule change is to clarify that a supervisor of a youth hunter with a quota permit may take wildlife without a quota permit or guest

permit of his or her own. The effect of the proposed rule change will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule change would modify the rule as follows:

Clarify that a supervisor of a youth hunter, when the youth has a quota permit, may take wildlife without possessing a guest permit, but must share the bag with the youth.

Additional proposed rule changes would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_ have an impact on small business. A SERC has \_\_\_ or has not \_\_\_X\_\_\_ 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.005 Quota Permits; Antlerless Deer Permits; Special-Opportunity Permits.

(1) No change.

(2) Quota Permits – Quota permits shall be issued for the following hunt types as described below and as designated by order of the Executive Director. A quota permit holder may take the bag limit of wildlife during the hunt designated on the quota permit as established by Commission rule.

(a) Quota Hunt Types.

1. through 10. No change.

11. Quail.

(b) Quota Permit Exemptions.

1. through 2. No change.

3. One person 18 years of age or older acting as a ~~non-hunting~~ supervisor, as required by Section 790.22, F.S., who does not have a quota permit, may accompany a youth under 16 who holds a valid quota permit, and may take wildlife but must share the bag limit of a single person with the accompanying hunter.

4. through 8. No change.

(c) No change.

(d) Guest Permits.

1. Guest permits may be issued for nontransferable archery, ~~muzzleloading muzzleloading~~ gun, general gun, wild hog, mobility-impaired or spring turkey quota hunts. Only one guest permit may be issued for each quota permit.

2. No change.

3. All guests ~~A guest permit holder~~ must enter and exit the area with the quota permit holder, share the same vehicle, and cannot hunt on the area unless the quota permit holder is present on the area.

4. No change.

5. The guests ~~permit holder~~ may not bring additional hunters on the area.

6. No change.

7. Persons who obtain a daily permit at a check station shall not be allowed to take additional guests. Daily permits issued at a check station shall not be eligible for a guest permit.

8. Quota permit holders may only bring one additional person as a guest hunter; on the hunt, either one youth under 16 years of age, one youth supervisor, one mentor license holder, one mentor license supervisor or one guest permit holder, except mobility-impaired hunters may bring one non-hunting assistant or as provided by area specific regulation.

9. Youth under 16 years of age, a youth supervisor, mentor license holders, supervisors for mentor license holders ~~or their supervisors~~ and mobility-impaired non-hunting assistants are not required to obtain a guest permit.

10. The guests ~~permit holder~~ and quota permit holder must share the bag limit of a single person, as specified under area specific rules. The quota permit holder shall be responsible for both parties complying with the bag limit.

11. No change.

(e) No change.

(3) through (6) No change.

**PROPOSED EFFECTIVE DATE: June 1, 2010.**

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-22-80, 12-29-80, 6-4-81, 8-4-81, 6-21-82, 7-29-82, 7-1-83, 7-5-84, 7-1-85, 9-19-85, Formerly 39-15.05, Amended 5-7-86, 6-10-86, 5-10-87, 6-8-87, 10-8-87, 4-13-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 3-30-95, 6-20-95, 8-15-95, 4-1-96, 6-27-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 11-23-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 5-13-99, Formerly 39-15.005, Amended 12-9-99, 4-30-00, 7-1-01, 8-1-01, 11-1-01, 5-13-02, 10-16-02, 5-1-03, 7-1-03, 9-29-03, 7-1-04, 7-2-04, 8-1-04, 5-1-05, 5-1-06, 6-1-06, 5-1-07, 7-1-08, 5-1-09, 6-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-15.006  
 RULE TITLE: Regulations Relating to Miscellaneous Areas

PURPOSE AND EFFECT: The purpose of the proposed rule change is to revise specific area regulations for miscellaneous areas and conform to calendar year date changes. The effect of the proposed rule change will be to enable the agency to better manage fish and wildlife resources and public use on miscellaneous areas

SUMMARY: The proposed rule change would revise or establish specific area regulations on miscellaneous areas as follows:

Kissimmee River Public Use Area – clarify the references to zonal seasons and antlerless deer season to align with the proposed changes to statewide deer management zones and seasons.

Kissimmee River Chain of Lakes Area - adopt proposed Zone B non-migratory game seasons.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_have an impact on small business. A SERC has \_\_\_ or has not \_\_\_X\_\_\_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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-15.006 Regulations Relating to Miscellaneous Areas.

- (1) No change.
- (2) Kissimmee River Public Use Area.
  - (a) No change.
  - (b) Legal to take: All legal game, wild hog, non-protected mammals, furbearers, fish, and frogs. Antlerless deer may be taken only during the archery seasons and during the first two days of the antlerless ~~eighth and ninth days of the antlerless~~ deer seasons for Zone A and C ~~the South and Central Zones~~, as applicable, established in Rule 68A-13.004, F.A.C. Bag and possession limits and shooting hours shall be those established under Rules 68A-13.003, 68A-13.004 and 68A-13.008, F.A.C., except that shooting hours for turkeys during the spring season shall be from one-half hour before sunrise until 1:00 p.m.
  - (c) No change.



- (3) Babcock Ranch Preserve.
  - (a) Open season (in the designated hunting area):
    - 1. Archery – September ~~11-14~~ ~~12-15~~ and ~~18-21~~ ~~19-22~~.
    - 2. Muzzleloading gun – October ~~15-17~~ ~~16-18~~.
    - 3. Family – October ~~30-31~~ ~~31~~ ~~November 1~~ and January ~~1-2~~ ~~2-3~~.
    - 4. General gun for mobility-impaired – October ~~22-24~~ ~~23-25~~.
    - 5. General gun – November ~~12-14~~ ~~13-15~~, ~~19-21~~ ~~20-22~~ and December ~~17-19~~ ~~18-20~~.
    - 6. Small game – January ~~8-23~~ ~~9-24~~ and February ~~5-6~~ ~~6-7~~ (Saturdays and Sundays only).
    - 7. Spring turkey – March ~~5-7~~ ~~6-8~~ and ~~12-14~~ ~~13-15~~.
    - 8. No change.
  - (b) No change.
  - (c) General regulations:
    - 1. through 3. No change.
    - 4. The use of tracked vehicles, airboats, all-terrain vehicles, unlicensed and ~~unregistered~~ ~~unregistered~~ motorcycles and swamp buggies is prohibited, except that all-terrain vehicles may be used during the general gun for mobility-impaired season by certified mobility-impaired hunters.
      - 5. through 14. No change.
- (4) Kissimmee Chain of Lakes Area.
  - (a) Open season:
    - 1. Non-migratory game – During Zonal seasons established under Rule 68A-13.004, F.A.C., except deer and turkey shall only be taken during those seasons established for Zone B.
    - 2. through 3. No change.
  - (b) through (c) No change.

**PROPOSED EFFECTIVE DATE: July 1, 2010.**

Rulemaking Authority Art. IV, Sec 9, Fla. Const. Law Implemented Art IV, Sec 9, Fla. Const. History–New 12-9-99, Amended 5-13-02, 5-1-03, 5-23-04, 7-1-06, 7-1-08, 7-1-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-15.061  
 RULE TITLE: Specific Regulations for Wildlife Management Areas – Southwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region as follows:

Arbuckle WMA – allow small game hunting with bird dogs, retrievers and dogs with a shoulder height of 15 inches or less; and begin the muzzleloading gun season a week earlier.

Avon Park Air Force Range WMA – allow the use of rimfire rifles; allow waterfowl hunters to hunt in Morgan Hole Creek with or without dogs; open Smith and Old Bravo roads to vehicle traffic 24 hours per day; exempt persons within the passenger compartment of a vehicle from the requirement to wear fluorescent orange garments while in the hunt area; allow the Installation Commander or a designee to authorize certain activities on the area; and allow the Installation Commander to authorize the following within statewide regulation framework: hunts that do not have a 3-point antler restriction, hunts that allow the take of raccoon and opossum at night, hunting in Sandy Point Wildlife Refuge, use of handguns with barrels longer than 9 inches, use of centerfire rifles, use of all-terrain vehicles and airboats, use of vehicles off-road and use of vehicles on roads that are closed between 10 p.m. and 4:30 a.m.

Chassahowitzka WMA – expand the migratory bird hunting season to match the statewide season except waterfowl and coot hunting will continue to be limited to Wednesdays, Saturdays and Sundays; and establish a raccoon and opossum season that allows hunting from 1.5 hours before sunset on Thursdays until 1.5 hours after sunrise on Sundays in February and May.

Croom WMA – allow the Florida Division of Forestry to provide camping consistent with their regulations; and increase the quota for spring turkey hunts from 10 to 15 permits (no exemptions) for each of three hunts.

Green Swamp WMA – expand the open hunting area from the Cumpresso Unit to the entire WMA during small game season; establish an 8-day wild hog-dog season (the first wild hog-dog hunt will overlap the last 2 weekends of small game season and hunting wild hog with dogs will be prohibited in the Cumpresso Unit [quota of 135, no exemptions] and the second wild hog-dog hunt will occur on the 2 weekends following small game season [quota of 160, no exemptions]); each wild hog-dog quota permit will allow two hunters and a guest hunter, the use of three free-running dogs per quota permit, and only one gun may be used per quota permit; allow camping by permit at the Rock Ridge campground during the wild hog-dog season; allow vehicle access to the Rock Ridge campground after 4:00 p.m. on Friday until 1.5 hours after sunset on Sunday during the wild hog-dog season; and continue to prohibit the possession or consumption of intoxicating beverages.

Green Swamp West Unit WMA – convert the current special-opportunity wild hog hunts to wild hog-still and wild hog-dog quota permit hunts; increase the quota for wild hog-still season from 200 to 225 (no exemptions) and increase the quota for wild hog-dog season from 100 to 150 (no exemptions); prohibit the use of horses during the small game season; during periods open for hunting allow only those persons participating in the hunt to operate a motor vehicle on the area; and issue an additional 40 permits (first-come, first-served at the check station) during small game season to allow the hunting of small game, but not wild hog.

Hickory Hammock WMA – establish a 2-day general gun mobility-impaired season (quota of 5, no exemptions) with a bag limit of one antlered deer (one antler must have at least three points) and one antlerless deer per quota permit, but only the mobility-impaired hunter may harvest an antlerless deer; allow mobility-impaired hunters to operate all-terrain vehicles on the area during the hunt and from 8 a.m. until sunset 1 day prior to the hunt for scouting; and require all mobility-impaired hunt participants to attend a pre-hunt orientation meeting.

Hilochee WMA – establish a raccoon and opossum season and allow hunting from 1.5 hours before sunset on Thursdays until 1.5 hours after sunrise on Sundays in September.

Hilochee WMA, Osprey Unit – establish a 12-day small game season, during which small game and wild hog will be legal to take; prohibit the use of dogs for hunting wild hogs during the small game season; and allow raccoon and opossum hunting at night during the small game season.

KICCO WMA – replace the current Public Small Game Hunting Area hog management hunts (12 days) with the addition of 14 days to the end of the current small game season.

Lake Marion Creek WMA – Prohibit the hunting of bobcat and otter.

Additional proposed rule changes would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_or will not \_\_X\_\_have an impact on small business. A SERC has \_\_\_or has not \_\_X\_\_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:** Article IV, Section 9, Florida Constitution; 375.313 FS.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

**DATE AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-15.061 Specific Regulations for Wildlife Management Areas – Southwest Region.

(1) Green Swamp Wildlife Management Area.

(a) Open season:

1. General gun – November 13 ~~14~~ through January 9 ~~10~~.

2. Archery – September 25 ~~26~~ through October 24 ~~25~~, Fridays, Saturdays and Sundays only.

3. Small game – January 15 ~~16~~ through February 13 ~~14~~, Saturdays and Sundays only.

4. Wild hog-dog – February 5-13 and 19-27, Saturdays and Sundays only.

5.4. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~.

~~6.5.~~ Fishing and frogging – ~~Allowed Permitted~~ during periods in which hunting is allowed; and Saturdays and Sundays beginning the first Saturday in May and closing 43 days thereafter from May 1 to June 13. Fishing and frogging is ~~allowed permitted~~ at all other times provided that access is by foot only.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the wild hog-dog season, the take of deer is prohibited.

(c) Camping: Allowed by permit only and only within the designated campsites at the Rock Ridge Road and 471 campgrounds. Camping is allowed at both campgrounds during archery, general gun and spring turkey seasons. Camping is allowed only at the Rock Ridge Road campground during the wild hog-dog and fishing and frogging season and only at the 471 campground during the small game season. Camping permits are non-transferable. Camping along the Green Swamp Hiking Trail (Florida Trail) is prohibited except by written permission from the Southwest Florida Water Management District. Kitchen stoves, refrigerators and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. The alteration, defacing, moving or tampering in any way with official markings of campsites is prohibited. The use or operation of electrical generators powered by an internal combustion engine is prohibited within the campgrounds beginning each night at 10 p.m. until 4 a.m. A legible copy of the camping permit or the permittee's name and permit number must be visibly affixed to camping shelters. Camping equipment must be removed by 8 p.m. on the last date listed on the camping permit.

(d) General regulations:

1. through 3. No change.

4. Hunters may enter or exit the area at designated access points only and only during hours in which check stations are in operation.

5. Hunting with dogs (other than bird dogs) is prohibited, except that dogs may be used during the wild hog-dog season. During the wild hog-dog season, no more than 3 free-running dogs per wild hog-dog quota permit shall be allowed. During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District.

6. Vehicles may be operated from 1.5 hours before sunrise until 1.5 hours after sunset during established open seasons, except during the designated fishing and frogging season when vehicles may be operated during daylight hours only. Vehicles may be operated after 8 a.m. until 1.5 hours after sunset one day prior to each archery hunt, general gun season and spring turkey season for scouting. Vehicle access to the designated campsites is allowed at any time after 8 a.m. one day prior to archery hunts, general gun season and spring turkey season until 1.5 hours after sunset on the last day of the hunt or season,

and after 4 p.m. on Friday until 1.5 hours after sunset on Sunday during the small game, wild hog-dog and fishing and frogging seasons. Motorized vehicles may be operated only on named or numbered roads, except Stanley Fish Hole, Orange Lake and Tillman Lake roads shall be open only during the designated fishing and frogging season. Bicycles may be operated only on named or numbered roads and designated bicycle trails. During the designated fishing and frogging season Tanic Grade, Powder Grade and Levee Road north of Main Grade will be closed to vehicle traffic.

7. Tracked vehicles, airboats, all-terrain vehicles, horses and unlicensed and unregistered motorcycles, ~~all-terrain vehicles and horses~~ are prohibited.

8. ~~During Hunting during~~ the first four days of wild hog-dog small game season hunting wild hog with dogs is prohibited shall be permitted only in that portion of the area located in T24S, R23E, Sections 7, 8, 17, 18, 19, 20, 29, 30 and 32 and those portions of Sections 16, 21, 28 and 33 south of Bull Barn and west of Levee Roads; and T25S, R23E, Section 5 and those portions of Sections 4 and 9 south of Main, west of Levee and north of Tram Grades and those portions of Sections 7, 8 and 18 along the Withlacoochee River and bounded by state fence.

9. No change.

10. ~~The Until July 1, 2010,~~ the possession or consumption of intoxicating beverages is prohibited.

11. During the wild hog-dog season, a wild hog-dog quota permit shall allow a hunting group of two persons and a guest, as authorized by Rule 68A-15.005, F.A.C., (3 total) to participate in the hunt, and only one gun may be used to take wildlife per hunting group.

(2) Green Swamp Wildlife Management Area – West Unit.

(a) Open season:

1. Special-opportunity turkey – March ~~19-22~~ ~~20-23~~, March ~~28-31~~ ~~29~~ through April 1, April ~~2-5~~ ~~3-6~~, ~~11-14~~ ~~12-15~~ and ~~16-19~~ ~~17-20~~.

2. Special-opportunity archery – November ~~6-9~~ ~~7-10~~ and ~~18-21~~ ~~19-22~~.

3. Special-opportunity general gun – December ~~16-19~~ ~~17-20~~, January ~~10-13~~ ~~11-14~~ and ~~20-23~~ ~~21-24~~.

4. ~~Wild Special-opportunity~~ hog-still – February ~~4-6~~ ~~5-7~~.

5. ~~Wild Special-opportunity~~ hog-dog – February ~~16-18~~ ~~17-19~~.

6. Small game – February ~~25-27~~ ~~26-28~~ and March ~~4-6~~ ~~5-7~~.

7. Fishing and frogging – ~~Allowed Permitted~~ throughout the year.

8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers (except bobcat and otter). Turkey may be taken only during the special-opportunity turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity

turkey ~~hunt~~ permit. One antlered deer may be taken per special-opportunity deer ~~hunt~~ permit. Antlerless deer (~~except spotted fawns~~) may be taken by antlerless deer permit only. Taking of antlered deer not having at least one antler with four or more points is prohibited. Only wild hog may be taken during the wild hog special-opportunity hog-still and special-opportunity hog-dog seasons.

(c) Camping: Camping is allowed at designated campsites during hunting season and at other times by permit from the Southwest Florida Water Management District. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. Each camper shall assure that their campsite is clean at all times. The alteration, defacing, moving, tampering in any way with official markings of campsites is prohibited.

(d) General regulations:

1. through 2. No change.

3. The use of tracked vehicles, airboats, all-terrain vehicles or unlicensed and unregistered motorcycles ~~or all-terrain vehicles~~ is prohibited. The use of horses is prohibited during periods open for hunting the special-opportunity hunts.

4. No change.

5. Individuals in possession of a special-opportunity ~~hunt~~ permit or quota permit shall have vehicle access to the area from sunrise to sunset on the day preceding the hunt.

6. Only shotguns may be used during the special-opportunity ~~spring~~ turkey hunts.

7. No change.

8. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less during the small game season, is prohibited except that ~~no more than three dogs per quota hunt permit~~ may be used during the wild special-opportunity hog-dog season. During the wild hog-dog season, no more than three free-running dogs per quota permit shall be allowed. During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District.

9. During the wild special-opportunity hog-dog season, a quota permit shall allow a hunting group of two persons and a guest, as authorized by Rule 68A-15.005, F.A.C., (3 total) to participate in the hunt be required for each group of two hunters, and only one gun may be used to take wildlife per hunting group possessed per permit.

10. During periods open for hunting, motorized vehicles may only be operated by persons participating in the hunt.

11. During the small game season the take of wild hog is prohibited except by persons in possession of a daily wild hog permit. Sixty wild hog permits shall be issued daily at the check station.

(3) Fred C. Babcock/Cecil M. Webb Wildlife Management Area.

(a) Open season:

1. Archery – September ~~11-12~~ 12-13.

2. Bird dog training – Bird dogs may be trained in the recreation area September ~~18~~ 19 through February ~~13~~ 14 and bird dogs may be trained in zones A, B, C and D during the small game season on those days when daily quail permits are not issued, which shall include the day that the season quota for daily quail permits is attained.

3. General gun – October ~~30~~ 31 through November ~~7~~ 8.

4. No change

5. Field trial quail – January ~~29-30~~ 30-31.

6. No change

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season, ~~antlerless deer may be taken by antlerless deer permit only and the take of turkey is prohibited. Wild hog may only be taken during archery season and the first day of general gun season. Wild hog: Daily bag, 1 per quota permit or 1 per exempt hunter; possession limit, 2. The take of wild hog shall only be allowed during the archery season and the first day of general gun season with a bag limit of one per quota hunt permit, per day and a possession limit of two.~~ The take of wild hog with a shoulder height of less than 15 inches is prohibited. Quail shall be taken by daily quail or field trial quail quota permit only with a bag limit of 6 per day.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. The use of all-terrain vehicles, airboats or unlicensed and unregistered motorcycles, ~~all-terrain vehicles or airboats~~ is prohibited, ~~except that motorcycles may be used to access the shooting range along the most direct route on Tucker Grade between the shooting range and the check station.~~

5. through 6. No change.

~~7. Persons may use the shooting range during periods when hunting is not allowed on the area, provided that access shall only be along the most direct route on Tucker Grade between the shooting range and the check station.~~

~~7.8.~~ No change.

8.9. Vehicular access for scouting shall be allowed permitted one week prior to the archery season on named and numbered roads only.

10. through 17. renumbered 9. through 16. No change.

(4) Fred C. Babcock/Cecil M. Webb Wildlife Management Area – Yucca Pens Unit.

(a) Open season:

1. Muzzleloading gun – October ~~15-17~~ 16-18.

2. General gun – October ~~30~~ 31 through November ~~7~~ 8.

3. through 4. No change

(b) Legal to take: All legal game, fish, frogs and furbearers. Quail may be taken only during the small game season. The bag limit for quail shall be six ~~6~~ per day. During small game season the take of wild hog is prohibited.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. The use of all-terrain vehicles, airboats or unlicensed and unregistered motorcycles, ~~all-terrain vehicles or airboats~~ is prohibited.

5. through 10. No change.

(5) Upper Hillsborough Wildlife Management Area.

(a) Open season:

1. Archery – December ~~11-19 12-20~~ and January ~~8-16 9-17~~, Saturdays and Sundays only.

2. Muzzleloading gun – November ~~13 14~~ through December ~~5 6~~, Saturdays and Sundays only.

3. Small game – January ~~22 23~~ through February ~~6 7~~, Saturdays and Sundays only.

4. Spring turkey – March ~~23-24 24-25, 30-31~~ ~~March 31 through April 1~~, April ~~6-7 7-8, 13-14 14-15, and 20-21 21-22~~.

5. Fishing and frogging – Allowed Permitted year-round.

(b) Legal to take: All legal game, fish, frogs, and furbearers. Taking of antlered deer not having at least one ~~on~~ antler with three or more points ~~point~~, one inch or more in length, is prohibited.

(c) No change..

(d) General regulations:

1. through 2. No change..

3. Tracked vehicles, airboats, all-terrain vehicles and unlicensed and unregistered motorcycles ~~and all-terrain vehicles~~ are prohibited.

4. through 11. No change.

(6) Arbuckle Wildlife Management Area.

(a) Open season:

1. Archery – October ~~16 17~~ through November ~~5 6~~.

2. Muzzleloading gun – December ~~11-19 19-27~~.

3. Small game – January ~~8-9 9-10 and 29-30 30-31~~.

4. Spring turkey – March ~~22-24 23-25~~ and April ~~5-7 6-8~~.

5. Fishing – Allowed Permitted year-round.

(b) Legal to take: All legal game (except turkeys shall be legal to take only during spring turkey season), furbearers and fish. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Deer bag limit – one per day. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota ~~hunt~~ permit.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. The take of wildlife ~~Hunting~~ with dogs is prohibited, except small game may be taken with bird dogs, retrievers and dogs with a shoulder height of 15 inches or less.

4. through 8. No change.

(7) KICCO Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25 26~~ through October ~~24 25~~, Saturdays and Sundays only.

2. Muzzleloading gun – October ~~30 31~~ through November ~~7 8~~, Saturdays and Sundays only.

3. Wild hog-still ~~General gun hog~~ – November ~~13 14~~ through December ~~12 13~~, Saturdays and Sundays only.

4. Small game – December ~~18 19~~ through January ~~23 10~~.

5. Spring turkey – March ~~19 20~~ through April ~~17 18~~, Saturdays and Sundays only.

6. Fishing, frogging and other recreational use – Allowed Permitted year-round.

(b) Legal to take: All legal game, fish, frogs, and furbearers (except bobcat and otter). Turkey bag limit – one per quota permit. During the wild hog-still ~~general gun hog~~ season, only wild hog may be taken.

(c) No change.

(d) General regulations:

1. Hunters participating in a hunt ~~in possession of a valid quota hunt permit~~ may operate motor vehicles on named or numbered roads during the archery, muzzleloading gun, spring turkey, and wild hog-still ~~general gun hog~~ seasons. Vehicles must be parked in designated parking areas or within 25 feet of a named or numbered road. The use of tracked vehicles, airboats, all-terrain vehicles or unlicensed and unregistered motorcycles ~~or all-terrain vehicles~~ is prohibited. Horses are prohibited except by written permission from the South Florida Water Management District.

2. through 6. No change

7. Hunting with dogs is prohibited during the archery, muzzleloading gun, wild hog-still and general gun seasons. The use of dogs, other than retrievers, bird dogs and dogs with a shoulder height of 15 inches or less is prohibited during the small game season.

8. The portion of the area north and east of River Ranch Boulevard shall be open to hunting only during the wild hog-still ~~general gun hog~~ season.

9. No change.

(8) Hickory Hammock Wildlife Management Area.

(a) Open season:

1. Wild hog-still ~~General gun hog~~ – September ~~17-19 18-20, 24-26 25-27~~ and January ~~14-16 15-17~~.

2. Archery – October ~~22-24 23-25~~.

3. Muzzleloading gun – November ~~1-3 2-4 and 5-7 6-8~~.

4. General gun – November ~~12-14 13-15~~.

5. Small game – November ~~15-28 16-29~~ and January ~~24 25~~ through March ~~6 7~~.

6. General gun for mobility-impaired – December 4-5.

~~7-6~~. No change.

~~8-7~~. Spring turkey – March ~~24-26 25-27~~ and April ~~14-16 15-17~~.

~~9-8~~. Fishing and frogging – Allowed Permitted throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Antlerless deer may be taken during the archery and general gun for mobility-impaired seasons. During the muzzleloading gun and general gun seasons the bag limit for antlered deer shall be one per quota permit. During the archery and general gun for mobility-impaired seasons ~~season~~ the bag limit for deer shall be one antlered and one antlerless deer per quota permit. Only mobility-impaired hunters may take antlerless deer during the general gun for mobility-impaired season. During spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota ~~hunt~~ permit. Only wild hog may be taken during the wild hog-still ~~general gun hog~~ season. During the first fourteen (14) days of small game season the take of wild hog is prohibited.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. The use of tracked vehicles, all-terrain vehicles or unlicensed and unregistered motorcycles or three or four wheelers (ATVs) is prohibited, except that all-terrain vehicles may be used only by certified mobility-impaired hunters and only during the general gun for mobility-impaired season and from 8 a.m. until sunset one day prior to the season.

5. through 6. No change.

7. During the mobility-impaired general gun season, certified mobility-impaired hunters with quota permits, a non-hunting assistant and one guest, as authorized by Rule 68A-15.005, F.A.C., may participate in the hunt, but must share the bag limit. All mobility-impaired hunt participants are required to attend a pre-hunt orientation meeting.

(9) Walk-in-the-Water Wildlife Management Area.

(a) Open season:

1. Archery – October ~~2-3 3-4, 4-7 5-8, 8-10 9-11, 11-14 12-15~~ and ~~15-17 16-18~~.

2. Muzzleloading gun – December ~~11-14 12-15~~ and ~~15-19 16-20~~.

3. Wild hog-still ~~General gun hog~~ – January ~~15-18 16-19~~ and ~~19-23 20-24~~.

4. Small game –February ~~5-13 6-14~~ and February ~~26 27~~ through March ~~6 7~~.

5. Fishing – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game (except turkey), furbearers and fish. Deer bag limit – one per day. During the wild hog-still ~~general gun hog~~ season only wild hog may be taken.

(c) No change.

(d) General regulations:

1. The use of dogs, other than bird dogs, retrievers and dogs with a shoulder height of 15 inches or less, is prohibited. The use of any dog during the wild hog-still ~~general gun hog~~ season is prohibited.

2. through 4. No change.

5. The use of horses is prohibited during the archery, muzzleloading gun, and wild hog-still ~~general gun hog~~ seasons. At other times, horses may be ridden but only on firebreaks, named or numbered roads or designated horse trails.

6. through 7. No change.

(10) Hilochee Wildlife Management Area.

(a) Open season:

1. Spring turkey – March ~~25-27 26-28~~ and April ~~8-10 9-11~~.

2. Muzzleloading gun – November ~~5-7 6-8~~.

3. Wild hog-still ~~General gun hog~~ – December ~~3-5 4-6, 14-16 15-17~~ and ~~21-23 22-24~~.

4. Small game – January ~~28 29~~ through February ~~6 7~~.

5. Archery – October ~~22-24 23-25~~.

6. No change.

7. Raccoon – September 2-26 (from 1.5 hours before sunset on Thursday until 1.5 hours after sunrise on Sunday).

(b) Legal to take: All legal game, fish (as provided below), and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota ~~hunt~~ permit. During the wild hog-still ~~general gun hog~~ season, only wild hog may be taken. No person shall kill or possess any largemouth bass from Peat Lake, Little Peat Lake, Stock Lake, Hidden Lake, and Turtle Pond. No person shall take, in any one day, more than 20 bluegill, 10 black crappie, or 6 catfish. No person shall kill or possess any bluegill less than 8 inches total length or black crappie less than 10 inches total length. During the raccoon season, only raccoon and opossum may be taken.

(c) No change.

(d) General regulations:

1. All users shall enter and exit the area through designated entrances. Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken, except during the small game and raccoon seasons.

2. Hunting with dogs other than bird dogs and retrievers is prohibited, except that during small game season dogs with a shoulder height of 15 inches or less may be used and during the raccoon season dogs of any size may be used.

3. Motorized vehicles may be operated only on named or numbered roads and shall be parked in designated parking areas or within 25 feet of a named or numbered road. ~~During the small game season vehicles are prohibited on Yancey Road.~~

4. The use of tracked vehicles, all-terrain vehicles, horses or unlicensed and unregistered motorcycles, ~~all-terrain vehicles, or horses~~ is prohibited, except that horses are allowed ~~permitted~~ on named and numbered roads or designated trails during periods closed to hunting.

5. During periods when the area is closed to hunting, public access other than by foot, bicycle, or horse is prohibited, except that motorized vehicles shall be allowed ~~permitted~~ one day prior to the archery, muzzleloading gun, wild hog-still general-gun-hog, and spring turkey hunts, and by individuals in possession of a valid fishing permit. Persons participating in the raccoon season may operate motorized vehicles from 1.5 hours before sunset on Thursday until 1.5 hours after sunset on Sunday.

6. through 7. No change

8. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except persons participating in the raccoon season may have access from 1.5 hours before sunset on Thursday until 1.5 hours after sunset on Sunday.

9. During the raccoon season, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed.

(11) Lake Marion Creek Wildlife Management Area.

(a) Open season:

1. Archery – September 25-27 ~~26-28~~ and October 1-3 ~~2-4~~.

2. Muzzleloading gun – October 30 ~~31~~ through November 1 ~~2~~.

3. General gun – November 13-15 ~~14-16~~ and 19-21 ~~20-22~~.

4. Small game – December 31 through January 2 ~~1-3~~ and January 7-9 ~~8-10~~.

5. Wild hog-still ~~General-gun-hog~~ – December 10-12 ~~11-13~~ and 24-26 ~~25-27~~.

6. Spring turkey – March 19-21 ~~20-22~~, April 1-3 ~~2-4~~ and 15-17 ~~16-18~~.

7. Fishing ~~and frogging~~ – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish and furbearers (except bobcat and otter). Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. One antlered deer may be taken per quota permit. No more than one antlerless deer may be taken per quota permit during the archery season. During the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota permit. Only wild hog may be taken during the wild hog-still ~~general-gun-hog~~ season.

(c) No change.

(d) General regulations:

1. The use of tracked vehicles, airboats, horses, all-terrain vehicles or unlicensed and unregistered motorcycles, ~~airboats, horses, or all-terrain vehicles~~ is prohibited.

2. through 6. No change

(12) Avon Park Air Force Range Wildlife Management Area.

(a) Open season:

1. Archery – September 25 ~~26~~ through October 24 ~~25~~ in areas and during days specified by the Installation Commander or a designee.

2. Muzzleloading gun – October 30 ~~31~~ through November 7 ~~8~~ in areas and during days specified by the Installation Commander or a designee.

3. General gun – November 13 ~~14~~ through January 23 ~~24~~ in areas and during days specified by the Installation Commander or a designee.

4. Small game – January 3 ~~4~~ through March 6 ~~7~~ in areas and during days specified by the Installation Commander or a designee.

5. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~ in areas and during days specified by the Installation Commander or a designee.

6. Antlerless deer – November 20-26 ~~21-27~~ in areas and during days specified by the Installation Commander or a designee.

7. No change.

8. Fishing and frogging – During periods when hunting is allowed and at other times specified by the Installation Commander or a designee.

(b) Legal to take: All legal game, fish, frogs, turtles, and furbearers. Antlered deer, wild hog, and quail may be taken only during days specified by the Installation Commander or a designee. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited except in those areas and during those days as specified by the Installation Commander or a designee.

(c) Camping: In areas and during periods specified by the Installation Commander or a designee.

(d) General regulations:

1. Hunters and individuals accompanying hunters must wear a minimum of 500 square inches of daylight fluorescent orange material above the waist as an outer garment when in any hunt area during muzzleloading gun, general gun, or small game seasons, except those hunting waterfowl in on Morgan Hole Creek, the Kissimmee Marsh or Arbuckle Marsh marshes. Persons within the passenger compartment of a vehicle are not required to wear the fluorescent orange material.

2. Loaded, capped, or primed guns are prohibited and ammunition must be physically separated from guns at check stations, public campsites, the Outdoor Recreation Office, within 50 feet of ~~Frostproof, Kissimmee Road, or Van Eeghan~~

roads, while being transported through the Main Base, or in vehicles ~~parked or~~ being driven on designated roads. The only exception is that loaded, un-capped muzzleloading guns may be possessed in the aforementioned areas and muzzleloading guns may be cleared in the muzzleloading gun pits located at Willingham and Morgan Hole campgrounds.

3. ~~Handguns Pistols~~ with barrels longer than nine inches are prohibited, unless authorized by the Installation Commander or a designee.

4. The possession or use of centerfire rifles, except muzzleloading rifles, is prohibited, unless authorized by the Installation Commander or a designee.

5. No change.

6. Hunting with or possession of dogs is prohibited in areas designated by the Installation Commander or a designee.

7. During the general gun season, hunting in the designated dog-hunt areas is restricted to hunters using dogs, unless hunting waterfowl in Morgan Hole Creek, the Kissimmee Marsh or Arbuckle Marsh marshes. No tree stands may be erected in the designated dog-hunt areas.

8. No change.

9. Hunting and the possession of guns are prohibited in the Sandy Point Wildlife Refuge, unless authorized by the Installation Commander or a designee.

10. Vehicles may be operated only on roads designated by the Installation Commander or a designee. No person shall operate a vehicle off of named or numbered roads, except hunters with bird dogs in the designated vehicle-bird dog areas during the small game season or as authorized by the Installation Commander or a designee.

11. The use of vehicles is prohibited between 10 p.m. and 4:30 a.m. except on Frostproof, Smith, Old Bravo and Kissimmee roads, or in case of emergency. When authorized by the Installation Commander or a designee, these restrictions shall not apply.

12. No change.

13. Hunters may enter and exit the area only at entry points designated by the Installation Commander or a designee.

14. Use of all-terrain vehicles and airboats is are prohibited, unless authorized by the Installation Commander or a designee.

15. Public access is prohibited in areas designated as "Closed" by the Installation Commander or a designee.

16. Hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed in areas and during days specified by the Installation Commander or a designee.

(13) Croom Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October 29-31 ~~30 through November 1.~~

2. General gun – November 13 14 through December 5 6.

3. Small game – December 6 7 through March 6 7.

4. Spring turkey – March 22-24 ~~23-25,~~ April 5-7 ~~6-8 and 19-21~~ ~~20-22.~~

5. Fox, raccoon and bobcat – December 16 17 through March 13 14. Hunting is allowed ~~permitted~~ from 5 p.m. Thursday to sunrise Sunday with dogs only. Taking wildlife with guns is prohibited during this season.

6. through 7. No change.

(b) No change.

(c) Camping: Prohibited unless authorized by the Division of Forestry. Permitted only at designated campsites. A permit issued by the Division of Forestry is required at the Silver Lake, Twin Ponds, Hog Island, River Junction and East Hunt campsites.

(d) General regulations:

1. Hunting with dogs is prohibited during the muzzleloading gun and general gun seasons November 14 through December 6. Hunting with dogs is prohibited during the small game season, except bird dogs and dogs with a shoulder height of 15 inches or less may be used to take small game. other than bird dogs is prohibited December 7-16, except that Dogs dogs may be used for hunting fox, raccoon or bobcat during the fox, raccoon and bobcat season, and Dogs used during the fox, raccoon and bobcat season, and dogs with a shoulder height of 15 inches or less may be used to hunt small game during the small game season are only allowed in the portion of the area south of Croom road, bounded on the east by Croom-Rital Road to its juncture with the boundary fence of the Croom Motorcycle Area located in Sections 17, 18, 19, 30, 31 and those parts of Sections 7 and 8 lying south of the old railroad right-of-way, Township 22 South, Range 21 East, and thence bounded by said boundary fence. Trailing dogs on a leash are permitted.

2. Motorcycles and all-terrain vehicles may be operated off roads in Sections 17, 18, 19, 30, 31 and those parts of Sections 7 and 8 lying south of the old railroad right-of-way, Township 22 South, Range 21 East (Croom Motorcycle Area) only. Operation of motorcycles and all-terrain vehicles in this area is permitted throughout the year but all such vehicles shall be permitted by the state Division of Forestry. Vehicles may be operated only on named or numbered roads in that portion of the area lying outside the Croom Motorcycle Area, but such vehicles must be properly licensed under Chapter 320, F.S., or otherwise legal to operate on public roads.

3. through 4. No change.

~~5. Only tents, trailers or self-propelled camping vehicles may be used for camping.~~

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

(14) Chassahowitzka Wildlife Management Area.

(a) Open season:

1. Archery – September 25 26 through October 24 25.



2. Muzzleloading gun – October ~~29-31~~ 30 through ~~November 1~~.

3. General gun – November ~~13~~ 14 through January ~~9~~ 10.

4. ~~Wild General gun~~ hog-dog – January ~~14-16~~ 15-17 and ~~21-23~~ 22-24.

5. ~~Migratory game birds~~ Duck, geese and coot – ~~Wednesdays, Saturdays and Sundays only~~; ~~During~~ during the migratory game bird seasons as established by Rules 68A-13.003 and 68A-13.008, F.A.C., ~~except waterfowl and coot may be taken on Wednesdays, Saturdays and Sundays only.~~

6. Fishing, frogging and other recreational use – ~~Allowed~~ Permitted year-round.

7. Spring turkey – March ~~25-27~~ 26-28, April ~~8-10~~ 9-11 and ~~22-24~~ 23-25.

8. Raccoon – February 3-27 and May 5-29 (from 1.5 hours before sunset on Thursday until 1.5 hours after sunrise on Sunday).

(b) Legal to take: All legal game, fish, frogs and furbearers. The taking of bobcat and otter is prohibited. The bag limit for turkeys shall be one gobbler (or bearded turkey) per spring turkey quota ~~hunt~~ permit. Only wild hog may be taken during the ~~wild general gun~~ hog-dog season. ~~Waterfowl and coot may be taken on Wednesdays, Saturdays and Sundays only. During the raccoon season, only raccoon and opossum may be taken.~~

(c) No change.

(d) General regulations:

1. Dogs are prohibited south of County Road 550. Hunting with dogs other than retrievers or bird dogs is prohibited west of the Main grade, on the U.S. Fish and Wildlife Service portion of the property. Hunting with dogs other than retrievers or bird dogs is prohibited east of Swamp Grade, except during the ~~wild general gun~~ hog-dog season. Dogs with a shoulder height greater than 17 inches are prohibited in that portion of the area lying east of the Main grade and west of the Swamp grade, except during the ~~wild general gun~~ hog-dog ~~and raccoon seasons~~ season when dogs are allowed east of Main Grade.

2. through 5. No change.

6. All persons shall enter and exit only at designated entrances. Hunters shall check in and out at a check station and check all game taken ~~during the archery, muzzleloading gun, general gun, wild hog and spring turkey seasons.~~

7. The use of tracked vehicles, ~~all-terrain vehicles or unlicensed and unregistered~~ motorcycles, ~~or all-terrain vehicles~~ is prohibited.

8. through 10. No change.

11. During the ~~wild general gun~~ hog-dog season, a quota ~~hunt~~ permit shall ~~allow a hunting group of two persons and a guest, as authorized by Rule 68A-15.005, F.A.C., (3 total) to~~

~~participate in the hunt be required for each group of two hunters, and only one gun may be used to take wildlife per hunting group possessed per permit.~~

12. The take of wild hog with the aid of dogs is prohibited, except no more than three ~~free-running~~ dogs per ~~general gun~~ ~~hog dog~~ quota ~~hunt~~ permit may be used during the ~~wild general gun~~ hog-dog season in that portion of the area east of Main Grade and west of U.S. Hwy. 19.

13. No change.

14. During the raccoon season, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed.

(15) Hilochee Wildlife Management Area – Osprey Unit.

(a) Open season:

1. Archery – October ~~9-10~~ 10-11 and ~~16-17~~ 17-18.

2. Family hunt – November ~~13-14~~ 14-15.

3. ~~Wild General gun~~ hog-still – November ~~27-28~~ 28-29.

4. ~~Wild General gun~~ hog-dog – January ~~8-9~~ 9-10 and ~~29-30~~ 30-31.

5. Small game – February 3-14.

~~6-5~~ Spring turkey – April ~~15-16~~ 16-17 and ~~22-23~~ 23-24.

~~7-6~~ No change.

~~8-7~~ Fishing – Allowed year-round.

(b) Legal to take: All legal game (except deer), fish and furbearers. Only wild hog may be taken during the ~~wild hog general gun hog still and general gun hog dog~~ seasons. Turkey may be taken during the spring turkey season only. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per person. No person shall kill or possess any largemouth bass. No person shall take, in any one day, more than 20 bluegill, 10 black crappie, or 6 catfish. No person shall kill or possess any bluegill less than 8 inches total length or black crappie less than 10 inches total length.

(c) No change.

(d) General regulations:

1. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, ~~except during the small game season.~~

2. No change.

3. The use of airboats, outboard motors larger than 10 horsepower, tracked vehicles, ~~all-terrain vehicles, horses or unlicensed and unregistered~~ motorcycles, ~~all-terrain vehicles, or horses~~ is prohibited, except that horses are allowed on named or numbered roads or designated trails during periods closed to hunting.

4. During periods when the area is closed to hunting, public access other than by foot, bicycle, or horse is prohibited, except motorized vehicles shall be allowed one day prior to all hunts ~~except small game~~ by persons ~~participating in the hunt possession of a valid quota hunt permit. During small game season, motorized vehicle access is allowed from 1.5 hours before sunrise on the first day of the season until 1.5 hours after sunset on the last day of the season.~~

5. No change.

6. During periods open for hunting, motorized vehicles shall only be operated by persons participating in the hunt, except during the small game season in possession of a valid quota hunt permit.

7. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less, is prohibited except that dogs of any size may be by used during the wild general gun hog-dog and small game seasons season. No more than 3 free-running dogs per general gun quota hunt permit shall be used during the wild general gun hog-dog season.

8. During the wild general gun hog-dog season, a quota permit shall allow a hunting group of two persons and a guest, as authorized by Rule 68A-15.005, F.A.C., (3 total) to participate in the hunt ~~be required for each group of two hunters,~~ and only one gun may be used to take wildlife per hunting group possessed per permit.

9. No change.

10. The take of wild hog with dogs is prohibited during the small game season.

11. During the small game season, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed.  
**PROPOSED EFFECTIVE DATE: July 1, 2010.**

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 10-1-84, 7-1-85, 9-19-85, 5-7-86, 5-10-87, 6-8-87, 10-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 8-7-97, 7-1-98, 10-20-98, 12-28-98, 7-1-99, Formerly 39-15.061, Amended 12-9-99, 3-30-00, 7-1-00, 7-1-01, 5-13-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-15.062  
 RULE TITLE: Specific Regulations for Wildlife Management Areas – North Central Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the North Central Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the North Central Region as follows:

Belmore WMA – expand waterfowl season to match statewide dates and allow waterfowl retrievers during that time; and clarify that the bag limit for deer and turkey is one per quota permit.

Big Bend WMA, Hickory Mound Unit – remove size and bag limits for wild hog and allow them to be hunted during the small game season.

Big Bend WMA, Jena Unit – remove size and bag limits for wild hog and allow them to be hunted during the small game season.

Big Bend WMA, Snipe Island Unit – remove requirement to check in and out and to check all game taken, except during the muzzleloading gun season and the first 16 days of the archery, general gun and spring turkey seasons; allow entrance and exit only at designated entrances during the archery, muzzleloading gun, general gun and spring turkey seasons; allow wild hog to be hunted during the small game season; and clarify that the bag limit for deer is one per quota permit per day and the bag limit for turkey is one per quota permit.

Big Bend WMA, Spring Creek Unit – remove size and bag limits for wild hog and allow them to be hunted during the small game season.

Big Bend WMA, Tide Swamp Unit – remove size and bag limits for wild hog and allow them to be hunted during the small game season; and remove the quota requirement for the muzzleloading gun and general gun seasons.

Camp Blanding WMA – allow turkey to be hunted on the still hunt area during the last two days of each of the two general gun still quota periods and the first two days of the non-quota period of the general gun still season; allow turkey to be hunted on the dog hunt area during the last three days of each general gun dog hunt; and remove the quota requirement for the archery hunts.

Cary WMA – add approximately 4,000 acres to the existing area; increase the number of archery, muzzleloading gun and general gun quota permits from 60 to 100; increase the number

of family hunt quota permits from 40 to 65; increase the number of spring turkey quota permits from 10 to 20; reduce the bag limit for deer during archery season from two deer per day (any combination of antlered and antlerless) to one antlered or one antlerless deer per quota permit; reduce bag limit for deer during family hunt from two deer per day (any combination of antlered and antlerless) to one antlered and one antlerless deer per quota permit; reduce bag limit for deer during muzzleloading gun and general gun season from two antlered deer per day to one antlered deer per quota permit; reduce bag limit for spring turkey season from one bearded turkey or grouse per day to one bearded turkey or grouse per quota permit; expand the waterfowl season to match the statewide dates and allow waterfowl retrievers during that time; and allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset unless in possession of an access permit from the Division of Forestry.

Citrus WMA – prohibit camping except as authorized by the Division of Forestry; and remove quota permit requirement for the second archery hunt.

Cypress Creek WMA – allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset unless in possession of a Special Use Authorization from the Suwannee River Water Management District.

Devil's Hammock WMA – allow nighttime hunting of raccoons, with dogs, during the small game season by persons in possession of a Special Use Authorization from the Suwannee River Water Management District; and add a 4-week hog-still season (no quota) during which time only wild hogs will be legal to take.

Flying Eagle WMA – allow hunting equipment to be taken onto the area beginning at 8 a.m. the day before each hunt and require it to be removed on the last day of each hunt; and during spring turkey season allow hunting equipment beginning 1.5 hours before sunrise the day preceding each hunt.

Four Creeks WMA – clarify that the bag limit for deer and turkey is one per quota permit.

Goethe WMA – require motor vehicles to enter the area only at designated entrances but allow people on foot to enter at any location.

Grove Park WMA – add a 56-day small game season.

Hatchet Creek WMA – clarify that the bag limit for deer and turkey is one per quota permit.

Holton Creek WMA – allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset unless in possession of a Special Use Authorization from the Suwannee River Water Management District.

Jennings Forest WMA – establish a quail enhancement area north of the North Fork Black Creek, east of County Road 217 and west of Yellow Water Creek (approximately 5,471 acres) and allow up to eight days of quail hunting, with no more than four quota permits per day (no exemptions, up to two hunters

per quota permit) in January and February with a bag limit of six per quota permit; establish a waterfowl season that coincides with the statewide dates; allow waterfowl retrievers during the waterfowl season; increase the number of general gun hunts from two 5-day hunts and one 6-day hunt to four 4-day hunts (quota 60) and increase the number of spring turkey hunts from a 4-day and 5-day hunt to three 3-day hunts (quota 30).

Little River WMA – allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset unless in possession of a Special Use Authorization from the Suwannee River Water Management District.

Mallory Swamp WMA – eliminate requirement to check game; replace the first-come first-served permits issued at the check station for the muzzleloading gun and general gun still and dog seasons with quota permits issued through the Total Licensing System (total number of permits will remain the same); allow nighttime raccoon hunting during the small game season by persons in possession of a Special Use Authorization from the Suwannee River Water Management District; lengthen the small game season by 14 days; add a 3-day hog-dog season during which only wild hog will be legal to take; and allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset unless in possession of a Special Use Authorization from the Suwannee River Water Management District.

Middle Aucilla WMA – allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset unless in possession of a Special Use Authorization from the Suwannee River Water Management District.

Potts WMA – allow the use of horses only during periods closed to hunting; allow hunting and camping equipment to be taken onto the area beginning 8:00 a.m. the day before each hunt and require it be removed on the last day of each hunt; and during spring turkey season allow hunting equipment beginning 1.5 hours before sunrise the day preceding each hunt.

San Pedro Bay WMA – this WMA was removed from the WMA system by the landowner, just prior to the 2009-2010 season; therefore, all the rules need to be eliminated.

Steinhatchee Springs WMA – allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset unless in possession of a Special Use Authorization from the Suwannee River Water Management District; remove requirement to check game; replace the first-come first-served quota permits issued at the check station for the muzzleloading gun, general gun and spring turkey seasons with quota permits issued through the Total Licensing System (total number of permits will remain the same); establish a wild hog-dog season, two 3-day hunts (quota 50, no exemptions); allow only wild hog to be hunted during the hog-dog season; no more than three free-running dogs will be allowed per quota permit, each quota

permit shall allow a hunting group of two persons and a guest (three total) and only one gun may be used per hunting group; and lengthen general gun season by seven days.

Thomas Creek WMA, Kings Road Unit – clarify that the bag limit for deer and turkey is one per quota permit.

Troy Springs WMA – allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset unless in possession of a Special Use Authorization from the Suwannee River Water Management District.

Twin Rivers WMA – prohibit camping except as authorized by the Division of Forestry.

Twin Rivers WMA, Blue Springs Unit – change the special-opportunity quail season to a quota quail season; establish the entire area as a quail enhancement area; allow up to eight days of quail hunting; and decrease the bag limit for quail from 12 per special-opportunity permit to six per quail quota permit.

Additional proposed rule changes would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.062 Specific Regulations for Wildlife Management Areas – North Central Region.

(1) Camp Blanding Wildlife Management Area.

(a) Open season:

1. through 3. No change.

4. Archery – September ~~28-30~~ 29 through ~~October 1~~ and ~~October 5-7~~ 6-8, only in the still hunt areas; and the Saturday before Thanksgiving and continuing for 57 days thereafter in the archery only area, which is within the area described by a line beginning at the intersection of County Road 225 and Woodbury Road, then southeast on County Road 225 to State Road 16, then south on State Road 16 and County Road 230 to the Camp Blanding boundary on the east side of County Road 230, then east along the Camp Blanding boundary to Duval Road, then south on Duval Road to Yerkes Road, then west on Yerkes Road to Treat Road, then north on Treat Road to Lightning Strike Road, then west and north on Lightning Strike Road to State Road 230, then west on State Road 230 to the Camp Blanding boundary, then north along the Camp Blanding boundary to State Road 16, then east on the south side of State Road 16 to Lightning Strike Road, then north on Lightning Strike Road to Bessent Road, then north on Bessent Road to the starting point. A disjunct portion of the archery only area is south of County Road 215, east of Rifle Range Road, north of State Road 16 and west of the Camp Blanding boundary.

5. No change.

6. Muzzleloading gun – October ~~12-14~~ 13-15 and ~~19-21~~ 20-22, only in the still hunt areas.

7. Fishing – ~~Allowed~~ Permitted only on designated fish management areas, per fish management area regulations.

8. Trapping – December 1 through January ~~2~~ 4, only in the still hunt areas.

(b) Legal to take: All legal game, fish and furbearers. Turkeys of either sex may be taken during the archery and muzzleloading gun seasons, the last two days of each of the two general gun still quota periods, the first two days of the non-quota period of the general gun still season and the last three days of each general gun dog hunt and the Monday, Tuesday and Wednesday before Thanksgiving Day. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited in the archery only and still hunt areas. Antler restrictions shall

not apply during the supervised youth hunt. During the supervised youth hunts, only wild hogs and one antlered or antlerless deer may be taken per youth.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. Possession or use of a dog, other than a dog on a leash for trailing wounded game, is prohibited except (1) in the dog hunt area and (2) bird dogs are allowed in still hunt areas 1 and 2 but only after the first 16 days of the general gun season.

4. No change.

5. During the spring turkey quota hunts, hunters will be assigned to a zone and may enter only that zone. Hunters may not enter the area before 5 a.m. each day and shall exit by 1 p.m. of each hunt day. During spring turkey hunts, only persons eligible for the hunt are allowed permitted in the area.

6. No change.

7. Only shotguns are allowed permitted for taking turkey during the spring turkey season.

8. through 13. No change.

14. Access to still hunt area one, still hunt area two and the dog hunt area is allowed only through Florida Fish and Wildlife Conservation Commission check stations 1, 2 or 3.

15. No change.

(2) Cypress Creek Wildlife Management Area.

(a) Open season:

1. Spring turkey – March 19-27 ~~20-28~~.

2. Archery – September 25 ~~26~~ through October 10 ~~11~~.

3. Muzzleloading gun – October 29-31 ~~30~~ through ~~November 1~~.

4. Fishing – Allowed Permitted throughout the year.

5. No change.

(b) – (c) No change.

(d) General regulations:

1. through 3. No change.

4. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(3) Gulf Hammock Wildlife Management Area.

(a) Open season:

1. General gun – November 13 ~~14~~ through January 23 ~~24~~.

2. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~.

3. Archery – September 25 ~~26~~ through October 24 ~~25~~.

4. Muzzleloading gun – October 30 ~~31~~ through November 7 ~~8~~.

5. Fishing and frogging – Allowed Permitted only during periods when hunting is allowed.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Public access is allowed permitted only when hunting is allowed and on the Friday prior to archery and spring turkey season and on the consecutive Friday, Saturday, and Sunday prior to the general gun season.

3. Public access to the area is allowed permitted only at designated entrances. Public access during periods when hunting is allowed permitted is limited to entering the area no earlier than one hour before legal shooting hours and exiting the area no later than one hour after legal shooting hours.

4. No change.

5. Access is allowed permitted only by individuals possessing a valid recreational user permit, except as provided by Section 379.354, F.S.

6. through 7. No change.

(4) Lochloosa Wildlife Management Area.

(a) Open season:

1. General gun – November 13-26 ~~14-27~~, November 27 ~~28~~ through December 12 ~~13~~ and December 13 ~~14~~ through January 9 ~~10~~.

2. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~.

3. Archery – September 25 ~~26~~ through October 24 ~~25~~.

4. Muzzleloading gun – October 29-31 ~~30~~ through ~~November 1~~.

5. Duck, geese ~~Waterfowl~~ and coot – During the seasons established by Rule 68A-13.003, F.A.C.

6. Small game – January 10 ~~11~~ through March 6 ~~7~~.

7. No change.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Vehicles are restricted to established roads. Tracked vehicles, all-terrain vehicles (ATVs) and unlicensed vehicles are prohibited. Non-motorized bicycles are allowed permitted, but may be ridden only on established roads.

3. During the general gun and small game seasons, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed permitted.

4. through 5. No change.

6. Horses are allowed permitted only during periods closed to hunting. Horses may be ridden only on established roads.

(5) Osceola Wildlife Management Area.

(a) Open season:

1. General gun – November 13 ~~14~~ through January 9 ~~10~~.

2. Small game – January 10 ~~11~~ through March 6 ~~7~~.

3. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~.

4. Archery – September 25 ~~26~~ through October 17 ~~18~~.

5. Muzzleloading gun – October 22-29 ~~23-30~~ in the still hunt area and Big Gum Swamp Wilderness only.

6. Fox, raccoon, opossum and bobcat – August ~~7~~ 8 through September ~~28~~ 29 in the dog hunt portion of the area only from sunset to sunrise.

7. ~~Special September duck~~ ~~Early duck~~ – In the special September duck season established by Rule 68A-13.003, F.A.C.

8. No change.

9. Trapping – January ~~10~~ 11 through March 1.

(b) No change.

(c) Camping: Throughout the year but only on designated campsites during general gun season on that portion of the area designated and posted as National Forest lands. On that portion of the area designated and posted as State Forest lands, camping is allowed ~~permitted~~ throughout the year only at designated sites and only by permit from the Division of Forestry.

(d) No change.

(6) Big Bend Wildlife Management Area – Tide Swamp Unit.

(a) Open season:

1. General gun – November ~~13~~ ~~14-22~~ and November ~~23~~ through January ~~9~~ 10.

2. Archery – September ~~25~~ 26 through October ~~24~~ 25.

3. Muzzleloading gun – October ~~29-31~~ 30 through ~~November 1~~.

4. Small game – January ~~10~~ 11 through March ~~6~~ 7.

5. No change.

6. Duck, geese ~~Waterfowl~~ and coot – During the seasons established by Rule 68A-13.003, F.A.C.

7. Spring turkey – March ~~19~~ 20 through April ~~24~~ 25.

8. Trapping – January ~~10~~ 11 through March 1.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. ~~Taking wild hog with a shoulder height of less than 15 inches is prohibited. Taking wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.~~

(c) Camping: Prohibited, except primitive overnight camping shall be allowed ~~permitted~~ at designated sites at Sponge Point and in the vicinity of Dallis Creek, by permit only from the Commission, for those individuals utilizing the Big Bend Saltwater Paddling Trail from September 11 through June 30 only. This permit shall be valid for through-paddlers only and shall be valid for one night only.

(d) General regulations:

1. through 2. No change.

3. During the muzzleloading gun season and the first 16 days of the archery, general gun and spring turkey seasons, hunters shall check in and out at a check station when entering or exiting the area, obtain a daily ~~hunt~~ permit, which they shall keep on their person, and check all game taken.

4. through 8. No change.

(7) Big Bend Wildlife Management Area – Spring Creek Unit.

(a) Open season:

1. General gun – November ~~13~~ ~~14~~ through January ~~9~~ 10.

2. Archery – September ~~25~~ 26 through October ~~24~~ 25.

3. Muzzleloading gun – October ~~29-31~~ 30 through ~~November 1~~.

4. Small game – January ~~10~~ 11 through March ~~6~~ 7.

5. Spring turkey – March ~~19~~ 20 through April ~~24~~ 25.

6. Trapping – January ~~10~~ 11 through March 1.

7. Duck, geese ~~Waterfowl~~ and coot – During the seasons established by Rule 68A-13.003, F.A.C.

8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. ~~Taking wild hog with a shoulder height of less than 15 inches is prohibited. Taking wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.~~

(c) Camping: Prohibited, except primitive overnight camping shall be allowed ~~permitted~~ at designated sites at Spring Warrior Creek, by permit only from the Commission, for those individuals utilizing the Big Bend Saltwater Paddling Trail from September 11 through June 30 only. This permit shall be valid for through-paddlers only and shall be valid for one night only.

(d) General regulations:

1. No change.

2. Motorized vehicles may be operated only on named or numbered roads from September 1 through April 30. From May 1 through August 31, motorized vehicles may be operated only on Spring Creek Road, Rock Road, Swamp Spur, King Road from County Road 361A to its intersection with Mule Wallow Spur, ~~Mule Wallow Spur from its intersection with King Road to the intersection with Swamp Spur, Rock Road and Road Spurs 1, 2 and 3.~~

3. through 4. No change.

5. Hunting raccoon and opossum as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed ~~permitted~~ only during the small game season.

6. through 7. No change.

(8) Big Bend Wildlife Management Area – Hickory Mound Unit.

(a) Open season:

1. General gun – November ~~13-21~~ ~~14-22~~, ~~22-28~~ ~~23-29~~ and November ~~29~~ 30 through January ~~9~~ 10.

2. Small game – January ~~10~~ 11 through March ~~6~~ 7.

3. Spring turkey – March ~~19~~ 20 through April ~~24~~ 25.

4. Archery – September ~~25~~ 26 through October ~~24~~ 25.

5. Special September duck ~~Early duck~~ – Mondays, Wednesdays, and Saturdays on the Hickory Mound Impoundment and allowed ~~permitted~~ every day of the season on the remainder of the area as established by Rule 68A-13.003, F.A.C.

6. Duck, geese ~~Waterfowl~~ and coot – Mondays, Wednesdays, Saturdays and the first day of each phase of the waterfowl ~~duck~~ and coot season on the Hickory Mound Impoundment and allowed ~~permitted~~ every day of the season on the remainder of the area as established by Rule 68A-13.003, F.A.C.

7. No change.

8. Trapping – January 10 ~~11~~ through March 1.

(b) Legal to take: All legal game, fish, frogs and furbearers. ~~Taking wild hog with a shoulder height of less than 15 inches is prohibited. Taking wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.~~

(c) Camping: Prohibited, except primitive overnight camping shall be allowed ~~permitted~~ at designated sites at Rock Island, by permit only from the Commission, for those individuals utilizing the Big Bend Saltwater Paddling Trail from September 11 through June 30 only. This permit shall be valid for through-paddlers only and shall be valid for one night only.

(d) General regulations:

1. No change.

2. Airboats or vehicles are prohibited inside the Hickory Mound Impoundment Area. Gas-powered outboard motors are prohibited in the Hickory Mound Impoundment from August 31 until March 31. Gas-powered outboard motors of 4 h.p. or less are allowed ~~permitted~~ in the Hickory Mound Impoundment from April 1 through August 30.

3. through 5. No change.

6. During the first 16 days of the archery, general gun and spring turkey seasons, hunters shall check in and out at a check station when entering or exiting the area, obtain a daily ~~hunt~~ permit which they shall keep on their perso, and check all game taken. Waterfowl hunters using the Hickory Mound Impoundment must check in and out at the check station whenever it is manned and check all game taken.

7. through 8. No change.

9. During the general gun and small game seasons, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed ~~permitted~~.

10. through 11. No change.

12. Hunting with dogs is prohibited during the archery season except that waterfowl retrievers may be used during the special September ~~early~~ duck season.

13. No change.

(9) Big Bend Wildlife Management Area – Jena Unit.

(a) Open season:

1. General gun – November 13-21 ~~14-22~~ and November 22 ~~23~~ through January 9 ~~10~~.

2. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~.

3. Small game – January 10 ~~11~~ through March 6 ~~7~~.

4. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

5. Duck, geese ~~Waterfowl~~ and coot – During the seasons established by Rule 68A-13.003, F.A.C.

6. Trapping – January 10 ~~11~~ through March 1.

(b) Legal to take: All legal game, fish, frogs and furbearers. ~~Taking wild hog with a shoulder height of less than 15 inches is prohibited. Taking wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.~~

(c) Camping: Prohibited, except primitive overnight camping shall be allowed ~~permitted~~ at designated sites at the mouth of Sink Creek, and south of Horseshoe Beach, by permit only from the Commission, for those individuals utilizing the Big Bend Saltwater Paddling Trail from September 11 through June 30 only. This permit shall be valid for through-paddlers only and shall be valid for one night only.

(d) No change.

(10) Big Bend Wildlife Management Area – Snipe Island Unit.

(a) Open season:

1. Archery – September 25 ~~26~~ through October 24 ~~25~~.

2. Muzzleloading gun – October 29-31 ~~30~~ through ~~November 1~~.

3. General gun – November 13 ~~14~~ through December 5 ~~6~~.

4. Small game – January 8 ~~9~~ through February 6 ~~7~~.

5. Spring turkey – March 19-27 ~~20-28~~, March 28 ~~29~~ through April 3 ~~4~~ and April 4-10 ~~5-11~~.

6. Trapping – January 8 ~~9~~ through March 1.

7. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for antlered deer shall be one per quota permit per day. The bag limit for wild turkey during quota periods shall be one gobbler or bearded turkey per quota permit; during non-quota periods, the bag limit shall be one per person ~~person~~ per season. ~~Taking wild hog is prohibited during the small game season.~~

(c) No change

(d) General regulations:

1. The use of airboats, all-terrain vehicles, tracked vehicles, ~~airboats,~~ and unlicensed and unregistered motorcycles ~~or all-terrain vehicles~~ is prohibited.

2. through 3. No change.

4. During the muzzleloading gun season and the first 16 days of the archery, general gun and spring turkey seasons, hunters shall check in and out at a check station when entering or exiting the area and check all game taken. All hunters shall check in and out at the check station on Mandalay Road or

~~Snipe Island Grade when entering and exiting the area. Hunters shall check all game taken. When check stations are unmanned, hunters shall use self-service check stations.~~

5. No change.

6. Horses are allowed ~~permitted~~ only during periods closed to hunting.

7. No change.

8. During the archery, muzzleloading gun, general gun, and spring turkey seasons, no person shall enter or exit the area except through designated entrances.

(11) PotashCorp – White Springs Wildlife Management Area.

(a) Open season:

1. Duck, geese Waterfowl and coot – Wednesdays and Saturdays of the seasons established by Rule 68A-13.003, F.A.C., except during the first phase of the Canada goose season.

2. No change.

(b) through (d) No change.

(12) Raiford Wildlife Management Area.

(a) Open season:

1. Archery – September 25 26 through October 10 11.

2. Muzzleloading gun – October 29-31 30 through ~~November 1~~.

3. Archery and muzzleloading gun – November 13-21 14-22.

4. Spring turkey – March 19-27 20-28.

5. No change.

(b) through (c) No change.

(d) General regulations:

1. Hunting with dogs is prohibited except that bird dogs are allowed ~~permitted~~ during the archery and muzzleloading gun season.

2. through 6. No change.

7. Public access is prohibited except during periods open to hunting and the weekend prior to each hunting period. No person shall enter the area during the muzzleloading gun, archery/muzzleloading gun and spring turkey seasons except those hunters possessing Raiford quota ~~hunt~~ permits for the appropriate season and those hunters exempt from quota ~~hunt~~ permit requirements pursuant to Rule 68A-15.005, F.A.C.

(13) Cedar Key Scrub Wildlife Management Area.

(a) Open season:

1. General gun – November 13-21 14-22.

2. Archery – September 25 26 through October 10 11.

3. Muzzleloading gun – October 29-31 30 through ~~November 1~~.

(b) through (d) No change.

(14) Andrews Wildlife Management Area.

(a) Open season:

1. Archery – October 1-3 2-4 and 8-10 9-11.

2. Muzzleloading gun – October 29-31 30 through ~~November 1~~ and November 5-7 6-8.

3. General gun – November 19-21 20-22.

4. Small game – January 7-9 8-10, 14-16 15-17 and 21-23 22-24.

5. Family hunt – February 5-6 6-7 and 12-13 13-14.

6. Spring turkey – March 25-27 26-28 and April 15-17 16-18.

7. Supervised deer/hog youth hunt – October 16-17 17-18 and 23-24 24-25.

8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one per quota ~~hunt~~ permit. During the family hunt, only wild hog may be taken. During the supervised deer-hog youth hunt, only antlered deer, antlerless deer by antlerless deer permit only, and wild hog may be taken. Wild hog may not be taken during the small game season.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. Vehicles may be operated only on improved designated portions of named or numbered roads. During periods when the area is closed to hunting, persons may enter the area no earlier than one-half hour before sunrise and shall exit no later than one-half hour after sunset. Horses and all-terrain vehicles are prohibited on the area.

4. through 5. No change.

6. During open hunting seasons access to the area shall be restricted to individuals with a valid quota ~~hunt~~ permit or their guests as identified in Rule 68A-15.005, F.A.C for the area.

7. through 9. No change.

(15) Big Shoals Wildlife Management Area.

(a) Open season:

1. Archery – September 27 28 through October 2 3, 4-9 5-10 and 11-16 12-17.

2. Muzzleloading gun – October 29-31 30 through ~~November 1~~ and November 5-7 6-8.

3. Small game – December 20-25 21-26 and December 27 28 through January 1 2.

4. Spring turkey – March 24-26 25-27 and April 14-16 15-17.

5. Fishing – Allowed Permitted throughout the year.

(b) No change.

(c) Camping: Prohibited during periods open to hunting. During periods closed to hunting, camping is allowed only by permit ~~only~~ from the Suwannee River Water Management District.

(d) General regulations:

1. through 3. No change.



4. Vehicles may be operated only on ~~designated~~ portions of named or numbered roads. The use of airboats, all-terrain vehicles, tracked vehicles, and unlicensed and unregistered motorcycles, airboats or all-terrain vehicles is prohibited on the area. Horses are allowed only permitted on roads open to vehicular use or on designated horse trails.

5. No change.

6. Persons may enter the area no earlier than ~~one and one-half~~ (1.5) hours before sunrise and shall exit no later than ~~one and one-half~~ (1.5) hours after sunset year round.

7. No change.

(16) Twin Rivers Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ ~~26~~ through October ~~1~~ ~~2~~ and October ~~2-10~~ ~~3-11~~.

2. Muzzleloading gun – October ~~29-31~~ ~~30~~ through November ~~1~~.

3. General gun – November ~~13-16~~ ~~14-17~~ and ~~17-23~~ ~~18-24~~.

4. Small game – December ~~4-26~~ ~~5-27~~.

5. Spring turkey – March ~~25-27~~ ~~26-28~~ and April ~~15-17~~ ~~16-18~~.

6. No change.

(b) No change.

(c) Camping: Prohibited unless authorized by the Division of Forestry. Prohibited during periods open to hunting, and by landowner permit during periods closed to hunting.

(d) General regulations:

1. through 3. No change.

4. Horses are allowed permitted only during daylight hours on designated roads.

5. through 10. No change.

(17) Twin Rivers Wildlife Management Area – Blue Springs Unit.

(a) Open season:

1. No change.

2. Quail special opportunity quail – Up to ~~eight~~ ~~five~~ Saturdays of quail hunting may be allowed in January and February, combined.

(b) Legal to take: Quail ~~only~~. Bag limit ~~during the special opportunity quail hunt~~ is ~~six~~ ~~12~~ quail per quota permit.

(c) No change

(d) General regulations:

1. through 2. No change.

3. A quota special opportunity quail permit, as established annually by Order of the Executive Director or designee, shall be required for each group entering the area to hunt quail. Up to two quota special opportunity hunt permits may be issued per day and up to two hunters will be allowed per permit. The number of Saturdays open for quail hunting will be adjusted each year ~~so as not to exceed~~ ~~as necessary to achieve~~ a harvest of ~~up to~~ 15% of the fall population, based on annual fall ~~an~~ ~~October~~ quail surveys.

4. Persons participating in bird dog training or ~~special opportunity~~ quail hunts shall enter and exit the area only at the entrance designated on the current hunt brochure.

5. Motorized vehicles are prohibited except by persons in possession of a valid bird dog training permit or quota special opportunity permit, only on days the permit is valid and only on named or numbered roads.

6. Taking wildlife with firearms is prohibited except with blank-firing pistols during the bird dog training season by persons in possession of a bird dog training permit; and with shotguns during the ~~special opportunity~~ quail season by those persons in possession of a valid quota special opportunity quail permit.

~~7. Public access is allowed permitted for hiking, bicycling, and horseback riding.~~

~~7.8.~~ No change.

(18) Jennings Forest Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25-28~~ ~~26-29~~, September ~~29~~ ~~30~~ through October ~~2~~ ~~3~~, October ~~3-6~~ ~~4-7~~ and ~~7-10~~ ~~8-11~~.

2. Supervised small game – October ~~16-24~~ ~~17-25~~, east of Yellow Water Creek, and east of the North Fork Black Creek but only south of its convergence with Yellow Water Creek.

3. Muzzleloading gun – October ~~29-31~~ ~~30~~ through November ~~1~~.

4. No change.

5. General gun – November ~~13-16~~ ~~14-18~~, ~~17-20~~, ~~21-24~~ ~~19-23~~ and ~~25-28~~ ~~24-29~~.

6. Small game – January ~~14~~ ~~15~~ through February ~~13~~ ~~14~~, Fridays, Saturdays and Sundays only.

7. Quail (quail enhancement area) – Up to eight Saturdays of quail hunting may be allowed in January and February, combined.

~~8.7.~~ Spring turkey – March ~~19-21~~, ~~22-24~~ ~~20-23~~ and ~~25-27~~ ~~24-28~~.

~~9.8.~~ Fishing – Throughout the year.

10. Duck, geese and coot – During the migratory bird seasons established by Rule 68A-13.003, F.A.C.

(b) Legal to take: All legal game, fish and furbearers (“except bobcat and otter”). Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the archery, muzzleloading gun and general gun seasons, the bag limit for deer shall be one per quota permit. During the spring turkey season, the bag limit for turkeys shall be one gobbler or bearded turkey per quota permit. Killing quail is prohibited on the quail enhancement area (that portion of the area lying north of the North Fork Black Creek, east of County Road 217 and west of the Yellow Water Creek) except during the quail season. The bag limit for quail on the quail enhancement area is six per quota permit.

(c) No change.

(d) General regulations:

1. No change.
2. ~~Airboats, all-terrain vehicles, tracked~~ Tracked vehicles, ~~airboats, and~~ and unlicensed and unregistered motorcycles, ~~and all-terrain vehicles~~ are prohibited.
3. Taking wildlife with dogs is prohibited except that bird dogs are allowed during the small game and quail seasons and waterfowl retrievers are allowed during the duck, geese and coot season. ~~In except in~~ the Normandy Unit, ~~where~~ bird dogs are allowed only during the bird dog training season.
4. Horses are allowed ~~permitted~~ on roads, firelines and designated trails only.
5. through 7. No change.
8. Bicycles are allowed ~~permitted~~ throughout the year and shall be restricted to roads and firelines.
9. through 12. No change.
13. A quota permit, as established annually by Order of the Executive Director or designee, shall be required for each group entering the quail enhancement area to hunt quail. Up to four quota permits may be issued per day and up to two hunters will be allowed per permit. The number of Saturdays open for quail hunting will be adjusted each year as necessary so as not to exceed a harvest of 15% of the fall population, based on annual fall quail surveys.

(19) Holton Creek Wildlife Management Area.

(a) Open season:

1. Mobility-impaired general gun – October 15-17 ~~16-18, October 29-31 30 through November 1, November 5-7 6-8 and December 17-19 18-20.~~
2. Mobility-impaired spring turkey – March 25-27 ~~26-28~~ and April 15-17 ~~16-18~~.
3. No change.

(b) Legal to take: Any deer (except spotted fawns), gobbler or bearded turkey, gray squirrel, rabbit and fish. The bag limit shall be one deer and one turkey per quota permit.

(c) No change.

(d) General regulations:

1. No change.
2. During hunting periods, access will be restricted to individuals participating in the hunt with valid quota hunt permits and hikers using the Florida Trail.
3. Horses are allowed ~~permitted~~ only during daylight hours on designated roads and only during periods closed to hunting.
4. Vehicles may be operated from 1.5 one and one-half hours before sunrise until 1.5 one and one-half hours after sunset and only on ~~designated~~ portions of named or numbered roads.

5. The use of airboats, all-terrain vehicles, tracked vehicles, ~~airboats, and unlicensed and unregistered~~ motorcycles ~~or all-terrain vehicles~~ is prohibited except all-terrain vehicles may be used by certified mobility-impaired hunters during all hunts.

6. through 8. No change.

9. Only one mobility-impaired quota ~~hunt~~ permit may be utilized per individual per hunt.

10. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(20) Goethe Wildlife Management Area.

(a) Open season:

1. Archery – September 25 26 through October 17 18.
2. Muzzleloading gun – October 29-31 30 through ~~November 1.~~
3. General gun (still hunt) – November 13-15 14-16 and 16-18 17-19.
4. General gun (dog hunt) – November 19-21 20-22 and 22-25 23-26.
5. Small game – January 15 16 through February 6 7.
6. Spring turkey – March 19-25 20-26 and March 26 27 through April 3 4.

7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 2. No change.
3. Fires are allowed ~~permitted~~ only at locations specified by the Division of Forestry.
4. No change.
5. The use of tracked vehicles, airboats, and all-terrain vehicles is prohibited. Horses are allowed ~~permitted~~ only on roads and designated horse trails.
6. Motorized vehicular access is allowed only at designated entrances. Entry into or exit from the area at locations other than the entrances designated on the hunt map is prohibited.

7. through 12. No change.

(21) Citrus Wildlife Management Area.

(a) Open season:

1. General gun – December 18-19 19-20 and January 8-9 9-10.
2. Small game – January 10 11 through March 6 7.
3. Muzzleloading gun – December 11-12 12-13 and January 1-2 2-3.
4. Archery – November 13 14 through December 5 6.
5. Spring turkey – March 22-24 23-25, April 5-7 6-8 and 19-21 20-22.
6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season, antlerless deer ~~may be taken by antlerless deer permit only~~. Turkey may be taken only during the spring turkey season. The bag limit shall be one gobbler (or bearded turkey) per spring turkey quota permit.

(c) Camping: ~~Prohibited unless authorized by the Division of Forestry. Permitted in designated campsites only.~~

(d) General regulations:

1. through 8. No change.

9. ~~Only tents, trailers or self-propelled camping vehicles may be used for camping.~~

~~9.40. No change.~~

~~11. Camping equipment may not be taken into the area prior to 14 days before the archery season and shall be removed by 6 p.m. six days after the close of the small game season.~~

12. through 14. renumbered 10. through 12. No change.

(22) Flying Eagle Wildlife Management Area.

(a) Open season:

1. Archery – October ~~2-5 3-6~~ and ~~8-12 9-13~~.

2. Muzzleloading gun – October ~~29-31 30 through November 1.~~

3. General gun – November ~~13-16 14-17~~ and ~~19-23 20-24~~.

4. Small game – November ~~26-28 27-29~~ and December ~~17-19 18-20~~.

5. Spring turkey – March ~~19-22 20-23~~ and ~~25-29 26-30~~.

6. Special September Early duck – In September, during the seasons ~~season~~ established by Rule 68A-13.003, F.A.C.

7. Fishing and frogging – Allowed Permitted throughout the year.

(b) through (c) No change.

(d) General regulations:

1. During periods when the area is closed to hunting, public access other than on foot, bicycle or horseback is prohibited with the following exceptions: vehicular access is allowed permitted one day prior to each archery, muzzleloading gun and general gun hunt from 8 a.m. until 6 p.m., and one day prior to each spring turkey hunt from 1.5 hours before sunrise until 1.5 hours after sunset.

2. Hunting with dogs is prohibited except that waterfowl retrievers and bird dogs are allowed during small game and special September early duck seasons. During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District.

3. through 4. No change.

5. The use of all-terrain vehicles, tracked vehicles; and unlicensed and unregistered motorcycles ~~or all-terrain vehicles~~ is prohibited. The use of horses is prohibited during periods when hunting is allowed. During periods when the area is closed to hunting, horses may be ridden only on designated roads and marked trails.

6. through 7. No change.

8. During the special September early duck season, shooting hours are from 0.5 one-half hour before sunrise until ~~12:00~~ noon each day.

9. Hunting equipment may be taken onto the area beginning 8 a.m. the day preceding each hunt and shall be removed from the area the last day of each hunt, except during spring turkey season, when hunting equipment is allowed on the area beginning 1.5 hours before sunrise the day preceding each hunt.

(23) Potts Wildlife Management Area.

(a) Open season:

1. Spring turkey – March ~~19-22 20-23~~ and ~~25-29 26-30~~.

2. Archery – October ~~9-12 10-13~~ and ~~15-19 16-20~~.

3. Muzzleloading gun – November ~~5-7 6-8~~.

4. Wild General gun hog-dog – November ~~19-21 20-22~~.

5. Small game – December ~~10-12 11-13~~, January ~~7-9 8-10~~, and February ~~4-6 5-7~~.

6. Fishing and frogging – Allowed Permitted throughout the year.

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers “except bobcat and otter”. The bag limit for turkey shall be one gobbler or bearded turkey per spring turkey quota permit. Only wild hog may be taken during the wild general gun hog-dog season.

(c) Camping: Camping is allowed permitted at designated campsites beginning 8 a.m. the day preceding each hunt and ending the last day of each hunt, during hunting seasons and Camping is allowed at other times by permit from the Southwest Florida Water Management District. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. Each camper shall assure that their campsite is clean at all times. The altering, defacing, moving, or tampering in any way with official markings of campsites is prohibited.

(d) General regulations:

1. During periods when the area is closed to hunting, public access other than on foot, bicycle or horseback is prohibited with the following exceptions: vehicular access is allowed permitted one day prior to each archery, muzzleloading gun and wild hog-dog general gun hunt from 8 a.m. to 6 p.m., and one day prior to each spring turkey hunt from 1.5 hours before sunrise until 1.5 hours after sunset.

2. No change.

3. The use of all-terrain vehicles, tracked vehicles; and unlicensed and unregistered motorcycles ~~or all-terrain vehicles~~ is prohibited. The use of horses is prohibited during periods when hunting is allowed. During periods when the area is closed to hunting, horses may be ridden only on designated roads and designated trails.

4. through 7. No change.

8. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less during the small game season, is prohibited except that dogs may be used during the ~~wild general gun~~ hog-dog season. During the ~~wild general gun~~ hog-dog season, no more than three free-running dogs per quota permit shall be allowed. During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District.

9. During the ~~wild general gun~~ hog-dog season, a quota permit ~~shall allow a hunting group of two persons and a guest, as authorized by Rule 68A-15.005, F.A.C., (three total) to participate in the hunt be required for each group of two hunters,~~ and only one gun may be used to take wildlife per ~~hunting group possessed per quota permit.~~

10. Authorized hunting equipment, dogs and camping equipment may be taken onto the area beginning 8 a.m. the day preceding each hunt and shall be removed from the area the last day of each hunt. During spring turkey season, hunting equipment is allowed on the area beginning 1.5 hours before sunrise the day preceding each hunt.

(24) Homosassa Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25-27~~ ~~26-28~~, October ~~8-10~~ ~~9-11~~ and ~~22-24~~ ~~23-25~~.

2. Small game – November ~~13~~ ~~14~~ through December ~~5~~ ~~6~~ and December ~~25~~ ~~26~~ through January ~~9~~ ~~10~~.

3. Wild hog-still ~~General gun hog~~ – February ~~10-13~~ ~~11-14~~ and ~~24-27~~ ~~25-28~~.

4. Special-opportunity spring turkey – March ~~19-25~~ ~~20-26~~ and April ~~2-8~~ ~~3-9~~.

5. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the archery season the bag limit for deer shall be one antlered and one antlerless deer per quota permit. Only wild hog may be taken during the wild hog-still ~~general gun hog~~ season. Wild turkey may only be taken during the special-opportunity spring turkey season. The bag limit for turkeys shall be one gobble or bearded turkey per special-opportunity permit.

(c) through (d) No change.

(25) Devil’s Hammock Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25-28~~ ~~26-29~~, September ~~29~~ ~~30~~ through October ~~3~~ ~~4~~ and October ~~4-10~~ ~~5-11~~.

2. Family hunt – October ~~16-17~~ ~~17-18~~ and ~~23-24~~ ~~24-25~~.

3. Muzzleloading gun – October ~~29-31~~ ~~30~~ through ~~November 1~~.

4. General gun – November ~~13-16~~ ~~14-17~~ and ~~17-21~~ ~~18-22~~.

5. Small game – November ~~27~~ ~~28~~ through December ~~26~~ ~~27~~.

6. Wild hog-still – January 24 through February 20.

~~7.6.~~ Spring turkey – March ~~19-22~~ ~~20-23~~ and ~~23-27~~ ~~24-28~~.

~~8.7.~~ No change.

~~9.8.~~ Fishing – ~~Allowed~~ ~~Permitted~~ year-round.

(b) Legal to take: All legal game and fish. Only wild hog may be taken during the family hunt and the wild hog-still season.

(c) No change.

(d) General regulations:

1. The use of airboats, all-terrain vehicles, tracked vehicles, ~~airboats,~~ and unlicensed and unregistered motorcycles or all-terrain vehicles is prohibited.

2. No change.

3. Public access is prohibited ~~shall be permitted~~ from 1.5 one and one-half hours after sunset before sunrise until to 1.5 one and one-half hours before sunrise after sunset, ~~except by persons possessing a Special Use Authorization from the Suwannee River Water Management District.~~ The public shall enter and exit the area at designated entrances only.

4. No change.

5. Hunting with dogs other than waterfowl retrievers and bird dogs is prohibited, except by persons hunting as specified in paragraph 68A-24.002(2)(b), F.A.C.

6. During the small game season, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C. shall be allowed by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(26) Mallory Swamp Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ ~~26~~ through October ~~24~~ ~~25~~.

2. Muzzleloading gun – October ~~30~~ ~~31~~ through November ~~7~~ ~~8~~ (still hunt area only).

3. General gun – November ~~13~~ ~~14~~ through January ~~9~~ ~~10~~.

4. Small game – January ~~10~~ ~~11~~ through February ~~20~~ ~~7~~.

5. Wild hog-dog – February 25-27.

~~6.5.~~ Spring turkey – March ~~19~~ ~~20~~ through April ~~3~~ ~~4~~.

~~7.6.~~ Duck, geese ~~Waterfowl~~ and coot – During the seasons established by Rule 68A-13.003, F.A.C.

~~8.7.~~ Trapping – January ~~10~~ ~~11~~ through March 1.

~~9.8.~~ No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Only wild hog may be taken during the wild hog-dog season.

(c) No change.

(d) General regulations:

1. No change.

2. During the muzzleloading gun season and first nine days of the general gun season, hunters shall check all game taken at the check station.

~~2.3.~~ The use of airboats, all-terrain vehicles, tracked vehicles, airboats, and unlicensed and unregistered motorcycles or all-terrain vehicles is prohibited, except that all-terrain vehicles and motorcycles shall be allowed only by permit from the Suwannee River Water Management District. Horses are allowed permitted only on roads and designated horse trails during daylight hours.

4. through 7. renumbered 3. through 6. No change.

7. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

8. During the small game season, hunting as specified in paragraph 68A-24-.002(2)(b), F.A.C. is allowed by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(27) Middle Aucilla Wildlife Management Area.

(a) Open season:

1. General gun – November ~~13 14~~ through December ~~9 10~~ and December ~~10 11~~ through January ~~9 10~~.

2. Muzzleloading gun – October ~~30 31~~ through November ~~7 8~~.

3. Small game – January ~~10 11~~ through March ~~6 7~~.

4. Archery – September ~~25 26~~ through October ~~24 25~~.

5. Spring turkey – March ~~19 20~~ through April ~~24 25~~.

6. No change

7. Fishing: Allowed Permitted throughout the year.

(b) through (c) No change.

(d) General regulations:

1. through 6. No change.

7. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(28) Little River Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25-27 26-28~~, October ~~2-4 3-5~~ and ~~9-11 10-12~~.

2. Muzzleloading gun – October ~~29-31 30~~ through ~~November 1~~.

3. Small game – December ~~4-8 5-9~~ and ~~25-29 26-30~~.

4. Fishing – Allowed Permitted throughout the year.

5. No change

(b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons possessing a Special Use Authorization from the Suwannee River Water

Management District. A quota permit is required of all hunters entering the area during open hunting seasons, except during the small game season:

(29) Troy Springs Wildlife Management Area.

(a) Open season:

1. Small game – November ~~13 14~~ through January ~~9 10~~, except on Sundays, and only in that portion of the area known as the Adams Tract located northeast of U.S. 27, east and south of County Road 251, and southwest of the Suwannee River.

2. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. Public access is allowed permitted only through designated access points.

5. No change.

6. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(30) Bayard Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25 26~~ through October ~~10 11~~ and November ~~20-28 21-29~~.

2. Muzzleloading gun – October ~~30 31~~ through November ~~7 8~~.

3. Spring turkey – The first three days of the Zone C Central Zone season, and the Friday, Saturday, and Sunday of the third and fifth weekends of the Zone C Central Zone season.

4. through 5. No change.

(b) No change.

(c) Camping: Only tent camping is allowed and only at designated sites. Camping is allowed year-round in Area 1 and during non-hunting periods in Area 3. During periods open to hunting, only quota permit holders and their hunting guests may camp in Area 3.

(d) General regulations:

1. through 3. No change.

4. The use of all-terrain vehicles, tracked vehicles, and unlicensed and unregistered motorcycles, or all-terrain vehicles is prohibited.

5. During hunting periods, public access in Areas 2, 3 and 4 is restricted to those individuals with valid quota ~~hunt~~ permits and their hunting guests.

6. No change.

7. Horses are allowed permitted throughout the year in Area 1 but only during non-hunting periods in Areas 2, 3 and 4.

8. No change.

9. Vehicular access is ~~allowed permitted~~ on all hunt days plus the weekend and the day before all hunts except spring turkey season when it shall be ~~allowed permitted~~ only on hunt days and the day before each hunt.

10. through 12. No change.

(31) Grove Park Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25 26~~ through October ~~24 25~~.

2. Muzzleloading gun – October ~~30 31~~ through November ~~7 8~~.

3. General gun – November ~~13 14~~ through January ~~9 10~~.

4. ~~Small game – January 10 through March 6.~~

~~5.4. Duck, geese Waterfowl~~ and coot – During the seasons established by Rule 68A-13.003, F.A.C.

~~6.5. Trapping – December 1 through January 9 10.~~

~~7.6. Spring turkey – March 19 20 through April 24 25.~~

~~8.7. Fishing Fish~~ and frogging – Throughout the year.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Vehicles are prohibited year-round in the Camps Canal area, in those lands lying south of County Road 346, and in those lands lying north of County Road 2082. Vehicles are restricted to named or numbered roads in the remaining portion of the area. Non-motorized bicycles are ~~allowed permitted~~, but may be ridden only on named or numbered roads or designated recreational trails identified in the area brochure.

3. through 5. No change.

6. Access is ~~allowed permitted~~ only by individuals possessing a valid recreational user permit, except as provided by Section 379.354, F.S., or by any person using the designated recreational trails identified in the area brochure for horseback riding, bicycling or hiking.

7. No change.

(32) Steinatchee Springs Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25 26~~ through October ~~24 25~~.

2. Muzzleloading gun – October ~~29-31 30~~ through ~~November 1.~~

3. General gun – November ~~13-21 14-22~~ and November ~~22 23~~ through December ~~12 6~~.

4. Small game – January ~~24 23~~ through February ~~20 21~~.

5. ~~Wild hog-dog – February 25-27 and March 4-6.~~

~~6.5. Spring turkey – March 19-22 20-23, 23-27 24-28~~ and March ~~28 29~~ through April ~~10 11~~.

~~7.6. No change.~~

~~8.7. Fishing and frogging – Allowed Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. Only wild hog may be taken the during the wild hog-dog season.

(c) No change.

(d) General regulations:

1. The possession or use of dogs, other than waterfowl retrievers or bird dogs is prohibited, except as provided by paragraph 68A-15.004(7)(c) or (d), F.A.C. and during the wild hog-dog season.

2. No change.

3. The use of airboats, all-terrain vehicles, tracked vehicles, ~~airboats, and unlicensed or unregistered motorcycles, or all-terrain vehicles~~ is prohibited.

4. through 5. No change.

~~6. Hunters shall check all game taken during the muzzleloading gun, general gun, and spring turkey seasons.~~

~~6.7. No change.~~

7. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

8. During the wild hog-dog season, no more than three free-running dogs per quota permit shall be allowed.

9. During the wild hog-dog season a quota permit shall allow a hunting group of two persons and a guest (3 total), as authorized by Rule 68A-15.005, F.A.C., to participate in the hunt, and only one gun may be used to take wildlife per hunting group.

(33) Nassau Wildlife Management Area.

(a) Open season:

1. General gun – November ~~13 14~~ through January ~~9 10~~.

2. Small game – January ~~10 11~~ through March ~~6 7~~.

3. Spring turkey – March ~~19 20~~ through April ~~24 25~~.

4. Archery – September ~~25 26~~ through October ~~24 25~~.

5. Muzzleloading gun – October ~~30 31~~ through November ~~7 8~~.

6. No change.

7. Trapping – January ~~10 11~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. Access to the area is ~~allowed permitted~~ only by individuals possessing a valid recreational use permit and only from the Saturday prior to the archery season through the last day of the spring turkey season.

(34) Cary Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25-27 26-28~~ and October ~~1-3 2-4~~.

2. Muzzleloading gun – October ~~15-17 16-18~~ and October ~~29-31 30~~ through ~~November 1.~~

3. Family hunt – November ~~13-14 14-15~~.

4. General gun – November ~~19-21 20-22~~ and ~~26-28 27-29~~.

5. Small game – December ~~3 4~~ through January ~~9 10~~ (Fridays, Saturdays and Sundays only).

6. Spring turkey – March ~~19-21~~ ~~20-22~~, ~~25-27~~ ~~26-28~~ and April ~~1-3~~ ~~2-4~~.

7. Duck, geese and coot – During the migratory bird seasons established by Rule 68A-13.003, F.A.C.

(b) Legal to take: All legal game except that only wild hog, ~~and~~ antlered deer ~~and~~ waterfowl may be taken during the family hunt, and the muzzleloading gun and general gun seasons. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per quota permit. During the family hunt the bag limit shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons the bag limit shall be one antlered deer per quota permit. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey per quota permit.

(c) No change.

(d) General regulations:

1. No change.

2. Taking wildlife with dogs is prohibited except that bird dogs are allowed during the small game season ~~and~~ waterfowl retrievers during the duck, geese and coot season.

3. through 4. No change.

5. On that portion of the area open for hunting, horses are allowed only on established roads during periods when hunting is ~~allowed~~ permitted.

6. through 7. No change.

8. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons in possession of a camping or special use permit from the Division of Forestry.

(35) Ralph E. Simmons Memorial Wildlife Management Area.

(a) Open season:

1. General gun – November ~~20-28~~ ~~21-29~~.

2. Archery – September ~~25~~ ~~26~~ through October ~~3~~ ~~4~~.

3. Muzzleloading gun – October ~~30~~ ~~31~~ through November ~~7~~ ~~8~~.

4. General gun for mobility-impaired – October ~~16-19~~ ~~17-20~~.

5. Small game – December ~~20~~ ~~21~~ through January ~~2~~ ~~3~~ and February ~~5-13~~ ~~6-14~~.

6. No change.

7. Spring turkey – The first three days of the Zone C ~~Central Zone~~ season, and the Friday, Saturday, and Sunday of the third and fifth weekends of the Zone C ~~Central Zone~~ season.

8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. Vehicular access is ~~allowed~~ permitted on all hunt days plus the weekend and day before all hunts except spring turkey, and small game seasons when it shall be ~~allowed~~ permitted only on hunt days and the day before each hunt. The use of all-terrain vehicles, tracked vehicles, and unlicensed or unregistered motorcycles, ~~or all-terrain vehicles~~ is prohibited.

5. During periods open to hunting, other than small game season, public access is restricted to individuals with valid quota ~~hunt~~ permits: ~~or their guests as identified in Rule 68A-15.005, F.A.C. Two hunter assistants may accompany a mobility impaired quota permit holder provided that the non-permitted individuals shall not occupy a vehicle separate from the permittee nor take wildlife with a gun.~~

6. through 9. No change.

(36) Lower Econfina River Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ ~~26~~ through October ~~10~~ ~~11~~.

2. Muzzleloading gun – October ~~29-31~~ ~~30~~ through ~~November 1~~.

3. Small game – January ~~24~~ ~~25~~ through March ~~6~~ ~~7~~.

4. Spring turkey – March ~~19-27~~ ~~20-28~~.

5. No change.

(b) No change.

(c) General regulations:

1. through 5. No change

6. All-terrain vehicles and unlicensed and unregistered motorcycles ~~Motorcycles and all-terrain vehicles~~ are prohibited.

(37) Belmore Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25-27~~ ~~26-28~~, October ~~1-3~~ ~~2-4~~ and ~~8-10~~ ~~9-11~~.

2. Muzzleloading gun – October ~~29-31~~ ~~30~~ through ~~November 1~~.

3. Family hunt – November ~~13-14~~ ~~14-15~~.

4. General gun – November ~~18-21~~ ~~19-22~~ and ~~24-28~~ ~~25-29~~.

5. Small game – December ~~3~~ ~~4~~ through January ~~9~~ ~~10~~ (Fridays, Saturdays and Sundays only).

6. No change.

7. Spring turkey – March ~~19-21~~ ~~20-22~~, ~~25-27~~ ~~26-28~~ and April ~~1-3~~ ~~2-4~~.

8. No change.

9. Duck, geese and coot – During the migratory bird seasons as established by Rule 68A-13.003, F.A.C.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per ~~quota~~ ~~person~~ per permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per ~~quota~~ permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer ~~per person~~ per ~~quota~~ permit ~~per season~~. Taking antlered deer not having at least one antler

with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for wild turkey shall be one gobbler or bearded turkey ~~per person~~ per quota permit.

(c) No change.

(d) General regulations:

1. No change.

2. Airboats, all-terrain vehicles, tracked ~~Tracked~~ vehicles, ~~airboats, and~~ airboats, and ~~unlicensed and unregistered~~ unlicensed and unregistered motorcycles ~~and all-terrain vehicles~~ are prohibited.

3. Taking wildlife with dogs is prohibited, except with bird dogs during the small game season and waterfowl retrievers during the duck, geese and coot season.

4. through 7. No change.

(38) Four Creeks Wildlife Management Area.

(a) Open season:

1. Archery – September 25-27 ~~26-28~~, October 1-3 ~~2-4~~ and 8-10 ~~9-11~~.

2. Muzzleloading gun – October 29-31 ~~30~~ ~~through November 1.~~

3. Family hunt – November 13-14 ~~14-15~~.

4. General gun – November 18-21 ~~19-22~~ and 24-28 ~~25-29~~.

5. Small game – December 3 ~~4~~ through January 2 ~~10~~ (Fridays, Saturdays and Sundays only).

6. No change.

7. Spring turkey – March 19-21 ~~20-22~~, 25-27 ~~26-28~~ and April 1-3 ~~2-4~~.

8. Duck, geese ~~Waterfowl~~ and coot – During seasons established by Rule 68A-13.003, F.A.C.

9. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer ~~per person~~ per quota permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer ~~per person~~ per quota permit ~~per season~~. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey ~~per person~~ per quota permit.

(c) through (d) No change.

(39) Hatcher Creek Wildlife Management Area

(a) Open season:

1. Archery – September 25-27 ~~26-28~~, October 1-3 ~~2-4~~ and 8-10 ~~9-11~~.

2. Muzzleloading gun – October 29-31 ~~30~~ ~~through November 1.~~

3. Family hunt – November 13-14 ~~14-15~~.

4. General gun – November 19-21 ~~20-22~~ and 26-28 ~~27-29~~.

5. No change.

6. Spring turkey – March 19-21, 25-27 ~~20-22~~, ~~26-28~~ and April 1-3 ~~2-4~~.

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer ~~per person~~ per quota permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer ~~per person~~ per quota permit ~~per season~~. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey ~~per person~~ per quota permit.

(c) No change.

(d) General regulations:

1. No change.

2. Airboats, all-terrain vehicles, tracked ~~Tracked~~ vehicles, ~~airboats, and~~ airboats, and ~~unlicensed and unregistered~~ unlicensed and unregistered motorcycles ~~and all-terrain vehicles~~ are prohibited.

3. through 8. No change.

9. During periods open to hunting, public access is restricted to individuals with valid quota permits and those persons identified in Rule 68A-15.005 ~~68A-15.004~~, F.A.C.

(40) Log Landing Wildlife Management Area.

(a) Open season:

1. Archery – September 25 ~~26~~ through October 10 ~~11~~ and November 13-21 ~~14-22~~.

2. Muzzleloading gun – October 29-31 ~~30~~ ~~through November 1.~~

3. Small game – December 3 ~~4~~ through January 2 ~~10~~ (Fridays, Saturdays and Sundays only).

4. No change

5. Spring turkey – March 19-27 ~~20-28~~.

6. No change.

(b) through (d) No change.

(41) Thomas Creek Wildlife Management Area - Kings Road Unit.

(a) Open season:

1. Archery – September 25-27 ~~26-28~~, October 4-6 ~~5-7~~ and 11-13 ~~12-14~~.

2. Muzzleloading gun – October 29-31 ~~30~~ ~~through November 1.~~

3. Family hunt – November 13-14 ~~14-15~~.

4. General gun – November 19-21 ~~20-22~~ and 24-26 ~~25-27~~.

5. Small game – December 3-8 ~~4-9~~, 13-15 ~~14-16~~, 24-26 ~~25-27~~, December 31 through January 2 ~~January 1-3~~ and January 10-12 ~~11-13~~.

6. No change.

7. Spring turkey – March 19-21, 28-30 ~~20-22~~, ~~29-31~~ and April 4-6 ~~5-7~~.



8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one antlered or one antlerless deer ~~per person~~ per quota permit during the archery season, one antlered deer per person during the family hunt and one antlered deer ~~per person~~ per quota permit ~~per season~~ during the muzzleloading gun and general gun seasons. During the spring turkey season the bag limit for wild turkey shall be one gobbler or bearded turkey ~~per person~~ per quota permit.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. During periods open to hunting, other than the small game season, public access is restricted to individuals with valid quota permits and their hunting guests as identified in Rule 68A-15.005 F.A.C.

7. No change.

**PROPOSED EFFECTIVE DATE: July 1, 2010.**

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, 9-29-03, 7-1-04, 8-1-04, 7-1-05, 8-1-05, 7-1-06, 7-2-06, 7-1-07, 7-5-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:	RULE TITLE:
68A-15.063	Specific Regulations for Wildlife Management Areas – Northwest Region

**PURPOSE AND EFFECT:** The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

**SUMMARY:** The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region as follows:

Apalachicola WMA – expand the migratory bird hunting seasons to match the statewide season; increase the number of days of quail hunting on the quail enhancement area to a maximum of eight days; decrease the bag limit for quail from 12 to six per quota permit; limit camping on Northwest Florida Water Management District lands to no more than 14 consecutive days and to tents, trailers or self-propelled camping vehicles only; and prohibit at campsites kitchen stoves, refrigerators and freezers, unless contained in mobile campers, as well as lumber, sheet metal or other building materials.

Apalachicola WMA, Bradwell Unit – establish a wild hog-dog season with five 3-day hunts (quota of three per hunt, no exemptions) and a wild hog-still season with five 3-day hunts (quota of six per hunt, no exemptions); allow only wild hog to be hunted during the wild hog seasons; allow up to two hunters and one guest, the use of no more than three free-running dogs and only one gun per quota permit during the wild hog-dog hunts; specify that wild hog-dog hunts will begin at 12:01 a.m. on the first day of the hunt and end at 11:59 p.m. (midnight) the last day of the hunt; prohibit hunting from sunrise to sunset during the wild hog-dog season; and allow wild hogs to be hunted during the wild hog-dog season by the aid of a light with a firearm, provided that the firearm is not loaded until immediately prior to shooting a bayed hog (hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited).

Aucilla WMA – remove the quota permit requirement during the muzzleloading gun season; and allow public access from 1.5 hours before sunrise to 1.5 hours after sunset in the still hunt area north of Goose Pasture Road.

Blackwater WMA – expand the waterfowl season to match the statewide season; establish a quail enhancement area north of Bryant Bridge Road, east of Sandy Forest Road, east of County Road 191 between Sandy Forest Road and State Highway 4, south of State Highway 4 and west of Norman Riley Road

(approximately 18,100 acres) and allow up to eight days of quail hunting, with no more than eight quota permits (for quail) per day (no exemptions, up to two hunters per quota permit), in January and February with a bag limit of six quail per quota permit; and allow bird-dog training in the quail enhancement area from November 1 through December 31.

Box-R WMA – establish a wild hog-dog season with five 3-day hunts (quota of ten per hunt, no exemptions); allow only wild hog to be hunted during the wild hog-dog hunts; allow up to two hunters and one guest, the use of no more than three free-running dogs and only one gun per quota permit during the wild hog-dog hunts; specify that wild hog-dog hunts will begin at 12:01 a.m. on the first day of the hunt and end at 11:59 p.m. (midnight) the last day of the hunt; prohibit hunting from sunrise to sunset during the wild hog-dog season; and allow wild hogs to be hunted during the wild hog-dog season by the aid of a light with a firearm, provided that the firearm is not loaded until immediately prior to shooting a bayed hog (hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited).

Choctawhatchee River WMA – limit camping to no more than 14 consecutive days; and prohibit the possession or consumption of intoxicating beverages in the Holmes Creek Unit.

Econfina Creek WMA – expand the migratory bird hunting season to match the statewide season, except in the mobility-impaired, Cat Creek and Fitzhugh Carter areas; remove those portions of the area lying in Jackson County and east of Ten-mile Creek from the dog hunt area and add them to the still hunt area; require a quota permit for the entire general gun season on the dog hunt area; allow raccoon and opossum to be taken with a gun at night with the aid of a light and dogs during the raccoon season; limit camping at designated campsites to no more than 14 consecutive days; and prohibit the use of bicycles on the Fitzhugh Carter area.

Escambia River WMA – limit camping to no more than 14 consecutive days.

Lafayette Creek WMA – expand the migratory bird hunting season to match the statewide season; and allow public access during daylight hours, except during quota hunts.

Perdido River WMA – close Shelby Ditch Road to vehicle access from May through September.

Pine Log WMA – expand the waterfowl season to match the statewide season.

Tate's Hell WMA – establish a fox, raccoon, opossum and bobcat season open from May 1 through September 30 on that portion of the area bounded by Jet Engine Road, Five Points Road, Trout Creek Road, Buck Siding Road, Tucker Road and Gully Branch Road.

Tate's Hell WMA, Womack Creek Unit – expand the waterfowl season to match the statewide season and prohibit hunting wildlife on or from the right-of-way of Jeff Sanders Road from Rock Landing Road south 1/2 mile to SFR 174.

Upper Chipola River WMA – limit camping at designated campsites to no more than 14 consecutive days.

Wakulla WMA – prohibit discharging firearms on or from the right-of-way of Chattin Road within 1/4 mile of its intersection with McBride Slough Road.

Yellow River WMA – limit camping to no more than 14 consecutive days; and allow raccoon and opossum to be taken with a gun at night with the aid of a light and dogs during the general gun and small game seasons, except in the Grassy Point and Burnt Grocery Creek areas.

Additional proposed rule changes would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_ have an impact on small business. A SERC has \_\_\_ or has not \_\_\_X\_\_\_ 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:** Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-15.063 Specific Regulations for Wildlife Management Areas – Northwest Region.

(1) Apalachee Wildlife Management Area.

## (a) Open season:

1. General gun – November ~~25-28~~ ~~26-29~~ and December ~~11~~ ~~12~~ through February ~~13~~ ~~14~~ (Mondays, Wednesdays and Fridays closed to hunting in Zones A and B, except hunting is allowed the Friday after Thanksgiving).

2. Archery – October ~~16~~ ~~17~~ through November ~~14~~ ~~15~~.

3. Fishing and frogging – Throughout the year.

4. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.

5. Special September ~~Early~~ duck – On Tuesdays, Thursdays, Saturdays and Sundays of the September season established by Rule 68A-13.003, F.A.C.

6. through 7. No change.

8. Quail (Zone A) – December ~~21~~ ~~22~~ through January ~~30~~ ~~31~~ (Mondays, Wednesdays and Fridays closed to hunting).

9. Spring turkey (Zones B and C) – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~ (Fridays, Saturdays, and Sundays only).

(b) through (c) No change.

## (d) General regulations:

1. Taking wildlife with dogs is prohibited except that bird dogs and retrievers are allowed ~~permitted~~ during the general gun, muzzleloading gun, Special September ~~early~~ duck, duck, geese and coot, dove, and quail seasons.

~~2. Dove and waterfowl may be hunted in accordance with federal migratory bird regulations on Tuesdays, Thursdays, Saturdays and Sundays.~~

3. through 8. renumbered 2. through 7. No change.

(2) Apalachicola Wildlife Management Area.

## (a) Open seasons:

1. General gun – November ~~25-28~~ ~~26-29~~ and December ~~11~~ ~~12~~ through February ~~2~~ ~~3~~.

2. Small game – November ~~13-24~~ ~~14-25~~, November ~~29~~ ~~30~~ through December ~~10~~ ~~11~~ and February ~~3~~ ~~4~~ through March ~~6~~ ~~7~~.

3. Quail (quail enhancement area) – Up to eight (8) ~~six~~ Saturdays of quail hunting may be allowed in January and February, combined.

4. Spring turkey – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~.

5. Archery – October ~~16~~ ~~17~~ through November ~~14~~ ~~15~~.

6. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.

7. Muzzleloading gun and archery – February ~~17-27~~ ~~18-28~~.

8. Migratory game birds – During seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C. ~~Early duck~~ ~~— In the September season established by Rule 68A-13.003, F.A.C.~~

9. Fox, raccoon, opossum and bobcat – October 1 through March ~~6~~ ~~7~~ in that portion of the area in Liberty County lying west of State Road 65 (except in that portion of the area lying north and east of the Florida River and Larkins Slough) and in that portion in Leon County and Wakulla County south of State Road 267 bounded on the east by Forest Roads 313, F.H. 13 and 356, on the south by Forest Roads 349 and 357, on the west by Forest Roads 348 and F.H. 13, 309, 314, and 344.

10. Trapping – February ~~3~~ ~~4~~ through March 1.

## 11. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November ~~25-28~~ ~~26-29~~ and from December ~~11-22~~ ~~12-23~~. Killing quail is prohibited on the quail enhancement area (that portion of the area lying north of Oak Ridge Road, east of State Road 61 and Highway 319, south of State Road 263; and west of State Road 363) except by quail permit during the quail season. The bag limit for quail on the quail enhancement area is six (6) ~~12~~ per quota permit.

(c) No change.

## (d) General regulations:

1. Camping is allowed ~~permitted~~ only on designated campsites during general gun season, except on Northwest Florida Water Management District lands where camping is allowed ~~permitted~~ throughout the area (except where posted as no camping, but for no more than 14 consecutive days at a time and limited to tents, trailers or self-propelled camping vehicles only. Kitchen stoves, refrigerators and freezers are prohibited on Northwest Florida Water Management District lands, unless contained in mobile campers; lumber, sheet metal or other building materials are prohibited.

2. Bird dogs may be trained from June 1 through March ~~6~~ ~~7~~, except on the quail enhancement area where bird dogs may be trained November 1 through December 31. Deer dogs may be trained from October ~~30~~ ~~31~~ through November ~~18~~ ~~19~~ in that portion of the area open to hunting fox, raccoon, opossum and bobcats.

~~3. Dove hunting is permitted during the first phase of the established dove season.~~

~~3.4.~~ No change.

~~4.5.~~ Taking of wildlife by use of a gun on or from rights-of-way of State Road 267, 67, 375, 65, 299, 368, 369, 260, 373, 263, 379, 12 or that portion of County Road 22 east of the Ochlockonee River is prohibited as provided by Rule 68A-4.008, F.A.C.

~~5.6.~~ No change.

~~6.7.~~ Taking of deer is prohibited on or from the rights-of-way of State Road 375 and 50 yards outward from the rights-of-way.

8. through 9. renumbered 7. through 8. No change.

~~9.10.~~ A quota permit, as established annually by Order of the Executive Director or designee, shall be required for each group entering the quail enhancement area to take quail. Up to two (2) quota permits may be issued per day and up to two (2) hunters will be allowed per permit. The number of Saturdays open for quail hunting will be adjusted each year as necessary so as not to exceed to achieve a harvest of up to 15% of the fall population, based on annual fall an October quail surveys.

~~10.11.~~ No change.

(3) Apalachicola Wildlife Management Area – Bradwell Unit.

(a) Open season:

1. General gun – November ~~25-28~~ ~~26-29~~ and December ~~11-15~~ ~~12-16~~.
2. Archery – October ~~16-22~~ ~~17-23~~ and October ~~23-31~~ ~~24~~ through ~~November 1~~.
3. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.
4. Small game – November ~~13-14~~ ~~14-15~~ and December ~~18~~ ~~19~~ through January ~~2~~ ~~3~~.
5. Spring turkey – March ~~19-20~~ ~~20-21~~ and April ~~1-3~~ ~~2-4~~.
6. Wild hog-dog – July 2-4, August 6-8 and September 3-5, 2010, and May 6-8 and June 3-5, 2011.
7. Wild hog-still – July 16-18, August 20-22 and September 17-19, 2010, and May 20-22 and June 17-19, 2011.
8. ~~6. Special September Early duck~~ – In the September season established by Rule 68A-13.003, F.A.C.

~~9.7.~~ No change.

(b) Legal to take: All legal game, fish, frogs, and furbearers. The bag limit for antlered deer shall be one per quota permit. During spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. During the wild hog seasons, only wild hog may be taken.

(c) No change.

(d) General regulations:

1. No change.
2. Taking wildlife with dogs, other than bird dogs and retrievers, is prohibited. except during the wild hog-dog season. During the wild hog-dog season, no more than 3 free-running dogs per quota permit may be used.
3. During the wild hog-dog season, a quota permit shall allow a hunting group of two persons and a guest, as authorized by Rule 68A-15.005, F.A.C., (3 total) to participate in the hunt and only one gun may be used to take wildlife per hunting group.
4. During the wild hog-dog season, hunts will begin at 12:01 a.m. on the first day of the hunt and end at 11:59 p.m. on the last day of the hunt.

5. During the wild hog-dog season, taking wild hog is prohibited from sunrise to sunset.

6. During the wild hog-dog season, wild hog may be taken by the aid of a light with a firearm provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(4) Blackwater Wildlife Management Area.

(a) Open seasons in the still hunt area (which includes that portion of the area south of Highway 4, except for the field trial area, and that portion of the area north of State Road 4, except for the dog hunt area):

1. General gun – November ~~25-28~~ ~~26-29~~ and December ~~11~~ ~~12~~ through February ~~2~~ ~~3~~.

2. Family still hunt (only in that portion of the still hunt area north of Highway 4 and east of Highway 191) – December ~~4-5~~ ~~5-6~~.

3. Small game – November ~~13-24~~ ~~14-25~~, November ~~29~~ ~~30~~ through December ~~10~~ ~~11~~ and February ~~3~~ ~~4~~ through March ~~6~~ ~~7~~.

4. Spring turkey – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~.

5. Archery – October ~~16~~ ~~17~~ through November ~~14~~ ~~15~~.

6. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.

7. Muzzleloading gun and archery – February ~~17-27~~ ~~18-28~~.

8. Dove – During the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.

9. Duck, geese and coot – During the migratory game bird seasons as established by Rule 68A-13.003, F.A.C.

10. Quail (quail enhancement area) – Up to eight (8) days (Saturdays and Wednesdays only) of quail hunting may be allowed in January and February, combined.

~~11.9.~~ Bird dog training – Throughout the year, except during spring turkey season and in the quail enhancement area. In the quail enhancement area, bird dogs may be trained only from November 1 through December 31 October 1-15 and November 14-30.

~~12.10.~~ No change.

(b) No change.

1. General gun dog – November ~~25-28~~ ~~26-29~~, December ~~11-26~~ ~~12-27~~, and January ~~10~~ ~~11~~ through February ~~2~~ ~~3~~.

2. General gun still – December ~~27~~ ~~28~~ through January ~~9~~ ~~10~~.

3. Family still hunt (only in that portion of the dog hunt area north of Highway 4 and east of Highway 191) – December ~~4-5~~ ~~5-6~~.

4. Small game – November ~~13-24~~ ~~14-25~~, November ~~29~~ ~~30~~ through December ~~10~~ ~~11~~ and February ~~3~~ ~~4~~ through March ~~6~~ ~~7~~.

5. Spring turkey – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~.

6. Archery – October ~~16~~ ~~17~~ through November ~~14~~ ~~15~~.

7. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.

8. Muzzleloading gun and archery – February ~~17-27~~ ~~18-28~~.

9. Fox, raccoon, opossum and bobcat – May 1 through March ~~13~~ ~~14~~, in that portion of the dog hunt area east of Belandville Road.

10. No change.

11. Duck, geese and coot – During the migratory game bird seasons as established by Rule 68A-13.003, F.A.C.

~~12.11.~~ Bird dog training – Throughout the year, except during spring turkey season October 1-15 and November 14-30.

~~13.12.~~ No change.

(c) Open seasons in the field trial area (which includes that portion of the area bounded by Coldwater Creek on the northwest, the western boundary of Blackwater State Forest to the west and south, State Road 191 on the southeast, and on a

line running west 3/4 mile from the intersection of State Road 191 and Forest Road 64 (Spanish Trail), then north one mile and then three miles west to Coldwater Creek at a point 1/2 mile northeast of the Coldwater Recreation Area):

1. Archery – October ~~16-17~~ through November ~~14-15~~.
2. Muzzleloading gun and archery – January ~~21-23~~ ~~15-17~~.

3. Dove (~~on fields posted as open to dove hunting~~) – During the first phase of the dove season (Monday through Saturday only), the second phase of the dove season (Monday through Wednesday only); and the third phase of the dove season ~~until January 1~~ (Monday through Wednesday only) ~~until January 1 on fields posted as open to dove hunting~~.

4. Duck, geese and coot – During the migratory game bird seasons as established by Rule 68A-13.003, F.A.C.

~~5.4.~~ Bird dog training – October 1-15 and November 14-30.

~~6.5.~~ Quail – February ~~7-10~~ ~~1-4~~ and February ~~21-24~~ ~~15-18~~.

~~7.6.~~ Fishing and frogging – Throughout the year except on the fish hatchery.

(d) Legal to take: All legal game, fish, frogs and furbearers. During the muzzleloading gun and archery season on the field trial portion of the area any deer (daily bag limit one) except spotted fawns may be taken. During the family still hunt, any deer (bag limit of three per quota permit) may be taken except spotted fawns. Taking quail is prohibited on the field trial area and the quail enhancement area (that portion of the area lying north of Bryant Bridge Road, east of Sandy Forest Road, east of County Road 191 between Sandy Forest Road and State Highway 4, south of State Highway 4 and west of Norman Riley Road) except by quail permit during the quail seasons ~~season~~. The bag limit for quail on the field trial area is 12 per hunting group each day. A group for the purpose of quail hunting on the field trial area shall include up to 2 persons. Taking quail after 3 p.m. Central Time is prohibited during the quail season on the field trial area. The bag limit for quail on the quail enhancement area is six (6) per quota permit.

(e) No change.

(f) General regulations:

1. During fox, raccoon, opossum and bobcat season, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed permitted.

2. through 5. No change.

6. The use of airboats, tracked vehicles, or all-terrain vehicles on the area is prohibited, except by permit from the Division of Forestry use permit.

7. Vehicles are prohibited on the Florida Gas Transmission Line and from March 1 through September 30 in all areas posted as the Environmental Enhancement Area (all of Sections 32 and 33 and portions of Sections 27, 28 and 34, Township 4 North, Range 26 West and all of Section 9 and portions of Sections 5, 8, 14, 15, 16 and 17, Township 3 North, Range 26 West) ~~all as posted as Environmental Enhancement Area~~.

8. through 9. No change.

10. A quota permit, as established annually by Order of the Executive Director or designee, shall be required for each group entering the quail enhancement area to hunt quail. Up to eight (8) quota permits may be issued per day and up to two (2) hunters will be allowed per permit. The number of days open for quail hunting will be adjusted each year as necessary so as not to exceed a harvest of 15% of the fall population, based on annual fall quail surveys.

(5) Blackwater Wildlife Management Area – Hutton Unit.

(a) Open season:

1. Archery – October ~~16-19~~ ~~17-20~~ and ~~20-24~~ ~~21-25~~.

2. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.

3. Quail – November ~~13-14~~ ~~14-15~~, ~~24-25~~ ~~25-26~~, December ~~4-5~~ ~~5-6~~, ~~13-14~~ ~~14-15~~, ~~18-19~~ ~~19-20~~, ~~27-28~~ ~~28-29~~ and January ~~1-2~~ ~~2-3~~.

4. General gun – January ~~15-18~~ ~~16-19~~ and ~~19-23~~ ~~20-24~~.

5. Mobility-impaired general gun – January ~~28-30~~ ~~29-31~~ and February ~~4-6~~ ~~5-7~~.

6. Spring turkey – March ~~19-21~~ ~~20-22~~, April ~~1-3~~ ~~2-4~~ and April ~~15-17~~ ~~16-18~~.

7. ~~Wild hog-dog Hog management hunts~~ – July ~~16-18~~ ~~17-19~~, August ~~20-22~~ ~~21-23~~ and September ~~17-19~~, 2010 ~~18-20~~, 2009, and May ~~20-22~~ ~~21-23~~ and June ~~17-19~~, 2011 ~~18-20~~, 2010.

8. through 9. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers except that only quail may be taken during the quail season. Taking quail is prohibited except during the quail season. Taking ~~of~~ antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. The bag limit for antlered deer shall be one per quota ~~hunt~~ permit, except during the mobility-impaired hunts. Two deer (except spotted fawns) may be taken per mobility-impaired quota ~~hunt~~ permit. During the general gun for mobility-impaired season, only mobility-impaired hunters may take antlerless deer. During spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota ~~hunt~~ permit. During the wild hog-dog season ~~hog management hunts~~, only wild hog may be taken.

(c) Camping: Allowed Permitted at designated sites only.

(d) General regulations:

1. During hunting seasons, vehicular access is allowed permitted only by individuals possessing quota ~~hunt~~ permits. Vehicles may be operated only on named or numbered roads, except during the mobility-impaired hunts, and shall enter and exit only at the designated entrance as indicated on the hunt map.

2. No change.

3. Taking wildlife with dogs other than bird dogs or retrievers is prohibited, except during the wild hog-dog season hog management hunts or as specifically authorized by permit. During the wild hog-dog season hog management hunts, no more than 3 free-running dogs per quota permit may be used.

4. through 8. No change.

9. During the wild hog-dog season hog management hunts, a quota permit shall allow a hunting group of two persons and a guest, as authorized by Rule 68A-15.005, F.A.C., (3 total) to participate in the hunt be required for each group of two hunters and only one gun may be used to take wildlife per hunting group possessed per quota permit.

10. During the wild hog-dog season hog management hunts, wild hog may be taken during the day or at night by the aid of a light with a firearm provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(6) Blackwater Wildlife Management Area – Carr Unit.

(a) Open season: Special-opportunity released quail – Quail: November 13-19 14-20, 20-26 21-27, November 27 28 through December 3 4, December 4-10 5-11, 11-17 12-18, 18-24 19-25, December 25-31 26 through January 1, January 1-7 2-8, 8-14 9-15, 15-21 16-22, 22-28 23-29, January 29 30 through February 4 5, February 5-11 6-12, 12-18 13-19, 19-25 20-26 and February 26 27 through March 4 5.

(b) through (c) No change.

(d) General regulations:

1. A special-opportunity released quail hunt permit (no exemptions) as provided in Rule 68A-9.007, F.A.C., shall be required for each group entering the area to release or take quail.

2. through 8. No change.

(7) Joe Budd Wildlife Management Area.

(a) Open season:

1. Archery – December 10 11 through January 9 10 (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – January 14-30 15-31 (Fridays, Saturdays and Sundays only).

3. Small game – October 2 3 through December 5 6 (Saturdays and Sundays only).

4. Spring turkey – March 19 20 through April 24 25 (Saturdays and Sundays only).

5. Fishing and other recreational use – Allowed Permitted when hunting is not allowed.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Taking wildlife with dogs is prohibited except that bird dogs and retrievers are allowed permitted during small game hunts.

3. through 7. No change.

8. During the archery and archery/muzzleloading gun seasons, entry ~~Entry~~ into the area is prohibited from one-half hour before sunrise until one hour after sunrise and from one hour before sunset to one-half hour after sunset ~~during the archery, and archery/muzzleloading gun seasons~~. During spring turkey season, entry is prohibited from one-half hour before sunrise until one hour after sunrise.

9. through 11. No change.

(8) Point Washington Wildlife Management Area.

(a) Open season:

1. General gun – November 25-28 26-29 and December 11 12 through February 2 3.

2. Small game – November 13-24 14-25, November 29 30 through December 10 11 and February 3 4 through March 6 7.

3. Spring turkey – March 19 20 through April 24 25.

4. Archery – October 16 17 through November 14 15.

5. Muzzleloading gun – November 19-21 20-22.

6. Archery and muzzleloading gun – February 17-27 18-28.

7. Migratory game birds – During September duck, dove and rail and common moorhen seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

7. through 8. renumbered 8. through 9. No change.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. ~~The T~~taking of wild hog by the use of dogs is prohibited.

3. through 4. No change.

5. ~~Migratory game birds may be hunted during the early duck, dove and rail seasons.~~

6. through 9. renumbered 5. through 8. No change.

(9) Talquin Wildlife Management Area.

(a) Open season:

1. General gun – November 26-28 27-29 and December 11 12 through January 2 3 (Fridays, Saturdays and Sundays only).

2. Small game – January 7 8 through March 6 7 (Fridays, Saturdays and Sundays only).

3. Archery – October 16 17 through November 14 15 (Fridays, Saturdays and Sundays only).

4. Spring turkey – March 19 20 through April 24 25 (Saturdays and Sundays only).

5. Special September ~~Early~~ duck – In the September season established by Rule 68A-13.003, F.A.C.

6. No change.

(b) through (d) No change.

(10) Ochlockonee River Wildlife Management Area.

(a) Open season:

1. Archery and muzzleloading gun – November ~~26-28~~ ~~27-29~~ and December ~~11-12~~ through January ~~2-3~~ (Fridays, Saturdays and Sundays only).

2. Small game – January ~~7-8~~ through March ~~6-7~~ (Fridays, Saturdays and Sundays only).

3. Archery – October ~~16-17~~ through November ~~14-15~~ (Fridays, Saturdays and Sundays only).

4. Spring turkey – March ~~19-20~~ through April ~~24-25~~ (Saturdays and Sundays only).

5. No change.

(b) through (d) No change.

(11) Tate's Hell Wildlife Management Area.

(a) Open season:

1. General gun – November ~~25-28~~ ~~26-29~~ and December ~~11-12~~ through February ~~2-3~~.

2. Small game – November ~~13-24~~ ~~14-25~~, November ~~29-30~~ through December ~~10-11~~ and February ~~3-4~~ through March ~~6-7~~.

3. Archery – October ~~16-17~~ through November ~~14-15~~.

4. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.

5. Muzzleloading gun and archery – February ~~17-27~~ ~~18-28~~.

6. ~~Early duck – In September season as established by Rule 68A-13.003, F.A.C.~~

7. through 8. renumbered 6. through 7. No change.

~~8.9.~~ Spring turkey – March ~~19-20~~ through April ~~24-25~~.

~~9.10.~~ No change.

10. Fox, raccoon, opossum and bobcat – May 1 through September 30 in that portion of the area bounded by Jet Engine Road, Five Points Road, Trout Creek Road, Buck Siding Road, Tucker Road and Gully Branch Road.

11. No change.

(b) through (c) No change.

(d) General regulations:

1. Deer dogs may be trained from October ~~30-31~~ through November ~~18-19~~.

2. During the general gun and small game seasons, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed permitted.

3. No change.

4. Hunting with dogs other than bird dogs and retrievers is prohibited in ~~the~~ the still hunt area, which includes that portion of the area east of Whiskey George Creek and south of Dry Bridge Road, east of Car Body Road, south of River Road, east of Burnt Bridge Road from its intersection with River Road to the New River, south of New River and west of Carrabelle River, and those lands lying south and east of the Crooked River, ~~hunting with dogs other than bird dogs and retrievers is prohibited.~~

5. through 7. No change.

(12) Tate's Hell Wildlife Management Area – Womack Creek Unit.

(a) Open season:

1. Archery – October ~~16-24~~ ~~17-25~~.

2. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.

3. Small game – November ~~13-24~~ ~~14-25~~, November ~~29-30~~ through December ~~10-11~~, December ~~20-23~~ ~~21-23~~ and January 6 through February ~~2-3~~.

4. General gun still – November ~~25-28~~ ~~26-29~~ and December ~~11-19~~ ~~12-20~~.

5. No change.

6. Duck, geese and coot – During the migratory game bird seasons ~~Early duck – In September~~ as established by Rule 68A-13.003, F.A.C.

7. Spring turkey – March ~~19-22~~ ~~20-23~~, March 31 through April ~~3-4~~ and April 7-10 ~~8-11~~.

8. through 9. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change

4. Taking ~~of~~ wildlife by use of a gun on or from the rights-of-way of State Road 67 and Jeff Sanders Road from Rock Landing Road south 1/2 mile to SFR 174 is prohibited as provided by Rule 68A-4.008, F.A.C.

5. No change.

(13) Aucilla Wildlife Management Area.

(a) Open season:

1. General gun – November ~~13-14~~ through January ~~9-10~~.

2. Small game – January ~~10-11~~ through March ~~6-7~~.

3. Spring turkey – March ~~19-20~~ through April ~~24-25~~.

4. Archery – September ~~25-26~~ through October ~~24-25~~.

5. Muzzleloading gun – October ~~29-31~~ ~~30~~ through ~~November 1~~.

6. Special September ~~Early~~ duck – In the September season established by Rule 68A-13.003, F.A.C.

7. through 8. No change.

9. Trapping – January ~~10-11~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. During the general gun and small game seasons, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed permitted.

5. Taking ~~of~~ wildlife by use of a gun on or from the rights-of-way of U.S. 98 is prohibited as provided by Rule 68A-4.008, F.A.C.

6. through 7. No change.

8. Taking wildlife with dogs is prohibited during the archery season, except that waterfowl retrievers may be used during the Special September ~~early~~ duck season.

9. No change.

10. Public access is prohibited in that portion of the still hunt area north of Goose Pasture Road and east of Oneal Tram from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(14) Flint Rock Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October ~~30~~ ~~31~~ through November ~~7~~ ~~8~~.

2. General gun – November ~~13~~ ~~14~~ through January ~~23~~ ~~24~~.

3. Small game – January ~~24~~ ~~25~~ through March ~~6~~ ~~7~~.

4. Spring turkey – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~.

5. Archery – September ~~25~~ ~~26~~ through October ~~24~~ ~~25~~.

6. Special September ~~Early~~ duck – In the September season established by Rule 68A-13.003, F.A.C.

7. No change.

8. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ during periods the area is open for access.

9. Trapping – January ~~24~~ ~~25~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Access is ~~allowed~~ ~~permitted~~ only by individuals possessing a valid recreational user permit except as provided by Section 379.354, F.S., and only during periods open to hunting and 7 days before each open hunting season.

3. No change.

4. Taking ~~of~~ wildlife by use of a gun on or from the right-of-way of State Road 59 is prohibited as provided by subsection 68A-4.008(4), F.A.C.

5. No change.

6. The use of all-terrain vehicles (~~ATVs~~) is prohibited.

(15) Pine Log Wildlife Management Area.

(a) Open season:

1. Archery – October ~~16-31~~ ~~17~~ through November ~~1~~.

2. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.

3. General gun – November ~~25-28~~ ~~26-29~~, January ~~22-25~~ ~~23-26~~ and ~~26-30~~ ~~27-31~~.

4. Small game – December ~~4-31~~ ~~5-31~~.

5. Spring turkey – March ~~19~~ ~~20~~ through April ~~3~~ ~~4~~.

6. No change.

7. Duck, geese and coot – During the migratory game bird seasons as established by Rule 68A-13.003, F.A.C.

(b) Legal to take: All legal game, fish, frogs, and furbearers. Taking ~~of~~ antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. The take of wild hog is prohibited during small game season.

(c) Camping: ~~Allowed~~ ~~Permitted~~ at designated sites only.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads and shall enter and exit at designated entrances ~~only~~.

2. through 7. No change.

(16) Eglin AFB Wildlife Management Area.

(a) Open season:

1. Archery – October ~~16~~ ~~17~~ through November ~~14~~ ~~15~~ in areas and during days specified by the Installation Commander.

2. Muzzleloading gun – November ~~19-21~~ ~~20-22~~ in areas specified by the Installation Commander.

3. General gun – November ~~25-28~~ ~~26-29~~ and December ~~11~~ ~~12~~ through February ~~16~~ ~~17~~ in areas and during days specified by the Installation Commander.

4. Archery and muzzleloading gun – February ~~17-27~~ ~~18-28~~ in areas and during days specified by the Installation Commander.

5. Small game – November ~~13~~ ~~14~~ through March ~~6~~ ~~7~~ in areas and during days specified by the Installation Commander.

6. No change.

7. Spring turkey – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~ in areas and during days specified by the Installation Commander.

8. through 10. No change.

(b) Legal to take: All legal game, fish (except as provided below), frogs and furbearers. The taking of any deer not having at least one antler with three or more points (each point one inch in length or more) is prohibited in areas specified by the Installation Commander. Antlerless deer may be taken during established seasons only by permit from the Installation Commander. The take of wild hog is prohibited during small game season.

1. through 2. No change.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. Taking ~~of~~ wildlife by use of a gun on or from the rights-of-way of any paved Eglin road, Range Roads 200, 213, 234, and the portion of Range Road 211 from Highway 85 west to Range Road 610, and all other roads posted as such, is prohibited as provided by Rule 68A-4.008, F.A.C.

4. through 10. No change.

(17) Escambia River Wildlife Management Area.

(a) Open season:

1. General gun – November ~~25-28~~ ~~26-29~~ and December ~~11~~ ~~12~~ through February ~~2~~ ~~3~~.

2. Archery – October ~~16~~ ~~17~~ through November ~~14~~ ~~15~~.

3. Muzzleloading gun – November ~~19-21~~ ~~20-22~~.

4. Archery and muzzleloading gun – February ~~17-27~~ ~~18-28~~.

5. Small game – November ~~13-24~~ ~~14-25~~, November ~~29~~ ~~30~~ through December ~~10~~ ~~11~~ and February ~~3~~ ~~4~~ through March ~~6~~ ~~7~~.



6. Spring turkey – March ~~19 20~~ through April ~~24 25~~.
7. Fox, raccoon, opossum, and bobcat – November 1 through July 31 except during spring turkey season.
8. Migratory game birds – ~~Migratory game birds~~ During seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.
9. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.
- (b) No change.
- (c) Camping: Allowed throughout the area (except where posted as no camping), but for no more than 14 consecutive days at a time and limited to tents, trailers, or self-propelled camping vehicles only. Kitchen stoves, refrigerators, and freezers are prohibited, unless contained in mobile campers. Lumber, sheet metal or other building materials are prohibited.
- (d) General regulations:
1. through 3. No change.
  4. Taking ~~of~~ wildlife by use of a gun on or from rights-of-way of Keyser Landing Road, Webb Landing Road, State Road 184 and all other paved roads located within the area is prohibited as provided by Rule 68A-4.008, F.A.C. Taking ~~of~~ fish on or from rights-of-way of Keyser Landing Road and Webb Landing Road is prohibited.
  5. No change.
- (18) Tyndall AFB Wildlife Management Area.
- (a) Open season:
1. Archery – October ~~16 17~~ through November ~~14 15~~ during days specified by the Installation Commander.
  2. Muzzleloading gun – November ~~19-21 20-22~~.
  3. General gun – November ~~25-28 26-29~~ and December ~~11 12~~ through February ~~16 17~~ during days specified by the Installation Commander.
  4. Supervised youth – November ~~20-21 21-22~~, December ~~4-5 5-6~~ and ~~18-19 19-20~~ (only in areas designated by the Installation Commander).
  5. Spring turkey – March ~~19 20~~ through April ~~24 25~~ during days specified by the Installation Commander.
  6. Small game – November ~~13 14~~ through March ~~6 7~~ during days specified by the Installation Commander.
  7. through 8. No change.
- (b) Legal to take: All legal game, fish, frogs and furbearers. The taking of any deer not having at least one antler with three or more points (each point one-inch in length or more) is prohibited in areas specified by the Installation Commander. Antler restrictions shall not apply during the supervised youth hunt. Antlerless deer may be taken during established seasons only by permit from the Installation Commander.
- (c) through (d) No change.
- (19) Choctawhatchee River Wildlife Management Area.
- (a) Open season:
1. Archery – October ~~16 17~~ through November ~~14 15~~.
  2. Muzzleloading gun – November ~~19-21 20-22~~.
  3. General gun – November ~~25-28 26-29~~ and December ~~11 12~~ through January 1.
  2. Muzzleloading gun – November ~~19-21 20-22~~.
  3. General gun – November ~~25-28 26-29~~ and December ~~11 12~~ through February ~~2 3~~ except Holmes Creek Unit and East River Island.
  4. Small game – November ~~13-24 14-25~~, November ~~29 30~~ through December ~~10 11~~ and February ~~3 4~~ through March ~~6 7~~.
  5. Archery and muzzleloading gun – February ~~17-27 18-28~~. Holmes Creek Unit and East River Island November ~~25-28 26-29~~, December ~~11 12~~ through February ~~2 3~~ and February ~~17-27 18-28~~.
  6. Spring turkey – March ~~19 20~~ through April ~~24 25~~ only in that portion of the area south of the pipeline right-of-way located up river (north) of Cedar Log Landing (Walton County) and Billy Lee Landing (Washington County). March ~~19-21 20-22~~ and April ~~1-3 2-4~~ in that portion of the area north of the pipeline right-of-way.
  7. Migratory game birds – ~~Migratory game birds~~ During seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.
  8. No change.
  9. Trapping – December 1 through March 1 in still hunt areas and February ~~3 4~~ through March 1 in dog hunt areas.
- (b) No change.
- (c) Camping: Allowed ~~Permitted~~ throughout the area (except where posted as no camping), but for no more than 14 consecutive days at a time and limited to tents, trailers, or self-propelled camping vehicles only. Kitchen stoves, refrigerators, and freezers are prohibited, unless contained in mobile campers. Lumber, sheet metal or other building materials are prohibited.
- (d) General regulations:
1. No change.
  2. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited in still hunt areas. Designated still hunt areas are north of U.S. Highway 90, Holmes Creek Unit (those lands in Washington County lying east of County Road C-R-284); and East River Island (those lands in Township 1 North, Ranges 17 and 18 West, which are bounded on the south and east by East River and on the west and north by Choctawhatchee River); also those lands south of U.S. Highway 90 lying north of the pipeline right-of-way and east of the Choctawhatchee River.
  3. through 4. No change.
  5. The possession or consumption of intoxicating beverages is prohibited in the Holmes Creek Unit.
- (20) Upper Chipola River Wildlife Management Area.
- (a) Open season:
1. Archery – October ~~16 17~~ through November ~~14 15~~.
  2. Muzzleloading gun – November ~~19-21 20-22~~.
  3. General gun – November ~~25-28 26-29~~ and December ~~11 12~~ through January 1.

4. Small game – November ~~13-24~~ ~~14-25~~, November 29 ~~30~~ through December 10 ~~11~~ and January 2 through March 6 ~~7~~.

5. Archery and muzzleloading gun – February 19-20 ~~20-21~~ and 26-27 ~~27-28~~.

6. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~.

7. Migratory game birds – ~~Migratory game birds~~ ~~During~~ seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

8. through 9. No change.

(b) No change.

(c) Camping: Prohibited, except at designated campsites (for no more than 14 consecutive days at a time) or by permit from Northwest Florida Water Management District.

(d) No change.

(21) Yellow River Wildlife Management Area.

(a) Open seasons except in the Grassy Point and Burnt Grocery Creek areas:

1. Archery – October 16 ~~17~~ through November 14 ~~15~~.

2. Muzzleloading gun – November 19-21 ~~20-22~~.

3. General gun – November 25-28 ~~26-29~~ and December 11 ~~12~~ through February 2 ~~3~~.

4. Small game – November ~~13-24~~ ~~14-25~~, November 29 ~~30~~ through December 10 ~~11~~ and February 3 ~~4~~ through March 6 ~~7~~.

5. Archery and muzzleloading gun – February 17-27 ~~18-28~~.

6. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~.

7. Migratory game birds – ~~Migratory game birds~~ ~~During~~ seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

8. through 9. No change.

(b) Open seasons in the Grassy Point area (the area south of Weaver River):

1. General gun – November 25-28 ~~26-29~~, January 22-25 ~~23-26~~ and 26-30 ~~January 27-31~~.

2. Archery – October 16-22 ~~17-23~~ and 23-31 ~~October 24 through November 1~~.

3. Muzzleloading gun – November 19-21 ~~20-22~~.

4. Spring turkey – March 19-21 ~~20-22~~, April 1-3 ~~2-4~~, 8-10 ~~9-11~~ and 22-24 ~~23-25~~.

5. Small game – November 13-21 ~~14-22~~.

6. No change.

(c) Open seasons in the Burnt Grocery Creek area (the area west of Burnt Grocery Creek and north of Bernice Road and Old Fisher Mill Road):

1. Archery – October 16 ~~17~~ through November 14 ~~15~~, November 25-28 ~~26-29~~, and December 11 ~~12~~ through February 2 ~~3~~.

2. Muzzleloading gun – November 19-21 ~~20-22~~.

3. Small game – November 13-21 ~~14-22~~.

4. Archery and muzzleloading gun – February 17-27 ~~18-28~~.

5. Spring turkey – March 19-21 ~~20-22~~, April 1-3 ~~2-4~~, 8-10 ~~9-11~~ and 22-24 ~~23-25~~.

6. through 7. No change.

(d) No change.

(e) Camping: Prohibited south of Weaver ~~River Road~~, except at designated campsites (for no more than 14 consecutive days at a time) or by permit from the Northwest Florida Water Management District. Allowed ~~Permitted~~ throughout the area north of Weaver ~~River Road~~ (except where posted as no camping), but for no more than 14 consecutive days at a time and limited to tents, trailers; or self-propelled camping vehicles only. Kitchen stoves, refrigerators, and freezers are prohibited, unless contained in mobile campers. Lumber, sheet metal or other building materials are prohibited.

(f) General regulations:

1. through 4. No change.

5. During the general gun and small game seasons, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed, except in the Grassy Point and Burnt Grocery Creek areas.

(22) Econfina Creek Wildlife Management Area.

(a) Open season except in the mobility-impaired, Cat Creek; and Fitzhugh Carter areas.

1. Archery – October 16 ~~17~~ through November 14 ~~15~~.

2. Muzzleloading gun – November 19-21 ~~20-22~~.

3. General gun – November 25-28 ~~26-29~~ and December 11 ~~12~~ through February 2 ~~3~~.

4. Small game – November ~~13-24~~ ~~14-25~~, November 29 ~~30~~ through December 10 ~~11~~ and February 3 ~~4~~ through March 6 ~~7~~.

5. Archery and muzzleloading gun – February 17-27 ~~18-28~~.

6. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~.

7. Raccoon – November 13 ~~14~~ through March 18 ~~19~~ and April 25 ~~26~~ through July 31.

8. ~~Migratory game birds – During seasons~~ ~~Duck, geese and eot – During duck and eot season~~ as established by Rule 68A-13.003, F.A.C.

9. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

(b) Open seasons in the mobility-impaired hunt area (area south of County Road 388):

1. General gun – November 26-28 ~~27-29~~, January 14-16 ~~15-17~~, 21-23 ~~22-24~~, 28-30 ~~January 29-31~~ and February 2-4 ~~3-5~~.

2. Spring turkey – March 19-20 ~~20-21~~, 25-27 ~~26-28~~, April 1-3 ~~2-4~~, 8-10 ~~9-11~~, 15-17 ~~16-18~~ and 22-24 ~~23-25~~.

3. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

(c) Open seasons in the Cat Creek (area south of State Road 20 and north of County Road 388) and Fitzhugh Carter (area west of State Road 77) areas:

1. Archery – October ~~16-22 17-23~~ and ~~23-31~~ ~~October 24 through November 1.~~

2. Muzzleloading gun – November ~~19-21 20-22.~~

3. General gun – November ~~25-28 26-29~~, January ~~22-25 23-26~~ and ~~26-30~~ ~~January 27-31.~~

4. Small game – December ~~4-19 5-20.~~

5. Spring turkey – March ~~19-21 20-22~~, April ~~1-3 2-4~~ and ~~15-17 16-18.~~

6. through 7. No change.

(d) No change.

(e) Camping: Allowed only at designated sites and for no more than 14 consecutive days at a time or by permit from Northwest Florida Water Management District.

(f) General regulations:

1. During periods open to hunting, vehicles may be operated only on named or numbered roads except in the mobility-impaired hunt area. During periods open to hunting in the mobility-impaired hunt area, vehicles may be operated only by persons possessing a mobility-impaired quota permit or their ~~guests~~ ~~guest~~. During periods closed to hunting, vehicular access is prohibited on Dog ~~R~~oads 1-8, 10, 13-17, 19, 20-28 and 33-37, Enfinger Road and on numbered roads in the mobility-impaired area.

2. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited in Jackson County and areas west of State Road 77, south of State Road 20, east of Econfina Creek, east of Ten-mile Creek, west of Econfina Road and south of Greenhead Road, and north of Duma Jack Road except that dogs may be used to take raccoons (except in the mobility-impaired hunt area).

3. through 5. No change.

6. Taking ~~of~~ wildlife by use of a gun on or from rights-of-way of Thomas Road, Rattlesnake Road, Strickland Road, Porter Pond Road, Duma Jack/Deadening Road, Greenhead Road, Hampshire Boulevard, Cat Creek Road, Enfinger Road, ~~State Road 20 S.R. 20~~, or ~~County Road C.R. 388~~ is prohibited.

7. During the raccoon season, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed.

~~8.7.~~ Horses are allowed on designated horse trails only. Horses and the use of bicycles are prohibited on the Fitzhugh Carter Area.

8. through 9. renumbered 9. through 10. No change.

~~11.40.~~ General regulations for taking fish on all Fitzhugh Carter Area lakes and water bodies:

a. No change.

b. Days and hours of operation and angler quotas shall be as designated by the Commission and posted at the area headquarters. Angler quotas shall be determined by the following: a maximum of one angler per ten acres of open water with a minimum of two anglers per water body. Fishing is allowed ~~permitted~~ in designated lakes and water bodies only.

All other lakes, water bodies and restricted areas are closed to public fishing. Any lake or water body may be temporarily closed to public access for management purposes or in the event that access to the lake or water body exposes the public to danger by posting notice at the headquarters.

c. No change.

d. Fish may not be filleted, nor ~~the their~~ head or tail fin removed, until the angler has checked out at the check station.

e. No change.

(23) Box-R Wildlife Management Area.

(a) Open season:

1. Archery – October ~~16-22 17-23~~ and ~~23-31~~ ~~October 24 through November 1.~~

2. Small game – November ~~13-18 14-19.~~

3. Muzzleloading gun – November ~~19-21 20-22.~~

4. General gun – November ~~25-28 26-29~~, January ~~6-9 7-10~~, ~~13-16 14-17~~ and ~~20-23 21-24.~~

5. ~~Wild hog-still Hog~~ – December ~~4-10 5-11.~~

~~6. Wild hog-dog – July 9-11, August 13-15 and September 10-12, 2010, and May 13-15 and June 10-12, 2011.~~

~~7.6.~~ Spring turkey – March ~~19-22 20-23~~, ~~March 31 through~~ April ~~3 4-4~~ and ~~April 14-17 15-18.~~

~~8.7.~~ Dove – Opening day during the first phase and during the remainder of the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C., that coincides with the archery, small game, muzzleloading gun, general gun, wild hog-still ~~general gun hog~~ and spring turkey seasons.

~~9.8.~~ Fishing and frogging – Allowed throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one antlered deer per quota permit. Antlerless deer may be taken by antlerless deer permit only. Taking ~~of~~ antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. During the wild hog-dog season, only wild hog may be taken. The take of wild hog is prohibited during small game season.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. During periods when the area is closed to hunting, public access other than on foot (pedestrian), horseback (equestrian); or by bicycle is prohibited except that motorized vehicles may be used on Pine Log Road and one day immediately prior to each hunt.

4. The possession or use of airboats, all-terrain vehicles, unlicensed and unregistered motorcycles or tracked vehicles is prohibited.

5. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited, except during the wild hog-dog season. During the wild hog-dog season, no more than 3 free-running dogs per quota permit may be used.

6. through 7. No change.

~~8. Thirty (30) daily hunt permits shall be available for each hog hunt at the check station on a first come, first served basis.~~

~~8.9. No change.~~

9. During the wild hog-dog season, a quota permit shall allow a hunting group of two persons and a guest, as authorized by Rule 68A-15.005, F.A.C., (3 total) to participate in the hunt and only one gun may be used to take wildlife per hunting group.

10. During the wild hog-dog season, hunts will begin at 12:01 a.m. on the first day of the hunt and end at 11:59 p.m. on the last day of the hunt.

~~10. A quota hunt permit shall be required for every hunter entering the area, except during small game season.~~

11. During the wild hog-dog season, taking wild hog is prohibited from sunrise to sunset.

12. During the wild hog-dog season, wild hog may be taken by the aid of a light with a firearm provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(24) Lafayette Creek Wildlife Management Area.

(a) Open season:

1. Archery – October ~~16-22~~ 16-22 ~~47-23~~ and ~~23-31~~ October 24 ~~through November 1.~~

2. Muzzleloading gun – November ~~19-21~~ 19-21 ~~20-22.~~

3. Family hunt – November ~~25-28~~ 25-28 ~~26-29.~~

4. General gun – January ~~22-25~~ 22-25 ~~23-26~~ and January ~~26-30~~ 26-30 ~~27-31.~~

5. Small game – December ~~3~~ 4 through January ~~16~~ 17 (Fridays, Saturdays and Sundays only).

6. Spring turkey – March ~~19~~ 19 ~~20~~ through April ~~24~~ 24 ~~25~~ (Saturdays and Sundays only).

7. Migratory game birds – During seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

~~8.7. Fishing and other recreational uses – During daylight hours only when hunting is not allowed.~~

~~9.8. No change.~~

(b) through (c) No change.

(d) General regulations:

1. No change.

2. During the archery, muzzleloading gun, family hunt, general gun and spring turkey seasons, access to the area shall be restricted to individuals authorized to participate in the quota hunt.

~~3.2. All-terrain vehicles ATVs are prohibited.~~

3. through 5. renumbered 4. through 6. No change.

(25) Wakulla Wildlife Management Area.

(a) Open season:

1. Archery – October ~~16~~ 16 ~~47~~ through November ~~14~~ 14 ~~45~~ (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – November ~~26-28~~ 26-28 ~~27-29~~, December ~~11-12~~ 11-12 ~~12-13~~, ~~24-26~~ 24-26 ~~25-27~~, January ~~7-9~~ 7-9 ~~8-10~~ and ~~21-23~~ 21-23 ~~22-24.~~

3. Small game – January ~~24~~ 24 ~~25~~ through February ~~20~~ 20 ~~21.~~

4. Spring turkey – March ~~19~~ 19 ~~20~~ through April ~~24~~ 24 ~~25~~ (Saturdays and Sundays only).

5. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking ~~of~~ antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited.

(c) No change.

(d) General regulations:

1. No change.

2. All-terrain vehicles ATVs are prohibited.

3. No change.

4. Only ~~modern~~ shotguns, muzzleloading guns and bows are allowed for taking ~~turkey turkeys~~ during the spring turkey season.

5. through 6. No change.

7. Discharge of a firearm on or from the right-of-way of Chattin Road within 1/4 mile of the intersection with McBride Slough Road is prohibited.

(26) Perdido River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~16~~ 16 ~~47~~ through November ~~14~~ 14 ~~45.~~

2. Muzzleloading gun – November ~~19-21~~ 19-21 ~~20-22.~~

3. Family hunt – November ~~25-28~~ 25-28 ~~26-29~~ and January ~~7-9~~ 7-9 ~~8-10.~~

4. General gun – January ~~15-21~~ 15-21 ~~16-22~~ and January ~~22-30~~ 22-30 ~~23-31.~~

5. Archery and muzzleloading gun – February ~~17-27~~ 17-27 ~~18-28.~~

6. Small game – December 1-30.

7. Spring turkey – March ~~19-27~~ 19-27 ~~20-28~~ and March ~~28~~ 28 ~~29~~ through April ~~10~~ 10 ~~11.~~

8. Migratory game birds – ~~Migratory game birds~~ During seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

9. through 10. No change.

(b) through (c) No change.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads, except vehicles may not be operated on Muscogee Regen Road, ~~and~~ Red Gate Road and Shelby Ditch Road from May through September.

2. All-terrain vehicles ATVs are prohibited.

3. through 7. No change.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 7-5-84, 7-1-85, 5-7-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 9-1-91, 7-1-92, 7-2-92, 7-1-93, 3-1-94, 7-1-94, 7-1-95, 7-2-95, 8-15-95, 7-1-96, 7-2-96, 6-1-97, 12-3-97, 7-1-98, 7-2-98, 8-11-98, 7-1-99, Formerly 39-15.063, Amended 11-17-99, 7-1-00, 7-1-01, 7-22-01, 6-2-02, 5-1-03, 7-1-03, 7-1-04, 7-2-04, 8-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-15.064  
 RULE TITLE: Specific Regulations for Wildlife Management Areas – South Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region as follows:

Allapattah Flats WMA – Trails will be open to vehicular access one week prior to the start of archery and spring turkey seasons through 6 p.m. one day after the close of archery and spring turkey seasons and during dove, waterfowl, and snipe seasons; begin the general gun hunt on the Saturday following the family hunt; change the archery season from a 7-day and 9-day hunt to four 4-day hunts (quota 50, no exemptions); and bird dogs and retrievers may be used to hunt migratory game during the migratory bird seasons.

Dinner Island Ranch WMA – Change wild hog bag limit from one per quota permit to daily bag of one, possession limit of two, no size limit and allow them to be taken the entire month of February; move the family hunt from the second and third weekends in November to the first and second weekends in December; change the archery season from two consecutive hunts (7-day and 9-day) to four 4-day hunts (quota 45, no exemptions); change the general gun season from two consecutive hunts (4-day and 5-day) to three 3-day hunts (quota 45, no exemptions); change the spring turkey season from two consecutive hunts (4-day and 5-day) to three 3-day hunts (quota 20, no exemptions); allow migratory birds to be taken during statewide open seasons; bird dogs and retrievers may be used to hunt small game during migratory bird and small game seasons; and allow year-round public vehicle access on trails currently only open for seasonal vehicle access by people participating in hunts.

Everglades and Francis S. Taylor WMA – Remove the annual bag limit and shoulder height restriction for wild hogs; establish a possession limit of two for wild hogs; add an additional week to the general gun-walk hunt in conservation Areas 3A North and 2 and shorten the muzzleloading gun season in Conservation Area 3A North by one week; eliminate the second general gun-walk hunt; remove language that prohibits kitchen stoves, refrigerators and freezers unless contained in mobile campers or an existing permanent camp; prohibit operation of airboats during legal shooting hours during archery, muzzleloading and general gun-walk seasons; and allow use of tracked vehicles by persons participating in alligator hunts.

Holey Land WMA – Remove the annual bag limit and shoulder height restriction for wild hogs; establish a possession limit of two for wild hogs; add an additional week to the general gun-walk hunt and shorten the muzzleloading gun season by one week; and allow the use of tracked vehicles by persons participating in alligator hunts.

J.W. Corbett WMA – Allow wild hog to be hunted for the entire general gun season; change the bag limit for wild hog from one annually to one per day, two annually; remove the shoulder height restriction for wild hog; remove the quota permit requirement for the first nine days of general gun season; restrict dog training during the dog training season to the area south and east of Stumper’s Grade; public vehicle access is allowed on the North, South, and Stumper’s Grade and Trail 6 when the area is open to public access; during archery and spring turkey seasons allow only those persons participating in the hunt vehicle access on named and numbered trails; during the muzzleloading gun, general gun, and small game seasons allow only those persons participating in the hunt cross-country vehicle access; allow the possession of alcohol on selected roads and consumption of alcohol in selected campgrounds; and adjust the boundary for the buffer zone adjacent to the Pratt-Whitney complex.

Okaloacoochee Slough WMA – expand waterfowl season to match statewide dates; and allow bird dogs and retrievers for the take of small game.

Rotenberger WMA – Remove the annual bag limit and shoulder height restriction for wild hogs; establish a possession limit of two for wild hogs; remove language that prohibits kitchen stoves, refrigerators and freezers unless contained in mobile campers or an existing permanent camp; add an additional week to the general gun-walk hunt and shorten the muzzleloading gun season by one week; and allow the use of tracked vehicles and airboats by persons participating in alligator hunts.

Spirit-of-the-Wild WMA – Change wild hog bag limit from one per quota permit to daily bag of one, possession of two, no size limit and allow them to be taken the entire month of February; change the archery season from two consecutive hunts (7-day and 9-day) to four 4-day hunts (quota 20, no exemptions); change the general gun season from two consecutive hunts (4-day and 5-day) to three 3-day hunts (quota 20, no exemptions); change the spring turkey season from two consecutive hunts (4-day and 5-day) to three 3-day hunts (quota 10, no exemptions); allow migratory birds to be taken during statewide open seasons; and bird dogs and retrievers may be used to hunt small game during migratory bird and small game seasons.

Additional proposed rule changes would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution; 375.313, 379.2223 FS.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; 375.313, 379.2223 FS.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.064 Specific Regulations for Wildlife Management Areas – South Region.

(1) J. W. Corbett Wildlife Management Area.

(a) No change.

(b) Legal to take: All legal game, fish, furbearers and frogs. Deer daily bag one, annual bag two; wild hog daily bag one, annual bag two one. The take of wild hog with a shoulder height of less than 20 inches is prohibited. The take of wild hog is prohibited after the first nine days of the general gun season and during small game season. Turkeys may not be taken during the archery season.

(c) No change.

(d) General regulations:

1. The use of rifles is prohibited within the Pratt-Whitney buffer zone and within one-fourth mile of the Seaboard Coastline Railroad, the Pratt-Whitney fence and Mecca Farms. The use of centerfire rifles is prohibited south and east of Stumper's Grade.

2. The use or possession of airboats, tracked vehicles, unlicensed and unregistered motorcycles motorized two-wheeled vehicles or all-terrain vehicles on the area is prohibited.

3. No change.

4. During open periods other than designated hunting seasons, vehicles may only be operated on named or numbered roads and Trail 6. From 8 a.m. one day before the opening of archery season through the close of the archery season and during spring turkey season, vehicles may be operated only on named or numbered roads or trails, but only by persons participating in the hunts, and on named or numbered roads. Vehicles may only be operated on named or numbered roads and Trail 6 at any time after 8 a.m. one day prior to muzzleloading gun, general gun and small game seasons through the last day of each of these seasons, except these restrictions shall not apply to persons participating in the hunts.

5. During dog training season and open periods other than designated hunting seasons, motorized vehicles may be operated only on the North, South, and Stumper's grades, on Trail 6, on Trail 3 between its junction with Tomato Field Grade and its junction with Trail 5, on Trail 5 between its junction with Trail 3 and the L-8 levee, and on the Tomato

Field grade east of the Big Gopher canal. These vehicle access prohibitions shall not apply from 8:00 a.m. one day before the opening of muzzleloading gun and general gun seasons through the close of muzzleloading gun and general gun seasons.

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

~~8.9.~~ Deer dogs and bird dogs may be trained only in that portion of the area south and east of Stumper's Grade and only beginning 14 days prior to the opening of the general gun season and ending 5 days prior to the opening of the general gun season. Taking wildlife with guns is prohibited while training dogs.

10. through 11. renumbered 9. through 10. No change.

~~11.12.~~ The possession or consumption of alcoholic intoxicating beverages is prohibited except they may be transported to the extent that Section 316.1936, Florida Statutes, allows only on the North South and Stumper's grades, and may only be consumed at designated campsites other than Camp O.

13. through 19. renumbered 12. through 18. No change.

(2) Hole Land Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October 16-31 ~~24 through November 1.~~

2. General gun – Vehicle, November 6-21 ~~7-22~~ (tracked vehicles). ~~Deer hunting by quota permit only during the general gun vehicle season.~~

3. Archery – August 28 ~~29~~ through September 19 ~~20~~.

4. Muzzleloading gun – October 2-10 ~~3-18~~.

5. Small game – November 22 ~~23~~ through March 6 ~~7~~.

6. Migratory game birds – Migratory game birds except crows, mourning dove and white-winged dove during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

7. No change.

(b) Legal to take: All legal game (except wild turkey), fish, frogs and furbearers. Take of antlerless deer is prohibited during the archery season. The bag limit for wild hog shall be one per day; possession limit annual bag two. ~~The take of wild hog with a shoulder height of less than 15 inches is prohibited.~~ The take of wild hog is prohibited during small game season. During the general gun-vehicle season, a bag limit of one wild hog per day per vehicle shall apply. The bag limit for antlered deer shall be one during archery season, one during muzzleloading gun season, one during general gun-walk season and one per tag during the general gun-vehicle season.

(c) Camping – Only tents, trailers or self-propelled camping vehicles may be used for camping. Camps may not be set up in the area prior to seven ~~7~~ days before archery season and all vehicles, camps, tents, other camping equipment and litter must be removed no later than ~~6:00~~ p.m. seven ~~7~~ days after the close of the general gun season. The erection of any permanent structure is prohibited. During the remainder of the

year, camping is allowed on Fridays, Saturdays and Sundays only, but campsites may not be left unattended for more than 24 hours. Camping is allowed only on the L-5 Levee and the Miami Canal Levee.

(d) No change.

(e) Notwithstanding any other provisions of this subsection, alligator hunt participants may operate airboats and tracked vehicles throughout the area when taking alligators.

(3) Everglades and Francis S. Taylor Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October 16-31 ~~24 through November 1~~ Conservation Areas 3A North and 2 only. ~~December 5 through January 3 in that portion of the area between the Old Miami Canal (Mud Canal) and the New Miami Canal in Conservation Area 3A North only.~~

2. General gun – Vehicle (airboats and tracked vehicles only), November 6-21 ~~7-22~~, in Conservation Areas 3A North, 3A South, 2, and the Francis S. Taylor Wildlife Management Area ~~by permit only.~~

3. Archery – August 28 ~~29~~ through September 19 ~~20~~, Conservation Area 3A North only.

4. Muzzleloading gun – October 2-10 ~~3-18~~, in Conservation Area 3A North only.

5. Small game – November 22 ~~23~~ through March 6 ~~7~~.

6. through 7. No change.

(b) Legal to take: All legal game (except turkeys), fish, frogs and furbearers. Taking of antlered deer not having at least one forked antler and having one or more antlers at least 5 inches in length visible above the hairline is prohibited. The forked antler shall have at least two points one inch or greater in length. Take of antlerless deer is prohibited during archery season. The bag limit for wild hog shall be one per day, possession limit two and two annually. During the general gun-vehicle season, a bag limit of one wild hog per day per vehicle shall apply. ~~The take of wild hog with a shoulder height of less than 15 inches is prohibited.~~ The take of wild hog is prohibited during small game season. The bag limit for antlered deer shall be one per season during archery, muzzleloading gun and general gun-walk seasons and one per tag during the general gun-vehicle season.

(c) Camping: Only tents, trailers or self-propelled camping vehicles may be used for camping. Camps may not be set up in the area prior to 7 days before archery season and all vehicles, camps, tents, other camping equipment and litter must be removed no later than 6 p.m. seven days after the close of the general gun season. ~~Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers or an existing permanent camp, are prohibited.~~ The erection of any permanent structure is prohibited. Camping during the period from eight ~~8~~ days following the close of the general gun season to eight ~~8~~ days prior to the archery season is allowed but only on Fridays,

Saturdays and Sundays and camps may not be left unattended for more than 24 hours during this period. Overnight camping is prohibited in areas posted as closed to camping.

(d) General regulations:

1. No change.

2. Vehicles and airboats are prohibited on tree islands, wildlife islands and tree strands. ~~Vehicles and airboats are prohibited in that portion of the area between the Old Miami Canal (Mud Canal) and the New Miami Canal.~~

3. During the archery, muzzleloading gun and general gun-walk seasons, all-terrain vehicles are allowed but only for the purpose of hunting. All other vehicles are prohibited except vehicles are allowed on levees ~~and during the second general gun-walk season, other vehicles and vessels are allowed in Conservation Area 3A North outside of that portion of the area between the Old Miami Canal (Mud Canal) and the New Miami Canal.~~ All-terrain vehicle access for scouting shall be allowed two weeks prior to the archery season and one week prior to the muzzleloading gun and general gun-walk seasons. During the remainder of the year, all-terrain vehicles are prohibited. While an all-terrain vehicle is in motion, no person shall occupy any platform or structure attached thereto. No all-terrain vehicle may be equipped with a steering mechanism that would enable the all-terrain vehicle to be operated from a platform or structure attached thereto.

4. No change.

5. During archery, ~~and muzzleloading gun and general gun-walk seasons and the first general gun-walk season, the operation of~~ airboats ~~is~~ are prohibited in Conservation Area 3A North and Conservation Area 2 during legal shooting hours. Archery equipment, muzzleloading guns, and guns may be transported on boats ~~(other than airboats)~~ and all-terrain vehicles in Conservation Area 3A North and Conservation Area 2 during the archery and muzzleloading gun seasons and ~~the first general gun-walk season, respectively.~~

6. through 21. No change.

(e) Notwithstanding any other provisions of this subsection, alligator hunt participants:

1. May operate airboats and tracked vehicles throughout the area when taking alligators, and

2. No change.

(4) Rotenberger Wildlife Management Area.

(a) Open season:

1. General gun – Walk, October ~~16-31~~ 24 through ~~November 1.~~

2. General gun – Vehicle (tracked vehicles only), November ~~6-21~~ 7-22 ~~by quota permit only.~~

3. Archery – August ~~28~~ 29 through September ~~19~~ 20.

4. Muzzleloading gun – October ~~2-10~~ 3-18.

5. Small game – November ~~22~~ 23 through March ~~6~~ 7.

6. through 7. No change.

(b) Legal to take: All legal game (except turkeys), furbearers, fish and frogs. Take of antlerless deer is prohibited during archery season. Wild hog daily bag limit one; possession limit two annually. During the general gun-vehicle season, a bag limit of one wild hog per day per vehicle shall apply. ~~The take of wild hog with a shoulder height of less than 15 inches is prohibited.~~ The take of wild hog is prohibited during small game season. The bag limit for antlered deer shall be one per season during archery, muzzleloading gun and general gun-walk seasons and one per tag during the general gun-vehicle season.

(c) Camping: Camping is allowed only on the Miami Canal, Manley Ditch and Powerline levees. Only tents, trailers or self-propelled camping vehicles may be used for camping. Camps may not be set up in the area prior to seven 7 days before archery season and all vehicles, camps, tents, other camping equipment and litter must be removed no later than 6:00 p.m. seven days after the close of the general gun-vehicle season. ~~Kitchen stoves, refrigerators and freezers, unless contained in mobile campers, and lumber, sheet metal or other building materials is prohibited.~~ The erection of any permanent structure is prohibited. Camping during the period from eight 8 days following the close of the general gun season to eight 8 days prior to the archery season is allowed but only on Fridays, Saturdays and Sundays, and camps may not be left unattended for more than 24 hours during this period.

(d) No change.

(e) Notwithstanding any other provisions of this subsection, alligator hunt participants may operate airboats and tracked vehicles throughout the area when taking alligators.

(5) Big Cypress Wildlife Management Area.

(a) Open season:

1. through 2. No change.

3. Archery – September ~~4~~ 5 through October ~~3~~ 4 in all units and twelve days prior to Thanksgiving day through January 1, except during those years when January 1 falls on a Thursday, Friday or Saturday, in which case the season would close on the following Sunday in the Deep Lake Unit only.

4. Muzzleloading gun – October ~~9-24~~ 10-25, except in the Deep Lake Unit.

5. Spring turkey – March ~~5~~ 6 through April ~~10~~ 11.

6. Special September duck ~~Early duck~~ – In the September season as established by Rule 68A-13.003, F.A.C., except on the Bear Island and Deep Lake Units.

7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. Vehicular use by the public on Eleven-mile Road or the Florida Trail is prohibited. Vehicles may cross Eleven-mile Road at designated and marked crossing points only. Only



vehicles equipped with pneumatic tires may be operated on the Jetport Road. Parking of vehicles is prohibited on ~~the paved portion of the Jetport Road.~~

5. through 13. No change.

14. ~~All airboats shall be equipped with an orange flag at least 10 inches wide and 12 inches long and displayed at a minimum height of 10 feet above the bottom of the vessel. No person shall use an airboat to take wildlife, frogs or fish or for other recreational uses on the area unless such airboat is equipped with an orange flag at least 10 inches wide and 12 inches long displayed at a minimum height of 10 feet above the bottom of the vessel.~~

15. No change.

(6) Okaloacoochee Slough Wildlife Management Area.

(a) Open season:

1. Archery – September ~~11-17 12-18~~ and ~~18-26 19-27~~.

2. Muzzleloading gun – October ~~16-18 17-19~~.

3. Family Hunt – October ~~23-24 24-25~~.

4. General gun – October ~~30 31~~ through November ~~2 3~~ and November ~~3-7 4-8~~.

5. Small game – November ~~27 28~~ through December ~~19 20~~.

6. Spring turkey – March ~~5-8 6-9~~ and ~~9-13 10-14~~.

7. Duck, geese and coot – During the seasons established by Rule 68A-13.003, F.A.C.

8.7. No change.

(b) No change.

(c) Camping: Camping is allowed only at designated campsites ~~during archery, muzzleloading gun, general gun, family and spring turkey seasons by individuals or parties in possession of a quota hunt permit. During the remainder of the year, camping is allowed by Special-Use Permit issued by Division of Forestry.~~ Only tents, trailers, or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. Hunting with dogs is prohibited except bird dogs and retrievers may be used during small game season for taking small game.

2. No change.

3. Vehicles may be operated only on named or numbered roads and named or numbered trails. ~~During the archery, muzzleloading gun, family and general gun seasons, vehicles also may be operated on named or numbered trails by individuals possessing a valid quota hunt permit.~~

4. through 8. No change.

(7) Fisheating Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~17-19 18-20~~ and ~~24-26 25-27~~ west of U.S. Highway 27 only.

2. Muzzleloading gun – October ~~15-17 16-18~~ and ~~22-24 23-25~~ west of U.S. Highway 27 only.

3. General gun – November ~~5-7 6-8~~ and ~~26-28 27-29~~ west of U.S. Highway 27 only.

4. Spring turkey – March ~~5-8 6-9, 11-14 12-15, 18-21 19-22~~ and ~~25-28 26-29~~ and April ~~1-4 2-5~~ west of U.S. Highway 27 only.

5. Special-opportunity spring turkey – March ~~5-11 6-12~~ and ~~19-25 20-26~~ east of U.S. Highway 27 only.

6. General gun hog – December ~~11-12 12-13~~ west of U.S. Highway 27 only.

7. through 8. No change.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. The use of any vehicle, including but not limited to tracked vehicles, all-terrain vehicles, or motorcycles, is prohibited. The use of personal watercraft or horses is prohibited. The use of airboats is prohibited west of the “head of the bushes.” An airboat use permit issued by the Commission shall be required for all airboats operating in the management area. ~~All public use shall be prohibited in areas posted as “closed” so as to afford protection to biologically sensitive resources or sites, protection of archeological or cultural resources, or for public safety reasons.~~

3. through 7. No change.

(8) Picayune Strand Wildlife Management Area.

(a) Open season:

1. Archery – September ~~11-26 12-27~~.

2. Muzzleloading gun – October ~~16-18 17-19~~.

3. General gun – October ~~30 31~~ through November ~~2 3~~ and November ~~3-7 4-8~~.

4. Small game – November ~~13 14~~ through December ~~26 27~~.

5. Spring turkey – March ~~5-8 6-9~~ and ~~9-13 10-14~~.

6. through 7. No change.

(b) through (d) No change.

(9) Dinner Island Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September ~~11-14, 18-21, 25-28 12-18~~ and ~~October 2-5 19-27~~.

2. Muzzleloading gun – October ~~16-18 17-19~~.

3. General gun – October ~~30 31~~ through November ~~1 2~~ November 6-8 and 13-15 3 and November 4-8.

4. Small game – November ~~16 through December 3, December 6-10 20~~ and ~~December 13 through February 28 November 23 through March 7.~~

5. Family hunt – ~~December 4-5 and 11-12 November 14 15 and 21 22.~~

6. Spring turkey – March ~~5-7, 12-14 6-9~~ and April 2-4 10-14.

7. Migratory game birds – Migratory game birds during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

8.7. Dove field – Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.

~~9.8.~~ No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer, and turkey ~~and wild hog~~ shall be one ~~per person~~ per quota ~~hunt~~ permit. The taking of antlerless deer and turkey is prohibited during archery season. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. The take of deer is prohibited during the family hunt. ~~The take of wild hog with a shoulder height of less than 15 inches is prohibited.~~ The take of wild hog is prohibited during small game season before February 1. Wild hog: daily bag; one †; possession limit; two ‡.

(c) No change.

(d) General regulations:

1. Hunting with dogs is prohibited except bird dogs or retrievers may be used during small game and migratory bird seasons for taking small game and migratory game birds and on the posted dove field during established dove hunts.

2. The use of tracked vehicles, swamp buggies, airboats, unlicensed and unregistered motorcycles, or all-terrain vehicles is prohibited, except that swamp buggies and all-terrain vehicles may be operated during the archery, muzzleloading gun, and general gun seasons by individuals participating in the hunt possessing a valid quota hunt permit.

3. Vehicles may be operated only on named or numbered roads. ~~During the archery, muzzleloading gun, and general gun seasons vehicles may also be operated on named or numbered trails by individuals possessing a valid quota hunt permit.~~

4. through 7. No change.

8. Shooting hours for dove hunts shall be from noon until sunset. Hunters may enter the posted field no earlier than one hour before shooting time and shall exit the field within one hour after sunset.

9. During dove field hunts, dove ~~Dove~~ hunters shall hunt from assigned stations in the posted field. Hunt station assignments may be transferred at the check station.

10. No change.

(10) Spirit-of-the-Wild Wildlife Management Area.

(a) Open season:

1. Archery – September 11-14, 18-21, 25-28 ~~12-18~~ and October 2-5 ~~19-27~~.

2. Muzzleloading gun – October 16-18 ~~17-19~~.

3. General gun – October 30 ~~31~~ through November 1 ~~November 6-8 and 13-15~~ ~~3 and November 4-8~~.

4. Small game – November 16 ~~14~~ through February 28 ~~March 7~~.

5. Spring turkey – March 5-7, 12-14 ~~6-9~~ and 19-21 ~~10-14~~.

6. Migratory game birds – Migratory game birds during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

~~7.6.~~ Dove field – Saturdays only during the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.

~~8.7.~~ No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer, and turkey ~~and wild hog~~ shall be one per quota ~~hunt~~ permit. The taking of antlerless deer and turkey is prohibited during archery season. Taking of antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. ~~The take of wild hog with a shoulder height of less than 15 inches is prohibited.~~ The take of wild hog is prohibited during small game season except that wild hog shall be legal to take during February. Wild hog: daily bag; one †; possession limit; two ‡.

(c) No change.

(d) General regulations:

1. Hunting with dogs is prohibited except bird dogs or retrievers may be used during small game and migratory bird seasons for taking small game and migratory game birds and on the posted dove field during established dove hunts. ~~Taking wildlife with dogs is prohibited except bird dogs or retrievers are allowed on the posted dove field during established dove hunts and during general gun and small game seasons.~~

2. The use of tracked vehicles, swamp buggies, airboats, unlicensed and unregistered motorcycles, and all-terrain vehicles is prohibited, except that swamp buggies and all-terrain vehicles may be operated during the archery, muzzleloading gun, and general gun seasons by individuals participating in the hunt possessing a valid quota hunt permit.

3. Vehicles may be operated only on named or numbered roads. During the archery, muzzleloading gun, and general gun seasons vehicles may also be operated on named or numbered trails by individuals participating in the hunt ~~possessing a valid quota hunt permit.~~

4. through 7. No change.

8. Shooting hours for dove hunts shall be from noon until sunset. Hunters may enter the posted field no earlier than one hour before shooting time and shall exit the field within one hour after sunset.

9. During the dove field hunts, dove ~~Dove~~ hunters shall hunt from assigned stations in the posted field. Hunt station assignments may be transferred at the check station.

10. No change.

(11) Allapattah Flats Wildlife Management Area.

(a) Open season:

1. Archery – September 11-14, 18-21, 25-28 ~~12-18~~ and October 2-5 ~~19-27~~.

- 2. Muzzleloading gun – October ~~16-18~~ 17-19.
- 3. Family hunt – October ~~30~~ 31 through November ~~2~~ 3.
- 4. General gun – November ~~6-10~~ 4-8.
- 5. Small game – November ~~20~~ 14 through the second ~~first~~ Sunday in January.
- 6. Spring turkey – March ~~5-8~~ 6-9 and ~~9-13~~ 10-14.
- 7. through 8. No change.
- (b) through (c) No change.
- (d) General regulations:
  - 1. No change.
  - 2. Vehicles are prohibited except beginning one week prior to the opening of ~~Vehicles may be operated only on named or numbered roads. During the archery and spring turkey seasons through 6 p.m. one day after the close of archery and spring turkey seasons and during,~~ muzzleloading gun, family hunt, and general gun, ~~and spring turkey seasons,~~ vehicles may only be operated on numbered trails ~~in addition to named or numbered roads~~ by individuals participating in the hunt possessing a valid quota hunt permit. During the small game, dove, waterfowl, and snipe seasons, vehicles may only be operated on numbered trails ~~and named or numbered roads.~~
- 3. through 5. No change.
- 6. Taking wildlife with dogs is prohibited, except bird dogs or retrievers may be used during the small game and migratory bird seasons for taking small game and migratory game birds.

7. through 9. No change.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 7-27-83, 9-27-83, 7-5-84, 7-1-85, 5-7-86, 8-5-86, 5-10-87, 8-24-87, 5-1-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-1-92, 7-1-93, 7-1-94, 7-1-95, 8-15-95, 7-1-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.064, Amended 11-17-99, 7-1-00, 7-1-01, 6-2-02, 2-27-03, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:	RULE TITLE:
68A-15.065	Specific Regulations for Wildlife Management Areas – Northeast Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northeast Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule changes would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Northeast Region as follows:

Buck Lake WMA – clarify that the deer bag limit is one antlered deer and one antlerless deer per quota permit.

Bull Creek WMA – allow small game to be hunted with bird dogs during all seasons except spring turkey; remove the quota permit requirement for the second and third general gun hunts.

Caravelle Ranch WMA – reduce the quota for the special-opportunity dove hunts from 80 to 60; clarify that the bag limit during spring turkey season is one gobbler or bearded turkey per quota permit.

Charles H. Bronson WMA (NEW) – 9,242 acres – establish a new wildlife management area with the following open seasons: archery – one 7-day hunt and one 9-day hunt (quota of 30 per hunt, no exemptions); muzzleloading gun – one 3-day hunt (quota of 30; no exemptions); general gun – three 3-day hunts (quota of 30 per hunt; no exemptions); small game – one 9-day hunt and one 7-day hunt (no quota permit required); spring turkey – three 3-day hunts (quota of 15 per hunt; no exemptions); statewide waterfowl and snipe seasons (no quota permit required, except during archery, muzzleloading gun or general gun hunts); fishing and frogging – year round; legal to take – all legal game, fish, frogs and furbearers; the bag limit for deer shall be one per quota permit; during the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota permit; allow camping only as authorized by the Division of Forestry; prohibit hunting with dogs other than bird dogs or retrievers for hunting small game; allow vehicles to be operated on named and numbered roads only and to be parked within 25 feet of a named or numbered road; allow vehicle access only by persons participating in the hunts; prohibit airboats, tracked vehicles, all-terrain vehicles, swamp buggies and unlicensed and unregistered motorcycles; require persons to enter and exit at a designated entrance or from any point along the St. Johns River, except access along the river is

prohibited during quota hunts and the small game season; vehicle access is allowed only during quota hunts and small game season; prohibit the use of centerfire rifles during spring turkey season and allow horses to be ridden only on designated equestrian trails.

Etoniah Creek WMA – clarify that the bag limit during spring turkey season is one gobbler or bearded turkey per quota permit.

Fort Drum WMA – convert the special-opportunity wild hog-still hunts to regular quota hunts.

Half Moon WMA – increase the wild hog-still hunts from two 2-day hunts to three 3-day hunts (quota of 50 per hunt, no exemptions).

Little Big Econlockhatchee WMA, Kilbee Unit – remove “Kilbee Unit” from the WMA name; extend the archery season from two 3-day hunts to one 7-day hunt and one 9-day hunt (increase the quota from 10 to 20 per hunt, no exemptions); increase the quota for muzzleloading gun season from 10 to 20 (no exemptions); extend the general gun season from one 3-day hunt to three 3-day hunts (increase the quota from 10 to 20 per hunt; no exemptions); remove the general gun hog season; increase small game season from three 2-day weekend hunts to 16 consecutive days (no quota permit required); allow the take of wild hog during small game season; add three 3-day spring turkey hunts (quota of 10, no exemptions); remove the requirement for hunters to check in and out at a check station upon entry and exit from the WMA; remove the requirement for hunters to record all game taken; require vehicles to be parked within 25 feet of a named or numbered road; remove the prohibition on dismemberment of deer, turkey and wild hog prior to being checked at a check station; prohibit the use of centerfire rifles for taking wild turkey during the spring turkey season.

Lake Panasoffkee WMA – allow horses only during periods closed to hunting; allow camping and hunting equipment only during periods when scouting and hunting are allowed; prohibit the take of hog during small game season; increase the number of daily quota permits issued at the check station during small game season from 30 to 40 per day (no exemptions); increase the quota for the wild hog-still hunt from 30 to 50 (no exemptions); increase the quota for the wild hog-dog hunt from 30 to 35 (no exemptions).

Marshall Swamp WMA (NEW) – 5,361 acres – establish a new wildlife management area with the following open seasons: archery – four 7-day hunts and one 9-day hunt (quota of 10 per hunt, no exemptions); muzzleloading gun – one 3-day hunt (quota of 10, no exemptions); general gun – three 3-day hunts (quota of 10 per hunt, no exemptions); small game – 114 days (no quota permit required, except when overlapping with general gun season); spring turkey – three 3-day hunts (quota of 5 per hunt; no exemptions); statewide migratory bird seasons (no quota permit required, except during archery, muzzleloading gun or general gun quota periods); fishing and

frogging – year round; legal to take - all legal game, fish, frogs and furbearers; the bag limit for deer shall be one per quota permit; during the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota permit; prohibit camping; prohibit hunting with dogs other than bird dogs or retrievers for the take of small game; prohibit the take of wild hog with dogs; allow vehicles in designated parking areas only; prohibit airboats, tracked vehicles, all-terrain vehicles, swamp buggies and unlicensed and unregistered motorcycles; require persons to enter and exit at a designated entrance; prohibit the take of wildlife with centerfire rifles and centerfire handguns; prohibit fires.

Ocala WMA – remove the quota permit requirement for the general gun and muzzleloading gun hunts on the Hopkins Prairie and Lake Delancy Units; incorporate that portion of the Pipeline Unit north of the Fore Lake campground, west of CR 314 and north of US 40 into the Church Lake Unit (approximately 2700 acres), which will reduce the number of deer dog hunting days from in that area, and increase the quota for the general gun dog and general gun still hunts from 225 to 250 per hunt.

Ocklawaha River WMA, Gores Landing Unit – clarify that the deer bag limit is one per quota permit; clarify that the bag limit during spring turkey season is one gobbler or bearded turkey per quota permit.

Relay WMA – require all persons to enter and exit at a designated entrance.

Richloam – clarify that camping is allowed only as authorized by the Division of Forestry.

Richloam WMA, Baird Unit – clarify that the bag limit is one antlered and one antlerless deer per quota permit during the archery season and one antlered deer per quota permit during the muzzleloading gun and general gun seasons; and require a quota permit to hunt during the third archery hunt.

Salt Lake WMA – change the small game season from one 16-day season in December (Saturday through Sunday) to six 3-day hunts (Friday through Sunday) during December, January and February; clarify that the deer bag limit is one per quota permit.

Seminole Forest WMA, Lake Tracy Unit – add one 3-day archery hunt (quota 40, no exemptions); add three 3-day wild hog-still hunts (quota 40, no exemptions); increase the quotas for archery, muzzleloading gun and general gun seasons from 20 to 40 per hunt (no exemptions), and for spring turkey season from 10 to 20 per hunt (no exemptions); change the bag limit from two deer per day to two deer per quota permit; allow vehicles to be parked within 25 feet of a named or numbered road.

Seminole Ranch WMA – increase the length of the muzzleloading gun hunts from 2 days to 3 days; clarify that the deer bag limit is one per quota permit.

Three Lakes WMA – establish a quail enhancement area east of the Florida Turnpike and west of U.S. 441 (25,168 acres) and allow up to 8 days of quail hunting, with no more than 10 quota permits per day (no exemptions, up to two hunters per quota permit) in January and February, with a bag limit of 6 quail per quota permit; remove the quota requirement for the second and third general gun hunts and the general gun for mobility impaired hunt; allow raccoon hunting on that area between the Florida Turnpike and U.S. 441 only.

Three Lakes WMA, Prairie Lakes Unit – expand the snipe and dove seasons to match the statewide seasons.

Tiger Bay WMA, Rima Ridge Unit – allow vehicles only on named and numbered roads designated on the hunt map; clarify that the deer bag limit is one per quota permit.

Tosohatchee WMA – allow turkey to be hunted during archery season; issue quota permits for the Monday through Thursday wild hog-dog hunts first-come, first-served at the check station.

Twelve Mile Swamp WMA – require all persons to enter and exit at a designated entrance; reduce the number of recreational user permits issued from 200 to 125.

Upper St. Johns River Marsh WMA – allow motorized vessels in areas posted as seasonal walk-in areas, but only from one day following the close of spring turkey season to one day prior to archery season.

Additional proposed rule changes would provide non-substantive technical changes, such as grammatical corrections, language standardization or clarification of an existing rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_ have an impact on small business. A SERC has \_\_\_ or has not \_\_\_X\_\_\_ 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68A-15.065 Specific Regulations for Wildlife Management Areas – Northeast Region.

(1) Bull Creek Wildlife Management Area.

(a) Open season:

1. General gun – November 13-14 and November 15 through January 9 ~~14-15, 16-18, 19-22 and November 23 through January 10.~~

2. Small game – January 10 ~~11~~ through March 6 ~~7~~.

3. Spring turkey – March 19 ~~20~~ through April 24 ~~25~~.

4. Archery – September 25-26 ~~26-27~~ and September 27 ~~28~~ through October 24 ~~25~~. ~~An archery/muzzleloading gun quota permit will be required for the September 26-27 hunt.~~

5. Muzzleloading gun – October 29-31 ~~30 through November 1.~~

6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers (except bobcat and otter). ~~Any deer except spotted fawns may be taken during the archery season. During the muzzleloading gun and general gun seasons, antlerless deer may be taken by permit only.~~ Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Taking wild hog is prohibited during small game season.

(c) Camping: Allowed only at designated campgrounds during periods in which hunting is allowed and throughout the year at designated campsites on the Florida National Scenic Trail provided that access to area is via the Trail. Camping equipment may be taken onto the area no earlier than ~~after~~ 8 a.m. seven days prior to the opening of archery season and shall be removed from the area before 6 p.m. seven days following the end of the spring turkey season. Camping shall be allowed from 8 a.m. one day prior to each season through 6 p.m. one day following each season. Only tents, trailers or self-propelled camping vehicles may be used for camping. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to camping shelters.

(d) General regulations:

1. Persons hunting on the Crabgrass Creek portion of the area shall have a daily permit issued from the check station in their possession (except during the small game season) and shall enter and exit at a ~~the~~ designated entrance point on Crabgrass Road.

2. No change.

3. Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken, except during the small game season when hunters shall check in and out using self-check boxes located at each designated entrance and record all game taken. Persons engaging in recreational activities other than hunting shall register at the check station upon entering and exiting the area.

4. No change.

5. ~~Motorcycles, Airboats, or tracked vehicles and unlicensed and unregistered motorcycles~~ are prohibited.

~~6. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to camping shelters.~~

~~6.7. No change.~~

~~7.8. Hunting with dogs is prohibited except that bird dogs are allowed for taking small game during the general gun and small game seasons.~~

(2) ~~Fort Ft.~~ McCoy Wildlife Management Area.

(a) Open season:

1. General gun – November ~~13 14~~ through January ~~9 10~~.

2. Small game – January ~~10-30 11-31~~.

3. Archery – September ~~25 26~~ through October ~~24 25~~.

4. Muzzleloading gun – October ~~30 31~~ through November ~~7 8~~.

5. Spring turkey – March ~~19 20~~ through April ~~24 25~~.

6. Fishing and frogging – Allowed Permitted during periods in which access hunting is allowed.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. Access to the area is allowed permitted only from the Saturday two weeks prior to the archery season through the last day of the spring turkey season.

5. through 6. No change..

7. Access is allowed permitted only by individuals possessing a valid recreational use user permit, except as provided by Section 372.57, F.S.

(3) Ocala Wildlife Management Area.

(a) Open season:

1. General gun – November ~~13 14~~ through January ~~9 10~~ (~~Church Lake Unit – first 9 days only~~).

2. General gun still – November ~~27 28~~ through December ~~5 6~~ (Church Lake Unit only).

3. Small game – January ~~10 11~~ through March ~~6 7~~.

4. Archery – September ~~25 26~~ through October ~~24 25~~.

5. Muzzleloading gun – October ~~29-31 30~~ through ~~November 1~~, on the Church Lake, Hopkins Prairie and Lake Delancy Management Units only.

6. Fox, opossum, bobcat and raccoon – November ~~13 14~~ through April ~~17 18~~.

7. Special September Early duck – In the special September duck season established by Rule 68A-13.003, F.A.C.

8. Spring turkey – March ~~24-27 25-28~~, March 31 through April ~~3 4~~, ~~7-10 8-11~~ and ~~14-17 15-18~~.

9. Dove – During the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.

~~10.9. Trapping – December 1 through March 1, except in that portion of the Pipeline Management Unit south of S.R. 40; east of County Road 183 AV; and west of S.R. 19.~~

~~11.10. No change..~~

(b) Legal to take:

1. All legal game (except antlerless deer), fish, frogs and furbearers. During the spring turkey season the bag limit shall be one gobbler or bearded turkey per quota ~~hunt~~ permit. Antlered deer may only be taken in the Church Lake Unit during the archery season, muzzleloading gun season, the first 9 days of the general gun season and the general gun still season. Deer daily bag one, ~~no season bag~~.

2. Furbearing animals – During the November ~~13 14~~ through March 1 period, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed permitted only in the Pipeline and Church Lake Management Units. Raccoons may also be hunted, with dogs only, from March ~~7 8~~ through April ~~17 18~~ only in that portion of the Pipeline Management Unit south of S.R. 40, ~~east of County Road 183 AV~~, and west of S.R. 19. The hunting of fox and bobcat by the use of dogs only shall be allowed permitted from January ~~10 11~~ through April ~~17 18~~, only in that portion of the Pipeline Management Unit south of S.R. 40, ~~east of County Road 183 AV~~, and west of S.R. 19.

(c) Camping: Throughout the year. Camping is allowed by the use of tents, trailers or self-propelled camping vehicles only on designated campsites during the general gun season.

(d) General regulations:

~~1. Camping is permitted by the use of tents, trailers, or self-propelled camping vehicles only on designated campsites during the general gun season.~~

~~1.2. No deer or turkey shall be dismembered or transported out of the hunt area until checked at a check station.~~

~~3. All management units will be open for the taking of doves during all phases of the dove season.~~

~~2.4. Hunting with dogs is prohibited in the Hopkins Prairie and Lake Delancy management units, except bird dogs and retrievers are allowed during small game, special September early duck, dove, and duck, geese and coot seasons. Taking deer with dogs is prohibited in the Church Lake Unit during the general gun still hunt. Caged or leashed hunting dogs may be transported on established numbered roads.~~

~~3.5. Taking of wildlife by use of a gun on or from rights-of-way of all paved roads, Forest Road ~~69 538~~ from State Road 42 to County Road 445, Forest Road ~~14 573~~, Forest Road ~~13 588~~, Blue Creek Lodge Road, Deerhaven Road, North~~

Boulevard, Forest Road ~~46 40~~ east of Forest Road ~~33 65~~, Forest Road ~~33 65~~ south of Forest Road ~~46 40~~, Forest Road ~~05 79~~ south of Forest Road ~~38 76~~ or ~~that portion of any road adjacent to posted lands~~; and all Forest Service; and county and state roads in the Church Lake is prohibited as provided by Rule 68A-4.008, F.A.C.

~~4.6.~~ No change..

~~5.7.~~ No change..

~~6.8.~~ Dogs may be used to pursue rabbits from January ~~10 4~~ through April ~~17 48~~ in that portion of the Pipeline Management Unit south of S.R. 40, ~~east of County Road 183 AV~~; and west of S.R. 19.

~~7.9.~~ No change..

(e) The Ocala Wildlife Management Area consists of four management units described as follows:

1. Hopkins Prairie Unit – Starting at the junction of F.R. ~~11 88~~ and S.R. 40, then north on F.R. ~~11 88~~ to its junction with C.R. 314, then northeast on C.R. 314 to its junction with S.R. 19, then north on S.R. 19 to its junction with Salt Springs Run, then southeast along Salt Springs Run to the wildlife management area boundary, then south along the wildlife management area boundary to its junction with Juniper Creek, then west along Juniper Creek to its junction with S.R. 19, then north on S.R. 19 to its junction with the north boundary of the Juniper Springs Wilderness Area, then west along the north boundary of the Juniper Springs Wilderness Area to its junction with F.R. ~~33 65~~, then south on F.R. ~~33 65~~ to its junction with S.R. 40, then west on S.R. 40 to its junction with F.R. ~~11 88~~ and the point of beginning.

2. Lake Delancy Unit – Starting at the junction of the wildlife management area boundary (~~Ocklawaha~~ ~~Oklawaha~~ River) and C.R. 316, then north, east, and south along the wildlife management area boundary to its junction with Salt Springs Run, then northwest along Salt Springs Run to its junction with S.R. 19, then south on S.R. 19 to its junction with C.R. 314, then southwest on C.R. 314 to its junction with F.R. ~~11 88~~, then north on F.R. ~~11 88~~ to its junction with C.R. 316, then west on C.R. 316 to its junction with the ~~w~~Wildlife m~~A~~Management a~~A~~rea boundary and the point of beginning.

3. Pipeline Unit – Starting at the junction of NE 147th Ave Rd and C.R. 314, then northwest and northeast on NE 147th Ave Rd to its junction with NE 146th Ave, then north on NE 146th Ave to its junction with NE 89th Ln, then west on NE 89th Ln to it junction with NE 144th Terr, then north on NE 144th Terr to its terminus, then north to the wildlife management area boundary, ~~S.R. 40 and the western boundary of the wildlife management area~~, then north along the wildlife management area boundary to its junction with C.R. 316, then east on C.R. 316 to its junction with F.R. ~~11 88~~, then south on F.R. ~~11 88~~ to its junction with S.R. 40, then east on S.R. 40 to its junction with S.R. 19, then north on S.R. 19 to its junction with Juniper Creek, then east along Juniper Creek to its junction with the wildlife management area boundary, then

along the wildlife management area boundary southeast, then west to its junction with C.R. 183 AV, then north on C.R. 183 AV to its junction with S.R. 40, then west on S.R. 40 to its junction with ~~C.R. S.R.~~ 314A, then north on ~~C.R. S.R.~~ 314A to its junction with ~~C.R. S.R.~~ 314, then northeast on C.R. 314 to its junction with NE 147th Ave Rd then southwest on S.R. 314 to its junction with S.R. 40 then west on S.R. 40 to the wildlife management area boundary and the point of beginning.

4. Church Lake Unit – Starting at the junction of NE 147th Ave Rd and C.R. 314, then northwest and northeast on NE 147th Ave Rd to its junction with NE 146th Ave, then north on NE 146th Ave to its junction with NE 89th Ln, then west on NE 89th Ln to it junction with NE 144th Terr, then north on NE 144th Terr to its terminus, then north to the wildlife management area boundary, then south and east along the wildlife management area boundary to its junction with SE 183rd Ave Rd, then north along SE 183rd Ave Rd to its junction with S.R. 40, then west along S.R. 40 to its junction with C.R. 314A, then north along C.R. 314 A to its junction with C.R. 314, then southwest along C.R. 314 to its junction with NE 147th Ave Rd ~~S.R. 40 and C.R. 314~~, then northeast on ~~C.R. 314 to its junction with C.R. 314A~~, then south on ~~C.R. 314A to its junction with S.R. 40~~, then east on ~~S.R. 40 to its junction with C.R. 183 AV~~, then south on ~~C.R. 183 AV to its junction with the wildlife management area boundary~~, then ~~west and north along the wildlife management area boundary to its junction with S.R. 40~~, then east on ~~S.R. 40 to its junction with C.R. 314~~ and the point of beginning.

(4) Richloam Wildlife Management Area.

(a) Open season:

1. General gun – November ~~13-21 14-22~~ and November ~~22 23~~ through January ~~9 40~~.

2. Spring turkey – March ~~19-27 20-28~~ and March ~~28 29~~ through April ~~24 25~~.

3. Archery – September ~~25 26~~ through October ~~24 25~~.

4. No change.

5. Trapping – January ~~10 4~~ through March 1.

6. ~~Wild General gun~~ hog-dog – January ~~11-13 12-14~~.

(b) Legal to take: All legal game (except antlerless deer), fish, frogs and furbearers. Only wild hog may be taken during the ~~wild general gun~~ hog-dog season.

(c) Camping: ~~Prohibited unless authorized by the Division of Forestry. Permitted at designated campsites.~~

(d) General regulations:

1. All persons shall enter and ~~or~~ exit the area at designated entrances.

~~2. Only tents, trailers, temporary shelters and self-propelled camping vehicles may be used for camping.~~

3. through 5. renumbered 2. through 4. No change.

~~6. During archery and spring turkey season camping is permitted only at Pless Place campsite.~~

~~5.7.~~ The taking of wild hog by the use of dogs is prohibited, except during the ~~wild general gun~~ hog-dog season.

~~6.8. Persons licensed to use trapping devices~~ Licensed trappers may possess a .22 caliber rimfire ~~firearm other than .22 magnum rifle or pistol~~ during the trapping season provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a trapped furbearer.

9. through 10. renumbered 7. through 8. No change.

9. Hunting raccoon and opossum as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed only during the general gun, wild hog-dog and trapping seasons.

~~11. Camping equipment may not be taken into the area prior to 14 days before each hunting season and shall be removed by 6 p.m. six days after the close of each hunting season.~~

(5) Richloam Wildlife Management Area – Baird Unit.

(a) Open season:

1. Archery – September ~~25-28~~ ~~26-29~~, September ~~29~~ ~~30~~ through October ~~3~~ ~~4~~ and October ~~4-10~~ ~~5-11~~.

2. Muzzleloading gun – October ~~29-31~~ ~~30~~ through November ~~1~~.

3. General gun – November ~~13-16~~ ~~14-17~~ and ~~17-21~~ ~~18-22~~.

4. ~~Wild hog-still~~ ~~General gun-hog~~ – January ~~11-13~~ ~~12-14~~.

5. Spring turkey – March ~~19-21~~ ~~20-22~~, ~~25-27~~ ~~26-28~~ and April ~~1-3~~ ~~2-4~~.

6. Small game – January ~~15~~ ~~16~~ through February ~~20~~ ~~21~~.

7. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. One antlered and one antlerless deer may be taken per ~~quota person~~ per permit during the archery season. One antlered deer may be taken per ~~quota person~~ per permit during the muzzleloading gun and general gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~Only one quota permit may be utilized per person, per season.~~ Only wild hog may be taken during the ~~wild hog-still~~ ~~general gun-hog~~ season.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. Public access to the area is prohibited during the period from ~~8 8:00~~ p.m. to 4:30 a.m.

7. No change.

8. Vehicular access is ~~allowed~~ ~~permitted~~ one day prior to each hunt from ~~8 8:00~~ a.m. until ~~6 6:00~~ p.m., except during the small game season.

9. No change.

(6) Three Lakes Wildlife Management Area.

(a) Open season:

1. General gun – November ~~13-14~~ and November ~~15~~ through January ~~9~~ ~~14-15~~, ~~16-18~~, ~~19-22~~ and November ~~23~~ through January ~~10~~.

2. Small game – January ~~10~~ ~~11~~ through March ~~6~~ ~~7~~.

3. Spring turkey – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~.

4. Archery – September ~~25-26~~ ~~26-27~~ and September ~~27~~ ~~28~~ through October ~~24~~ ~~25~~.

5. ~~Special September~~ ~~Early~~ duck – In the special September ~~duck~~ season established by Rule 68A-13.003, F.A.C., in that area between Prairie Lakes Unit and Canoe Creek Road only.

6. Muzzleloading gun – October ~~29-31~~ ~~30~~ through November ~~1~~.

7. General gun for mobility impaired – ~~November~~ ~~5-7~~ ~~6-8~~.

8. General gun-dog – December ~~9-12~~ ~~10-13~~ and December ~~30~~ ~~31~~ through January ~~2~~ ~~3~~ in that area between the Florida Turnpike and U.S. 441 only.

9. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.

10. Quail (quail enhancement area) – Up to eight (8) Saturdays of quail hunting may be allowed in January and February combined.

11. Raccoon – January ~~28-30~~ (from 1.5 hours before sunset on Friday until 1.5 hours after sunrise on Sunday) in that area between the Florida Turnpike and U.S. 441 only.

(b) Legal to take: All legal game, fish, alligators as specified in Rule 68A-25.042, F.A.C., frogs and furbearers. The take of wild hog is prohibited during small game season and general-gun dog season. ~~Killing quail is prohibited on the quail enhancement area (that portion of the area lying east of the Florida Turnpike) except by quail permit during the quail season. The bag limit for quail on the quail enhancement area is six (6) per quota permit.~~

(c) Camping: ~~Allowed~~ ~~Permitted~~ only at designated hunter campsites during the periods in which hunting is allowed and at designated campsites on the Florida Trail throughout the year. Camping equipment may be taken onto the area ~~no earlier than~~ ~~after~~ ~~8 8:00~~ a.m. seven days prior to the opening of archery season and shall be removed from the area before ~~6 6:00~~ p.m. seven days following the end of the spring turkey season. Camping shall be allowed from 8 a.m. one day prior to each season through ~~6 6:00~~ p.m. one day following each season. ~~Only tents, trailers and self-propelled camping vehicles may be used for camping.~~

(d) General regulations:

1. During the ~~first two days~~ of archery season, the muzzleloading gun season and the general gun seasons, except the general gun-dog and general gun for mobility impaired seasons ~~hunts~~, the quota of hunters will be admitted daily as follows: U.S. 441 check station – 375; Canoe Creek check station – 50; State Road 60 check station – 200. ~~During the~~



general gun-dog hunts, the quota of hunters for the 441 check station will be 100 by quota permit east of the Florida Turnpike and 100 daily permits issued at the check station for west of the Florida Turnpike.

2. Only tents, trailers and self-propelled camping vehicles may be used for camping.

~~2.3.~~ Vehicles may be operated only on named or numbered roads or named and numbered trails except vehicles used by persons participating in during the general gun for mobility-impaired season. During general gun-dog hunts, only persons participating in the hunts quota permit holders may operate vehicles on ~~named or numbered roads and~~ established firebreaks in that area between the Florida Turnpike and U.S. 441.

~~3.4.~~ Motorcycles, Airboats, or tracked vehicles, and unregistered and unlicensed motorcycles are prohibited except that airboats may be transported to and from the Lake Jackson Public Boat Ramp and may be operated on that portion of Lake Jackson outside the area posted as restricted to airboat access for the protection of environmentally sensitive areas in accordance with subsection 68A-15.004(14), F.A.C.

~~4.5.~~ Hunting with dogs other than bird dogs is prohibited except ~~during the general gun-dog hunts when~~ dogs with a shoulder height of 17 inches or less may be used for deer hunting east of the Florida Turnpike during the general gun-dog season; dogs with a shoulder height of 15 inches or less may be used during the small game season; and dogs of any size may be used to hunt raccoon during the raccoon season.

~~6.~~ Bird dogs and dogs with a shoulder height of 15 inches or less may be used during the small game season.

7. through 10. renumbered 5. through 8. No change.

~~9.4.~~ During the general gun for mobility-impaired season, hunting is ~~allowed permitted~~ only in that portion of the area east of Canoe Creek Road. All persons participating in the general gun for mobility impaired season shall check in and out at the U.S. 441 check station when entering and exiting the hunt area.

~~12.~~ Only one mobility-impaired quota permit may be utilized per individual per hunt.

~~10.13.~~ Horses may only be ridden on named and numbered roads, except that horses may be ridden on firelines during the general gun-dog season in that portion of the area east of the Florida Turnpike by individuals participating in the hunt hunters possessing quota hunt permits for the general gun-dog season. During the small game season, persons hunting from horseback are not restricted to named and numbered roads.

11. A quota permit, as established annually by Order of the Executive Director or designee, shall be required for each group entering the quail enhancement area to hunt quail. Up to ten (10) permits may be issued per day and up to two (2) hunters will be allowed per permit. The number of Saturdays

open for quail hunting will be adjusted each year as necessary so as not to exceed a harvest of 15% of the fall population, based on annual fall quail surveys.

12. During the raccoon season, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C. is allowed.

(e) No change.

(7) Three Lakes Wildlife Management Area – Prairie Lakes Unit.

(a) Open season:

1. Archery – October ~~1-3 2-4~~ and ~~8-10 9-11~~.

2. Muzzleloading gun – October ~~29-31 30~~ through ~~November 1.~~

3. General gun – November ~~19-21 20-22~~ and ~~26-28 27-29~~.

4. Small game – December ~~11 12~~ through January ~~2 3~~.

5. Spring turkey – March ~~19-21 20-22~~, April ~~1-3 2-4~~ and ~~15-17 16-18~~.

6. Fishing and frogging – ~~Allowed Permitted~~ throughout the year.

7. ~~Wild hog-still General gun hog~~ – December ~~3-5 4-6~~ and January ~~7-9 8-10~~.

8. Dove – During the mourning dove and white-winged dove season established by Rule 68A-13.008, F.A.C.

9. Snipe – During the snipe season established by Rule 68A-13.008, F.A.C.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery, ~~muzzleloading gun and general gun~~ seasons, antlerless deer may be taken by antlerless deer permit only. The bag limit for antlered deer shall be one per quota ~~hunt~~ permit. The take of wild hog is prohibited during small game season. During the spring turkey season, the bag limit ~~for turkey~~ shall be one gobbler or bearded turkey per quota ~~hunt~~ permit. Only wild hog may be taken during the wild hog-still general gun hog season.

(c) No change.

(d) General regulations:

1. through 2. No change.

3. Vehicles or horses may be ~~used operated~~ only on named or numbered roads.

4. Motorcycles, Airboats, and tracked vehicles and unlicensed and unregistered motorcycles are prohibited except that airboats may be transported to and from the Lake Jackson Public Boat Ramp and may be operated on that portion of Lake Jackson outside the area posted as restricted to airboat access for the protection of environmentally sensitive areas in accordance with subsection 68A-15.004(14), F.A.C.

5. through 6. No change.

(8) Tiger Bay Wildlife Management Area.

(a) Open season:

1. General gun – November ~~13-21 14-22~~ and November ~~22 23~~ through January ~~9 10~~.

2. Archery – September ~~25 26~~ through October ~~24 25~~.

3. Muzzleloading gun – October ~~29-31~~ ~~30~~ through November ~~1~~.

4. Small game – January ~~10~~ ~~11~~ through March ~~6~~ ~~7~~.

5. Spring turkey – March ~~19-21~~ ~~20-22~~, April ~~1-3~~ ~~2-4~~ and ~~15-17~~ ~~16-18~~.

6. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ year-round. Fish may be taken only by hook and line or rod and reel and only during daylight hours.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Vehicles shall enter ~~and~~ ~~or~~ exit the area ~~only~~ at designated entrances.

3. through 8. No change.

(9) Tiger Bay Wildlife Management Area – Rima Ridge Unit.

(a) Open season:

1. General gun – November ~~13-21~~ ~~14-22~~.

2. Archery – September ~~25~~ ~~26~~ through October ~~10~~ ~~11~~.

3. Muzzleloading gun – October ~~29-31~~ ~~30~~ through November ~~1~~.

4. Small game – November ~~25~~ ~~26~~ through January ~~2~~ ~~3~~.

5. Spring turkey – March ~~19-21~~ ~~20-22~~, April ~~1-3~~ ~~2-4~~ and ~~15-17~~ ~~16-18~~.

6. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.

7. No change.

(b) Legal to take: All legal game, turkeys, fish, frogs and furbearers. The take of wild hog is prohibited during small game season. During the archery, muzzleloading gun and general gun seasons, the bag limit for deer shall be one per ~~quota permit hunter~~. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota permit.

(c) Camping: ~~Allowed~~ ~~Permitted~~ only by permit from the Florida Division of Forestry.

(d) General regulations:

1. Vehicles may be operated only on named or numbered roads ~~designated on the hunt map~~. Horses and bicycles are ~~allowed~~ ~~permitted~~ only on roads, firelines, and designated trails.

2. Vehicles shall enter ~~and~~ ~~or~~ exit the area ~~only~~ at designated entrances.

3. through 6. No change.

(10) Relay Wildlife Management Area.

(a) Open season:

1. General gun – November ~~13~~ ~~14~~ through January ~~9~~ ~~10~~.

2. Archery – September ~~25~~ ~~26~~ through October ~~24~~ ~~25~~.

3. Muzzleloading gun – October ~~30~~ ~~31~~ through November ~~7~~ ~~8~~.

4. Small game – January ~~10~~ ~~11~~ through March ~~6~~ ~~7~~.

5. Spring turkey – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~.

6. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ during periods open to hunting.

(b) No change.

(c) Camping:

1. Camping is ~~allowed~~ ~~permitted~~ only during periods when hunting is allowed and only at the designated campsite.

2. No change.

(d) General regulations:

1. No change.

2. Access to the area is ~~allowed~~ ~~permitted~~ only from the Saturday two weeks prior to the archery season through the Saturday following the last day of the spring turkey season.

3. No change.

4. Access is ~~allowed~~ ~~permitted~~ only by individuals possessing a valid recreational user permit, except as provided by Section 372.57, F.S.

5. No change.

6. Persons shall enter and exit at a designated entrance.

(11) Tosohatchee Wildlife Management Area.

1. Archery – ~~September 30 through October 3~~ ~~October 1-4~~ and ~~October 7-10~~ ~~8-11~~.

2. Muzzleloading gun – October ~~14-17~~ ~~15-18~~ and ~~21-24~~ ~~22-25~~.

3. General gun – November ~~18-21~~ ~~19-22~~ and ~~26-28~~ ~~27-29~~.

4. Spring turkey – March ~~19-21~~ ~~20-22~~, April ~~1-3~~ ~~2-4~~ and ~~15-17~~ ~~16-18~~.

5. ~~Wild hog-dog~~ ~~General gun-hog~~ – January ~~14-20~~ ~~15-21~~ and February ~~11-17~~ ~~12-18~~.

6. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.

(b) Legal to take: Any deer except spotted fawn, turkey, wild hog, fish, frogs and coyote. No other wildlife species may be taken. A limit of one antlerless and one antlered deer per quota permit is established. ~~Only one archery/muzzleloading gun or general gun quota permit may be utilized per person, per hunt.~~ Only wild hog may be taken during the ~~wild hog-dog general gun-hog~~ season. ~~Turkey may be taken only during the spring turkey season.~~

(c) No change.

(d) General regulations:

1. Public access during periods closed to hunting shall be from ~~8~~ ~~8:00~~ a.m. to sunset unless camping at designated campsites.

2. During the wild hog-dog hunts, a quota permit allows a hunting group of two persons and a guest as authorized by Rule 68A-15.005, F.A.C. (three individuals total) to participate in the hunt, and only one gun may be used to take wildlife per hunting group. A quota permit shall be required for every hunter entering the area, except during the general gun-hog season when a quota permit will be required for each group of two hunters. During the general gun-hog season only the hunter possessing the quota permit may possess a gun.

3. through 4. No change.

5. Airboats, tracked vehicles, ~~and~~ all-terrain vehicles and unlicensed and unregistered motorcycles are prohibited. Horses ~~and motoreycles~~ are prohibited during periods when the area is open to hunting.

6. No change.

7. Hunting with dogs is prohibited except that dogs may be used during the ~~wild hog-dog general gun-hog~~ hunts. During ~~wild hog-dog general gun-hog~~ hunts no more than 3 free-running dogs per quota permit are allowed permitted.

8. No change.

(12) Seminole Ranch Wildlife Management Area.

(a) Open season:

1. Archery – October ~~8-10 9-11~~ and 15-17 16-18.

2. Muzzleloading gun – October ~~29-31 through November 1~~ and November 5-7 7-8.

3. General gun – November 19-21 20-22.

4. Small game – November ~~27-28 28-29~~, December 4-5 5-6, 11-12 12-13 and January 8-9 9-10.

5. Spring turkey – March ~~19-21 20-22, 25-27 26-28~~ and April 1-3 2-4.

6. ~~Wild hog-dog General gun-hog~~ – January ~~29-30 30-31~~ and January 31 through February 4 4-5.

7. Fishing and frogging – Allowed Permitted throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers (except bobcat and otter). During the archery season, the bag limit for deer shall be one antlered and one antlerless deer per quota permit or per exempt hunter. During the muzzleloading gun and general gun seasons, the bag limit for deer shall be one antlered deer per quota permit or per exempt hunter. A limit of one antlerless and one antlered deer per is established. Any deer (except spotted fawn) may be taken during the archery season. Antlerless deer may be taken by permit only during the muzzleloading and general gun seasons. Only wild hog may be taken during the wild hog-dog general gun-hog season.

(c) Camping: Allowed Permitted only at the designated through-trail campsite along the Florida Trail provided access to the area is by the Florida Trail.

(d) General regulations:

1. Hunters shall check in and out at the check station when entering or exiting the area and shall check all game taken, except when hunting on bodies of water connected to the St. Johns River during waterfowl and coot seasons.

2. No change.

3. Airboats, tracked vehicles, ~~motoreycles~~ and all-terrain vehicles and unlicensed and unregistered motorcycles are prohibited. Horses are prohibited during periods open to hunting. ~~Horses are permitted during periods closed to hunting, but may be ridden only on named or numbered roads or designated trails.~~

4. No change.

5. Hunting with dogs is prohibited, except that dogs may be used during the ~~wild hog-dog general gun-hog~~ season, and bird dogs may be used during small game season. During the ~~wild hog-dog general gun-hog~~ season, no more than 3 free-running dogs per quota hunt permit shall be allowed.

6. through 7. No change.

8. During the ~~waterfowl early duck and duck~~ and coot seasons as established by Rule 68A-13.003, F.A.C., access for waterfowl hunting will be permitted on bodies of water connected to the St. Johns River ~~only. Access will be by the St. Johns River only. Hunters are not required to check in and out.~~

9. During the wild hog-dog season, a quota permit allows a hunting group of two persons and a guest as authorized by Rule 68A-15.005, F.A.C. (three individuals total) to participate in the hunt, and only one gun may be used to take wildlife per hunting group. During the general gun-hog season, a quota permit shall be required for each group of two hunters and only one gun may be possessed per permit.

10. Authorized hunting equipment may be taken on the area after 8 a.m. one day before the opening of each hunt and shall be removed from the area before 6 p.m. one day following the close of each season.

(13) Jumper Creek Wildlife Management Area.

(a) Open season:

1. Archery – September 25 26 through October 24 25.

2. Muzzleloading gun – October 29-31 30 through November 1.

3. General gun – November ~~13-21 18-26~~ and November 22 27 through January 9 10.

4. Small game – January 10-30 11-31.

5. Spring turkey – March 19 20 through April 24 25.

6. Fishing and frogging – Allowed Permitted throughout the year.

7. Duck, geese and coot – During the ~~migratory game bird~~ seasons as established by Rule 68A-13.003, F.A.C.

(b) No change.

(c) Camping: Allowed Permitted year-round only at Shell Island primitive campsite.

(d) General regulations:

1. through 2. No change.

3. Hunting with dogs is prohibited, except waterfowl- Waterfowl retrievers may be used during small game and special September early duck seasons, and bird dogs may be used during small game season.

4. During the special September early duck season as established by Rule 68A-13.003, F.A.C., waterfowl hunting will be allowed permitted on Jumper Creek with access from the Withlacoochee River only.

5. No change.

(14) Rock Springs Run Wildlife Management Area.

(a) Open season:

1. Archery – October 1-3 2-4 and 8-10 9-11.

2. Muzzleloading gun – October ~~15-17~~ ~~16-18~~ and ~~22-24~~ ~~23-25~~.

3. General gun – November ~~12-14~~ ~~13-15~~ and ~~19-21~~ ~~20-22~~.

4. Small game –December ~~4-5~~ ~~5-6~~, ~~11-12~~ ~~12-13~~ and January ~~8-9~~ ~~9-10~~.

5. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.

(b) Legal to take: Only deer and wild hog may be taken during the archery, general gun and muzzleloading gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~Antlerless deer may be taken during the archery season. Antlerless deer may be taken by antlerless deer permit during the muzzleloading gun and general gun seasons.~~ Only rabbits, gray squirrels and bobwhite quail may be taken during the small game season. Taking wild hog is prohibited during small game season. The bag limit for deer shall be one antlered and one antlerless deer per quota permit. ~~Only one archery/muzzleloading gun or general gun quota permit may be utilized per person, per hunt.~~

(c) No change.

(d) General regulations:

1. through 3. No change.

4. Airboats, tracked vehicles, ~~motorcycles~~ and all-terrain vehicles and unlicensed and unregistered motorcycles are prohibited. Horses are prohibited during periods when the area is open to hunting, except during small game season.

5. Hunters shall enter and exit the area ~~only~~ at designated entrances.

6. through 8. No change.

~~9. A quota hunt permit shall be required for every hunter entering the area.~~

(15) Guana River Wildlife Management Area.

(a) Open season:

1. Duck and coot – Lake Ponte Vedra shall be open in the special September duck season established pursuant to Rule 68A-13.003, F.A.C., and the first day of each phase and on Wednesdays and Saturdays of the duck and coot season established pursuant to Rule 68A-13.003, F.A.C.

2. General gun – November ~~19-21~~ ~~20-22~~ and ~~26-28~~ ~~27-29~~.

3. Muzzleloading gun – October ~~29-31~~ ~~30~~ ~~through~~ ~~November 1~~ and November ~~5-7~~ ~~6-8~~.

4. Archery – October ~~15-17~~ ~~16-18~~ and ~~22-24~~ ~~23-25~~.

5. Small game –December ~~3-5~~ ~~4-6~~, ~~10-12~~ ~~11-13~~, January ~~7-9~~ ~~8-10~~, ~~14-16~~ ~~15-17~~, ~~21-23~~ ~~22-24~~ and ~~28-30~~ ~~29-31~~.

6. Spring turkey – March ~~25-27~~ ~~26-28~~ and April ~~1-3~~ ~~2-4~~.

7. Fishing – ~~Allowed~~ ~~Permitted~~ at all times on Lake Ponte Vedra from Guana Dam to a line two miles north of the dam, and on the remainder of Lake Ponte Vedra and the interior freshwater lakes only from February 10 through November 10.

8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. One antlered and one antlerless deer may be taken per quota permit or per exempt hunter during the archery season. One antlered deer may be taken per quota permit or per exempt hunter during the muzzleloading gun and general gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~Only one archery/muzzleloading gun or general gun quota permit may be utilized per person, per hunt.~~ Taking of wild hog during the last two weekends of the small game season is prohibited. Legal shooting hours for ducks and coot ~~coots~~: From the beginning of legal shooting hours established pursuant to Rule 68A-13.003, F.A.C., until noon. Turkey may only be taken during the spring turkey season.

(c) No change.

(d) General regulations:

1. Vehicle access for ~~s~~Scouting is allowed only permitted one day prior to each 3-day hunt during the archery, muzzleloading gun, general gun, small game and spring turkey hunts from ~~7~~ ~~7:00~~ a.m. until ~~9~~ ~~9:00~~ p.m. during Eastern Daylight Saving Time and from ~~7~~ ~~7:00~~ a.m. until ~~8~~ ~~8:00~~ p.m. during Eastern Standard Time. Waterfowl scouting is allowed permitted on Lake Ponte Vedra from ~~5~~ ~~5:00~~ a.m. until ~~5~~ ~~5:00~~ p.m. Eastern Standard Time on the Saturday prior to the opening of each phase of the regular duck and coot season established in Rule 68A-13.003, F.A.C.

2. through 3. No change.

~~4. Hunting ducks or coots with lead shot is prohibited.~~

~~4.5:~~ The use of airboats, tracked vehicles, ~~motorcycles~~ or all-terrain vehicles and unlicensed and unregistered motorcycles is prohibited.

~~5.6:~~ No change.

~~6.7:~~ Hunters shall check in and out at the check station when entering or exiting the area and shall check all game taken. Hunters shall check out at the check station by ~~9~~ ~~9:00~~ p.m. during Daylight Savings Time and ~~8~~ ~~8:00~~ p.m. during Eastern Standard Time.

8. through 11. renumbered 7. through 10. No change.

~~11.12:~~ All waterfowl must be checked at the check station prior to ~~1~~ ~~1:00~~ p.m.

~~12.13:~~ During periods when the upland portion is closed to hunting or scouting, public access to the upland portion is restricted to walk-in only from the Guana Dam and the Roscoe Boulevard Extension entrances only. During periods when the upland portion is open to hunting or scouting, public access to the upland portion is restricted to the Guana Dam entrance only. The Roscoe Boulevard Extension entrance shall be open for public access only from sunrise to sunset and only during periods closed to hunting or scouting.

14. through 19. renumbered 13. through 18. No change.

~~19-20~~. Authorized hunting equipment may be taken on the area no earlier than 7 ~~after 8:00~~ a.m. one day before the opening of the archery season and shall be removed from the area before 6 ~~6:00~~ p.m. one day following the close of the final small-game season.

(e) No change.

(16) Half Moon Wildlife Management Area.

(a) Open season:

1. Archery – October ~~8-10~~ 9-11 and ~~15-17~~ 16-18.

2. Muzzleloading gun – October ~~29-31~~ 30 ~~through November 1~~.

3. General gun – November ~~13-15~~ 14-16 and ~~19-21~~ 20-22.

4. Small game – December ~~3-5~~ 4-6, ~~10-12~~ 11-13 and ~~17-19~~ 18-20.

5. Wild hog-still ~~General gun-hog~~ – January ~~14-16, 21-23~~ and 28-30 ~~16-17 and 23-24~~.

6. Spring turkey – March ~~25-27~~ 26-28, April ~~1-3~~ 2-4 and ~~8-10~~ 9-11.

7. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During the archery season, antlerless deer may be taken by antlerless deer permit only. During the archery, muzzleloading gun and general gun seasons the bag limit for antlered deer shall be one per quota ~~hunt~~ permit. Taking wild hog is prohibited during small game season. During the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota ~~hunt~~ permit. Only wild hog may be taken during the wild hog-still ~~general gun-hog~~ season.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. The use of tracked vehicles, airboats, ~~motorcycles or~~ all-terrain vehicles and unregistered and unlicensed motorcycles is prohibited. The use of horses is prohibited during the archery, muzzleloading gun, wild hog-still, general gun and spring turkey seasons.

5. through 6. No change.

7. Vehicular access is allowed ~~permitted~~ one day prior to each hunt from ~~8~~ 8:00 a.m. until 6 ~~6:00~~ p.m., except during small game season.

(17) Caravelle Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ 26 through October ~~3~~ 4.

2. Supervised small game – October ~~9-17~~ 10-18.

3. Muzzleloading gun – October ~~29-31~~ 30 ~~through November 1~~.

4. General gun – November ~~13-16~~ 14-17 and ~~17-21~~ 18-22.

5. No change.

6. Small game – November ~~25~~ 26 through January ~~9~~ 10 (Thursdays, Fridays, Saturdays and Sundays only).

7. Spring turkey – March ~~19-22~~ 20-23 and ~~23-27~~ 24-28.

8. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

~~9. During the supervised small game season, only persons under 16 years of age and their adult supervisor may hunt, as provided in Section 790.22, F.S.~~

(b) Legal to take: All legal game, fish, frogs and furbearers (except bobcat and otter). During the archery, muzzleloading gun and general gun seasons the bag limit for deer shall be one per quota ~~per season~~. ~~Only one archery/muzzleloading gun or general gun quota permit may be utilized per person, per season.~~ Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During the spring turkey season the bag limit for turkey shall be one gobbler (or bearded turkey) per quota ~~permit~~ hunter.

(c) Camping: Camping is allowed only in designated primitive campsites. ~~Camping is permitted in designated campsites during the hunting season. During nonhunting periods, camping is permitted only in primitive campsites.~~

(d) General regulations:

1. through 2. No change.

3. The use of tracked vehicles, airboats, ~~motorcycles or~~ all-terrain vehicles and unlicensed and unregistered motorcycles is prohibited.

4. No change.

5. Vehicular access is allowed ~~permitted~~ from 1.5 hours before sunrise to 1.5 hours after sunset one day prior to each season (except small game), and during periods when the area is open to hunting. Public access other than on foot (pedestrian), ~~or~~ horseback (equestrian), or by bicycle is prohibited at all other times.

6. through 7. No change.

8. During the supervised small game season, only persons under 16 years of age and their adult supervisor may hunt, as provided in Section 790.22, F.S.

(18) Lake George Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ 26 through October ~~24~~ 25.

2. Muzzleloading gun – October ~~29-31~~ 30 ~~through November 1~~.

3. General gun – November ~~13-16~~ 14-17, ~~17-21~~ 18-22 and ~~22-28~~ 23-29.

4. Small game – November ~~29~~ 30 through March ~~6~~ 7.

5. Spring turkey – March ~~19-21~~ 20-22, April ~~1-3~~ 2-4 and ~~15-17~~ 16-18.

6. No change.

(b) No change.

(c) Camping: Camping is prohibited during the general gun season. During the remainder of the year camping is ~~allowed permitted~~ only by permit from the St. Johns River Water Management District.

(d) General regulations:

1. through 2. No change.

3. ~~Hunting with dogs is prohibited, except bird dogs and retrievers~~ Bird dogs or retrievers only may be used during the general gun and small game seasons.

4. No change.

(19) Lake George Wildlife Management Area – Dexter/Mary Farms Unit.

(a) Open season:

1. Small game – November ~~27 28~~ through December ~~12 13~~ and December ~~25 26~~ through January ~~9 10~~.

2. Special-opportunity spring turkey – March ~~19-25 20-26~~, April ~~2-8 3-9~~ and ~~16-22 17-23~~.

3. Fishing and frogging – ~~Allowed Permitted~~ throughout the year.

4. Archery – September ~~25 26~~ through October ~~10 11~~.

5. Muzzleloading gun – October ~~29-31 30~~ through ~~November 1~~.

6. General gun – November ~~13-21 14-22~~.

(b) Legal to take: All legal game, fish, frogs and furbearers.

1. One antlered and one antlerless deer may be taken per quota permit during the archery season. One antlered deer may be taken per quota permit during the muzzleloading gun and general gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~Only one archery/muzzleloading gun or general gun quota permit may be utilized per person, per hunt.~~ Turkeys may be taken only during special-opportunity spring turkey hunts. The bag limit for turkey shall be one gobbler or bearded turkey per special-opportunity spring turkey special-opportunity hunt permit.

2. Jenkins<sup>2</sup> Pond: Fish may be taken only by hook and line or rod and reel and only during daylight hours. No person shall kill or possess any black bass. No person shall take in any one day more than 20 panfish, in the aggregate.

(c) Camping: Camping is ~~allowed permitted~~ at designated campsites during special-opportunity spring turkey hunts and at other times by permit from the Division of Forestry.

(d) General regulations:

1. through 3. No change.

4. Vehicular access is ~~allowed permitted~~ from 1.5 hours before sunrise to 1.5 hours after sunset one day prior to each season (except small game), and during periods when the area is open to hunting. Individuals in possession of a special-opportunity spring turkey ~~hunt~~ permit shall also have vehicular access to the area from sunrise to sunset on the Saturday and Sunday preceding each hunt. Vehicular access is

~~allowed permitted~~ only by permit from the Division of Forestry at all other times, except the Bluffton Recreation Area shall be open to vehicular access throughout the year from sunrise to sunset via the St. Johns River Road.

5. No change.

6. Deer, turkey, and wild hog must be checked at the hunt headquarters prior to being dismembered or taken from the area.

7. Use of boats is prohibited on Jenkins<sup>2</sup> Pond.

8. through 9. No change.

(e) No change.

(20) Seminole Forest Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25-28 26-29~~ and September ~~29 30~~ through October ~~3 4~~.

2. Muzzleloading gun – October ~~29-31 30~~ through ~~November 1~~.

3. General gun – December ~~4-7 5-8~~ and ~~8-12 9-13~~.

4. Small game – January ~~15-30 16-31~~ (Saturdays and Sundays only).

5. Spring turkey – March ~~19-22 20-23~~ and ~~23-27 24-28~~.

6. General gun for mobility-impaired – October ~~22-24 23-25~~.

7. Fishing and frogging – During periods open to hunting and at other times as access is ~~allowed permitted~~ by the Department of Agriculture and Consumer Affairs, Division of Forestry and these rules. Fish may be taken only by hook and line or rod and reel. Oaks and Bear Ponds are open to fishing only during daylight hours.

(b) Legal to take: All legal game, fish, except as provided below, frogs and furbearers except otter and bobcat. One antlered and one antlerless deer may be taken per quota permit during the archery season. One antlered deer may be taken per quota permit during the muzzleloading gun and general gun seasons. ~~Only one archery/muzzleloading gun or general gun quota permit may be utilized per person, per hunt.~~ Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. ~~Antlerless deer may be taken by permit only during muzzleloading gun and general gun seasons.~~ The take of wild hog is prohibited during small game season.-

1. through 2. No change.

(c) No change.

(d) General regulations:

1. No change.

2. Vehicles shall not be parked ~~farther~~ further than 25 feet from designated roads or parking areas.

3. through 7. No change.

8. Hunters shall enter and exit the area at the designated entrance ~~only~~.

9. ~~Only one mobility-impaired quota hunt permit may be utilized per individual per hunt.~~

~~9.10.~~ The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(21) Triple N Ranch Wildlife Management Area.

(a) Open season:

1. ~~Wild hog-still General gun hog~~ – January ~~28-30~~ ~~29-31~~, February ~~4-6~~ ~~5-7~~, ~~11-13~~ ~~12-14~~ and ~~18-20~~ ~~19-21~~.

2. Special-opportunity deer – October ~~30~~ ~~31~~ through November ~~5~~ ~~6~~ and November ~~13-19~~ ~~14-20~~.

3. Small game – November ~~27~~ ~~28~~ through January ~~23~~ ~~24~~.

4. Special-opportunity spring turkey – March ~~19-25~~ ~~20-26~~, April ~~2-8~~ ~~3-9~~ and ~~16-22~~ ~~17-23~~.

5. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

6. No change.

(b) Legal to take: Antlered deer, wild hog and antlerless deer (by antlerless deer permit only) during the special-opportunity deer season. One antlered deer may be taken per special-opportunity deer ~~hunt~~ permit ~~per season~~. ~~Only one special-opportunity deer permit may be utilized per season. Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only.~~ Taking antlered deer not having at least one antler with four or more points is prohibited. Only wild hog may be taken during the wild hog-still general gun hog season. The take of wild hog is prohibited during small game season. All legal small game and furbearers may be taken during the small game season. Turkey during the special-opportunity spring turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity spring turkey ~~hunt~~ permit ~~per season~~. ~~Only one special-opportunity spring turkey permit may be utilized per person per season.~~

(c) Camping: Allowed ~~Permitted~~ only at designated campsites during periods open to hunting.

(d) General regulations:

1. through 4. No change.

5. The use of tracked vehicles, airboats, ~~motoreycles~~ or all-terrain vehicles and unlicensed and unregistered motrocycles is prohibited.

6. Hunters shall enter and exit the area at the designated entrance and register at the hunt headquarters. Persons entering the area for purposes other than hunting shall register upon entering and exiting the area. During periods when the area is closed to hunting, public access other than on foot (pedestrian), horseback (equestrian); or by bicycle is prohibited, except that vehicular access is allowed permitted to the parking area at the hunt headquarters on Road 1 and the parking area at the south end of Crabgrass Road.

7. During periods open to hunting, only individuals in possession of a special-opportunity ~~hunt~~ permit may have vehicle access to the area and only from sunrise to sunset on

the Saturday and Sunday preceding the hunt and during the hunt. Authorized hunting equipment may be taken onto the area during these times ~~this time~~.

8. through 9. No change.

(22) Etoniah Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ ~~26~~ through October ~~10~~ ~~11~~.

2. Muzzleloading gun – October ~~29-31~~ ~~30~~ through ~~November 1~~.

3. General gun – November ~~13-16~~ ~~14-17~~ and ~~17-21~~ ~~18-22~~.

4. No change.

5. Spring turkey – March ~~19-21~~ ~~20-22~~, ~~25-27~~ ~~26-28~~ and April ~~1-3~~ ~~2-4~~.

6. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one per quota permit. Taking wild hog is prohibited during small game season. During the spring turkey season the bag limit for turkeys shall be one gobbler (or bearded turkey) per quota permit hunter.

(c) No change.

(d) General regulations:

1. Hunting with dogs is prohibited except bird dogs and dogs with a shoulder height of 15 inches or less may be used during the small game season ~~only~~.

2. No change.

3. The use of tracked vehicles, airboats, or all-terrain vehicles is prohibited.

4. Vehicular access is allowed permitted from 1.5 hours before sunrise to 1.5 hours after sunset one day prior to each season (except small game), and during periods when the area is open to hunting. Public access other than on foot (pedestrian), horseback (equestrian); or bicycle is prohibited at all other times.

5. No change.

(23) Little Big Econ ~~Econ~~lockhatchee Wildlife Management Area – ~~Kilbee Unit~~.

(a) Open season:

1. Archery – October ~~8-14~~ ~~9-11~~ and ~~15-23~~ ~~16-18~~.

2. Muzzleloading gun – November ~~5-7~~ ~~6-8~~.

3. General gun – November ~~19-21~~, ~~26-28~~ and ~~December 3-5~~ ~~20-22~~.

4. Small game – December ~~11-26~~ ~~12-27~~ (~~Saturdays and Sundays only~~).

5. Spring turkey – March ~~19-21~~, ~~25-27~~ and April ~~1-3~~. ~~General gun hog~~ – January ~~15-17~~ and ~~29-31~~.

6. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. ~~Antlerless deer may be taken by permit only during the muzzleloading gun and general gun seasons. Taking wild hog is prohibited during the small game season. Only wild hog may be taken during the general gun hog season.~~

(c) Camping: Prohibited.

(d)(e) General regulations:

1. No change.

~~2. Hunters shall check in at a check station when entering and exiting the area and record all game taken.~~

~~2.3.~~ Vehicular access is restricted to individuals participating in the hunt hunters who possess a valid quota hunt permit. Vehicles may be operated only on named and numbered roads and must be parked within 25 feet of a named or numbered road at designated parking areas.

~~4. No deer, turkey or wild hog shall be dismembered until checked at a check station.~~

~~3.5.~~ No change.

4. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

(24) Lake Panasoffkee Wildlife Management Area.

(a) Open season:

1. Special-opportunity spring turkey – March ~~24-27~~ 25-28, April ~~5-8~~ 6-9 and ~~21-24~~ 22-25.

2. Special-opportunity archery – September 30 through October 3 ~~October 1-4~~, October 7-10 ~~8-11~~, 19-22 ~~20-23~~, November ~~4-7~~ 5-8, ~~November 16-19~~ 17-20, December ~~2-5~~ 3-6, ~~14-17~~ 15-18 and January ~~6-9~~ 7-10.

3. Wild General gun hog-still – January ~~14-16~~ 15-17.

4. Wild General gun hog-dog – January ~~26-28~~ 27-29.

5. Small game – February ~~4-6~~ 5-7 and ~~11-13~~ 12-14.

6. Fishing and frogging – Allowed Permitted throughout the year.

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers (except bobcat and otter). Turkey may be taken only during the special-opportunity spring turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity spring turkey hunt permit. One antlered deer may be taken per special-opportunity deer hunt permit. Antlerless deer (~~except spotted fawns~~) may be taken by antlerless deer permit only. Taking of antlered deer not having at least one antler with four or more points is prohibited. Only wild hog may be taken during the wild general gun hog-still and wild general gun hog-dog seasons. The take of wild hog is prohibited during small game season.

(c) Camping: Camping is allowed permitted at designated campsites beginning at 8 a.m. the day preceding each hunt and ending the last day of each hunt. Camping is allowed during hunting season and at other times by permit from the Southwest Water Management District. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers

are prohibited. Lumber, sheet metal or other building materials is prohibited. Each camper shall assure that their campsite is clean at all times. The alteration, defacing, moving, tampering in any way with official markings of campsites is prohibited.

(d) General regulations:

1. through 2. No change.

3. The use of tracked vehicles, ~~motorcycles~~, or all-terrain vehicles and unlicensed and unregistered motorcycles is prohibited. The use of horses is prohibited during periods open for hunting the special opportunity hunts.

4. through 5. No change.

6. During periods when the area is closed to hunting, vehicular access is restricted to the main entrance road to the horse stable facility. Individuals in possession of a special-opportunity archery, wild hog-still or wild hog-dog or ~~general gun~~ quota hunt permit shall have vehicle access to the area from 8 a.m. to 6 p.m. on the day preceding the hunt, and those in possession of a special-opportunity spring turkey permit shall have vehicle access to the area from 1.5 hours before sunrise until 1.5 hours after sunset on the day preceding the hunt.

7. through 10. No change.

11. The use of dogs, other than bird dogs and dogs with a shoulder height of 15 inches or less during the small game season, is prohibited except that dogs may ~~be~~ be used during the wild general gun hog-dog season. During the wild general gun hog-dog season, no more than 3 free-running dogs per wild hog-dog general gun quota permit shall be allowed. During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District.

12. During the wild general gun hog-dog season, a quota permit shall allow a hunting group of two persons and a guest as authorized by Rule 68A-15.005, F.A.C., (three individuals total) to participate in the hunt, and only one gun may be used to take wildlife per hunting group be required for each group of two hunters, and only one gun may be possessed per quota permit.

13. Authorized hunting equipment, dogs and camping equipment may be taken on the area beginning at 8 a.m. the day preceding each hunt and shall be removed from the area the last day of each hunt. During spring turkey season hunting equipment is allowed on the area beginning at 1.5 hours before sunrise the day preceding each hunt.

(25) Ross Prairie Wildlife Management Area.

(a) Open season: Supervised small game – October ~~16-22~~ 17-23, November ~~20-26~~ 21-27, December ~~18-24~~ 19-25 and January ~~15-21~~ 16-22.

(b) Legal to take: All legal small game and furbearers. The take of wild hog is prohibited.

(c) Camping: Allowed Permitted at designated campsites only.

(d) General regulations:



1. Motorized vehicles are prohibited except in designated parking areas. Horses and bicycles are allowed ~~permitted~~ only on roads, firelines, and designated trails.

2. All hunters shall enter and ~~or~~ exit the area ~~only~~ at designated entrances.

3. through 6. No change.

(26) Buck Lake Wildlife Management Area.

(a) Open season:

1. Archery – September 25 ~~26~~ through October 3 ~~4~~ and October 9-15 ~~10-16~~.

2. Muzzleloading gun – October 29-31 ~~30~~ through ~~November 1~~.

3. General gun – November 13-16 ~~14-17~~ and 17-21 ~~18-22~~.

4. Small game – December 4-19 ~~5-20~~.

5. Spring turkey – March 19-22 ~~20-23~~ and 23-27 ~~24-28~~.

6. Wild hog-still ~~General gun hog~~ – January 6-9 ~~7-10~~ and 20-23 ~~21-24~~.

7. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers (except bobcat and otter). During archery season, the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During muzzleloading gun and general gun seasons, the bag limit for deer shall be one antlered deer per quota permit. A limit of one antlerless and one antlered deer per person per hunt is established. Antlerless deer may be taken by permit only during muzzleloading gun and general gun season. The take of wild hog is prohibited during small game season. Only wild hog may be taken during the wild hog-still general gun hog season. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota hunt permit or per exempt hunter.

(c) No change.

(d) General regulations:

1. No change.

2. Airboats, tracked vehicles, ~~motoreycles~~, all-terrain vehicles, ~~and~~ horses and unlicensed and unregistered motorcycles are prohibited except that horses are allowed ~~permitted~~ on named and numbered roads or designated trails during periods closed to hunting.

3. No change.

4. Vehicular access is restricted to hunters who possess a valid quota ~~hunt~~ permit. Vehicles may be operated only on named or numbered roads and may be parked only in designated parking areas or within 25 feet of a named or numbered road.

5. through 7. No change.

(27) Fort Drum Wildlife Management Area.

(a) Open season:

1. Special-opportunity deer – November 13-19 ~~14-20~~.

2. Small game – December 11-26 ~~12-27~~.

3. Special-opportunity spring turkey – March 19-25 ~~20-26~~, April 2-8 ~~3-9~~ and 16-22 ~~17-23~~.

4. Wild hog-still ~~Special-opportunity wild hog~~ – October 8-10 ~~9-11~~, 15-17 ~~16-18~~ and 22-24 ~~23-25~~.

5. Fishing – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game and fish. Turkey may be taken only during the special-opportunity spring turkey hunts. The bag limit for turkey shall be one gobbler (or bearded turkey) per special-opportunity spring turkey ~~hunt~~ permit ~~per season~~. One antlered deer per special-opportunity deer ~~hunt~~ permit ~~per season~~. ~~Only one special-opportunity hunt permit may be used/ utilized per person per season.~~ Antlerless deer (except spotted fawns) may be taken by antlerless deer permit only. Taking of antlered deer not having at least one antler with four or more points is prohibited. Taking of wild hog during the small game season is prohibited.

(c) Camping: Only tent camping is allowed, and only at designated campsites. During special-opportunity and wild hog-still hunts, only hunters in possession of valid special-opportunity permits or wild hog-still quota permits and their guests may camp.

(d) General regulations:

1. No change.

2. Hunters shall enter and exit at Gate 1 ~~only~~ and check in and out at the designated check station when entering or exiting the area.

3. through 4. No change.

~~5. Persons participating in the special-opportunity deer, turkey or wild hog hunts must be in possession of a special-opportunity hunt permit.~~

~~6. During special-opportunity hunts, only permittees may use tents, trailers or self-propelled camping vehicles at designated campsites. During the remainder of the year, only tent camping shall be permitted and only at designated campsites.~~

~~5.7. The use of tracked vehicles, airboats, motoreycles, or all-terrain vehicles and unlicensed and unregistered motorcycles is prohibited.~~

~~6.8. Horses are allowed permitted only during nonhunting periods and may be ridden permitted only on designated trails.~~

~~7.9. No change.~~

(28) Ocklawaha River Wildlife Management Area – Gores Landing Unit.

(a) Open season:

1. Archery – September 25 ~~26~~ through October 10 ~~11~~.

2. Muzzleloading gun – October 29-31 ~~30~~ through ~~November 1~~.

3. General gun – November 13-21 ~~14-22~~.

4. Small game – December 4-19 ~~5-20~~.

5. Spring turkey – March 19-22 ~~20-23~~ and 23-27 ~~24-28~~.

6. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. During archery, muzzleloading gun, and general gun seasons, the bag limit for deer shall be one per quota permit hunter. The take of wild hog is prohibited during small game season. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota permit hunter.

(c) No change.

(d) General regulations:

1. through 3. No change.

4. The use of tracked vehicles, ~~motorcycles~~, or all-terrain vehicles and unlicensed and unregistered motorcycles is prohibited.

(29) Seminole Forest Wildlife Management Area – Lake Tracy Unit.

(a) Open season:

1. Archery – September ~~25-27~~ and October 1-3 ~~26-28~~.

2. Muzzleloading gun – October ~~29-31~~ ~~30~~ through ~~November 1~~.

3. General gun – November ~~13-15~~ ~~14-16~~.

4. Wild hog-still – November 19-21, December 17-19 and January 14-16.

~~5.4~~ Spring turkey – March ~~19-21~~ ~~20-22~~ and ~~25-27~~ ~~26-28~~.

~~6.5~~ Fishing and frogging – During periods open to hunting and at other times as access is allowed permitted by the Division of Forestry and these rules.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be two per quota permit.

(c) No change.

(d) General regulations:

1. No change.

2. Vehicles may be operated only on named and numbered roads and shall be parked at designated parking areas or within 25 feet of named or numbered roads.

3. The use of tracked vehicles, airboats, or all-terrain vehicles is prohibited during periods when hunting is allowed permitted. During periods when the area is closed to hunting, public access is regulated by the Division of Forestry.

4. Hunters shall enter and exit the area ~~only~~ at designated entrances.

5. No change.

(30) Twelve Mile Swamp Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ ~~26~~ through October ~~24~~ ~~25~~.

2. Muzzleloading gun – October ~~30~~ ~~31~~ through November ~~7~~ ~~8~~.

3. General gun – November ~~13~~ ~~14~~ through January ~~9~~ ~~10~~.

4. Small game – January ~~10~~ ~~11~~ through March ~~6~~ ~~7~~.

5. Spring turkey – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~.

6. No change.

7. Trapping – January ~~10~~ ~~11~~ through March 1.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. Vehicles are prohibited on the area from 1.5 hours after sunset to 1.5 hours before sunrise. ~~Persons~~ Vehicles may only enter and exit the area at designated ~~entrances~~ locations.

5. Access to the area is allowed permitted only by individuals possessing a valid recreational use permit and only from the Saturday two weeks prior to the archery season through the last day of the spring turkey season.

6. No change.

7. The use of tracked vehicles, airboats, ~~motorcycles~~ or all-terrain vehicles and unlicensed and unregistered motorcycles is prohibited.

(31) Upper St. Johns River Marsh Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ ~~26~~ through October ~~24~~ ~~25~~.

2. Muzzleloading gun – October ~~30~~ ~~31~~ through November ~~7~~ ~~8~~.

3. General gun – November ~~13~~ ~~14~~ through January ~~23~~ ~~24~~.

4. Small game – January ~~24~~ ~~25~~ through March ~~6~~ ~~7~~.

5. Spring turkey – March ~~19~~ ~~20~~ through April ~~24~~ ~~25~~.

6. No change.

7. Fishing and frogging – Allowed Permitted year-round.

8. Duck, geese and coot – During the seasons established by Rule 68A-13.003, F.A.C. Waterfowl may be hunted in accordance with federal migratory bird regulations.

(b) Legal to take: All legal game, furbearers, fish, and frogs. Antlerless deer may be taken during the period November ~~20-21~~ ~~21-22~~. Turkey of either sex may be taken during the muzzleloading gun season. Gobblers or bearded turkey may be taken during the general gun season only from November 13 through January 9. The period of November 14 through January 10 is open for bearded turkey only.

(c) Camping: Only tent camping is allowed permitted, and only at designated campsites.

(d) General regulations:

1. Motorized ~~tracked or wheeled~~ vehicles are prohibited, except on Fellsmere Grade and Lawton Road. Motorized vessels ~~boats~~ are prohibited in those portions of the area posted as a walk-in only, except motorized vessels are allowed in areas posted as seasonal walk-in areas, but only from one day following the close of spring turkey season to one day prior to archery season.

2. through 3. No change.

4. During the duck, geese and coot season in the Stick Marsh/Farm 13, Kenansville Lake, and as posted in the Blue Cypress Water Management Area, taking wildlife with guns other than shotguns is prohibited.

5. No change.

6. Hunting with dogs is prohibited except bird dogs may be used during the small game, duck and coot seasons, and dogs may be used for wild hog hunting during the period January ~~26-30~~ ~~27-31~~.

7. through 10. No change.

(32) Dunns Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ ~~26~~ through October ~~10~~ ~~11~~ and November ~~20-28~~ ~~21-29~~.

2. Muzzleloading gun – October ~~30~~ ~~31~~ through November ~~7~~ ~~8~~.

3. Wild ~~hog-still~~ ~~hog~~ – January ~~22-30~~ ~~23-31~~.

4. Spring turkey – March ~~19-21~~ ~~20-22~~, April ~~1-3~~ ~~2-4~~ and ~~15-17~~ ~~16-18~~.

5. No change.

6. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs, and furbearers. ~~During archery season, the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During muzzleloading gun season, the bag limit for deer shall be one antlered deer per quota permit. The bag limit shall be one antlered and one antlerless deer per quota hunt permit.~~ Only wild hogs may be taken during the wild ~~hog-still~~ ~~hog~~ season.

(c) Camping: Only tent camping is ~~allowed~~ ~~permitted~~, and only at designated campsites.

(d) General regulations:

1. through 3. No change.

4. The use of tracked vehicles, ~~motorcycles~~, or all-terrain vehicles ~~and unlicensed and unregistered motorcycles~~ is prohibited.

5. During hunting periods, public access is restricted to those individuals ~~authorized to hunt with valid quota permits~~.

6. through 8. No change.

9. Vehicular access is ~~allowed only~~ ~~permitted~~ on all hunt days ~~and plus~~ the weekend and day before all hunts, except spring turkey season, when ~~vehicle access~~ ~~it~~ shall be ~~allowed~~ ~~permitted~~ only on hunt days and the day before each hunt.

10. Taking wildlife with rimfire or centerfire rifles or pistols is prohibited during the spring turkey and wild ~~hog-still~~ ~~hog~~ seasons.

11. No change.

(33) Salt Lake Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ ~~26~~ through October ~~3~~ ~~4~~ and October ~~4-10~~ ~~5-11~~.

2. Muzzleloading gun – October ~~29-31~~ ~~30~~ through November ~~1~~.

3. General gun – November ~~13-16~~ ~~14-17~~ and ~~17-21~~ ~~18-22~~.

4. Small game – December ~~10-12~~, ~~17-19~~; January ~~7-9~~, ~~14-16~~; February ~~11-13~~, ~~18-20~~ ~~5-20~~.

5. ~~Wild hog-dog~~ ~~General gun hog~~ – January ~~20-23~~ ~~21-24~~.

6. Spring turkey – March ~~19-22~~ ~~20-23~~ and ~~23-27~~ ~~24-28~~.

7. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. ~~During the archery season, the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons, the bag limit for deer shall be one antlered deer per quota permit. A bag limit of one antlerless and one antlered deer per person per hunt.~~ Taking wild hog is prohibited during small game season. Only wild hog may be taken during the ~~wild hog-dog~~ ~~general gun hog~~ season. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota ~~hunt~~ permit.

(c) No change.

(d) General regulations:

1. Hunting with dogs is prohibited except that dogs may be used during the ~~wild hog-dog~~ ~~general gun hog~~ season and bird dogs may be used during small game season. During the ~~wild hog-dog~~ ~~general gun hog~~ season, no more than 3 ~~free-running~~ dogs per quota ~~hunt~~ permit shall be allowed.

2. No change.

3. Airboats, tracked vehicles, ~~motorcycles~~, and all-terrain vehicles ~~and unlicensed and unregistered motorcycles~~ are prohibited. Horses are prohibited during periods when the area is open to hunting. Horses and bicycles may be used only on named or numbered trails or roads.

4. Hunters shall enter ~~and~~ ~~or~~ exit the area ~~only~~ at designated entrances.

5. through 8. No change.

9. During the ~~wild hog-dog~~ ~~general gun hog~~ season, a quota ~~hunt~~ permit shall ~~allow a hunting group of two persons and a guest as authorized by 68A-15.005, F.A.C., (three individuals total) to participate in the hunt and only one gun may be used to take wildlife per hunting group be required for each group of two hunters and only one gun may be possessed per permit.~~

(34) Matanzas Wildlife Management Area.

(a) Open season:

1. Archery – September ~~25~~ ~~26~~ through October ~~3~~ ~~4~~ and October ~~4-10~~ ~~5-11~~.

2. Muzzleloading gun – October ~~29-31~~ ~~30~~ through November ~~1~~.

3. Family hunt – November ~~13-14~~ ~~14-15~~.

4. General gun – November ~~15-21~~ ~~16-22~~.

5. ~~Wild hog-still~~ ~~General gun hog~~ – December ~~4-12~~ ~~5-13~~.

6. Small game – January ~~10-25~~ ~~11-26~~.

7. Spring turkey – March ~~19-22~~ ~~20-23~~ and ~~23-27~~ ~~24-28~~.

8. Fishing and frogging – ~~Allowed~~ ~~Permitted~~ throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. Only wild hog may be taken during the wild hog-still general gun hog season. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota ~~hunt~~ permit.

(c) Camping: Allowed only ~~Permitted~~ by permit from the Florida Division of Forestry ~~only~~.

(d) General regulations:

1. through 2. No change.

3. Airboats, tracked vehicles, unlicensed and unregistered motorcycles, and all-terrain vehicles are prohibited.

4. Hunters shall enter and ~~or~~ exit the area ~~only~~ at designated entrances.

5. No change.

(35) Lake Monroe

(a) Open season:

1. Non-migratory game – Zonal seasons established under Rule 68A-13.004, F.A.C., except that open season for rabbit shall be during the zonal squirrel season only, antlered deer season will open the second Saturday in November and close ~~57~~ 58 days thereafter and there shall be no crossbow season.

2. through 4. No change.

(b) through (d) No change.

(36) Charles H. Bronson Wildlife Management Area.

(a) Open season:

1. Archery – October 8-14 and 15-23.

2. Muzzleloading gun – November 5-7.

3. General gun – November 12-14, 19-21 and December 3-5.

4. Small game – December 11-19 and January 8-14.

5. Spring turkey – March 18-20, 25-27 and April 1-3.

6. Duck, geese, coot and snipe – During the migratory game bird seasons as established by Rules 68A-13.003 and 68A-13.008, F.A.C.

6. Fishing and frogging – Allowed throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one per quota permit. During the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota hunt permit.

(c) Camping: Prohibited unless authorized by the Division of Forestry.

(d) General regulations:

1. Hunting with dogs other than bird dogs or retrievers is prohibited.

2. Vehicle access is prohibited except persons participating in a hunt are allowed vehicle access during archery, muzzleloading gun, general gun, small game and spring turkey seasons and one day prior to each of these seasons. Vehicles may be operated only on named or numbered roads and must be parked within 25 feet of a named or numbered road.

3. Airboats, tracked vehicles, all-terrain vehicles, swamp buggies and unlicensed and unregistered motorcycles are prohibited.

4. Persons shall enter and exit the area at designated entrances, except access is also allowed from the St. Johns River if hunting duck, geese, coot or snipe during non-quota periods.

5. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.

6. Horses may only be ridden on named or numbered roads and designated equestrian trails.

(37) Marshall Swamp Wildlife Management Area

(a) Open season:

1. Archery – September 25 through October 1; October 2-8, 9-15, 16-22 and 23-31.

2. Muzzleloading gun – November 5-7.

3. General gun – November 19-21, 26-28 and December 3-5.

4. Small game – During the open season for gray squirrel established in Rule 68A-13.004, F.A.C.

5. Spring turkey – March 19-21, 25-27 and April 1-3.

6. Migratory game birds – Migratory game birds during seasons established by Rules 68A-13.003 and 68A-13.008, F.A.C.

7. Fishing and frogging – Allowed throughout the year.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one per quota permit. During the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota permit.

(c) Camping: Prohibited.

(d) General regulations:

1. Hunting with dogs other than bird dogs or retrievers for the take of small game is prohibited.

2. Taking wild hog with dogs is prohibited.

3. Vehicles may be operated only in designated parking areas.

4. Airboats, tracked vehicles, all-terrain vehicles, swamp buggies and unlicensed and unregistered motorcycles are prohibited.

5. Persons shall enter and exit the area at a designated entrance.

6. Taking wildlife with centerfire rifles and centerfire handguns is prohibited.

7. Fires are prohibited.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History–New 6-21-82, Amended 6-29-82, 7-1-83, 7-5-84, 10-1-84, 7-1-85, 5-7-86, 5-10-87, 5-1-88, 7-1-89, 12-19-89, 7-1-90, 7-1-91, 7-2-91, 7-2-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 7-1-99, Formerly 39-15.065, Amended 12-20-99, 7-1-00, 12-26-00, 7-1-01, 6-2-02, 7-28-02, 5-1-03, 7-1-03, 10-12-03, 7-1-04, 7-1-05, 1-4-06, 7-1-06, 8-22-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-17.004  
 RULE TITLE: General Regulations Relating to Wildlife and Environmental Areas

PURPOSE AND EFFECT: The proposed rule change clarifies that during a specific season only those species listed in each area-specific rule are legal to take. It will also require that the taking of furbearers with traps or hunting furbearers at night must be explicitly allowed in the area-specific regulations.

SUMMARY: The proposed rules changes would identify those species legal to take during each season and require that taking furbearers with traps or hunting furbearers at night must be explicitly allowed in the area-specific regulations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.354, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.004 General Regulations Relating to Wildlife and Environmental Areas.

(1) General prohibitions: Hunting, fishing or trapping is prohibited on any portion of any wildlife and environmental area posted as closed to hunting, fishing or trapping. Hunting, fishing, trapping, camping or other usage related to such activity on any wildlife and environmental area shall only be at the time and in the manner provided by the regulations for the particular wildlife and environmental area. During a given season, all legal methods for taking fish, frogs or wildlife during that season shall be allowed, unless prohibited under the rules governing a particular area. Taking furbearers with traps, snares or at night is prohibited unless allowed by an area specific rule.

(2) through (17) No change.

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.354, 375.313 FS. History–New 4-12-98, Amended 12-28-98, Formerly 39-17.004, Amended 7-1-00, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT

CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.:	RULE TITLE:
68A-17.005	Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife and Environmental Areas (WEAs) and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WEAs.

SUMMARY: The proposed rule changes would revise or establish specific area regulations on WEAs as follows:

- Southwest Region.
  - Bullfrog Creek Mitigation Park – require persons to enter and exit at designated entrances; and allow public access from 0.5 hours before sunrise until 0.5 hours after sunset.
  - Chinsegut WEA – clarify that public access is limited to foot traffic unless participating in Commission sponsored activities; allow public access from 0.5 hours before sunrise until 0.5 hours after sunset; prohibit the possession of any animal; and require persons to enter and exit at designated entrances.
  - Crooked Lake Mitigation Park (NEW) 1,147 acres – prohibit the possession of any animal; limit public access to foot traffic; require persons to enter and exit at designated entrances; and allow public access from 0.5 hours before sunrise until 0.5 hours after sunset.
  - Hickey Creek Mitigation Park – require persons to enter and exit at designated entrances.
  - Janet Butterfield Brooks Mitigation Park (NEW) 319 acres – prohibit public access as required by the acquisition agreement.
  - Lake Wales Ridge WEA – prohibit the possession of any animal, except dogs under physical restraint are allowed and horses are allowed by permit; limit public access to foot traffic, bicycle or horses; require persons to enter and exit at designated entrances; and allow public access from 0.5 hours before sunrise until 0.5 hours after sunset.

Lake Wales Ridge WEA, Royce Unit – move the wild hog-still hunt dates from January to May and remove the quota permit requirement; prohibit the use of horses during periods open for hunting; and expand scouting opportunities by allowing vehicle access on named roads one day prior to all hunts except small game.

Moody Branch Mitigation Park (NEW) 960 acres – prohibit the possession of any animal, except horses are allowed by permit; limit public access to foot traffic or horses; require persons to enter and exit at designated entrances; and allow public access from 0.5 hours before sunrise until 0.5 hours after sunset.

Perry Oldenburg Mitigation Park – prohibit the possession of any animal; require persons to enter and exit at designated entrances; and allow public access from 0.5 hours before sunrise until 0.5 hours after sunset.

Platt Branch Mitigation Park – require persons to enter and exit at designated entrances; and allow public access from 0.5 hours before sunrise until 0.5 hours after sunset.

**North Central Region**

Bell Ridge Mitigation Park (NEW) 720 acres – prohibit possession of any animal; allow access only on foot; and allow entrance and exit at designated entrances.

Fort White Mitigation Park – establish three 5-day archery hunts (quota 10, no exemptions); establish a 14-day small game season; establish two 5-day spring turkey hunts (quota 3, no exemptions); establish a falconry season with statewide dates; allow fishing and frogging only along the bank of the Santa Fe River; prohibit trapping; establish as legal to take all legal game, fish, frogs and furbearers; set the bag limit for deer during archery season at one antlered or one antlerless deer per quota permit; set the bag limit for turkey during spring turkey season at one gobbler or bearded turkey per quota permit; require persons enter and exit at designated entrances; allow access from 1.5 hours before sunrise until 1.5 hours after sunset; prohibit possession of any animal, except that dogs may be used for trailing wounded game, bird dogs may be used for hunting during the small game season and falcons may be used during the falconry season; prohibit access by motorized vehicles; remove rule that restricts access to foot traffic only; allow bicycles to be ridden on firebreaks, well-defined roads and trails; allow access during the archery and spring turkey seasons only to persons participating in the hunt; and prohibit the use of centerfire rifles during the spring turkey season.

Lafayette Forest WEA (NEW) 2,148 acres – establish three 5-day archery hunts (quota 15, no exemptions); establish a 3-day muzzleloading gun season (quota 15, no exemptions); establish two 2-day family hunts (quota 10, no exemptions); establish two 5-day wild hog-still hunts (quota 20, no exemptions); establish two 3-day spring turkey hunts (quota 5, no exemptions); establish a falconry season with statewide dates; establish as legal to take all legal game, fish and furbearers; allow fishing year round; prohibit trapping; set the

bag limit for deer during the archery season at one antlered or one antlerless deer per quota permit; set the bag limit for deer during the family hunts at one antlered or one antlerless deer per person; set the bag limit for deer during the muzzleloading gun season at one antlered deer per quota permit; set the bag limit for turkeys during the spring turkey season at one gobbler or bearded turkey per quota permit; only allow wild hog to be hunted during the wild hog-still season; require that all persons shall enter and exit at designated entrances; public access will be allowed only from 1.5 hours before sunrise until 1.5 hours after sunset, except that persons with a Special Use Authorization for Mallory Swamp WMA, from the Suwannee River WMD, may travel McCalls Chapel Grade; prohibit possession of any animal, except a dog on a leash may be used for trailing wounded game, dogs may be transported throughout the year on McCall Chapel Grade and falcons may be used during the falconry season; prohibit access by motorized vehicles except on Lafayette Loop and McCall Chapel Grade; allow Lafayette Loop to be driven on only by persons authorized to participate in the hunts and only on hunt days and the day prior to each hunt; during hunting periods access will be limited to persons participating in the hunt, except that McCall Chapel Grade will be open to the public access year round; and prohibit the use of all-terrain vehicles and unlicensed and unregistered motorcycles.

Santa Fe Swamp WEA – allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset unless in possession of a Special Use Authorization from the Suwannee River Water Management District.

Suwannee Ridge WEA – allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset.

Watermelon Pond WEA (NEW) 4,231 acres – establish a 9-day archery season (no quota); establish two 2-week small game hunts; establish a falconry season with statewide dates; establish as legal to take all legal game, fish and furbearers; prohibit trapping; allow fishing and frogging throughout the year; establish the bag limit for deer of one per person; require persons to enter and exit at designated entrances; prohibit access by motorized vehicles; allow bicycles to be ridden only on named or numbered roads or designated bicycling trails; prohibit the possession of any animal except that horses may be ridden on roads and designated trails, dogs on a leash may be used to track wounded game, bird dogs and waterfowl retrievers may be used for hunting during the small game season and falcons may be used during the falconry season; and allow public access only from 1.5 hours before sunrise until 1.5 hours after sunset.

#### Northwest Region

Apalachicola River WEA – clarify that there is no crossbow season; establish a wild hog-dog season with five 3-day hunts (quota 5 per hunt, no exemptions) for that portion of the area west of Saul Creek Road, south of a line running east from Misfit Landing to the Apalachicola River and west of the

Apalachicola River; allow up to two hunters and one guest, the use of no more than three free-running dogs and only one gun per quota permit during the wild hog-dog hunts; specify that wild hog-dog hunts will begin at 12:01 a.m. on the first day of the hunt and end at 11:59 p.m. (midnight) the last day of the hunt; prohibit hunting from sunrise to sunset during the wild hog-dog season; allow wild hogs to be hunted during the wild hog-dog season by the aid of a light with a firearm, provided that the firearm is not loaded until immediately prior to shooting a bayed hog (hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited); and limit camping on Northwest Florida Water Management District lands to no more than 14 consecutive days.

#### South Region

John C. and Mariana Jones/Hungryland WEA – establish an 8-day spring turkey season with hunting allowed on Wednesdays, Saturdays and Sundays (no quota); and bird dogs and retrievers may be used to hunt migratory birds during migratory bird seasons.

John G. and Susan H. Dupuis, Jr. WEA – move the wild hog-still hunts that currently occur on weekdays to weekends (Friday through Sunday); allow public access during the wild hog-still hunts; specify that hunters camping during the hog-still hunts shall use the Family Use campground on Jim Lake grade or primitive campsites on hiking trails; and prohibit the take of deer during wild hog-still season.

#### Northeast Region

Split Oak Forest Mitigation Park – prohibit the possession of any animal, except horses are allowed by permit.

Additional proposed rule changes would provide non-substantive technical changes, such as grammatical corrections, language standardization, or clarification of an existing rule.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:** The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.005 Specific Regulations for Wildlife and Environmental Areas.

(1) Southwest Region.

(a) Little Gator Creek – Pasco County.

1. No change.

2. Public access is prohibited except by permit.

~~2. The disturbance or removal of any tree or plant is prohibited.~~

~~3. Fishing is permitted on the Withlacoochee River only.~~

~~4. Unauthorized public access is prohibited.~~

~~5. The possession of dogs or trapping devices is prohibited.~~

(b) Hickey Creek Mitigation Park – Lee County.

1. Possession of any animal is prohibited.

2. All persons shall enter and exit the area only at designated entrances.

3. Public access other than by foot (pedestrian) is prohibited.

4. Public access is prohibited from one-half hour after sunset to one-half hour before sunrise.

~~1. Taking wildlife with guns is prohibited.~~

~~2. Unauthorized removal, cutting, or possession of live or dead trees or plants is prohibited.~~

~~3. Camping or campfires are prohibited.~~

~~4. The possession of dogs, horses, or other pets or livestock is prohibited.~~

~~5. Access is restricted to foot traffic only.~~

~~6. Access is prohibited from one-half hour after sunset to one-half hour before sunrise.~~

~~7. The release of any wildlife on the area is prohibited.~~

(c) Platt Branch Mitigation Park – Highlands County.

1. Possession of any animal is prohibited.

2. All persons shall enter and exit the area only at designated entrances.

3. Public access other than by foot (pedestrian) is prohibited.

4. Public access is prohibited from one-half hour after sunset to one-half hour before sunrise.

~~1. Taking wildlife with guns is prohibited.~~

~~2. Unauthorized removal, cutting, or possession of live or dead trees or plants is prohibited.~~

~~3. Camping or campfires are prohibited.~~

~~4. The possession of dogs, horses, or other pets or livestock is prohibited.~~

~~5. Access is restricted to foot traffic only.~~

~~6. The release of any wildlife on the area is prohibited.~~

(d) Lake Wales Ridge – Highlands and Polk Counties ~~County.~~

1. Possession of any animal is prohibited except dogs as provided by paragraph 68A-17.004(7)(c), F.A.C., are allowed and horses are allowed by permit.

2. All persons shall enter and exit the area only at designated entrances.

3. Public access other than by foot (pedestrian), bicycle or horseback (equestrian) is prohibited.

4. Public access is prohibited from one-half hour after sunset to one-half hour before sunrise.

~~1. The use of motorized vehicles is prohibited.~~

~~2. Horseback riding is allowed by permit only.~~

(e) Bullfrog Creek Mitigation Park – Hillsborough County.

1. Possession of any animal is prohibited.

2. All persons shall enter and exit the area only at designated entrances.

3. Public access other than by foot (pedestrian) is prohibited.

4. Public access is prohibited from one-half hour after sunset to one-half hour before sunrise.

~~1. The possession of dogs, horses, or other pets or livestock is prohibited.~~

~~2. Access is restricted to foot traffic only.~~

(f) Lake Wales Ridge Wildlife and Environmental Area – Royce Unit – Highlands County.

1. Open season:

a. Archery – October ~~15-17~~ ~~16-18~~ and ~~22-24~~ ~~23-25~~.

b. General gun – November ~~19-21~~ ~~20-22~~.

c. Small game – December ~~10-12~~ ~~11-13~~ and ~~24-26~~ ~~25-27~~, January ~~21-23~~ ~~22-24~~ and ~~28-30~~ ~~29-31~~.

d. Wild hog still General gun hog – May 7-8 and 14-15 ~~January 9-10 and 16-17~~.

e. Spring turkey – March ~~18-20~~ ~~19-21~~ and April ~~1-3~~ ~~2-4~~.

f. Fishing and frogging – Allowed Permitted throughout the year.



2. Legal to take: All legal game, fish, frogs, and furbearers. The bag limit for antlered deer shall be one per quota ~~hunt~~ permit. Antlerless deer may be taken by antlerless deer permit only. Only wild hog may be taken during the wild hog-still general gun hog season. During the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota ~~hunt~~ permit.

3. General regulations:

a. The use of tracked vehicles, airboats, all-terrain vehicles or unlicensed and unregistered motorcycles, ~~airboats, or all-terrain vehicles~~ is prohibited. Horses and bicycles may be used only on firebreaks and named or numbered roads. During periods open to hunting, horses are prohibited. ~~The use of horses is prohibited during the general gun and spring turkey seasons.~~

b. No change.

c. During periods when the area is closed to hunting, public access other than by foot (pedestrian), bicycle, or horseback (equestrian) is prohibited, except that motorized vehicles shall be allowed permitted on Royce Road year round year-round and shall be allowed permitted on all named and numbered roads one day prior to all hunts, except small game the general gun and spring turkey hunts.

d. through e. No change.

(g) Perry Oldenburg Mitigation Park – Hernando County.

1. Possession of any animal is prohibited.

2. All persons shall enter and exit the area only at designated entrances.

3. Public access other than by foot (pedestrian) is prohibited.

4. Public access is prohibited from one-half hour after sunset to one-half hour before sunrise.

~~1. Taking wildlife with guns is prohibited.~~

~~2. Fires are prohibited.~~

~~3. Disturbance or removal of any trees or plants is prohibited.~~

~~4. Possession of dogs or trapping devices is prohibited.~~

~~5. Access shall be restricted to foot traffic only. No motorized vehicles or horseback riding shall be allowed.~~

~~6. Camping is prohibited.~~

(h) Chinsegut – Hernando County.

1. Public access other than by foot (pedestrian) is prohibited. Unauthorized public access is prohibited on that portion of the area lying east of C.R. 581. Access is permitted by foot traffic only on that portion of the area lying south of the intersection of U.S. 41 and C.R. 581 and west of U.S. 41 known as the Big Pine Tract.

2. Fishing and frogging is prohibited.

3. Possession of any animal is prohibited. The possession of dogs or trapping devices is prohibited.

4. All persons shall enter and exit the area only at designated entrances.

5. Public access is prohibited from one-half hour after sunset to one-half hour before sunrise.

6. The Commission may authorize additional public access, including but not limited to hours of access and methods of access, to facilitate public access to the Chinsegut Nature Center and Commission sponsored activities.

(i) Moody Branch Mitigation Park – Manatee County.

1. Possession of any animal is prohibited except horses are allowed by permit.

2. All persons shall enter and exit the area only at designated entrances.

3. Public access other than by foot (pedestrian) or horseback (equestrian) is prohibited.

4. Public access is prohibited from one-half hour after sunset to one-half hour before sunrise.

(j) Crooked Lake Mitigation Park – Polk County.

1. Possession of any animal is prohibited.

2. All persons shall enter and exit the area only at designated entrances.

3. Public access other than by foot (pedestrian) is prohibited.

4. Public access is prohibited from one-half hour after sunset to one-half hour before sunrise.

(k) Janet Butterfield Brooks Mitigation Park – Hernando County.

1. Public access is prohibited.

(2) North Central Region.

(a) Santa Fe Swamp – Bradford County.

1. Open season (~~hunting prohibited at other times~~):

a. Archery – September ~~25 26~~ through October ~~24 25~~.

b. Muzzleloading gun – October ~~29-31 30~~ through ~~November 1~~.

c. Archery and muzzleloading gun – November ~~13 14~~ through January ~~9 10~~.

d. Spring turkey – March ~~19 20~~ through April ~~24 25~~.

e. Fishing is allowed permitted throughout the year.

2. Legal to take: ~~Wild hog, G~~gray squirrel, rabbit, deer with one or more antlers at least five inches in length and fish. Deer (except spotted fawns) and turkey of either sex may be taken during the archery season. Only bearded turkey or gobblers may be taken during the spring turkey season.

3. General regulations:

a. through d. No change.

e. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(b) Fort White Mitigation Park – Gilchrist County.

1. Open season:

a. Archery season – October 23-27, October 30 through November 3 and November 13-17.

- b. Small game – November 20 through December 3.
- c. Spring turkey – March 19-23 and 26-30.
- d. Fishing and frogging – Prohibited except along the bank of the Santa Fe River.
- e. Trapping – Prohibited.
- f. Falconry – Game may be taken by falconry during established statewide seasons that coincide with periods when the area is otherwise open for public use or hunting.
- 2. Legal to take: All legal game, fish, frogs and furbearers. During the archery season, the bag limit shall be one antlered or one antlerless deer per quota permit. During the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota permit.
- 3. General regulations:
  - a. Persons shall enter and exit the area at designated entrances.
  - b. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise.
  - c. Possession of any animal is prohibited except that a dog on a leash may be used to trail wounded game, bird dogs are allowed for hunting during the small game season and falcons may be used during the falconry season.
  - d. Motorized vehicular access is prohibited.
  - e. Bicycles may only be ridden on firebreaks, trails and well-defined roads.
  - f. Only persons participating in the hunts are allowed on the area during hunting periods, except during small game season.
  - g. The use of centerfire rifles for taking wild turkey during the spring turkey season is prohibited.
    - 1. The possession of dogs, horses, or other pets or livestock is prohibited.
    - 2. Access is restricted to foot traffic only.
- (c) Suwannee Ridge – Hamilton County.
  - 1. Open season:
    - a. Mobility-impaired general gun – October 15-17 ~~16-18~~, ~~October 29-31 30 through November 1~~, November 5-7 ~~6-8~~ and December 17-19 ~~18-20~~.
    - b. Mobility-impaired spring turkey – March 25-27 ~~26-28~~ and April 15-17 ~~16-18~~.
  - 2. Legal to take: Any deer (except spotted fawn), wild hog, gobbler or bearded turkey (during spring turkey season only), gray squirrel, and rabbit. The bag limit shall be two deer or two bearded turkeys per quota permit. Only certified mobility-impaired hunters may take an antlerless deer.
  - 3. General regulations:
    - a. through b. No change.
    - c. Vehicles may be operated only from one and one-half hours before sunrise until one and one-half hours after sunset, only on ~~designated portions~~ of named or numbered roads during periods open to hunting and one day prior.

- d. The use of tracked vehicles, airboats, motorcycles, or all-terrain vehicles is prohibited, except all-terrain vehicles may be used during mobility-impaired hunts ~~only, during all hunts~~.
- e. through h. No change.
- i. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise.
- (d) No change.
- (e) Bell Ridge Mitigation Park.
  - 1. Possession of any animal is prohibited.
  - 2. Public access other than by foot (pedestrian) is prohibited.
  - 3. All persons shall enter and exit the area only at designated entrances.
    - (f) Lafayette Forest Wildlife and Environmental Area
      - 1. Open seasons:
        - a. Archery season – September 25-29, October 1-5 and 8-12.
        - b. Muzzleloading gun season – October 29-31.
        - c. Family hunt – November 13-14 and 20-21.
        - d. Wild hog-still – January 29 through February 2 and February 5-9.
        - e. Spring turkey – March 19-21 and 25-27.
        - f. Fishing – Allowed year round.
        - g. Trapping – Prohibited.
        - h. Falconry – Game may be taken by falconry during established statewide seasons that coincide with periods when the area is otherwise open for public use or hunting.
          - 2. Legal to take: All legal game, fish and furbearers. During the archery season the bag limit shall be one antlered or one antlerless deer per quota permit. During the family hunt the bag limit shall be one antlered or one antlerless deer per person. During the muzzleloading gun season, the bag limit shall be one antlered deer per quota permit. During the wild hog-still season, only wild hog may be taken. During the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota permit.
          - 3. General regulations:
            - a. All persons shall enter and exit the area at designated entrances.
            - b. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise except that persons with a Special Use Authorization for Mallory Swamp Wildlife Management Area, from the Suwannee River Water Management District, may traverse McCalls Chapel Grade.
            - c. Possession of any animal is prohibited except that a dog on a leash may be used for trailing wounded game, dogs may be transported year round on McCalls Chapel Grade and falcons may be used during the falconry season.

d. Motorized vehicular access is prohibited except on McCalls Chapel Grade and Lafayette Loop. Lafayette Loop may be driven on only by persons authorized to participate in the hunts and only on hunt days and the day prior to each hunt.

e. During hunting seasons public access is limited to persons participating in the hunt, except that all persons may use McCalls Chapel Grade to access Mallory Swamp Wildlife Management Area.

f. The use of all-terrain vehicles and unlicensed and unregistered motorcycles is prohibited.

(g) Watermelon Pond Wildlife and Environmental Area

1. Open seasons:

a. Archery season – October 23-31.

b. Small game – November 20 through December 3 and December 18-31.

c. Fishing and frogging – Allowed year round.

d. Trapping – Prohibited.

e. Falconry – Game may be taken by falconry during established statewide seasons that coincide with periods when the area is otherwise open for public use or hunting.

2. Legal to take: All legal game, fish, frogs and furbearers. The bag limit for deer shall be one per person.

3. General regulations:

a. All persons shall enter and exit the area only at designated entrances.

b. Motorized vehicular access is prohibited.

c. Bicycles may be ridden only on named or numbered roads or designated bicycling trails.

d. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise.

e. Possession of animals is prohibited; except that dogs on a leash may be used for trailing wounded game, horses are allowed only on roads and designated horse trails, bird dogs and waterfowl retrievers may be used for hunting during the small game season and falcons may be used for falconry season.

(3) Northwest Region.

(a) No change.

(b) Apalachicola River – Gulf, Franklin, and Liberty counties.

1. Hunting shall be allowed only during the open seasons established for migratory birds in Rules 68A-13.003 and 68A-13.008, F.A.C., and during open seasons, except crossbow season, established for deer, turkey, quail, and squirrel in Rule 68A-13.004, F.A.C., during an archery and muzzleloading gun season opening 19 days following the close of the zonal antlered deer season and closing 6 days thereafter, and during a wild hog-dog season with hunts opening the third Friday and closing 2 days thereafter in the months of July, August, September, May, and June, and except for the following:

a. through d. No change.

e. Wild hog may only be taken during the archery, muzzleloading gun, general gun, and archery/muzzleloading gun and wild hog-dog seasons. During the wild hog-dog season, wild hogs may be taken only on that portion of the area west of Saul Creek Road, south of a line running east from Misfit Landing to the Apalachicola River and west of the Apalachicola River.

2. No change.

3. General regulations:

a. Camping is limited to tents, trailers, or self-propelled camping vehicles only. Camping is permitted throughout the area, except where posted as no camping. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers, lumber, sheet metal, or other building materials are prohibited. Camping more than 14 consecutive days at a time is prohibited in that portion of the area posted as Northwest Florida Water Management District lands.

b. through g. No change.

h. During the wild hog-dog season, a quota permit shall allow a hunting group of two persons and a guest, as authorized by Rule 68A-15.005, F.A.C., (3 total) to participate in the hunt and only one gun and no more than three free-running dogs may be used to take wildlife per hunting group.

i. During the wild hog-dog season, hunts will begin at 12:01 a.m. on the first day of the hunt and end at 11:59 p.m. on the last day of the hunt.

j. During the wild hog-dog season, taking wild hog is prohibited from sunrise to sunset.

k. During the wild hog-dog season, wild hog may be taken by the aid of a light with a firearm provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(c) L. Kirk Edwards – Leon County.

1. No change.

2. Open seasons for that portion of the area east of Chaires Cross Road: Spring turkey – During the first three days of the spring turkey season for Zone C of the Central Zone, and the Friday, Saturday, and Sunday of the third and fifth weekends of the spring turkey season for Zone C of the Central Zone.

3. through 4. No change.

(4) South Region.

(a) Southern Glades – Dade County.

1. Open season:

a. Archery – September 11-12 through October 10-11.

b. Muzzleloading gun – October 15-17-18.

c. General gun – October 30-31 through December 5-6.

d. Small game – November 13-14 through March 6-7.

e. No change.

f. Fishing is allowed permitted throughout the year.

g. No change.

2. Legal to take: All legal game (except turkey), fish, frogs and furbearers (except bobcat and otter). Take of antlerless deer is prohibited during archery season. The take of wild hog with a shoulder height of less than 15 inches is prohibited. Deer with one or more antlers at least five inches in length, wild hog with a shoulder height of 15 inches or more; duck, eoot, and snipe; fish, and frogs. The take of wild hog is prohibited during small game season. Wild hog: daily bag, 1; possession limit, 2.

3. No change.

(b) John G. and Susan H. Dupuis Jr. – Palm Beach and Martin counties.

1. Open season:

a. Archery – September 10-12 ~~11-13~~, 17-19 ~~18-20~~ and 24-26 ~~25-27~~.

b. Muzzleloading gun – October 8-10 ~~9-11~~, 15-17 ~~16-18~~ and 22-24 ~~23-25~~.

c. General gun for mobility-impaired – October 30-31 ~~31 through November 1~~.

d. General gun – November 5-7 ~~6-8~~ and 12-14 ~~13-15~~.

e. Wild hog-still General gun hog – November 19-21, 17-19, 24-26; December 3-5, 10-12 ~~1-3~~ and 17-19 ~~8-10~~. Wild hog only. No bag or size limit.

f. Spring turkey – March 8-10 ~~9-11~~, 18-20 ~~19-21~~ and 25-27 ~~26-28~~.

g. Small game – December 11 ~~12~~ through January 30 ~~31~~.

h. No change.

i. Fishing is allowed ~~permitted~~ when public access is allowed.

j. No change.

2. Legal to take: All legal game, gobblers or bearded turkeys (during spring season only), wild hog, fish and furbearers (except otter). Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Antlerless deer (except spotted fawns) may be taken during the archery and general gun for the mobility-impaired seasons. The bag limit for deer shall be one per quota hunt permit, except during the general gun for mobility-impaired season when one (1) antlered and one (1) antlerless deer may be taken per quota permit. The bag limit for turkey shall be one per quota hunt permit. The take of wild hog is prohibited during small game season. The take of deer is prohibited during the wild hog season.

3. Camping – During the archery, muzzleloading gun, general gun, general gun for mobility-impaired, and spring turkey seasons, only those persons participating in the hunt ~~no person~~ shall camp on the area and ~~except those possessing a current Dupuis quota hunt permit and during the general gun hog season, only general gun hog hunters may camp on the area;~~ camping is permitted only on the campsite adjacent to Gate 3. Authorized camping equipment may be taken on the

area after 8:00 a.m. one day before each hunt and shall be removed from the area before 5 p.m. one day following each three-day hunt of the archery, muzzleloading gun, general gun, ~~general gun hog~~, general gun for mobility-impaired, and spring turkey seasons. Authorized camping equipment shall be removed from the area before 5:00 p.m. one day following each three day hunt of the archery, muzzleloading gun, general gun, general gun hog, general gun for mobility-impaired, and spring turkey seasons. Persons hunting during the small game and wild hog-still seasons shall use the Family Use campground on Jim Lake Grade or primitive campsites on the hiking trails. For persons not participating in the hunts and during ~~During~~ the remainder of the year, camping is allowed ~~permitted only~~ at designated primitive campsites on hiking trails, the Family Use campground on Jim Lake Grade, and at the designated equestrian staging area at Gate 3. ~~Small game shall utilize the Family Use campground on Jim Lake Grade or the primitive sites on the hiking trails.~~

4. General regulations:

a. No change.

~~b. Hunting over bait or placing bait or other food for wildlife is prohibited.~~

~~e. Hunting or the possession of guns is prohibited in areas posted as closed.~~

d. through g. renumbered b. through e. No change.

~~f.h.~~ Horses are prohibited during the archery, muzzleloading gun, general gun, general gun for mobility-impaired; and spring turkey; ~~and general gun hog~~ seasons. During the remainder of the year horses may be used only on designated equestrian trails and named or numbered roads. Persons horseback riding on the area shall enter and exit only at Gate 3.

~~g.i.~~ During the archery, muzzleloading gun, general gun, general gun for mobility-impaired, spring turkey; and wild hog-still ~~general gun hog~~ seasons, hunters shall check in and out at the check station at Gate 3 and check all game taken. No deer, wild hog, or turkey may be dismembered until checked at the check station. During the small game season, hunters shall enter and exit the area through Gate 1.

~~h.j.~~ No change.

~~i.k.~~ During the archery, muzzleloading gun, general gun, general gun for mobility-impaired; and spring turkey; ~~and general gun hog~~ seasons, no person shall enter or exit the area except through Gate 3 and all such persons shall possess a valid quota hunt permit for the area or be a guest of a valid quota permit holder as provided in Rule 68A-15.005, F.A.C. During the wild hog-still season, no person shall enter or exit the area except through Gate 3.

~~j.l.~~ No change.

~~k.m.~~ No change.

~~n. Only one mobility-impaired quota hunt permit may be utilized per individual per hunt.~~

~~l.~~ Hunting with ~~The possession or use of~~ firearms other than shotguns is prohibited during the small game season.

~~m.~~ ~~p.~~ No change.

(c) CREW – Collier and Lee Counties.

1. Open season:

a. Archery – September ~~11-19~~ ~~12-20~~.

b. Muzzleloading gun – October ~~16-18~~ ~~17-19~~.

c. General gun – October ~~30~~ ~~31~~ through November ~~7~~ ~~8~~.

d. Small game – December ~~4-31~~ ~~5~~ through January ~~1~~.

e. Spring turkey – March ~~5-8~~ ~~6-9~~ and ~~9-13~~ ~~10-14~~.

f. No change.

g. Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

2. Legal to take: All legal game, fish, frogs, and furbearers (except bobcat and otter). The bag limit for deer shall be one per quota ~~hunt~~ permit. The taking of deer is prohibited in the Corkscrew Marsh Unit. During the spring turkey season, the bag limit for turkey shall be one gobbler (or bearded turkey) per quota ~~hunt~~ permit. The taking of turkey is prohibited during the archery season. The take of wild hog is prohibited during small game season.

3. Camping: Camping is allowed at designated sites by individuals with written authorization from the South Florida Water Management District or by individuals participating in hunts in possession of a valid quota hunt permit.

4. General regulations:

a. through b. No change.

c. The use of tracked vehicles, swamp buggies, unlicensed and unregistered motorcycles, all-terrain vehicles, or vessels, except canoes or kayaks, is prohibited, except that swamp buggies may be operated by individuals participating in hunts possessing a valid quota hunt permit.

d. Vehicles may be operated only on named or numbered roads designated for vehicles. During the archery, muzzleloading gun, general gun and spring turkey seasons beginning at ~~8~~ ~~8:00~~ a.m. the day prior to the opening of each season vehicles may also be operated on named or numbered trails by individuals possessing a valid quota hunt permit.

e. through f. No change.

g. Persons may enter the area ~~WEA~~ no earlier than two hours before sunrise and must exit the area within two hours after sunset, unless camping at a designated campsite.

h. through k. No change.

(d) Florida Keys – Monroe County.

1. No change

2. Fishing is allowed ~~permitted~~ throughout the year.

3. No change

4. General regulations:

a. through f. No change.

~~g.~~ No person shall release wildlife or any species on the area.

h. through k. renumbered g. through j. No change.

~~k.~~ The use of tracked vehicles, unlicensed and unregistered motorcycles, or all-terrain vehicles is prohibited.

~~l.~~ ~~m.~~ No change.

(e) John C. and Mariana Jones / Hungryland – Palm Beach and Martin Counties.

1. Open season:

a. Archery – September ~~11-14~~ ~~12-15~~, ~~18-21~~ ~~19-22~~, ~~25-28~~ ~~26-29~~ and October ~~2-5~~ ~~3-6~~.

b. Muzzleloading gun – October ~~16-18~~ ~~17-19~~.

c. General gun – October ~~30~~ ~~31~~ through November ~~1~~ ~~2~~, November ~~6-8~~ ~~7-9~~ and ~~13-15~~ ~~14-16~~.

d. Small game – November ~~20~~ ~~21~~ through December ~~19~~ ~~20~~.

e. Spring turkey – March 19 through April 3 (Wednesdays, Saturdays and Sundays only).

~~f.~~ ~~e.~~ No change.

~~g.~~ ~~f.~~ Fishing and frogging – Allowed ~~Permitted~~ throughout the year.

2. Legal to take: Deer, gobblers or bearded turkeys (during spring turkey season only), quail, gray squirrel, rabbit, raccoon, opossum, coyote, skunk, fish, frogs and migratory game birds as established by Rules 68A-13.003 and 68A-13.008, F.A.C. The bag limit for deer shall be one ~~each~~ per quota permit. The taking of antlerless deer is prohibited during the archery season. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited.

3. Camping: Camping is allowed ~~permitted~~ only at designated ~~primitive~~ campsites. Only tents may be used for camping.

4. General regulations:

a. through b. No change.

c. The use of tracked vehicles, buggies, airboats, unlicensed and unregistered motorcycles, and all-terrain vehicles is prohibited.

d. through e. No change.

f. Dogs are prohibited except bird dogs and retrievers may be used for taking small game and migratory birds ~~hunting during the small game season~~.

g. through i. No change.

(5) Northeast Region. Split Oak Forest Mitigation Park – Orange and Osceola counties.

(a) Possession of any animal is prohibited except horses are allowed by permit. Taking wildlife with guns is prohibited.

(b) All persons shall enter and exit the area only at designated entrances. Fires are prohibited.

(c) Public access other than by foot (pedestrian) or horseback (equestrian) is prohibited. Disturbance or removal of any trees or plants is prohibited.

~~(d) Public access is prohibited from one-half hour after sunset to one-half hour before sunrise. Possession of dogs or trapping devices is prohibited.~~

~~(e) Access shall be restricted to foot traffic at designated access points or horseback riding which shall be allowed only by permit.~~

~~(f) Access is prohibited from one-half hour after sunset to one-half hour before sunrise.~~

~~(g) Camping is prohibited.~~

~~(h) The release of any wildlife on the area is prohibited.~~

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History--New 7-1-83, Amended 11-30-83, 7-1-84, 8-21-85, Formerly 39-17.05, Amended 6-1-86, 8-13-87, 8-18-88, 8-17-89, 4-11-90, 7-1-91, 10-31-91, 4-14-92, 4-20-93, 7-1-94, 9-15-94, 3-30-95, 8-15-95, 7-1-96, 4-3-97, 10-28-97, 7-1-98, 8-11-98, 7-1-99, Formerly 39-17.005, Amended 7-1-00, 5-1-01, 6-2-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 1-6-09, 7-1-09, 10-29-09, 7-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-19.005      RULE TITLE: General Regulations Relating to Critical Wildlife Areas

PURPOSE AND EFFECT: The purpose of the proposed changes is to provide a new title and to clarify rule language while retaining the intent of the existing regulations for Critical Wildlife Areas (CWAs). The effect is to reduce citizen confusion, allow for more effective CWA management, improve conservation for imperiled wildlife, and improve enforcement.

SUMMARY: The proposed rule changes would: allow for area-specific regulations that differ from those in this section to be stated in the establishment order for the CWA; require that portions of the CWA to be managed will be posted as a "Critical Wildlife Area"; prohibit public access, including vehicles, boats, and dogs in areas posted as "Closed to Public Access"; prohibit dogs only in areas posted as "Dogs Prohibited"; and allow the Executive Director to issue permits for scientific or conservation purposes on CWAs where public access is prohibited.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_or will not \_\_\_X\_\_\_ have an impact on small business. A SERC has \_\_\_or has not \_\_\_X\_\_\_ 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-19.005 General Regulations Relating To Establishment and Protection of Critical Wildlife Areas.

(1) The general regulations for critical wildlife areas shall be as follows: Critical wildlife areas may be established by the Commission with prior concurrence in such designation by the owner of the property wherein the area is situated. All areas shall be described in the order with sufficient specificity as to

~~permit identification and shall be posted by the Commission so as to provide due notice as to the identity and status of the area. The order establishing the critical wildlife area shall contain the dates during which the tract shall be accorded maximum protection from human or vehicular disturbance.~~

(a) Areas in which regulations are to be enforced shall be posted as a "Critical Wildlife Area" to provide due notice as to the identity and status of the area.

(b) The take of fish and wildlife is prohibited within any area posted as a critical wildlife area, except as authorized in the order establishing the critical wildlife area.

(c) Public access, including vehicles, vessels and dogs, is prohibited within areas posted as "Closed to Public Access."

(d) Dogs are prohibited within areas posted as "Dogs Prohibited."

(e) The Executive Director may issue permits authorizing access for scientific or conservation purposes to a critical wildlife area where public access is prohibited. Persons so authorized must possess a copy of the authorization when engaged in such activities.

~~(2) Regulations for any specific critical wildlife area that differ from the general regulations set forth in this rule shall be established by the order establishing the critical wildlife area. No person shall take or disturb any wildlife within any critical wildlife area during the period designated by the order establishing such area. No person shall enter or operate a vehicle within any critical wildlife area during any period in which public access is prohibited by the order establishing such area. No person shall knowingly allow a dog under their care to enter or remain upon a critical wildlife area during any period in which public access is prohibited by the order establishing such area.~~

PROPOSED EFFECTIVE DATE: March 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 11-17-81, 6-21-82, Formerly 39-19.05, Amended 4-14-92, Formerly 39-19.005, Amended 3-1-10.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NO.: 68A-20.005  
 RULE TITLE: Specific Fish Management Area Regulations

PURPOSE AND EFFECT: The purpose of the proposed rule change is to replace the 18 inch minimum length limit on black bass in Hurricane Lake with the 12 inch minimum length limit that is the statewide black bass regulation for this area so that anglers make take smaller sizes of black bass.

SUMMARY: The proposed rule would reduce the minimum length limit for legal harvest of black bass from 18 inches to 12 inches in total length on Hurricane Lake, Okaloosa County.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, Florida 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Darrell L. Scovell, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

- 68A-20.005 Specific Fish Management Area Regulations.
  - (1) Northwest Region:
    - (a) through (c) No change.
    - (d) Hurricane Lake, Okaloosa County:
      - ~~1. No person shall kill or possess any black bass than 18 inches in total length.~~
      - 1.2. The use of boats propelled by gasoline motors is prohibited.
      - 2.3. Motor vehicles are prohibited on dams, spillways and fishing fingers.
        - (e) through (i) No change.
        - (2) through (5) No change.

- 68A-27.002 Provision for Harassment of Endangered, Threatened and Species of Special Concern on Airport Property
- 68A-27.0021 Designation of Candidate Species; Prohibitions; Permits
- 68A-27.003 Florida Endangered and Threatened Species; Prohibitions
- 68A-27.004 Designation of Threatened Species; Prohibitions; Permits
- 68A-27.005 Designation of Species of Special Concern; Prohibitions; Permits
- 68A-27.006 Reward Program
- 68A-27.007 Permits and Authorizations for the Take of Florida Endangered and Threatened Species

PROPOSED EFFECTIVE DATE: July 1, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended 4-30-00, 7-1-00, 10-10-00, 4-1-01, 7-1-01, 10-9-01, 7-1-02, 1-1-03, 7-1-03, 1-1-04, 7-1-04, 7-17-05, 7-1-06, 4-1-07, 7-1-10.

PURPOSE AND EFFECT: The purpose and effect of these rule changes are to conserve or improve the status of endangered and threatened species by effectively reducing the risk of extinction through the use of a science-based process that is objective and quantifiable, that accurately identifies endangered and threatened species that are in need of special actions to prevent further imperilment, that identifies a framework for developing management strategies and interventions to reduce threats causing imperilment, and that prevents species from being threatened to such an extent that they become regulated and managed under the Federal Endangered Species Act.

SUMMARY: These rule changes include new rules stating the purpose and intent of the rule chapter, providing definitions for the rule chapter, and establishing a separate rule specifying permits required to take endangered and threatened species. The rule changes also make substantial revisions to the rule specifying the State’s list of endangered and threatened species, and to the rule specifying the processes for adding and removing species from the State’s list of endangered and threatened species. These changes establish a Florida Endangered and Threatened Species List that includes species listed as endangered or threatened by the Federal government as one component, and species listed as Threatened by the State as a second component. The State processes described in these rules are used to make changes to the State Threatened component of the list. Changes to the Federal component of the list are made to reflect changes made by the Federal government. The rule changes clarify that management plans must be established for species added to the State Threatened component of the list and species removed from either component of the list. The rule changes also establish a framework for permits required to take endangered and threatened species.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Darrell L. Scovell, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

RULE NOS.:	RULE TITLES:
68A-27.0001	Purpose and Intent
68A-27.001	Definitions
68A-27.0011	Killing Endangered Species
68A-27.0012	Procedures for Listing and Removing Species from Florida’s Endangered and Threatened Species List



SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will \_\_\_ or will not X have an impact on small business. A SERC has \_\_\_ or has not X 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mr. Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULES IS:

68A-27.0001 Purpose and Intent.

(1) The purpose and intent of this rule chapter is to conserve or improve the status of endangered and threatened species in Florida to effectively reduce the risk of extinction through the use of a science-informed process that is objective and quantifiable, that accurately identifies endangered and threatened species that are in need of special actions to prevent further imperilment, that identifies a framework for developing management strategies and interventions to reduce threats causing imperilment, and that will prevent species from being threatened to such an extent that they become regulated and managed under the federal Endangered Species Act of 1973, as amended, 16 U.S.C. §1531 et seq.

(2) The Commission shall include in its annual work plan the Florida Endangered and Threatened species it will focus on in the next fiscal year. Work shall include but not be limited to species evaluation requests, management plan development and implementation, and other conservation actions.

(3) The protections of this rule chapter shall not prohibit lawful hunting, fishing or other recreational activities when those activities result in annoyance or disturbance of Florida Endangered and Threatened Species.

(4) The Commission does not intend to prohibit actions taken on an emergency basis necessary to address public safety.

(5) This rule chapter is not intended to exercise regulatory authority over those species under Legislative authority. The Commission will continue to regulate those species to the extent authorized by Florida Statute.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New \_\_\_\_\_.

68A-27.001 Definitions.

When used in this rule chapter, the terms and phrases listed below have the meaning provided:

(1) Florida Endangered and Threatened Species – species of fish or wild animal life, subspecies or isolated populations of species or subspecies, whether vertebrate or invertebrate, that are native to Florida which are endangered and threatened under Commission rule as either: (a) Federally-designated Endangered and Threatened species by virtue of designation as endangered or threatened by the United States Departments of Interior or Commerce under the Endangered Species Act, 16 U.S.C. § 1531, et seq. and rules thereto or (b) as a State-designated Threatened species. Florida Endangered and Threatened species retain their status regardless of subsequent changes in scientific nomenclature or subsequent identification of species or subspecies within the species listed.

(2) Federally-designated Endangered and Threatened Species – species of fish or wild animal life, subspecies or isolated populations of species or subspecies, whether vertebrate or invertebrate, that are native to Florida and are classified as Endangered and Threatened under Commission rule by virtue of designation by the United States Departments of Interior or Commerce as endangered or threatened under the Federal Endangered Species Act, 16 U.S.C. § 1531 et seq. and rules thereto.

(3) State-designated Threatened Species – As designated by the Commission, species of fish or wild animal life, subspecies, or isolated population of a species or subspecies, whether vertebrate or invertebrate, that are native to Florida and are classified as Threatened as determined by paragraph (a), (b), (c), (d), or (e) below in accordance with Rule 68A-27.0012, F.A.C. The designation of a species as threatened shall include all subspecies unless stated otherwise in Commission rule.

(a) Reduction in population size based on any of the following:

1. An observed, estimated, inferred or suspected population size reduction of at least 50% over the last 10 years or three generations, whichever is the longer, where the causes of the reduction are: clearly reversible and understood and ceased, based on (and specifying) any of the following:

- a. Direct observation.
- b. An index of abundance appropriate to the taxon.
- c. A decline in area of occupancy, extent of occurrence and/or quality of habitat.
- d. Actual or potential levels of exploitation.
- e. The effects of introduced taxa, hybridization, pathogens, pollutants, competitors or parasites.

2. An observed, estimated, inferred or suspected population size reduction of at least 30% over the last 10 years or three generations, whichever is the longer, where the reduction or its causes may not have ceased or may not be understood or may not be reversible, based on (and specifying) any of sub-subparagraph (a)1.a. to (a)1.e., above.

3. A population size reduction of at least 30%, projected or suspected to be met within the next 10 years or three generations, whichever is the longer (up to a maximum of 100 years), based on (and specifying) any of sub-subparagraph (a)1.b. to (a)1.e., above.

4. An observed, estimated, inferred, projected or suspected population size reduction of at least 30% over any 10 year or three generation period, whichever is longer (up to a maximum of 100 years in the future), where the time period must include both the past and the future, and where the reduction or its causes may not have ceased or may not be understood or may not be reversible, based on (and specifying) any of sub-subparagraph (a)1.a. to (a)1.e. above.

(b) Geographic range in the form of either subparagraph (b)1. (extent of occurrence) or (b)2. (area of occupancy) or both:

1. Extent of occurrence estimated to be less than 20,000 square kilometers (7,722 square miles), and estimates indicating at least two of a.-c.:

a. Severely fragmented or known to exist at no more than 10 locations.

b. Continuing decline, observed, inferred or projected, in any of the following:

- (i) extent of occurrence,
- (ii) area of occupancy,
- (iii) area, extent and/or quality of habitat,
- (iv) number of locations or subpopulations,
- (v) number of mature individuals.

c. Extreme fluctuations in any of the following:

- (i) extent of occurrence,
- (ii) area of occupancy,
- (iii) number of locations or subpopulations,

(iv) number of mature individuals.

2. Area of occupancy estimated to be less than 2,000 square kilometers (772 square miles), and estimates indicating at least two of a.-c.:

a. Severely fragmented or known to exist at no more than 10 locations.

b. Continuing decline, observed, inferred or projected, in any of the following:

- (i) extent of occurrence,
- (ii) area of occupancy,
- (iii) area, extent and/or quality of habitat,
- (iv) number of locations or subpopulations,
- (v) number of mature individuals.

c. Extreme fluctuations in any of the following:

- (i) extent of occurrence,
- (ii) area of occupancy,
- (iii) number of locations or subpopulations,
- (iv) number of mature individuals.

(c) Population size estimated to number fewer than 10,000 mature individuals and either:

1. An estimated continuing decline of at least 10% within 10 years or three generations, whichever is longer, (up to a maximum of 100 years in the future); or

2. A continuing decline, observed, projected, or inferred, in numbers of mature individuals and at least one of the following (a.-b.):

a. Population structure in the form of one of the following:

(i) no subpopulation estimated to contain more than 1000 mature individuals; or

(ii) all mature individuals are in one subpopulation.

b. Extreme fluctuations in number of mature individuals.

(d) Population very small or restricted in the form of either of the following:

1. Population size estimated to number fewer than 1000 mature individuals.

2. Population with a very restricted area of occupancy (typically less than 20 square kilometers [8 square miles]) or number of locations (typically five or fewer) such that it is prone to the effects of human activities or stochastic events within a very short time period in an uncertain future, and is thus capable of becoming endangered or threatened or even extinct in a very short time period.

(e) Quantitative analysis showing the probability of extinction in the wild is at least 10% within 100 years.

(4) Take – to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in such conduct. The term “harm” in the definition of take means an act which actually kills or injures fish or wildlife. Such act shall include acts that actually kill or injure wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering. The term “harass” in the definition of take means an intentional or negligent act or

omission which creates the likelihood of injury to wildlife. "Harass" shall include annoying fish or wildlife only if the annoyance creates the likelihood of injury by significantly disrupting normal behavioral patterns which include, but are not limited to, breeding, feeding or sheltering.

(5) Incidental take – any taking otherwise prohibited, if such taking is incidental to, and not the purpose of the carrying out of an otherwise lawful activity.

(6) Management plan – a document created or adopted by the Commission with the purpose of providing guidance for the management of the species. The intent of management plans is to provide guidance to conserve species so that their status improves and the species can be removed from the Florida Endangered and Threatened Species list as well as to provide guidance to conserve the species so that they will not again need to be listed. It shall be a comprehensive, single-species management plan; or a document involving a multi-species plan; or a document indicating the specified rule or rules; or a reference to a federal recovery plan that will be used for guidance in the management of the species. The management plan shall address biological status; identify measurable conservation objectives, including a time frame; identify any exempt activities if appropriate; identify conservation actions; identify incentives if appropriate; recommend rules for species if warranted; address anticipated economic, ecological, and social impacts of implementing or not implementing the management plan; and include a revision schedule.

(7) Native – a species, subspecies or isolated populations of species or subspecies that occur naturally in Florida or that has been reintroduced into its historic range, rather than occurring in Florida as a result of accidental or deliberate introduction by humans.

(8) Candidate species – A species of fish or wild animal life, subspecies, or isolated populations of species or subspecies, whether invertebrate or vertebrate, that the Commission has determined warrants listing as a State-designated Threatened Species in accordance with Rule 68A-27.0012, F.A.C., and is awaiting final Commission action to be added to the list of Florida Endangered and Threatened Species in Rule 68A-27.003, F.A.C.

(9) Isolated population – A significant and discrete population of a species or subspecies of fish or wild animal life that is reproductively separated from other populations of the same species or subspecies as a consequence of physical, ecological, or other factors.

(10) Data deficient – the condition where a species was evaluated and found to have insufficient scientific and commercial data to recommend a listing status for the species.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New \_\_\_\_\_.

68A-27.0011 Killing Endangered Species.

No person shall intentionally kill, attempt to kill or wound any endangered species that is both as designated in Rule 68A-27.003, F.A.C. and designated in 50 C.F.R. 17.11 as endangered.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 7-1-84, Formerly 39-27.011, Amended 4-13-88, Formerly 39-27.0011, Amended \_\_\_\_\_.

(Substantial rewording of Rule 68A-27.0012 follows. See Florida Administrative Code for present text.)

68A-27.0012 Procedures for Listing, and Removing Species from Florida's and ~~Reclassifying~~ Endangered and Threatened and Species List of ~~Special Concern~~.

(1) Federally-designated Endangered and Threatened Species. Species which are native to Florida and which are designated as Endangered or Threatened under the Federal Endangered Species Act (ESA), 15 U.S.C. § 1531 et seq. and rules thereto will be listed by the Commission as a Florida Endangered and Threatened Species by virtue of the federal designation. If a species native to Florida is added or reclassified under the ESA, the species shall be so listed or reclassified in the Florida Endangered and Threatened Species rule pursuant to the notice provisions of Section 120.54(6), F.S. relating to adoption of federal standards. Before species that have been removed from the ESA are removed from the Florida Endangered and Threatened Species rule, they shall receive a biological status review according to subparagraph (2)(c)2., to determine if the species warrants listing as a state-designated species. Prior to any species being removed from the Florida Endangered and Threatened Species list, the Commission shall develop a management plan that is intended to maintain or enhance the conservation of that species.

(2) State-designated Threatened Species.

(a) Notwithstanding the provisions contained in this subsection, these procedures shall not be applied to the following species:

1. Federally-designated Endangered and Threatened species, except when those species are scheduled to be removed from the federal list,

2. Species not native to Florida,

3. Harvested species that are monitored through periodic stock assessments or other techniques and are the subject of any rule in Title 68, F.A.C. that allows harvest.

4. Species whose occurrence in Florida is only accidental.

(b) Requesting the evaluation of a species for listing or removal from the State-designated Threatened species list.

1. Persons requesting that the Commission list on or remove a species from the State-designated Threatened species list must submit a written species evaluation request to the Commission through the Division of Habitat and Species Conservation, Tallahassee, Florida. The Commission can also

initiate species evaluation requests. Species evaluation requests shall be submitted from January 1 through June 30 and will be reviewed for completeness and considered for evaluation in the listing process from July 1 through September 30.

2. Species evaluation requests shall be clearly identified as such, and must contain the following in order to be considered complete:

a. The name, address, and signature of the person or persons submitting the request.

b. Scientific and common name of the species.

c. Sufficient information on the biology and distribution of the species to warrant investigation of its status using the criteria contained in the definition of a State-designated Threatened species. For listing requests, this information shall also include a biological score calculated according to the process initially described in Millsap, B. A., J. A. Gore, D. E. Runde, and S. I. Cerulean, Wildlife Monographs: Setting Priorities for the Conservation of Fish and Wildlife Species in Florida (Wildlife Monographs 111, July 1990, and as subsequently modified), the data, or references to data, and the score assigned for each biological variable used to determine the biological score. The information submitted with the request must include or reference the best scientific and commercial data available regarding the species.

3. Incomplete species evaluation requests, including requests which do not include or reference the best scientific and commercial data available, will be returned to the requestor with insufficiencies clearly noted in writing. Corrected species evaluation requests may be resubmitted for consideration outside the submission time period identified in 1. above if resubmitted within 30 days of being returned. Corrected species evaluation requests resubmitted more than 30 days after being returned must be submitted within the time period identified in subparagraph 1., above.

4. Complete species evaluation requests will be evaluated in accordance with the provisions in paragraph (2)(c) for listing or (3)(b) for removal from the list.

5. Emergency listing requests may be submitted at any time and, if in the opinion of the Executive Director, immediate designation of a species as a State-designated Threatened species is essential to prevent imminent extinction, such listing may be effected on a temporary basis by Executive Order; provided that the Executive Order shall be approved or terminated at the next regularly scheduled meeting of the Commission. Commission staff shall, within 365 days after the effective date of such approval, conduct the evaluations prescribed in paragraphs (2)(c), (2)(d), and (2)(e) of this rule to determine if the species should be listed as State-designated Threatened. The Commission shall take final action on the listing at the next regularly scheduled meeting following the 365-day evaluation period.

(c) Determining if listing is warranted.

1. Biological vulnerability screening – The Commission staff shall review the information used to determine the biological score submitted with the species evaluation request. Using that information, and all other available scientific and commercial information staff shall determine a final biological score for the species for the purpose of further reviewing the species evaluation request.

a. If the final biological score is greater than or equal to 27, then the species evaluation request will be further evaluated under subparagraph (c)2. Biological Status Review below.

b. If the final biological score is less than 19, then no further action will be taken on the request and the requester will be notified of the score.

c. If the final biological score is greater than or equal to 19 and less than 27, then staff shall review the submitted and other available information on population trend, population size, extent of occurrence, area of occupancy, and quantitative analyses to recommend to the Commission whether the species evaluation request will be further evaluated under subparagraph (c)2. Biological Status Review below or returned to the requestor with no further action taken.

d. If the data and analysis within a request demonstrate that the species would qualify for listing by meeting at least one of the listing criteria for a State-designated Threatened species in Rule 68A-27.001, F.A.C., regardless of the biological score, then the species evaluation request will be further evaluated under subparagraph (c)2. Biological Status Review below.

2. Biological Status Review.

a. The Commission shall establish an annual work plan for investigating species evaluation requests meeting the biological vulnerability screening threshold, which considers the Commission's conservation priorities and available resources. The work plan shall establish a deadline for completion of each biological status review. Complete species evaluation requests meeting the biological vulnerability screening threshold not identified for staff action will be reconsidered each subsequent year.

b. The Commission staff shall provide notification to parties who request such notification and shall publish in the Florida Administrative Weekly a solicitation for information on the biological status of the species being evaluated. Written comments regarding biological status shall be accepted by the Commission for a period of no less than 45 days following public notice.

c. Commission staff shall recommend and the Commission shall designate a biological review group of scientists with demonstrated knowledge of species conservation and management that consists of an odd number of three to seven members. The biological review group shall use information provided in the species evaluation request, information obtained from the public, the definition of a

State-designated Threatened species in Rule 68A-27.001, F.A.C., and the best available scientific and commercial biological data on the status of the species to determine if the species status meets the criteria for listing as a State-designated Threatened species. When assessing a species, this group shall follow the most recent versions of “Guidelines for Using the IUCN Red List Categories and Criteria” and “Guidelines for Application of IUCN Red List Criteria at Regional Levels” available at [www.iucnredlist.org](http://www.iucnredlist.org). The Commission staff shall present the group’s findings in a biological status report, and shall include a recommendation on whether or not the species status meets the criteria for listing as a State-designated Threatened species based on the IUCN guidelines and criteria in Rule 68A-27.001, F.A.C. In addition, the Staff may provide within the report a biologically-justified opinion that differs from the criteria-based finding.

d. Commission staff shall seek a minimum of three independent scientists to conduct reviews focused on the science used in the biological status report, including methodologies, data, analyses, and interpretations. Reviewers will be provided no less than 45 days to comment on the biological status report.

e. The Commission shall consider the biological status report, independent scientific reviews received, and public comments regarding the biological status in making a final determination whether listing a species is warranted.

f. The nongame work plan will include species that did not qualify as threatened in this section but were identified during the process as needing special attention to prevent future listing. This work plan will be used to set priorities for nongame management and conservation actions.

g. If a species is determined by the Commission to warrant listing, the Commission shall:

i. Establish a deadline for developing a management plan for the species as described in paragraph (2)(d) below, considering the recommendation of staff and other interested parties.

ii. Add the species to the list of candidate species in Rule 68A-27.0021, F.A.C., and the protective provisions therein shall apply to the species.

(d) Developing management plans.

1. A management plan will be developed for species that the Commission has determined warrant listing before final action is taken to list the species.

2. Within 45 days following the meeting where the Commission determined that listing was warranted, the Commission shall provide notification to parties who request such notification and shall publish in the Florida Administrative Weekly a solicitation of information on the conservation needs of the species, and any economic and social factors that should be considered in its management. Written comments regarding conservation needs and economic and

social factors to consider in creating the management plan shall be accepted by the Commission for a period of no less than 45 days following public notice.

3. The Commission staff shall use information obtained from the public and other available information to develop a draft management plan for each species that the Commission has determined warrants listing. The positive and negative social and economic impacts shall be considered in creation of the draft management plan.

4. The Commission staff shall provide notification to parties who request such notification and shall publish in the Florida Administrative Weekly a notice of the availability of the draft management plan. Written comments regarding conservation recommendations and expected economic and social impacts of implementation of the management plan shall be accepted by the Commission for a period of no less than 45 days following public notice.

(e) Final Commission action on the species evaluation request shall include:

1. Acceptance of the management plan.

2. Deletion of the species from the candidate species list in Rule 68A-27.0021, F.A.C., if appropriate, and changes to Rule 68A-27.003, F.A.C., in accordance with the determination made in paragraph (2)(c) of this rule.

3. Adoption of any proposed rules submitted in support of the management plan.

(3) Criteria for removal from the State-designated Threatened species list are as follows:

(a) Species listed as State-designated Threatened species as of the effective date of this rule: Management plans will be developed for the species listed in this rule and the species will be evaluated under the listing criteria in subsection 68A-27.001(3), F.A.C. Species that are determined to be data deficient pursuant to the Guidelines for Using the IUCN Red List Categories and Criteria shall not be removed from the State-designated Threatened species list.

(b) All State-designated Threatened species listed after the effective date of this rule: Individuals may submit species evaluation requests for removing species from the list as described in the species evaluation request process in paragraph (2)(b). Species shall be removed from the State-designated Threatened species list if they do not meet any of the criteria in Rule 68A-27.001, F.A.C., in accordance with the Guidelines for Using the IUCN Red List Categories and Criteria.

(4) There is a moratorium for two years after the effective date of this rule on new requests for listing or removal of species to or from the State-designated Threatened Species list, except for emergency actions, in order to facilitate development of management plans for species currently on this list.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-23-99, Formerly 39-27.0012, Amended 7-1-03, 5-26-05, \_\_\_\_\_.

68A-27.002 Provision for Harassment of Endangered, Threatened and Species of Special Concern on Airport Property.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-21-82, 7-1-84, 7-1-85, Formerly 39-27.02, Amended 6-1-86, 5-10-87, 4-13-88, 4-11-90, 6-23-98, 6-23-99, Formerly 39-27.002, Amended 7-1-08, Repealed \_\_\_\_\_.

68A-27.0021 Designation of Candidate Species; Prohibitions; Permits.

(1) The species in subsection (3) are hereby declared to be candidate species for inclusion in Rule 68A-27.003; ~~68A-27.004 or 68A-27.005~~, F.A.C.

(2) No person shall intentionally engage in direct take of any candidate species except as authorized by specific permit from the Executive Director.

(3) The following species are hereby declared to be candidate species: none.

Rulemaking Specific Authority: Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-23-99, Formerly 39-27.0021, Amended 4-30-00, 5-1-01, \_\_\_\_\_.

(Substantial rewording of Rule 68A-27.003 follows. See Florida Administrative Code for present text.)

68A-27.003 Florida Endangered and Threatened Species; Prohibitions; ~~Permits~~.

(1) Federally-designated Endangered and Threatened species:

(a) No person shall take, possess, or sell any of the endangered or threatened species included in this subsection, or parts thereof or their nests or eggs except as allowed by specific federal or state permit or authorization.

(b) The following Federally-designated Endangered and Threatened species shall be afforded the protection afforded under Commission rules and Florida Statutes and under the Federal Endangered Species Act, 16 U.S.C. § 1531 et seq. and its implementing regulations. Species classified as endangered are identified below by (E) and threatened as (T).

(c) Fish:

1. Gulf sturgeon (*Acipenser oxyrinchus desotoi*)(T).
2. Okaloosa darter (*Etheostoma okaloosae*)(E).
3. Shortnose sturgeon (*Acipenser brevirostrum*)(E).
4. Smalltooth sawfish (*Pristis pectinata*)(E).

(d) Amphibians:

1. Frosted flatwoods salamander (*Ambystoma cingulatum*)(T).
2. Reticulated flatwoods salamander (*Ambystoma bishopi*)(E).

(e) Reptiles:

1. American alligator (*Alligator mississippiensis*)(T): Listed only because of similarity of appearance to the American crocodile.

2. American crocodile (*Crocodylus acutus*)(T).
3. Atlantic salt marsh snake (*Nerodia clarkii taeniata*)(T).
4. Bluetail mole skink (*Eumeces egregius lividus*)(T).
5. Eastern indigo snake (*Drymarchon corais couperi*)(T).
6. Green sea turtle (*Chelonia mydas*)(E).
7. Hawksbill sea turtle (*Eretmochelys imbricata*)(E).
8. Kemp’s ridley sea turtle (*Lepidochelys kempi*)(E).
9. Leatherback sea turtle (*Dermochelys coriacea*)(E).
10. Loggerhead sea turtle (*Caretta caretta*)(T).
11. Sand skink (*Neoseps reynoldsi*)(T).

(f) Birds:

1. Audubon’s crested caracara (*Polyborus plancus audubonii*)(T).
2. Bachman’s warbler (*Vermivora bachmanii*)(E).
3. Cape Sable seaside sparrow (*Ammodramus maritimus mirabilis*)(E).
4. Everglade snail kite (*Rostrhamus sociabilis plumbeus*)(E).
5. Eskimo curlew (*Numenius borealis*)(E).
6. Florida grasshopper sparrow (*Ammodramus savannarum floridanus*)(E).
7. Florida scrub-jay (*Aphelocoma coerulescens*)(T).
8. Ivory-billed woodpecker (*Campephilus principalis*)(E).
9. Kirtland’s warbler (*Dendroica kirtlandii*)(E).
10. Piping plover (*Charadrius melodus*)(T).
11. Red-cockaded woodpecker (*Picoides borealis*)(E).
12. Roseate tern (*Sterna dougallii dougallii*)(T).
13. Whooping crane (*Grus americana*)(E); Listed as experimental population in Florida.
14. Wood stork (*Mycteria americana*)(E).

(g) Mammals:

1. Anastasia Island beach mouse (*Peromyscus polionotus phasma*)(E).
2. Caribbean monk seal (*Monachus tropicalis*)(E).
3. Choctawhatchee beach mouse (*Peromyscus polionotus allopshys*)(E).
4. Finback whale (*Balaenoptera physalus*)(E).
5. Florida manatee (*Trichechus manatus latirostris*)(E).
6. Florida panther (*Puma (=Felis) concolor coryi*)(E).
7. Florida salt marsh vole (*Microtus pennsylvanicus dukecampbelli*)(E).
8. Gray bat (*Myotis grisescens*)(E).
9. Gray wolf (*Canis lupus*)(E).
10. Humpback whale (*Megaptera novaeangliae*)(E).
11. Indiana bat (*Myotis sodalis*)(E).

12. Key deer (*Odocoileus virginianus clavium*)(E). No person shall feed Key deer (*Odocoileus virginianus clavium*) by hand or by placing any food that serves to attract such species.

13. Key Largo cotton mouse (*Peromyscus gossypinus allapaticola*)(E).

14. Key Largo woodrat (*Neotoma floridana smalli*)(E).

15. Lower Keys marsh rabbit (*Sylvilagus palustris hefneri*)(E).

16. North Atlantic right whale (*Eubalaena glacialis*)(E).

17. Perdido Key beach mouse (*Peromyscus polionotus trissyllepsis*)(E).

18. Red wolf (*Canis rufus*)(E).

19. Rice rat (*Oryzomys palustris natator* (E); Lower Keys population west of 7-mile bridge.

20. Sei whale (*Balaenoptera borealis*)(E).

21. Silver rice rat (*Oryzomys argentatus*)(E).

22. Southeastern beach mouse (*Peromyscus polionotus niveiventris*)(T).

23. Sperm whale (*Physeter macrocephalus*)(E).

24. St. Andrew beach mouse (*Peromyscus polionotus peninsularis*)(E).

(h) Corals:

1. Elkhorn coral (*Acropora palmata*)(T).

2. Staghorn coral (*Acropora cervicornis*)(T).

(i) Crustaceans:

Squirrel Chimney Cave shrimp (*Palaemonetes cummingsi*)(T).

(j) Insects:

1. American burying beetle (*Nicrophorus americanus*)(E).

2. Schaus swallowtail butterfly (*Heracles aristodemus ponceanus*)(E).

(k) Mollusks:

1. Chipola slabshell mussel (*Elliptio chiplolaensis*)(T).

2. Fat three-ridge mussel (*Amblema neislerii*)(E).

3. Gulf moccasinshell mussel (*Medionidus penicillatus*)(E).

4. Ochlockonee moccasinshell mussel (*Medionidus simpsonianus*)(E).

5. Oval pigtoe mussel (*Pleurobema pyriforme*)(E).

6. Purple bankclimber mussel (*Elliptoideus sloatianus*)(T).

7. Shinyrayed pocketbook mussel (*Lampsilis subangulata*)(E).

8. Stock Island tree snail (*Orthalicus reses*)(T).

(2) State-designated Threatened species.

(a) No person shall take, possess, or sell any threatened species included in this subsection or parts thereof or their nests or eggs except as authorized by Commission rule or by permit from the Commission.

(b) The species in this subsection are hereby declared to be State-designated Threatened Species, and shall be afforded the protective provisions specified.

(c) Fish:

1. Blackmouth shiner (*Notropis melanostomus*).

2. Crystal darter (*Crystallaria asprella*).

3. Key silverside (*Menidia conchorum*).

(d) Reptiles:

1. Florida brown snake (*Storeria victa*); lower Keys population only.

2. Peninsula ribbon snake (*Thamnophis sauritus sackenii*); lower Keys population only.

3. Gopher tortoise. The Gopher tortoise (*Gopherus polyphemus*) shall be afforded the protective provisions specified in this paragraph. No person shall take, attempt to take, pursue, hunt, harass, capture, possess, sell or transport any gopher tortoise or parts thereof or their eggs, or molest, damage, or destroy gopher tortoise burrows, except as authorized by Commission permit or when complying with Commission approved guidelines for specific actions which may impact gopher tortoises and their burrows. A gopher tortoise burrow is a tunnel with a cross-section that closely approximates the shape of a gopher tortoise. Permits will be issued based upon whether issuance would further management plan goals and objectives.

4. Key ringneck snake (*Diadophis punctatus acricus*).

5. Rim rock crowned snake (*Tantilla oolitica*).

6. Short-tailed snake (*Stilosoma extenuatum*).

7. Striped mud turtle (*Kinosternon baurii*); lower Keys population only.

(e) Birds:

1. Florida sandhill crane (*Grus canadensis pratensis*).

2. Least tern (*Sterna antillarum*).

3. Snowy plover (*Charadrius alexandrinus*).

4. Southeastern American kestrel (*Falco sparverius paulus*).

5. White-crowned pigeon (*Patagioenas leucocephala*).

(f) Mammals:

1. Big Cypress fox squirrel (*Sciurus niger avicennia*).

2. Everglades mink (*Neovison vison evergladensis*).

3. Florida black bear (*Ursus americanus floridanus*); other than those found in Baker and Columbia counties or in Apalachicola National Forest or which are held in captivity under permit.

4. Florida mastiff bat (*Eumops glaucinus floridanus*).

(g) Corals:

Pillar coral (*Dendrogyra cylindricus*)

(h) Insects:

Miami blue butterfly (*Cyclargus* [ = *Hemiargus*] *thomasi bethunebakeri*) The Miami blue butterfly (*Cyclargus* [ = *Hemiargus*] *thomasi bethunebakeri*), shall be afforded the protective provisions specified in this subsection. No person shall take, harm, harass, possess, sell, or transport any Miami blue butterfly (*Cyclargus* [ = *Hemiargus*] *thomasi bethunebakeri*), or parts thereof or their eggs, larvae or pupae

except as authorized by permit from the executive director. Permits will be issued based upon whether issuance would further management plan goals and objectives.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-22-80, 7-1-83, 7-1-84, 7-1-85, Formerly 39-27.03, Amended 6-1-86, 5-10-87, 4-27-89, 9-14-93, 6-23-99, Formerly 39-27.003. Amended 12-16-03, \_\_\_\_\_.

68A-27.004 Designation of Threatened Species; Prohibitions; Permits.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-22-80, 7-1-83, 7-1-85, Formerly 39-27.04, Amended 6-1-86, 5-10-87, 4-27-89, 6-23-99, Formerly 39-27.004, Amended 9-29-03, 11-8-07, 5-15-08, Repealed \_\_\_\_\_.

68A-27.005 Designation of Species of Special Concern; Prohibitions; Permits.

(1) During the moratorium created in subsection 68A-27.0012(4), F.A.C: Management plans will be developed for the species listed in this rule and the species will be evaluated under the listing criteria in subsection 68A-27.001(3), F.A.C., for listing as a State-designated Threatened species. If the Commission determines that the species warrants listing as a State-designated Threatened species, final Commission action on the listing shall include removing reference to the species from this rule. If the species evaluation demonstrates the species does not qualify for listing as a State-designated Threatened species, the Commission will remove the species from this rule upon completion of a management plan. Species that are determined to be data deficient pursuant to the Guidelines for Using the IUCN Red List Categories and Criteria shall not be removed from the Species of Special Concern list.

(2)(+) The following species are hereby declared to be of special concern, and shall be afforded the protective provisions specified.

(a) No person shall take, possess, transport, or sell any species of special concern included in this subsection paragraph or parts thereof or their nests or eggs except as authorized by Commission regulations or by permit from the executive director or by statute or regulation of any other state agency, permits being issued upon reasonable conclusion that the permitted activity will not be detrimental to the survival potential of the species. For purposes of this section, the definition of the word take in Rule 68A-1.004, F.A.C., applies.

(b) Fish:

1. Atlantic sturgeon (*Acipenser oxyrinchus*),
2. Bluenose shiner (*Pteronotropis welaka*),
3. Harlequin darter (*Etheostoma histrio*),
4. Lake Eustis pupfish (*Cyprinodon hubbsi*),
- 5 Rivulus (*Rivulus marmoratus*),
6. Saltmarsh topminnow (*Fundulus jenkinsi*),

7. Southern tessellated darter (*Etheostoma olmstedi maculaticeps*).

(c) Amphibians:

1. Florida bog frog (*Lithobates okaloosae*),
2. Georgia blind salamander (*Haideotriton wallacei*),
3. Gopher frog (*Lithobates capito*),
4. Pine Barrens treefrog (*Hyla andersonii*).

(d) Reptiles:

1. Alligator snapping turtle (*Macrochelys temminckii*),
2. Barbour's map turtle (*Graptemys barbouri*),
3. Florida Keys mole skink (*Eumeces egregius egregius*),
4. Florida pine snake (*Pituophis melanoleucus mugitus*),
5. Red rat snake (*Elaphe guttata*); lower Keys population only.

6. Suwannee cooter (*Pseudemys suwanniensis*).

(e) Birds:

1. American oystercatcher (*Haematopus palliatus*),
2. Black skimmer (*Rynchops niger*),
3. Brown pelican (*Pelecanus occidentalis*),
4. Burrowing owl (*Athene cunicularia*),
5. Limpkin (*Aramus guarauna*),
6. Little blue heron (*Egretta caerulea*),
7. Marian's marsh wren (*Cistothorus palustris marianae*),
8. Osprey (*Pandion haliaetus*); Monroe County population only.

9. Reddish egret (*Egretta rufescens*),

10. Roseate spoonbill (*Platalea ajaja*),

11. Scott's seaside sparrow (*Ammodramus maritimus peninsulae*),

12. Snowy egret (*Egretta thula*),

13. Tricolored heron (*Egretta tricolor*),

14. Wakulla seaside sparrow (*Ammodramus maritimus juncicola*),

15. White ibis (*Eudocimus albus*),

16. Worthington's marsh wren (*Cistothorus palustris griseus*).

(f) Mammals:

1. Eastern chipmunk (*Tamias striatus*),

2. Florida mouse (*Peromyscus floridanus*),

3. Homosassa shrew (*Sorex longirostris eonis*),

4. Sanibel Island rice rat (*Oryzomys palustris sanibeli*),

5. Sherman's fox squirrel (*Sciurus niger shermani*),

6. Sherman's short-tailed shrew (*Blarina carolinensis shermani*).

(g) Mollusks:

Florida treesnail (*Liguus fasciatus*)

(h) Crustaceans:

1. Black Creek crayfish, also known as Spotted royal crayfish (*Procambarus pictus*),

2. Panama City crayfish (*Procambarus econfinae*),



### 3. Santa Fe Cave crayfish (*Procambarus erythrops*).

~~Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 6-22-80, 6-21-82, 7-1-84, 7-1-85, Formerly 39-27.05, Amended 6-1-86, 5-10-87, 4-27-89, 10-22-92, 5-26-94, 6-23-99, Formerly 39-27.005, Amended 2-27-01, 5-1-01, 9-29-03, 6-1-06, 11-8-07, \_\_\_\_\_.~~

#### 68A-27.006 Reward Program.

In order to implement a reward program for the reporting of illegal killing, wounding or wrongful possession of Florida Endangered and Threatened Species as defined herein the Commission establishes the following ~~schedule and~~ procedures.

(1) The Commission will receive information through its Wildlife Alert Reward Program WATS lines in the respective regional offices of the five regions. The party providing calling in the information will be identified by a code only and all names, if given, will be kept confidential unless the party specifically authorizes the use of his or her name. Information will be given to the party on the method to maintain contact with the Commission in order to properly pursue the matter.

(2) Upon conviction based upon the information received the party supplying information which leads to such conviction will be transmitted a reward funds determined by a predetermined schedule in the following manner:

(a) If the party authorizes the use of his name a check in the appropriate amount will be forwarded directly to the party.

(b) If this party desires to remain anonymous a check in the appropriate amount will be made out to the regional enforcement supervisor and the regional manager of the involved region. After endorsement by both parties the check will be cashed and the money delivered by the regional enforcement supervisor and the regional manager to the party at a mutually agreeable time and place.

~~(3) Payment for information received which leads to a conviction will be according to the following schedule:~~

~~(a) Category I Conviction for the unlawful taking or attempting to take or possession of an endangered or threatened species will be \$250.~~

~~(b) Category II Conviction for selling or attempting to sell or for the unlawful taking or attempting to take or for possession of more than one endangered or threatened species will be \$500.~~

~~(c) Category III Conviction for either a category I or a category II offense where the circumstances of the case show a flagrant or total disregard for the concept of the threatened or endangered species program, payment of an amount to be determined by the Commission on an individual case basis.~~

~~Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2292 FS. History--New 10-23-79, Amended 7-1-83, Formerly 39-27.06, 39-27.006, Amended \_\_\_\_\_.~~

#### 68A-27.007 Permits and Authorizations for the Take of Florida Endangered and Threatened Species.

(1) Permit requirements for the taking of Federally-designated Endangered and Threatened Species: The purpose of this subsection is to eliminate the need for both federal and state permits for take of Federally-designated Endangered and Threatened Species. Activities that result in take of Federally-designated Endangered and Threatened Species do not require a permit from the Commission when authorized by the U.S. Fish and Wildlife Service or the National Oceanic and Atmospheric Administration's National Marine Fisheries Service pursuant to 16 U.S.C. Section 1539, or other authorization provided by 16 U.S.C. Section 1536. The Commission permit or other authorization will only be issued to take Federally-designated Endangered and Threatened Species if specifically authorized under a written agreement or regulatory delegation by the U.S. Fish and Wildlife Service or the National Oceanic and Atmospheric Administration's National Marine Fisheries Service provided that the issuance shall not be inconsistent with federal law.

(2) The permit requirements for the taking of a State-designated Threatened species are as follows:

(a) Intentional take: The Commission may issue permits authorizing intentional take of Florida State-designated Threatened species for scientific or conservation purposes which will benefit the survival potential of the species. For purposes of this rule, a scientific or conservation purpose shall mean activities that further the conservation or survival of the species, including collection of scientific data needed for conservation or management of the species. The following factors shall be considered in determining whether there is a scientific or conservation purpose which will benefit the survival potential of the species:

1. Whether the purpose for which the permit required is adequate to justify removing specimens of the species if removed from the wild;

2. The probable direct or indirect effect which issuing the permit would have on the wild population of the species sought to be taken;

3. Whether the permit would conflict with any program intended to enhance the survival of the species sought to be taken;

4. Whether the purpose of the permit would likely reduce the threat of extinction for the species sought to be taken;

5. The opinions or views of scientists or other persons or organizations having expertise concerning the species sought to be taken;

6. Whether the expertise, facilities, or other resources available to the applicant are adequate to successfully accomplish the objective stated in the application.

(b) Incidental take: The Commission may issue permits authorizing incidental take of State-designated Threatened species upon a conclusion that the permitted activities and all

proposed mitigation will provide an overall conservation benefit for the species and no negative impact on the survival potential of the species. Factors which shall be considered in determining whether a permit may be granted are:

1. The objectives of a federal recovery plan or a state management plan for the species sought to be taken;
2. The foreseeable long range impact over time if take of the species is authorized;
3. The impacts to other fish and wildlife species if take is authorized;
4. The extent of injury, harm or loss of the species;
5. Whether the incidental take could reasonably be avoided, minimized or mitigated by the permit applicant;
6. Human safety; and
7. Other factors relevant to the conservation and management of the species.

(c) Land management activities that benefit wildlife or agriculture, as defined in Section 570.02, Florida Statutes, conducted in accordance with Department of Agriculture and Consumer Service's adopted best management practices and that are not inconsistent with Management Plans for species as defined in this rule chapter are authorized and do not require a permit authorizing incidental take despite any other provision of this section.

(d) Wildlands fire suppression actions necessary to ensure public safety during emergency circumstances are authorized and do not require a permit authorizing incidental take despite any other provision of this section, unless specified in management plans for species as defined in this rule chapter.

(e) Take of marine life identified as a Florida Endangered and Threatened Species will be permitted pursuant to the provisions of Chapter 68B-8, F.A.C.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History-New \_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mr. Tim Breault, Director, Division of Habitat and Species Conservation, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 24, 2009

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NO.:

RULE TITLE:

68B-24.0055

Commercial Requirements; Appeals

PURPOSE AND EFFECT: The purpose of these rule amendments is to modify the Commission's spiny lobster rule to extend the current moratorium on the issuance of new commercial dive lobster endorsements. The commercial lobster dive endorsement was created for the 2004/2005 fishing license year. Holders of this endorsement are allowed to commercially harvest spiny lobsters in state and federal waters while SCUBA diving. Commercial harvest or possession of spiny lobsters on or within 10 yards of any artificial habitat is prohibited and there is a harvest and possession limit of 250 lobsters per day per vessel in Broward, Dade, Monroe, Collier and Lee Counties.

Initial endorsements were granted to lobster harvesters who documented landings of lobsters by diving between July 1, 2000, through June 30, 2003. Four hundred-four dive endorsements were initially issued. At the same time a moratorium was placed on the issuance of new dive endorsements from January 1, 2005 until July 1, 2010. During this time no new commercial dive permits have been or will be issued and no commercial dive permit will be renewed or replaced except those that were active during the 2004-2005 fishing season. The moratorium was put in place to stabilize the fishery and to control the effort of the newly-expanding fishery.

The Florida Fish and Wildlife Research Institute is currently investigating the effects of artificial habitat on the surrounding marine environment. This research is ongoing and is scheduled to be completed after the moratorium on the issuance of new commercial lobster dive endorsements is scheduled to expire. The outcome of this research could affect future lobster management decisions; therefore, deferring management changes until after the research is completed is recommended.

The effect of this rule amendment is that the moratorium on the issuance of new spiny lobster fishery commercial dive endorsements will continue until research related to artificial habitat is completed and possible resulting management options are considered. The expiration date of the moratorium on new commercial dive permits would be changed from July 1, 2010 to July 1, 2015.

SUMMARY: Rule 68B-24.0055, F.A.C. (Commercial Requirements; Appeals) would be amended by extending the expiration date of the moratorium on new commercial dive permits from July 1, 2010 until July 1, 2015.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have a substantial 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:** Article IV, Section 9, Florida Constitution.

**LAW IMPLEMENTED:** Article IV, Section 9, Florida Constitution.

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

**DATES AND TIME:** During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

**PLACE:** Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

**THE FULL TEXT OF THE PROPOSED RULE IS:**

68B-24.0055 Commercial Requirements; Appeals.

(1) No change.

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

(c) Effective January 1, 2005 and until July 1, ~~2010~~ 2015, no new commercial dive permits will be issued and no commercial dive permit will be renewed or replaced except those that were active during the 2004-2005 fishing season. Existing permits may only be issued to a single saltwater products license with a valid crawfish endorsement and a valid restricted species endorsement. Beginning in the 2005-2006 license year and in subsequent license years until July 1, ~~2010~~ 2015, persons holding a commercial dive permit that was active during the 2004-2005 license year or an immediate family member of that person must request renewal of the commercial dive permit before September 30 of each year. Failure to renew the commercial dive permit by September 30 of each year will result in forfeiture of the permit.

(d) through (f) No change.

(3) through (5) No change.

Rulemaking Specific Authority Art IV, Sec. 9, Fla. Const. Law Implemented Art IV, Sec. 9, Fla. Const. History--New 7-1-01, Amended 7-7-03, 4-1-04, 7-15-04, \_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

**NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE:** Florida Fish and Wildlife Conservation Commission

**DATE PROPOSED RULE APPROVED BY AGENCY HEAD:** December 10, 2009

**DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW:** January 8, 2010

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
68B-44.002	Definitions
68B-44.008	Prohibited Species; Prohibition of Harvest, Landing, and Sale

**PURPOSE AND EFFECT:** The purpose of these rule amendments is to modify the Commission’s Sharks and Rays Rule to further protect lemon sharks, *Negaprion brevirostris*, in state waters of Florida. The Commission is considering changes to state regulations that would prohibit the recreational and commercial harvest of lemon sharks in all state waters of Florida. This is necessary because this species is the most vulnerable of all 33 large coastal shark species of the Atlantic Ocean. In Florida waters lemon sharks are often found near shore in shallow water. They aggregate in large groups off Florida’s southeast coast and these aggregation seasons and sites are predictable. This behavior makes them easy to locate year after year. Although adult lemon sharks found in Florida travel to the Carolinas, Marquesas, and Bahamas, these sharks return to aggregate off Florida’s coast annually. Because of these behaviors, large numbers of individuals could be removed from the population with minimal effort by harvesters. Lemon sharks are also susceptible to overharvest because of their life history characteristics. Lemon sharks are a slow-growing species that reaches sexual maturity at 12-15 years of age and at lengths of around 90 inches or greater. This species has low reproductive potential, producing only 6 to 18 pups per litter, every second or third year. Additionally, lemon sharks experience annual mortality of 40-60 percent while juvenile.

The effect of these rule amendments is that the lemon shark population will be protected in Florida waters, where this species is the most vulnerable to the fishery.

SUMMARY: Rule 68B-44.002, F.A.C. (Definitions) would be amended by removing lemon shark from the list of large coastal species that can be harvested under the definition of sharks. Rule 68B-44.008, F.A.C. (Prohibited Species; Prohibition of Harvest, Landing, and Sale) would be amended to include lemon shark on the list of prohibited sharks and rays.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have a substantial 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, FL 32320

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULES IS:

68B-44.002 Definitions.

As used in this rule chapter:

(1) through (6) No change.

(7) “Shark” means any of the following species or any part thereof:

(a) Large coastal species:

1. through 3. No change.

~~4. Lemon shark – *Negaprion brevirostris*.~~

~~4.5. Nurse shark – *Ginglymostoma cirratum*.~~

~~5.6. Scalloped hammerhead – *Sphyrna lewini*.~~

~~6.7. Smooth hammerhead – *Sphyrna zygaena*.~~

~~7.8. Spinner shark – *Carcharhinus brevipinna*.~~

~~8.9. Tiger shark – *Galeocerdo cuvier*.~~

(b) through (d) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 4-8-92, Amended 1-1-98, Formerly 46-44.002, Amended 1-19-10,\_\_\_\_\_.

68B-44.008 Prohibited Species; Prohibition of Harvest, Landing, and Sale.

(1) No person shall harvest, possess, land, purchase, sell, or exchange any or any part of these species:

1. through 10. No change.

~~11. Lemon shark – *Negaprion brevirostris*.~~

~~12.11. Longfin mako (*Isurus paucus*).~~

~~13.12. Narrowtooth shark (*Carcharhinus brachyurus*).~~

~~14.13. Night shark (*Carcharhinus signatus*).~~

~~15.14. Sandbar shark (*Carcharhinus plumbeus*).~~

~~16.15. Sand tiger (*Carcharias taurus*).~~

~~17.16. Sevengill shark (*Heptranchias perlo*).~~

~~18.17. Silky shark (*Carcharhinus falciformis*).~~

~~19.18. Sixgill shark (*Hexanchus griseus*).~~

~~20.19. Smalltail shark (*Carcharhinus porosus*).~~

~~21.20. Whale shark (*Rhincodon typus*).~~

~~22.21. White shark (*Carcharodon carcharias*).~~

~~23.22. Largetooth sawfish (*Pristis pristis*).~~

~~24.23. Smalltooth sawfish (*Pristis pectinata*).~~

~~25.24. Spiny dogfish (*Squalus acanthias*).~~

~~26.25. Manta ray (species of the genus *Manta* and *Mobula*).~~

~~27.26. Spotted eagle ray (*Aetobatus narinari*).~~

(2) The prohibitions on harvest shall not apply to lawful harvest in federal waters when such harvest is transported directly through state waters with gear appropriately stowed. Transit shall be direct, continuous and expeditious from the place where lawful harvest occurred to the place where the vessel is regularly docked, moored, or otherwise stored or to the place of the licensed wholesale dealer where the catch is to be sold. For the purpose of this section appropriately stowed means a longline may be left on the drum if all gangions and hooks are disconnected and stowed below deck. Hooks cannot be baited. All buoys must be disconnected from the gear; however buoys may remain on deck. A rod and reel must be stowed securely. Terminal gear (i.e., hooks, leaders, sinkers, flashers, or baits) must be disconnected and stowed separately from the fishing apparatus. Sinkers must be disconnected from the down rigger and stowed separately. Gillnets must be rolled, folded, or otherwise properly and securely stowed in sealed containers or compartments so as to make their immediate use as fishing implements impracticable.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 4-8-92, Amended 1-1-98, Formerly 46-44.008, Amended 7-1-03, 3-9-06, 1-19-10,\_\_\_\_\_.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Robson, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 8, 2010

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Vessel Registration and Boating Safety**

RULE NO.: 68D-24.017  
 RULE TITLE: Palm Beach County Boating Restricted Areas

PURPOSE AND EFFECT: The purpose of this amendment is to protect vessel traffic safety on the Atlantic Intracoastal Waterway within Palm Beach County based on findings of the Palm Beach Vessel Traffic Study, analyses of boating accident and citation data, and consultation with the boating public and others who utilize the affected waterways.

SUMMARY: This rule will reduce vessel speed limits over specified portions of the Atlantic Intracoastal Waterway where necessary to manage and promote the use of this state waterway for safe and enjoyable boating. This rule creates Idle Speed No Wake zones in the vicinity of public boat ramps and public marinas with fuel docks, Slow Speed Minimum Wake zones in the vicinity of bridges and areas where vessel congestion is an issue, and a Slow Speed Minimum Wake zone on weekends and holidays from 10:00 a.m. to 6:00 p.m. in one location where vessels need to be managed to reduce congestion and large wakes during peak times of boating activity.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATES, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATES AND TIME: February 17-18, 2010, 8:30 a.m. – 5:00 p.m., each day

PLACE: Franklin County Courthouse, 33 Market Street, Apalachicola, Florida 32320

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Michael Yaun, Deputy General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 68D-24.017 follows. See Florida Administrative Code for present text.)

68D-24.017 Palm Beach County Boating Restricted Areas.

(1) For the purpose of regulating speed and operation of vessel traffic on the Intracoastal Waterway within Palm Beach County, Florida, the following boating restricted areas are established:

(a) Jupiter Inlet – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the SR 707 (Gomez Rd.) Bridge; bounded on the northwest by a line drawn perpendicular to the centerline of the Loxahatchee River 300 feet northwest of the northwest end of the fender of the Florida East Coast Railroad bridge located adjacent to the SR 811 (Alternate A-1-A) Bridge; bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet south of the south end of the fender of the SR 706 (Indiantown Rd.) Bridge; and bounded on the east by a line drawn due north across the Jupiter Inlet from the western tip of the jetty at DuBois Park to the southwest corner of Jupiter Island, and including all waters of and tributaries to Sawfish Bay and the Jupiter River, as depicted in drawing A.

(b) Donald Ross Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the Donald Ross Bridge, and bounded on the south by a line drawn

perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the south end of the fender of the bridge, as depicted in drawing B.

(c) Bert Winter Park Boat Ramp – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the centerline of the Bert Winter Park boat ramp, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the centerline of the Bert Winter Park boat ramp, as depicted in drawing C.

(d) Juno Park Boat Ramp to PGA Boulevard Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of Juno Park, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 3,000 feet south of the PGA Blvd. bridge, as depicted in drawing D.

(e) US 1 (SR 5) Bridge – An Idle Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the northwest by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet northwest of the northwest end of the fender of the US 1 (SR 5) bridge, and bounded on southeast by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway, headland to headland, across the mouth of Lake Worth Creek at its southern terminus at Lake Worth, as depicted in drawing E.

(f) Peanut Island, Blue Heron Bridge and Lake Worth Inlet – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway including all waters of Lake Worth, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway at the north shoreline of Phil Foster Island, from the mainland at Riviera Beach to Singer Island; bounded on the southeast by a line drawn from the southwest corner of Singer Island to the nearest channel marker marking the northern edge of the Lake Worth Inlet Channel (flashing marker “8”) and running along the line of channel markers marking the northern edge of the Lake Worth Inlet Channel and the Port of Palm Beach Turning Basin to the westernmost channel marker marking the northern edge of the Port of Palm Beach Turning Basin (flashing marker “12”); and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway, from the westernmost channel marker marking the northern edge of the Port of Palm Beach Turning Basin to the mainland at the southeast corner of the Port of Palm Beach Slip 1, Berth 6, Bay 49, as depicted in drawing F.

(g) Flagler Memorial Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,100 feet north of the north end of the fender of the Flagler Memorial Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,500 feet south of the south bridge fender, as depicted in drawing G.

(h) SR 704 (Royal Park) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the SR 704 (Royal Park) Bridge and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the southernmost dock of the Town of Palm Beach Public Docks (Peruvian Ave.), as depicted in drawing H.

(i) SR 80 (Southern Blvd.) Bridge – A Slow Speed Minimum Wake zone, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the bridge fender of the SR 80 (Southern Blvd.) Bridge, and bounded on the east by a line drawn parallel to and 500 feet east of the centerline of the Florida Intracoastal Waterway and the western shoreline of Bingham Island and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the south end of the bridge fender, as depicted in drawing I.

(j) SR 802 (Lake Worth) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the SR 802 (Lake Worth) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the centerline of the Bryant Park boat ramp, as depicted in drawing J.

(k) SR 812 (Lantana Ave.) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway at the north end of Hypoluxo Island and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the south end of the bridge fender, as depicted in drawing K.

(l) SR 804 (East Ocean Ave.) Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line

drawn perpendicular to the centerline of the Florida Intracoastal Waterway 575 feet north of the north end of the fender of the SR 804 (East Ocean Ave.) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the south end of the bridge fender, as depicted in drawing L.

(m) 15th Ave. (Woolbright Rd.) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the 15th Avenue (Woolbright Rd.) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the south end of the bridge fender, as depicted in drawing M.

(n) NE 8th Street (George Bush Blvd.) Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the NE 8th Street (George Bush Blvd.) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 600 feet south of the south end of the bridge fender, as depicted in drawing N.

(o) SR 806 (East Atlantic Ave.) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the SR 806 (East Atlantic Ave.) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway, 500 feet north of the centerline of the Knowles Park boat ramp, as depicted in drawing O.

(p) Knowles Park Boat Ramp – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway, 500 feet north of the centerline of the Knowles Park boat ramp, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the 12th Street (Linton Blvd.) Bridge, as depicted in drawing P.

(q) 12th Street (Linton Blvd.) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of fender of the 12th Street (Linton Blvd.) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the south end of the bridge fender, as depicted in drawing Q.

(r) SR 800 (Spanish River Blvd.) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the SR 800 (Spanish River Blvd.) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the south end of the bridge fender, as depicted in drawing R.

(s) SR 798 (Palmetto Park Rd.) Bridge and Silver Palm Park Boat Ramp Zones

1. Lake Wyman Vicinity to SR 798 (Palmetto Park Rd.) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, in the vicinity of marker 63 (which is in the southern portion of Lake Wyman), and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the northern end of the fender system of the SR 798 (Palmetto Park Rd.) Bridge, as depicted in drawing S.

2. Silver Palm Park Boat Ramp and SR 798 Bridge – An Idle Speed No Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the SR 798 (Palmetto Park Rd.) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet south of the centerline of the Silver Palm Park boat ramp, as depicted in drawing S.

(t) A-1-A (Ocean Ave.) Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in the Boca Raton Inlet, bounded on the northwest by a line drawn perpendicular to the centerline of the channel 300 feet northwest of the northwest end of the fender of the A-1-A (Ocean Ave.) Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the channel 300 feet south of the south end of the bridge fender, as depicted in drawing T.

(u) Camino Real Zones –

1. Camino Real Bridge – A Slow Speed Minimum Wake zone from shoreline to shoreline, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet north of the north end of the fender of the Camino Real Bridge, and bounded on the south by a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 300 feet south of the south end of the bridge fender, as depicted in drawing U.

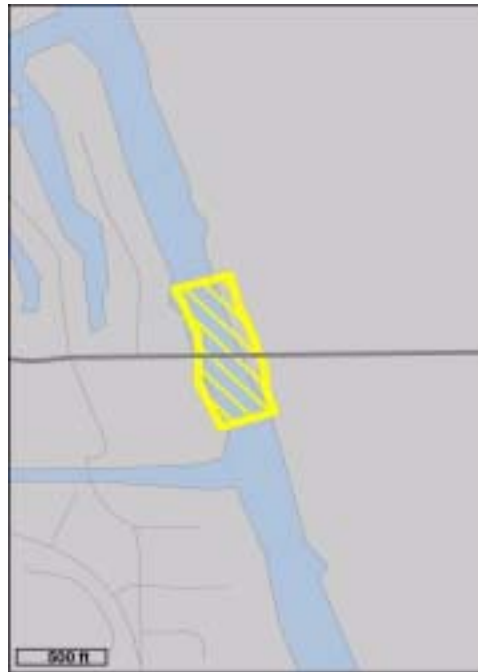
2. Camino Real Bridge to Palm Beach-Broward County Line – A Slow Speed Minimum Wake zone to be in effect from 10:00 a.m. to 6:00 p.m. on Saturdays, Sundays, and Holidays, in and adjacent to the Florida Intracoastal Waterway, bounded on the north by a line drawn perpendicular to the centerline of

the Florida Intracoastal Waterway 300 feet south of the south end of the fender of the Camino Real Bridge, and bounded on the south by the Palm Beach-Broward County Line, as depicted in drawing U.

(2) The boating restricted areas described in Rule 68D-24.017, F.A.C., are depicted on the following drawings:



Drawing A – Jupiter Inlet



Drawing B – Donald Ross Bridge



Drawing C – Bert Winter Park Boat Ramp





Drawing D – Juno Park Boat Ramp to PGA Blvd. Bridge



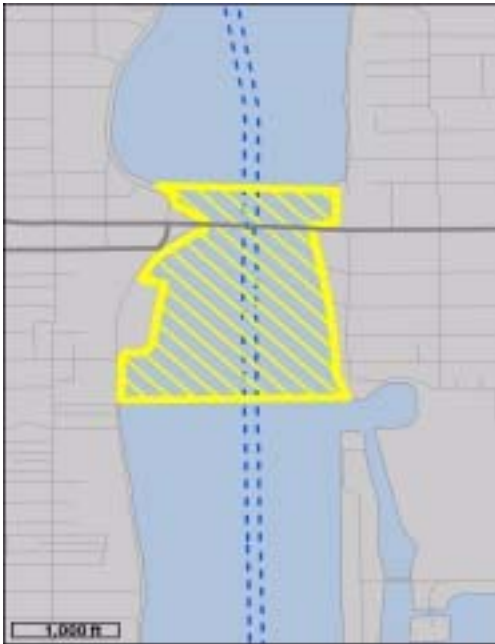
Drawing F – Peanut Island, Blue Heron Bridge and Lake Worth Inlet



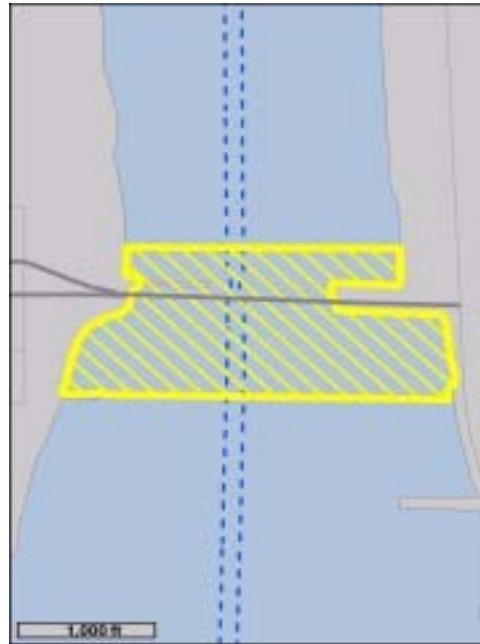
Drawing E – US 1 (SR 5) Bridge



Drawing G – Flagler Memorial Bridge



Drawing H – SR 704 (Royal Park) Bridge



Drawing J – SR 802 (Lake Worth) Bridge



Drawing I – SR 80 (Southern Blvd.) Bridge



Drawing K – SR 812 (Lantana Ave.) Bridge



Drawing L – SR 804 (East Ocean Ave.) Bridge



Drawing N – NE 8th St. (George Bush Blvd.) Bridge



Drawing M – 15th Ave. (Woolbright Rd.) Bridge



Drawings O, P and Q – SR 806 (East Atlantic Ave.) Bridge, Knowles Park and 12th St. (Linton Blvd.) Bridge



Drawing R – SR 800 (Spanish River Blvd.) Bridge



Drawings T and U – A-1-A (Ocean Ave.) Bridge and Camino Real Zones



Drawing S – SR 798 (Palmetto Park Rd.) Bridge and Silver Palm Park Boat Ramp

Rulemaking Specific Authority 327.04, 327.46 FS. Law implemented 327.46 FS. History–New 2-28-91, Amended 8-6-92, 6-14-93, Formerly 16N-24.017, Amended 10-27-97, 3-3-99, Formerly 62N-24.017, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Captain Richard Moore, Boating Law Administrator, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission sitting

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

### Section III Notices of Changes, Corrections and Withdrawals

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:                   RULE TITLE:  
6A-1.0081                   Charter School and Charter Technical  
                                  Career Center Monthly Financial  
                                  Statements and Financial  
                                  Conditions

**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. 50, December 18, 2009 issue of the Florida Administrative Weekly.

Rule 6A-1.0081 is amended to read:

6A-1.0081 Charter School and Charter Technical Career Center Monthly Financial Statements and Financial Conditions.

The following provisions have been established to prescribe the format for a charter school or charter technical career center’s monthly financial statement required by Sections 1002.33(9)(g) and 1002.34(11)(f), Florida Statutes, respectively, and to administer the requirements of Section 1002.345(4), Florida Statutes.

(1) Monthly financial statement.

(a) A charter school or charter technical career center shall provide a monthly financial statement to the school or center’s sponsor in accordance with Sections 1002.33(9)(g) and 1002.34(11)(f), Florida Statutes, respectively, that contains the following information:

1. Projected enrollment for current school year upon which the school’s budget is based.
2. Actual enrollment at time statement is submitted.
3. A balance sheet with assets, liabilities, and fund balances.
4. Year-to-date comparison of budgeted versus actual revenues and expenditures.
5. Notes to the monthly financial statement to include other information material to the monthly financial statement. Material is defined as when the magnitude of an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would have been changed or influenced by the omission or misstatement.

(b) The sponsor shall determine whether the monthly financial statement must be prepared on a cash or accrual basis and the selected format shall apply to all schools and centers in the district.

(c) Monthly financial statements shall be formatted in accordance with the accounts and codes prescribed in the publication titled, “Financial and Program Cost Accounting and Reporting for Florida Schools,” which is adopted in Rule 6A-1.001, F.A.C.

(d) Charter schools and centers and sponsors shall agree in writing to the date by which the monthly financial statements are to be submitted, with the due date being no more than thirty (30) days after the last day of the month for the prior month’s statement.

(e) Sponsors shall not require that monthly financial statements be prepared by an independent certified public accountant, unless otherwise agreed to in the charter or a financial recovery plan.

(f) The reporting requirements of this subsection are supplemental to any financial reporting requirements already established in the school or center’s charter.

(2) Deteriorating financial condition. A deteriorating financial condition is defined as a circumstance that significantly impairs the ability of a charter school or charter technical career center to generate enough revenues to meet its expenditures without causing the occurrence of a condition described in Section 218.503(1), Florida Statutes, or a circumstance that has resulted or will result in the occurrence of a condition described in Section 218.503(1), Florida Statutes, if action is not taken to assist the school or center.

(a) A deteriorating financial condition may be identified in one of the following ways:

1. The sponsor may determine that a deteriorating financial condition exists through review of a charter school or charter technical career center’s monthly financial statement. A deteriorating financial condition may include, but is not limited to, the existence of one or more of the following circumstances:

- a. The school or center’s actual enrollment is seventy (70) percent or less of the projected enrollment for which the budget is based, or the enrollment is insufficient to generate enough revenues to meet expenditures;
- b. The school or center’s actual expenses exceed budgeted expenses for a period of at least three (3) consecutive months in an amount that the school does not have sufficient reserves to compensate; or
- c. The school or center experiences an unbudgeted financial event for which the charter school has insufficient reserves to compensate.

The sponsor shall notify the school or center’s governing board in writing within seven (7) business days of the determination.

2. An auditor may determine that a deteriorating financial condition as defined by Section 1002.345(1)(a)3., Florida Statutes, exists based on an annual audit performed pursuant to Section 218.39, Florida Statutes. If such a condition is identified, the auditor shall notify each member of the charter school or charter technical career center’s governing board in

accordance with Section 218.39(5), Florida Statutes. Upon receipt of notification, the governing board shall notify the sponsor of the deteriorating financial condition in writing within seven (7) business days.

(b) Upon determination under subparagraph (2)(a)1., of this rule or receipt of notification under subparagraph (2)(a)2., of this rule that a deteriorating financial condition exists, the sponsor shall notify the governing board of an expedited review, and both parties shall develop a corrective action plan pursuant to Section 1002.345(1)(c), Florida Statutes.

(3) Developing corrective action plans.

(a) If a corrective action plan is required due to the charter school or charter technical career center's failure to provide for an audit or failure to comply with statutory reporting requirements, the Commissioner shall maintain a record of the corrective action plan for the annual report required by Section 1002.345(3), Florida Statutes.

(b) If the corrective action plan is required due to the identification of a deteriorating financial condition or a condition specified in Section 218.503(1), Florida Statutes, the Commissioner shall review the corrective action plan within ~~thirty (30) fifteen (15) business~~ days of receipt to determine whether the strategies identified in the plan adequately address the financial challenges facing the charter school or charter technical career center.

1. If the Commissioner determines that the corrective action plan is sufficient, the Commissioner shall maintain a record of the corrective action plan for the annual report required by Section 1002.345(3), Florida Statutes, and the charter school or charter technical career center's governing board shall implement and monitor the corrective action plan in accordance with Sections 1002.33(9)(j)3. and 1002.34(13), Florida Statutes, respectively.

2. If the Commissioner determines that the corrective action plan is insufficient and a financial recovery plan is needed to resolve the condition, the charter school or charter technical career center shall be considered in a state of financial emergency pursuant to Section 218.503(4)(c), Florida Statutes.

(c) The corrective action plan shall include the following components:

1. A statement of the condition in Section 1002.345(1), Florida Statutes, that initiated the development of a corrective action plan. If the corrective action plan is required due to a deteriorating financial condition, the plan must include the three (3) most recent monthly financial statements submitted to the sponsor pursuant to subsection (1) of this rule and the most recent annual financial audit.

2. A description of actions that will be taken to resolve the condition, including a timeline.

3. A summary of the governing board's procedures for monitoring implementation of the plan.

4. A schedule for the governing board to provide progress reports to the sponsor.

5. Any additional components deemed necessary and agreed upon by the charter school governing board and the sponsor.

(d) If the governing board and the sponsor are unable to agree on a corrective action plan, a letter signed by both parties shall be sent to the Office of Independent Education and Parental Choice requesting the involvement of the Commissioner pursuant to Section 1002.345(1)(c), Florida Statutes. The letter shall include:

1. A statement of the condition in Section 1002.345(1), Florida Statutes, that initiated the development of a corrective action plan.

2. A summary of the proposed corrective action for each party.

Within thirty (30) days of receipt of the request, the Commissioner shall determine the components of the corrective action plan, including the reporting requirements for the governing board and monitoring requirements for the sponsor.

(4) Determining a state of financial emergency.

(a) If the Commissioner is notified pursuant to Section 1002.345(2)(a)1., Florida Statutes, that a charter school or charter technical career center's financial audit reveals one or more of the conditions specified in Section 218.503(1), Florida Statutes, the governing board and the sponsor shall develop a corrective action plan for submission and review pursuant to paragraph (3)(b) of this rule.

(b) If the Commissioner is notified pursuant to Section 218.503(2), Florida Statutes, that one or more of the conditions specified in Section 218.503(1), Florida Statutes, have occurred or will occur if action is not taken to assist, the governing board and the sponsor shall develop a corrective action plan for submission and review pursuant to paragraph (3)(b) of this rule.

(5) Developing financial recovery plans.

(a) If the Commissioner determines that a charter school or charter technical career center is in a state of financial emergency, the financial recovery plan prepared and filed in accordance with Section 1002.345(2)(a)2., Florida Statutes, by the school or center's governing board shall replace any existing corrective action plan created pursuant to paragraph (3)(b) of this rule.

(b) The financial recovery plan shall include the following components:

1. A statement of the condition identified in Section 218.503(1), Florida Statutes, that resulted in the determination of a state of financial emergency.

2. A description of the actions that will resolve or prevent the condition, including a timeline.

3. A summary of the governing board's procedures for monitoring the implementation of the plan.

4. A schedule for the governing board to provide progress reports to the Commissioner and the sponsor.

5. Any additional components deemed necessary by the school or center’s governing board.

(c) The Commissioner shall review and approve or reject financial recovery plans pursuant to Section 218.503(4), Florida Statutes, within thirty (30) days of receipt.

(6) Correspondence. All correspondence to the Commissioner of Education related to the financial condition of a charter school or charter technical career center shall be addressed to the Office of Independent Education and Parental Choice, 325 W. Gaines Street, Suite 522, Tallahassee, Florida 32399-0400. In addition, electronic correspondence related to the school or center’s financial condition shall be sent to [charterschools@fldoe.org](mailto:charterschools@fldoe.org). This includes notifications that a financial condition identified in Section 218.503(1), Florida Statutes, has occurred or will occur, requests for the involvement of the Commissioner in creating a corrective action plan, completed corrective action plans, and completed financial recovery plans.

Rulemaking Authority 218.503, 1001.02(1), 1002.345 FS. Law Implemented 218.39, 218.503, 1002.33(9)(g), 1002.34(11)(f), 1002.345 FS. History--New\_\_\_\_\_.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NOS.:	RULE TITLES:
6A-1.09514	Excused Absences for Religious Instruction or Holiday
6A-1.0956	Suspension on the Basis of Felony Charges

**NOTICE OF CONTINUATION**

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 51, December 24, 2009 Florida Administrative Weekly has been continued from January 19, 2010 to March 16, 2010.

**DEPARTMENT OF EDUCATION**

**State Board of Education**

RULE NO.:	RULE TITLE:
6A-14.064	Dual Enrollment/Early College Programs

**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. 50, December 18, 2009 issue of the Florida Administrative Weekly.

Rule 6A-14.064 is amended to read:

6A-14.064 College Credit Dual Enrollment.

(1) To be eligible to receive college credit through dual enrollment:

(a) Students must meet the grade point average (GPA) requirements, as specified in Section 1007.271, Florida Statutes, for the degree or certificate program selected. Procedures for determining exceptions to the GPA requirements on an individual student basis must be noted in the District Interinstitutional Articulation Agreement as required by Section 1007.235, Florida Statutes.

(b) Students must satisfy the college preparatory testing requirements of Rule 6A-10.0315, F.A.C., which is hereby incorporated by reference. Before accumulating more than twelve (12) credit hours, students must either meet established minimum scores on all sections of a postsecondary readiness assessment or earn a passing score on the Basic Skills Exit Test as required by Section 1008.30, Florida Statutes, and complete each of the following high school courses with a grade of C or better: Mathematics for College Success (1200410), Reading for College Success (1008350) and Writing for College Success (10009370).

(c) For joint dual enrollment and Advanced Placement (AP) courses, as authorized in Section 1007.272, Florida Statutes, students must comply with the add/drop policies and deadlines of the postsecondary institution. A student who elects to enroll in an AP course that is jointly offered with a dual enrollment course may not earn postsecondary credit for that course through dual enrollment.

(d) In order to remain eligible for college credit coursework, students must maintain the high school GPA required for initial eligibility unless otherwise noted in the District Interinstitutional Articulation Agreement.

(e) Participation of exceptional student education (ESE) students must be in accordance with statutory eligibility requirements and with the procedural guidelines and district-college responsibilities delineated in the District Interinstitutional Articulation Agreement.

(f) Districts and colleges may agree to extend dual enrollment participation in Student Life Skills (designated as SLS course prefix in the Statewide Course Numbering System) courses to students who do not meet the statutory eligibility requirements, if alternate eligibility requirements are delineated in the District Interinstitutional Articulation Agreement.

(g) In order to be considered a full-time dual enrollment early admission student, the student must enroll in a minimum of twelve (12) college credit hours but may not be required to enroll in more than fifteen (15) college credit hours.

(2) The following requirements shall apply to faculty providing instruction in college credit dual enrollment courses:

(a) All full-time or adjunct faculty teaching dual enrollment courses must meet Southern Association of Colleges and Schools Commission on Colleges’ Principles of Accreditation: Foundations for Quality Enhancement, 2008 Edition, section 3.7.1, for postsecondary instructors in the course and discipline, which is hereby incorporated by

reference. The document may be accessed at <http://www.sacscoc.org/pdf/2008PrinciplesofAccreditation.pdf>. These criteria apply to all faculty teaching postsecondary courses regardless of the physical location of the course being taught. The postsecondary institution awarding credit shall ensure faculty teaching dual enrollment courses meet these qualifications.

(b) Postsecondary transcripts of all full-time or adjunct faculty teaching dual enrollment courses must be filed with the postsecondary institution, regardless of who employs or pays the faculty member's salary. For dual enrollment courses taught on high school campuses, the faculty transcripts must be submitted to the postsecondary institution for filing.

(c) The postsecondary institution shall provide aAll full-time and adjunct faculty teaching dual enrollment courses ~~shall be provided~~ with a copy of the current faculty or adjunct faculty handbook ~~of the postsecondary institution~~, and shall adhere to the professional guidelines, rules, and expectations therein. Any exceptions to such requirements must be noted in the District Interinstitutional Articulation Agreement.

(d) The postsecondary institution shall provide aAll full-time and adjunct faculty teaching dual enrollment courses ~~shall be provided~~ with a current student handbook detailing information that includes, but is not limited to, add/drop and withdrawal policies, student code of conduct, grading policies, and critical dates, and shall adhere to the guidelines, rules, and expectations therein. Any exceptions to such requirements must be noted in the District Interinstitutional Articulation Agreement.

(e) The postsecondary institution shall provide aAll adjunct faculty teaching dual enrollment courses ~~shall be provided~~ with a full-time faculty contact or liaison in the same discipline.

(f) All full-time and adjunct faculty teaching dual enrollment courses, regardless of location of instruction, shall be observed by a designee of the college president and evaluated based on the same criteria used for all other full-time or adjunct faculty delivering college courses at that institution.

(g) The postsecondary institution shall provide all full-time and adjunct faculty teaching dual enrollment courses with a copy of course plans and objectives for the college course they are teaching. In addition, faculty shall be provided with information on additional requirements related to Rule 6A-10.030, F.A.C., if applicable. All course objectives and identified competencies must be included in the course plan and covered per the syllabus during the term.

(h) All full-time and adjunct faculty teaching dual enrollment courses shall file a copy of their current course syllabus with the college's discipline chair or department chair prior to the start of each term. Content of the syllabus must meet the same criteria as required for all college courses offered at that institution.

(3) The following curriculum standards for content, syllabi, exams, and grades shall apply to college credit dual enrollment:

(a) Dual enrollment courses taught on the high school campus must meet all competencies expected and outlined in the postsecondary course plan. To ensure equivalent rigor with on-campus courses, final examinations for all dual enrollment courses taught or delivered on the high school campus must be developed by full-time postsecondary faculty at the institution granting postsecondary credit and approved by the appropriate curriculum or department chair as a comprehensive assessment of expected learning outcomes. Final exams will be provided to the high school campus dual enrollment course instructor by the college in a timely manner to ensure availability prior to scheduled administration dates. Completed, scored exams will be returned to the postsecondary institution and held on file for a period of one (1) year.

(b) Textbooks and instructional materials used in dual enrollment courses must be the same or comparable with those used with other postsecondary courses at the postsecondary institution with the same course prefix and number. The postsecondary institution will advise the school district of instructional material requirements as soon as that information becomes available, but no later than one term prior to a course being offered.

(c) Course requirements such as tests, papers, or other assignments for dual enrollment students must be at the same level of rigor or depth as those for all non-dual enrollment postsecondary students. All full-time and adjunct faculty teaching dual enrollment courses must observe postsecondary institution procedures and deadlines for submission of grades in the appropriate format. All faculty will be advised of postsecondary institution-wide grading guidelines prior to teaching a dual enrollment course.

(d) Policies relating to dual enrollment course withdrawals and repeats shall be determined by the college and must be clearly delineated in the District Interinstitutional Articulation Agreement.

(4) The following environmental standards shall apply to college credit dual enrollment:

(a) Dual enrollment courses taught on a high school campus shall ensure minimal interruptions of instructional time. A student shall lose eligibility to participate in dual enrollment if the secondary institution where a course is being offered determines that a student is being disruptive to the learning process, such that the progress of other students and the efficient administration of the course are hindered. Student behavior that is disruptive to the learning environment may result in that student's loss of dual enrollment eligibility.

(b) Dual enrollment courses may not be combined with other high school courses, except in accordance with Section 1007.272, Florida Statutes.



(c) A formalized process between the high school counselor and the college must be delineated in the District Interinstitutional Articulation Agreement for informing students and parents or guardians of college course-level expectations, including, but not limited to the following:

1. Any letter grade below a “C” will not count as credit toward satisfaction of the General Education graduation requirement and the requirements in Rule 6A-10.030, F.A.C.; however, all grades are calculated in a student’s GPA and will appear on their college transcript.

2. All grades, including “W” for withdrawal, become a part of the student’s permanent college transcript and may affect subsequent postsecondary admission.

3. While appropriate for college-level study, course materials and class discussions may reflect topics not typically included in secondary courses which some parents may object to for minors. Courses will not be modified to accommodate variations in student age and/or maturity.

4. The selection of courses to meet degree requirements, including approved program common prerequisite courses, in order to minimize student and state costs for excess hours.

5. The inclusion of dual enrollment course plans in their Electronic Personal Educational Planner (ePEP), as required by Section 1003.413(3)(i), Florida Statutes, to minimize enrollment in a random selection of college courses.

(5) The following accountability and assessment standards shall apply to college credit dual enrollment:

(a) Postsecondary institutions shall analyze student performance in dual enrollment to ensure that the level of preparation and future success is comparable with non-dual enrollment postsecondary students. Analyses and recommendations shall be shared and reviewed with the principal and local school district.

(b) High schools shall analyze course and instructor evaluations for dual enrollment courses on the high school campus. Analyses and recommendations shall be shared and reviewed by both the college and the high school.

(c) Any course-, discipline-, college-, or system-wide assessments that a postsecondary institution requires in non-dual enrollment sections of a course shall also be used in all dual enrollment sections of the course.

(d) Colleges shall compare student performance, to include final grade and exam, of dual enrollment course offerings on high school campuses and college campuses to ensure that results are comparable to non-dual enrollment sections. Results will be made available to the principal, local school district, the college president, and the Department of Education.

Rulemaking Authority 1001.02(2), (6), 1007.271(3), (9) FS. Law Implemented 1007.271 FS. History—New\_\_\_\_\_.

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

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

**DEPARTMENT OF VETERANS’ AFFAIRS  
Division of Veterans’ Benefits and Assistance**

RULE NO.: RULE TITLE:  
55A-3.006 Continuing Certification  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 38, September 25, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF VETERANS’ AFFAIRS  
Division of Veterans’ Benefits and Assistance**

RULE NO.: RULE TITLE:  
55A-3.007 Failure to Attend Training Refresher Course  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 38, September 25, 2009 Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF VETERANS’ AFFAIRS  
Division of Veterans’ Benefits and Assistance**

RULE NO.: RULE TITLE:  
55A-5.008 Supervisory Inspection Review  
NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 38, September 25, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF ELDER AFFAIRS  
Community Care for the Elderly**

RULE NO.: RULE TITLE:  
58C-1.0031 Lead Agency Dispute Resolution  
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. 41, October 16, 2009 issue of the Florida Administrative Weekly.

STATEMENT OF LOWER ESTIMATED REGULATORY COST: In the notice of proposed rulemaking published on September 29, 2009, the department prepared a statement of the estimated regulatory cost for the role of the impartial decisionmaker, which is an essential part of the authorizing statute and rule. The estimate was approximately \$250 per hour. Karen D. Walker, Attorney, Holland and Knight, LLP, Attorneys for Florida Association of Area Agencies on Aging,

Inc., submitted a proposal for a lower cost regulatory alternative to the proposed rule within 21 days after the notice of proposed rulemaking was published in the Florida Administrative Weekly. Pursuant to Section 120.541(1)(b), F.S., the department is publishing the lower cost regulatory alternative and rendering a decision in this publication whether to accept or reject the alternative in favor of the proposed rule.

The lower cost regulatory alternative states the following: “The impartial decisionmaker shall allow a maximum of four hours for the protestor’s presentation of its protest and a maximum of four hours for the AAA’s response to each protest. In the event of multiple protests, the decisionmaker shall allocate the time as necessary to ensure that the hearing shall not exceed one day. These time limits may be extended by the decisionmaker only in extraordinary circumstances and upon a finding that a party’s due process rights will be violated if the hearing is limited to one day.”

After careful review and consideration, the department rejects the lower cost regulatory alternative for the following reasons:

(1) Imposing a time limit on the impartial decisionmaker to render a fair decision would be counter-productive to the intent of the statute. The statute reads: “The dispute resolution mechanism established in the rule shall include a provision for a qualified, impartial decisionmaker who shall conduct a hearing (emphasis added) to determine whether the area agency’s proposed action is contrary to the area agency’s governing statutes or rules or to the solicitation specifications.” It is doubtful all hearings conducted would require a time frame of over 8 hours. However, to place a time limit, as recommended, would be arbitrary and impinge on a party’s due process rights.

(2) The extension of the time limit “only in extraordinary circumstances,” as recommended, is arbitrary. These “circumstances” are not fleshed out, thus leaving each decisionmaker with the ability to make a decision based on his or her judgment whether or not to extend the time limit.

58C-1.0031 Lead Agency Dispute Resolution.

(1) No change.

(2) IMPARTIAL DECISIONMAKERS.

(a) through (b) No change.

(c) Individuals interested in designation as an impartial decisionmaker must complete DOEA Form CCE-001, CCE Impartial Decisionmaker Application, \_\_\_\_\_, 2010 2009, which is hereby incorporated by reference. The form may be obtained from the following website: <http://elderaffairs.state.fl.us/english/ruleforms/CCE-001.doc>.

(3) through (6) No change.

(7) REVIEW OF DECISION.

(a) Pursuant to Section 430.203(9)(a), F.S., in the event a party requests a review of the decision by the decisionmaker, the parties ~~must utilize, and mutually agree upon, an individual associated with~~ one of the entities referenced in subparagraphs 1. and 2. of this paragraph for this review.:-

1. through 2. No change.

(b) The reviewer must not have any conflict of interest that would affect his or her impartiality. A conflict of interest is defined as the reviewer, or any reviewer family member, having current or past business association with any of the parties involved in the dispute.

(b) through (d) renumbered (c) through (e) No change.

Rulemaking Authority 430.203(9)(a) FS. Law Implemented 430.203(9)(a) FS. History–New\_\_\_\_\_.

**DEPARTMENT OF ELDER AFFAIRS**

**Long-Term Care Ombudsman Program**

RULE NOS.:

RULE TITLES:

58L-1.005

Access

58L-1.007

Complaint Procedures

**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. 41, October 16, 2009 issue of the Florida Administrative Weekly.

58L-1.005 Access.

(1) No change.

(2) Upon entering a long-term care facility to conduct ombudsman activities, the ombudsman must identify himself or herself to the administrator or designee ~~prior to conducting any ombudsman activities.~~

(3) No change.

Rulemaking Authority 400.0081(2) FS. Law Implemented 400.0081 FS. History–New 7-31-95, Formerly 58L-3.001, Amended\_\_\_\_\_.

58L-1.007 Complaint Procedures.

This rule outlines the procedures for receiving and conducting complaint investigations on behalf of residents in long-term care facilities.

(1) No change.

(2) INVESTIGATIVE PROTOCOL.

(a) through (d) No change.

(e) At the conclusion of a case investigation, the ombudsman must:

1. through 2. No change.

3. Conduct an exit interview with the facility administrator, or designee, to discuss preliminary complaint findings, if any; to discuss ~~agree upon~~ preliminary remedial action to be taken, if any; to discuss ~~agree upon~~ preliminary target dates for the remedial action to be corrected, if warranted; and to provide an opportunity for the administrator,

or designee, to submit written comments to the DOM, or designee, within 3 calendar days after the exit interview in order to be part of the complaint record.

4. through 5. No change.

(f) The DOM, or designee, must review and approve the complaint investigation.

1. Within 14 calendar days after case closure as defined in Rule 58L-1.0011, F.A.C., the DOM, or designee, must submit a written summary of the case disposition to the resident or representative, and the facility. ~~The summary must include any changes to the preliminary agreed upon complaint findings, remedial actions to be taken and target dates.~~

2. No change.

Rulemaking Authority 400.0071 FS. Law Implemented 400.0071, 400.0073, 400.0075 FS. History--New\_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Regulatory Council of Community Association Managers**

RULE NO.: RULE TITLE:  
61E14-1.001 Prelicensure Education Requirements

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 43, October 30, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

RULE NOS.: RULE TITLES:  
61H1-20.008 Generally Accepted Auditing Standards  
61H1-20.009 Standards for Accounting and Review Services  
61H1-20.0092 Government Auditing Standards  
61H1-20.0093 Rules of the Auditor General  
61H1-20.0094 Standards for Accountants Services on Prospective Financial Statements  
61H1-20.0095 Standards for Consulting Services  
61H1-20.0096 Services for Tax Practice  
61H1-20.0097 Standards for Personal Financial Planning  
61H1-20.0099 Standards for Attestation Engagements

**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. 33, August 21, 2009 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee.

61H1-20.008 Generally Accepted Auditing Standards.

The changes are as follows:

(1) The first sentence of the rule shall now read as follows: Non-issuer ((non-issuers are (1) all entities who are not issuers as that term is defined by the Sarbanes-Oxley Act of 2002, and (2) entities whose audits are not required by Securities & Exchange Commission (SEC) rules to be conducted in accordance with the standards of the Public Company Accounting Oversight Board (PCAOB)) generally accepted auditing standards shall be deemed and construed to mean auditing standards generally accepted in the United States of America in effect as of June 30, 2009, including, but not limited to, general, field work and reporting standards and the Authoritative AICPA Audit and Attest Standards in effect as of June 1, 2009, approved and adopted by the membership of the American Institute of Certified Public Accountants (AICPA) hereby incorporated by reference and available from the AICPA's Resource Online at [www.cpa2biz.com](http://www.cpa2biz.com) or by telephonic request at 1 (888)777-7077.

(2) The last sentence of Rule 61H1-20.008 shall now read as follows.

Issuer (issuer means an issuer (as defined in section 3 of the Securities Exchange Act of 1934 (15 U.S.C. 78 c)), the securities of which are registered under section 12 of that Act (15 U.S.C. 781), or that is required to file reports under section 15(d) (15 U.S.C. 780(d)), or that files or has filed a registration statement that has not yet become effective under the Securities Act of 1933 (15 U.S.C. 77a et seq.), and that it has not withdrawn), generally accepted auditing standards shall be deemed and construed to mean auditing and attest standards generally accepted in the United States of American in effect as of July 1, 2009, as published by the PCAOB, hereby incorporated by reference and available at its website at [www.pcaob.org](http://www.pcaob.org).

61H1-20.009 Standards for Accounting and Review Services.

The changes are as follows:

(1) The first sentence of the rule shall now read as follows: "Standards for Accounting and Review Services" shall be deemed and construed to mean Statements on Standards for Accounting and Review Services published by the American Institute of Certified Public Accountants in effect as of June 30, 2008, hereby incorporated by reference and available from the AICPA's Resource Online at [www.cpa2biz.com](http://www.cpa2biz.com) or by telephonic request at 1(888)777-7077.

61H1-20.0092 Government Auditing Standards.

The changes are as follows:

(1) The first sentence of the rule shall now read as follows: "Government Auditing Standards" shall be deemed and construed to mean Government Audit Standards issued by the Comptroller General of the United States, in effect as of July 2007. (Entitled Government Auditing Standards, July 2007

Revision (GAO-07-731G)) hereby incorporated by reference and available from the United States General Accounting Office, Washington, D.C. 20548-0001 or from its website at <http://www.gao.gov/aud/ybk01.htm>.

61H1-20.0093 Rules of the Auditor General.

The changes are as follows:

(1) The last sentence of subsection (1) of the rule shall now read as follows:

These rules hereby incorporated by reference and are available from the State of Florida, Auditor General’s Office, or from its website at <http://www.myflorida.com/audgen>, under the Rules and Guidelines section.

61H1-20.0094 Standards for Accountants Services on Prospective Financial Statements.

The changes are as follows:

(1) The first sentence of the rule shall now read as follows:

“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, hereby incorporated by reference and available from the AICPA’s Resource Online at [www.cpa2biz.com](http://www.cpa2biz.com) or by telephonic request at 1(888)777-7077.

61H1-20.0095 Standards for Consulting Services.

The changes are as follows:

(1) The rule shall now read as follows:

“Standards for Consulting Services” shall be deemed and construed to mean the Statement on Standards for Consulting Services No. 1, as published by the AICPA, in effect as of June 30, 2002, hereby incorporated by reference and available from the AICPA’s Resource Online at [www.cpa2biz.com](http://www.cpa2biz.com) or by telephonic request at 1(888)777-7077.

61H1-20.0096 Services for Tax Practice.

The changes are as follows:

(1) The first sentence of the rule shall now read as follows:

“Standards for Tax Services” shall be deemed and construed to mean Statements on Standards for Tax Services, as published by the American Institute of Certified Public Accountants, and in effect as of December 31, 2003, hereby incorporated by reference and available from the AICPA’s Resource Online at [www.cpa2biz.com](http://www.cpa2biz.com) or by telephonic request at 1 (888)777-7077.

61H1-20.0097 Standards for Personal Financial Planning.

The changes are as follows:

(1) The first sentence of the rule shall now read as follows:

“Standards for Personal Financial Planning” shall be deemed and construed to mean Basic Personal Financial Planning Engagement Functions and Responsibilities First Issued October 1992; Revised January 1996, aka Statements on Responsibilities in Personal Financial Planning Practice, as

published by the American Institute of Certified Public Accountants, hereby incorporated by reference and available from the AICPA’s Resource Online at [www.cpa2biz.com](http://www.cpa2biz.com) or by telephonic request at 1(888)777-7077.

61H1-20.0099 Standards for Attestation Engagements.

The changes are as follows:

(1) The first sentence of the rule shall now read as follows:

“Standards for Attestation Engagements” shall be deemed and construed to mean Statements on Standards for Attestation Engagements published by the American Institute of Certified Public Accountants, (entitled Codification of Statements on Standards for Attestation Engagements, Numbers 1 to 14, dated December 2006, hereby incorporated by reference and available from the AICPA’s Resource Online at [www.cpa2biz.com](http://www.cpa2biz.com) or by telephonic request at 1(888)777-7077).

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

**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 Optometry**

RULE NO.:	RULE TITLE:
64B13-4.001	Examination Requirements
NOTICE OF WITHDRAWAL	

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 35, September 4, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Pharmacy**

RULE NO.:	RULE TITLE:
64B16-28.108	All Permits – Labels and Labeling of Medicinal Drugs
NOTICE OF WITHDRAWAL	

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 39, October 2, 2009 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Board of Podiatric Medicine**

RULE NO.:	RULE TITLE:
64B18-14.012	Address of Record

**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. 4, January 30, 2009 issue of the Florida Administrative Weekly.

64B18-14.012 Address of Record.

It shall be the duty of each licensee to provide to the Department of Health written notification of the licensee's current mailing address and place of practice within fifteen (15) business days upon change thereof. Such written notification may be provided by United States mail, or alternatively, a licensee may update his or her address at the Board's website [[http://www.doh.state.fl.us/mqa/podiatry/po\\_maintain.html](http://www.doh.state.fl.us/mqa/podiatry/po_maintain.html)]. If a licensee chooses to update his or her mailing address or place of practice via the Board's website, it shall be the responsibility of the licensee to confirm that such information has been accurately updated. The terms "place of practice" and "address of Record" mean the address of the physical location where the licensee primarily practices podiatric medicine.

Rulemaking Authority 456.035, 461.005 FS. Law Implemented 456.035 FS. History--New\_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69O-236.001	Annual Report Card
69O-236.002	Definitions
69O-236.003	Methodology
69O-236.004	Limitations and Exclusions
69O-236.005	Data Sources

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 47, November 25, 2009 issue of the Florida Administrative Weekly.

The following corrections are being made to the notice of proposed rulemaking published on November 25, 2009, for what was labeled 69O-236.001 ANNUAL REPORT CARD.

1. The correct dates for the notices of rule development are July 2 and July 31, 2009.

2. The rule numbers and titles are corrected to read:

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
69M-236.001	Purpose
69M-236.002	Definitions
69M-236.003	Methodology
69M-236.004	Limitations and Exclusions
69M-236.005	Data Sources

The rule numbers are being changed from 69O to 69M because, pursuant to statute, these rules are being promulgated by the Financial Services Commission.

3. The PURPOSE AND EFFECT is corrected to read: To adopt the annual report card to be used by the Office of the Consumer Advocate, as required by Section 627.0613(4), F.S., and the procedures by which an insurer's grade will be determined.

4. The SUMMARY is corrected to read: Section 627.0613(4), Florida Statutes, requires the Consumer Advocate's office to prepare an annual report card for each authorized personal residential property (homeowners) insurer, on a form and using a letter-grade scale developed by the Commission. The rule being proposed sets out the procedure by which the insurers would be graded and adopts the form by which the results are presented.

5. The rule hearing scheduled in the notice was cancelled and a rule hearing will be held as follows:

DATE AND TIME: February 9, 2010, 9:30 a.m.

PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

If you have special needs please contact Debra Seymour, Office of Insurance Regulation, E-mail [Debra.Seymour@flor.com](mailto:Debra.Seymour@flor.com) five days before the hearing and she will assist you.

If there are any questions, please address them to Debra Seymour, Office of Insurance Regulation, E-mail [Debra.Seymour@flor.com](mailto:Debra.Seymour@flor.com).

**FINANCIAL SERVICES COMMISSION**

**Finance**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
69V-40.003	Electronic Filing of Forms and Fees

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 47, November 25, 2009 issue of the Florida Administrative Weekly.

The notice of proposed rule is being corrected to provide a summary of the statement of estimated regulatory costs.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

The rule currently requires applicants and licensees to file required forms and fees electronically through the Office's REAL system. There are no additional fees associated with filing electronically. In order to file electronically, an applicant/licensee needs a desk or lap-top computer, and internet access. If the applicant/licensee does not have these items, the applicant/licensee could file electronically using equipment at Florida's public libraries. Each of the 67 counties in Florida provides free access to the internet through its public libraries. According to the Florida Department of State, in fiscal year 2006-07 there were over 12,000 public terminals available throughout the state.

The current rule also provides that an applicant/licensee may apply for a hardship waiver from the electronic filing requirements. To request a hardship exemption, the person must file a petition with the Office's legal office in accordance

with Rule 28-106.301, F.A.C., which is a uniform rule adopted under the Florida Administrative Procedures Act for initiating a proceeding. The proposed rule amendments simplify the process of requesting an exemption from electronic filing requirements by replacing the formal process discussed above with the submission of a written request to the Office's regulatory staff.

There will be no additional costs to the agency as the result of the proposed rule amendments. The implementation and enforcement of the rule is solely the responsibility of the Office of Financial Regulation. Accordingly, no other state or local agencies will be impacted by the proposed rule. There are no anticipated effects on state or local revenues.

**FINANCIAL SERVICES COMMISSION**

**Finance**

RULE NO.: 69V-560.1013  
RULE TITLE: Electronic Filing of Forms and Fees

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 47, November 25, 2009 issue of the Florida Administrative Weekly.

The notice of proposed rule is being corrected to provide a summary of the statement of estimated regulatory costs.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

The rule currently requires applicants and licensees to file required forms and fees electronically through the Office's REAL system. There are no additional fees associated with filing electronically. In order to file electronically, an applicant/licensee needs a desk or lap-top computer, and internet access. If the applicant/licensee does not have these items, the applicant/licensee could file electronically using equipment at Florida's public libraries. Each of the 67 counties in Florida provides free access to the internet through its public libraries. According to the Florida Department of State, in fiscal year 2006-07 there were over 12,000 public terminals available throughout the state.

The current rule also provides that an applicant/licensee may apply for a hardship waiver from the electronic filing requirements. To request a hardship exemption, the person must file a petition with the Office's legal office in accordance with Rule 28-106.301, F.A.C., which is a uniform rule adopted under the Florida Administrative Procedures Act for initiating a proceeding. The proposed rule amendments simplify the process of requesting an exemption from electronic filing requirements by replacing the formal process discussed above with the submission of a written request to the Office's regulatory staff.

There will be no additional costs to the agency as the result of the proposed rule amendments. The implementation and enforcement of the rule is solely the responsibility of the Office

of Financial Regulation. Accordingly, no other state or local agencies will be impacted by the proposed rule. There are no anticipated effects on state or local revenues.

**FINANCIAL SERVICES COMMISSION**

**Securities**

RULE NO.: 69W-600.0021  
RULE TITLE: Effect of Law Enforcement Records on Applications for Registration as Associated Persons

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 42, October 23, 2009 issue of the Florida Administrative Weekly.

The notice of proposed rule is being corrected to provide a summary of the statement of estimated regulatory costs.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:**

There are no additional fees or costs associated with the implementation of this rule. Currently, an applicant for registration is subject to a criminal background check as part of the application submission process. There will be no additional costs to the Office of Financial Regulation to administer the rule as the Office currently reviews an applicant's criminal history as part of the application review process. No other state or local agencies will be impacted by the proposed rule. There are no anticipated effects on state or local revenues.

---

Section IV  
Emergency Rules

**DEPARTMENT OF REVENUE**

**Property Tax Oversight Program**

RULE NO.: 12DER09-16  
RULE TITLE: Form for Use in the Exemption for Real Property Dedicated in Perpetuity for Conservation

**SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE:** Chapter 2009-157, Laws of Florida (House Bill 7157), authorized the Department of Revenue to adopt emergency rules that could remain in effect for 6 months and that may be renewed. This legislation provides an exemption in Section 196.26, Florida Statutes, for which current law in Section 196.011, Florida Statutes, requires an application to be made by March 1. The form that is adopted by this emergency rule is essential to enabling qualifying persons to apply for the exemption. This form is necessary to timely implement the legislative intent for this exemption to be available for tax year 2010. The tax year begins January 1, which is the assessment date under Section 192.042, Florida Statutes. Section 193.052(5), Florida Statutes, requires that the Department shall distribute forms in a timely manner so that each property

appraiser can and shall make them available in his or her office no later than the first working day of the calendar year, so that exemption applications can be made by taxpayers.

**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 2009-157 (House Bill 7157), Laws of Florida. The law provides that these emergency rules remain in effect for a period of 6 months and that they may be renewed. The form included here is based on the requirements of Chapter 2009-157 (House Bill 7157), Laws of Florida, as passed by the Legislature. 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 form to interested parties, as well as receiving and incorporating public comments on the drafts of form.

**SUMMARY:** Chapter 2009-157, Laws of Florida, authorized the Department of Revenue to adopt emergency rules that could remain in effect for 6 months and that could be renewed. The purpose of this emergency rule is to adopt and incorporate by reference, Form DR-418C, Real Property Dedicated in Perpetuity for Conservation, Exemption Application, to be used as an exemption application for those who qualify under Section 196.26, Florida Statutes.

**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:**

12DER09-16 Form for Use in the Exemption for Real Property Dedicated in Perpetuity for Conservation.

(1) This rule applies to the exemption related to real property dedicated in perpetuity for conservation purposes under Section 196.26, F.S., Chapter 2009-157 (House Bill 7157), Laws of Florida.

(2) In order to qualify for the exemption under Section 196.26 Florida Statutes, property owners must submit an original application for this tax exemption to the property appraiser by March 1 as outlined in Section 196.011, F.S.

(3) This rule subsection adopts and incorporates by reference the following exemption form: DR-418C, Real Property Dedicated in Perpetuity for Conservation, Exemption Application (N. 12/09), which the Department of Revenue hereby adopts and incorporates in this rule by reference, is the form to be used by property owners who qualify for the exemption under Section 196.26, F.S.

(4) Copies of this form are available, without cost, by downloading the selected form from the Department's Internet site at <http://dor.myflorida.com/dor/property/codownloads.html>. Persons with hearing or speech impairments may call the Department's TDD at (800)367-8331.

(5) This rule is made effective, adopted, and is hereby renewed, and this rule will remain in effect during the pendency of procedures to adopt rules addressing the subject matter of this emergency rule.

Rulemaking Authority Section 8 of Ch. 2009-157, L.O.F. Law Implemented Section 1 of Ch. 2009-157, L.O.F. History–New 12-29-09.

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: December 29, 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 THE LOTTERY**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
53ER09-71	Replacement of Obsolete Emergency Rules

**SUMMARY:** This emergency rule is replacing other emergency rules that have been determined to be obsolete or unnecessary by the Department of the Lottery.

**THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS:** Faith L. Schneider, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

**THE FULL TEXT OF THE EMERGENCY RULE IS:**

53ER09-71 Replacement of Obsolete Emergency Rules.

The following Department of the Lottery emergency rules relating to Lottery games or promotions, retailer programs, or personnel rules are being replaced because the games, promotions or programs have concluded, the emergency rule provisions have been adopted by permanent rule, or the provisions of the rule are obsolete. This rule shall replace the following rules: 53ER02-29, 53ER03-34, 53ER03-65, 53ER04-1, 53ER04-9, 53ER04-15, 53ER04-34, 53ER04-40, 53ER04-41, 53ER04-45, 53ER04-49, 53ER04-50, 53ER04-57, 53ER04-58, 53ER04-59, 53ER04-62, 53ER04-66, 53ER04-67, 53ER04-68, 53ER04-70, 53ER04-71, 53ER04-72, 53ER04-86, 53ER04-87, 53R04-88, 53ER05-1, 53ER05-2, 53ER05-3, 53ER05-4, 53ER05-5, 53ER05-6, 53ER05-7, 53ER05-8, 53ER05-29, 53ER05-30, 3ER05-31, 53ER05-32, 53ER05-33, 53ER05-34, 53ER05-37, 53ER05-38, 53ER05-39, 53ER05-40, 53ER05-41, 53ER05-42, 53ER05-43, 53ER05-45, 53ER05-46, 53ER05-48, 53ER05-49, 53ER05-50, 53ER05-51, 53ER05-54, 53ER05-55, 53ER05-57, 53ER05-58, 53ER05-59, 53ER05-61, 53ER05-62, 53ER05-63, 53ER05-64, 53ER05-65, 53ER05-66, 53ER05-67, 53ER05-68, 53ER05-69, 53ER05-70, 53ER05-71, 53ER05-74, 53ER05-75, 53ER05-76, 53ER05-77, 53ER05-78, 53ER05-79, 53ER05-80, 53ER05-81, 53ER05-82, 53ER05-83, 53ER05-84, 53ER05-85, 53ER05-89, 53ER05-90, 53ER05-91, 53ER05-92, 53ER05-93, 53ER05-94, 53ER05-95, 53ER05-96, 53ER05-97, 53ER06-1, 53ER06-2, 53ER06-3, 53ER06-8, 53ER06-9, 53ER06-10, 53ER06-11, 53ER06-12, 53ER06-13, 53ER06-14, 53ER06-15, 53ER06-16, 53ER06-18, 53ER06-19, 53ER06-20, 53ER06-21, 53ER06-22, 53ER06-23, 53ER06-25, 53ER06-26, 53ER06-27, 53ER06-28, 53ER06-29, 53ER06-30, 53ER06-31, 53ER06-32, 53ER06-34, 53ER06-35, 53ER06-36, 53ER06-38, 53ER06-39, 53ER06-40, 53ER06-41, 53ER06-43, 53ER06-44, 53ER06-46, 53ER06-47, 53ER06-49, 53ER06-50, 53ER06-51, 53ER06-52, 53ER06-53, 53ER06-54, 53ER06-55, 53ER06-56, 53ER06-57, 53ER06-58, 53ER06-59, 53ER06-60, 53ER06-61, 53ER06-62, 53ER06-63, 53ER07-2, 53ER07-5, 53ER07-6, 53ER07-7, 53ER07-10, 53ER07-11, 53ER07-12, 53ER07-13, 53ER07-14, 53ER07-19, 53ER07-20, 53ER07-21, 53ER07-22, 53ER07-23, 53ER07-24, 53ER07-25, 53ER07-26, 53ER07-27, 53ER07-28, 53ER07-29, 53ER07-32, 53ER07-33, 53ER07-34, 53ER07-35, 53ER07-36, 53ER07-37, 53ER07-38, 53ER07-39, 53ER07-45, 53ER07-46, 53ER07-47, 53ER07-48, 53ER07-49, 53ER07-50, 53ER07-51, 53ER07-52, 53ER07-53, 53ER07-54, 53ER07-56, 53ER07-57, 53ER07-59, 53ER07-60, 53ER07-61, 53ER07-62, 53ER07-63, 53ER07-64, 53ER07-65, 53ER07-66, 53ER07-67, 53ER07-70, 53ER07-71, 53ER07-72, 53ER07-73, 53ER07-74, 53ER07-75, 53ER07-76, 53ER08-4, 53ER08-5, 53ER08-8, 53ER08-10, 53ER08-11, 53ER08-16, 53ER08-17, 53ER08-18, 53ER08-19, 53ER08-21, 53ER08-22, 53ER08-23, 53ER08-24, 53ER08-25, 53ER08-26, 53ER08-27, 53ER08-28, 53ER08-29, 53ER08-32, 53ER08-33, 53ER08-34, 53ER08-35, 53ER08-36, 53ER08-38, 53ER08-39, 53ER08-40, 53ER08-41, 53ER08-46, 53ER08-47, 53ER08-49, 53ER08-50, 53ER08-51, 53ER08-52, 53ER08-54, 53ER08-59, 53ER08-60, 53ER08-61, 53ER08-62, 53ER08-63, 53ER08-65, 53ER08-66, 53ER08-67, 53ER08-68, 53ER08-69, 53ER08-70, 53ER08-71, F.A.C.

53ER08-61, 53ER08-62, 53ER08-63, 53ER08-65, 53ER08-66, 53ER08-67, 53ER08-68, 53ER08-69, 53ER08-70, 53ER08-71, F.A.C.

Rulemaking Authority 24.105(2), 24.109(1) FS. Law Implemented 24.109(1), 120.74(1)(c) FS. History—New 12-30-09, Replaces 53ER02-29, 53ER03-34, 53ER03-65, 53ER04-1, 53ER04-9, 53ER04-15, 53ER04-34, 53ER04-40, 53ER04-41, 53ER04-45, 53ER04-49, 53ER04-50, 53ER04-57, 53ER04-58, 53ER04-59, 53ER04-62, 53ER04-66, 53ER04-67, 53ER04-68, 53ER04-70, 53ER04-71, 53ER04-72, 53ER04-86, 53ER04-87, 53R04-88, 53ER05-1, 53ER05-2, 53ER05-3, 53ER05-4, 53ER05-5, 53ER05-6, 53ER05-7, 53ER05-8, 53ER05-29, 53ER05-30, 3ER05-31, 53ER05-32, 53ER05-33, 53ER05-34, 53ER05-37, 53ER05-38, 53ER05-39, 53ER05-40, 53ER05-41, 53ER05-42, 53ER05-43, 53ER05-45, 53ER05-46, 53ER05-48, 53ER05-49, 53ER05-50, 53ER05-51, 53ER05-54, 53ER05-55, 53ER05-57, 53ER05-58, 53ER05-59, 53ER05-61, 53ER05-62, 53ER05-63, 53ER05-64, 53ER05-65, 53ER05-66, 53ER05-67, 53ER05-68, 53ER05-69, 53ER05-70, 53ER05-71, 53ER05-74, 53ER05-75, 53ER05-76, 53ER05-77, 53ER05-78, 53ER05-79, 53ER05-80, 53ER05-81, 53ER05-82, 53ER05-83, 53ER05-84, 53ER05-85, 53ER05-89, 53ER05-90, 53ER05-91, 53ER05-92, 53ER05-93, 53ER05-94, 53ER05-95, 53ER05-96, 53ER05-97, 53ER06-1, 53ER06-2, 53ER06-3, 53ER06-8, 53ER06-9, 53ER06-10, 53ER06-11, 53ER06-12, 53ER06-13, 53ER06-14, 53ER06-15, 53ER06-16, 53ER06-18, 53ER06-19, 53ER06-20, 53ER06-21, 53ER06-22, 53ER06-23, 53ER06-25, 53ER06-26, 53ER06-27, 53ER06-28, 53ER06-29, 53ER06-30, 53ER06-31, 53ER06-32, 53ER06-34, 53ER06-35, 53ER06-36, 53ER06-38, 53ER06-39, 53ER06-40, 53ER06-41, 53ER06-43, 53ER06-44, 53ER06-46, 53ER06-47, 53ER06-49, 53ER06-50, 53ER06-51, 53ER06-52, 53ER06-53, 53ER06-54, 53ER06-55, 53ER06-56, 53ER06-57, 53ER06-58, 53ER06-59, 53ER06-60, 53ER06-61, 53ER06-62, 53ER06-63, 53ER07-2, 53ER07-5, 53ER07-6, 53ER07-7, 53ER07-10, 53ER07-11, 53ER07-12, 53ER07-13, 53ER07-14, 53ER07-19, 53ER07-20, 53ER07-21, 53ER07-22, 53ER07-23, 53ER07-24, 53ER07-25, 53ER07-26, 53ER07-27, 53ER07-28, 53ER07-29, 53ER07-32, 53ER07-33, 53ER07-34, 53ER07-35, 53ER07-36, 53ER07-37, 53ER07-38, 53ER07-39, 53ER07-45, 53ER07-46, 53ER07-47, 53ER07-48, 53ER07-49, 53ER07-50, 53ER07-51, 53ER07-52, 53ER07-53, 53ER07-54, 53ER07-56, 53ER07-57, 53ER07-59, 53ER07-60, 53ER07-61, 53ER07-62, 53ER07-63, 53ER07-64, 53ER07-65, 53ER07-66, 53ER07-67, 53ER07-70, 53ER07-71, 53ER07-72, 53ER07-73, 53ER07-74, 53ER07-75, 53ER07-76, 53ER08-4, 53ER08-5, 53ER08-8, 53ER08-10, 53ER08-11, 53ER08-16, 53ER08-17, 53ER08-18, 53ER08-19, 53ER08-21, 53ER08-22, 53ER08-23, 53ER08-24, 53ER08-25, 53ER08-26, 53ER08-27, 53ER08-28, 53ER08-29, 53ER08-32, 53ER08-33, 53ER08-34, 53ER08-35, 53ER08-36, 53ER08-38, 53ER08-39, 53ER08-40, 53ER08-41, 53ER08-46, 53ER08-47, 53ER08-49, 53ER08-50, 53ER08-51, 53ER08-52, 53ER08-54, 53ER08-59, 53ER08-60, 53ER08-61, 53ER08-62, 53ER08-63, 53ER08-65, 53ER08-66, 53ER08-67, 53ER08-68, 53ER08-69, 53ER08-70, 53ER08-71, F.A.C.

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: December 30, 2009



**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER09-72  
 RULE TITLE: Instant Game Number 1048, LUCKY \$200,000 A YEAR FOR LIFE

SUMMARY: This emergency rule describes Instant Game Number 1048, "LUCKY \$200,000 A YEAR FOR LIFE," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER09-72 Instant Game Number 1048, LUCKY \$200,000 A YEAR FOR LIFE.

(1) Name of Game. Instant Game Number 1048, "LUCKY \$200,000 A YEAR FOR LIFE."

(2) Price. LUCKY \$200,000 A YEAR FOR LIFE lottery tickets sell for \$20.00 per ticket.

(3) LUCKY \$200,000 A YEAR FOR LIFE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning LUCKY \$200,000 A YEAR FOR LIFE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-89, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	20
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY
21	22	23	24	25	26	27	28	29	30
TWENTYONE	TWENTYTWO	TWENTYTHREE	TWENTYFOUR	TWENTYFIVE	TWENTYSIX	TWENTYSEVEN	TWENTYEIGHT	TWENTYNINE	THIRTY
31	32	33	34	35	36	37	38	39	☆
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	WINNER

(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:

1	2	3	4	5	6	7	8	9	10
ONE	TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
11	12	13	14	15	16	17	18	19	20
ELEVEN	TWELVE	THIRTEEN	FOURTEEN	FIFTEEN	SIXTEEN	SEVENTEEN	EIGHTEEN	NINETEEN	TWENTY
21	22	23	24	25	26	27	28	29	30
TWENTYONE	TWENTYTWO	TWENTYTHREE	TWENTYFOUR	TWENTYFIVE	TWENTYSIX	TWENTYSEVEN	TWENTYEIGHT	TWENTYNINE	THIRTY
31	32	33	34	35	36	37	38	39	
THIRTYONE	THIRTYTWO	THIRTYTHREE	THIRTYFOUR	THIRTYFIVE	THIRTYSIX	THIRTYSEVEN	THIRTYEIGHT	THIRTYNINE	

(6) The prize symbols and prize symbol captions are as follows:

\$10.00	\$20.00	\$25.00	\$30.00	\$40.00	\$50.00	\$100	\$200
TEN	TWENTY	THIRTY	THIRTY	THIRTY	THIRTY	TWO HUNDRED	TWO HUNDRED
\$500	\$1,000	\$5,000	\$10,000	\$20,000	\$1,000,000	\$4,000,000	
FIVE HUNDRED	ONE THOUSAND	FIVE THOUSAND	TEN THOUSAND	TWENTY THOUSAND	ONE MILLION	FOUR MILLION	

(7) The legends are as follows:

WINNING NUMBERS	YOUR NUMBERS
-----------------	--------------

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "☆" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to \$100.

(b) The prizes are: \$10.00, \$20.00, \$25.00, \$30.00, \$40.00, \$50.00, \$100, \$200, \$500, \$1,000, \$5,000, \$10,000, \$20,000, \$1,000,000 (\$50k a year for life) and \$4,000,000 (\$200k a year for life).

(9) \$1,000,000 and \$4,000,000 Prize Payment Options.

(a) A winner of a \$1,000,000 or \$4,000,000 prize may choose one of two payment options for receiving his or her prize. Payment options are "Cash Option" or "Annual Payment." At the time the \$1,000,000 or \$4,000,000 prize is claimed, the terminal will produce a top prize player claim instructions ticket. The winner has sixty (60) days from the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. If a winner does not choose the Cash Option within such time, the Annual Payment option will be applied. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final.

(b) Cash Option prizes will be paid in a single cash payment equal to the amount of cash required to purchase U.S. Government Securities that would fund the applicable prize amount of \$1,000,000 or \$4,000,000 payable over a twenty year period, less applicable federal withholding taxes. This figure will be determined during the week following the date on which the \$1,000,000 or \$4,000,000 prize is claimed by obtaining quotes from at least two investment sources. The quote costing the least to fund the twenty year payment stream, had the annual payment option been selected, will be the amount of the Cash Option prize.

(c) Annual Payment prizes claimed by an individual will be paid in equal annual installments of \$50,000 for the \$1,000,000 prize and \$200,000 for the \$4,000,000 prize for the life of the winner, with a minimum of twenty annual payments, less applicable federal withholding taxes. Annual Payment prizes claimed by a trust, corporation or other legal entity shall consist of twenty annual payments of \$50,000 or \$200,000 each as applicable, less applicable federal withholding taxes.

(d) Any interest or earnings accruing on a \$1,000,000 or \$4,000,000 a year for life prize prior to the prize payment or purchase of securities, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(10) The estimated odds of winning, value, and number of prizes in Instant Game Number 1048 are as follows:

GAME PLAY	VALUE	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 250 POOLS OF 120,000 TICKETS PER POOL
\$10 x 2	\$20	16.67	1,800,000
\$20	\$20	12.50	2,400,000
\$25	\$25	12.50	2,400,000
\$10 + \$20	\$30	50.00	600,000
\$30	\$30	50.00	600,000
\$10 x 4	\$40	250.00	120,000
(\$10 x 2) + \$20	\$40	250.00	120,000
\$20 x 2	\$40	125.00	240,000
\$40	\$40	250.00	120,000
\$10 x 5	\$50	250.00	120,000
(\$10 x 3) + \$20	\$50	250.00	120,000
(\$20 x 2) + \$10	\$50	250.00	120,000
\$25 x 2	\$50	250.00	120,000
\$50	\$50	250.00	120,000
\$10 x 10	\$100	200.00	150,000
\$20 x 5	\$100	260.87	115,000
\$25 x 4	\$100	250.00	120,000
\$50 x 2	\$100	250.00	120,000
\$100 (STAR)	\$100	80.00	375,000
\$100	\$100	250.00	120,000
\$20 x 10	\$200	1,200.00	25,000
\$25 x 8	\$200	1,200.00	25,000
\$50 x 4	\$200	1,200.00	25,000
(\$25 x 4) + \$100 (STAR)	\$200	1,142.86	26,250
(\$50 x 2) + \$100 (STAR)	\$200	1,200.00	25,000
\$200	\$200	1,200.00	25,000
\$25 x 20	\$500	2,400.00	12,500
(\$25 x 10) + (\$50 x 5)	\$500	4,444.44	6,750
(\$30 x 10) + (\$100 x 2)	\$500	2,400.00	12,500
\$50 x 10	\$500	3,000.00	10,000
\$100 x 5	\$500	4,000.00	7,500
\$500	\$500	4,000.00	7,500
\$50 x 20	\$1,000	15,000.00	2,000
(\$50 x 10) + (\$100 x 5)	\$1,000	15,000.00	2,000
\$100 x 10	\$1,000	20,000.00	1,500
\$200 x 5	\$1,000	20,000.00	1,500
\$500 x 2	\$1,000	20,000.00	1,500
\$1,000	\$1,000	20,000.00	1,500
\$500 x 10	\$5,000	120,000.00	250
\$5,000	\$5,000	120,000.00	250
\$500 x 20	\$10,000	120,000.00	250
\$10,000	\$10,000	120,000.00	250
\$1,000 x 20	\$20,000	600,000.00	50
\$10,000 x 2	\$20,000	600,000.00	50

\$20,000	\$20,000	600,000.00	50
\$1,000,000	PRIZE	3,000,000.00	10
(\$50K/YR/LIFE)			
\$4,000,000	TOP	3,000,000.00	10
(\$200K/YR/LIFE)	PRIZE		

(11) The estimated overall odds of winning some prize in Instant Game Number 1048 are 1 in 2.94. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(12) For reorders of Instant Game Number 1048, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(13) Payment of prizes for LUCKY \$200,000 A YEAR FOR LIFE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 12-30-09.

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: December 30, 2009

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER09-73  
 RULE TITLE: Instant Game Number 1047, SOLID GOLD

SUMMARY: This emergency rule describes Instant Game Number 1047, "SOLID GOLD," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER09-73 Instant Game Number 1047, SOLID GOLD.

(1) Name of Game. Instant Game Number 1047, "SOLID GOLD."

(2) Price. SOLID GOLD lottery tickets sell for \$1.00 per ticket.

(3) SOLID GOLD lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning SOLID GOLD lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-89, F.A.C.

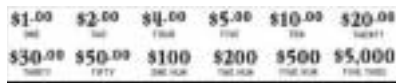
(4) The “YOUR NUMBERS” play symbols and play symbol captions are as follows:



(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:




(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the “YOUR NUMBERS” play area that matches a play symbol and corresponding play symbol caption in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that symbol. A ticket having a “” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to the prize shown for that symbol.

(b) The prizes are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$20.00, \$30.00, \$50.00, \$100, \$200, \$500 and \$5,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 1047 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 66 POOLS OF TICKETS PER POOL
\$1	\$1	10.71	1,478,400
\$1 x 2	\$2	30.00	528,000
\$2	\$2	30.00	528,000
\$1 x 4	\$4	300.00	52,800
(\$1 x 2) + \$2	\$4	300.00	52,800
\$2 x 2	\$4	150.00	105,600
\$4	\$4	150.00	105,600
\$1 x 5	\$5	750.00	21,120
(\$1 x 3) + \$2	\$5	750.00	21,120
(\$2 x 2) + \$1	\$5	750.00	21,120

\$4 + \$1	\$5	750.00	21,120
\$5	\$5	750.00	21,120
\$2 x 5	\$10	500.00	31,680
(\$2 x 3) + \$4	\$10	500.00	31,680
\$1 + (\$2 x 2) + \$5	\$10	500.00	31,680
\$5 x 2	\$10	500.00	31,680
\$10	\$10	500.00	31,680
\$4 x 5	\$20	1,500.00	10,560
\$5 x 4	\$20	1,500.00	10,560
(\$5 x 2) + \$10	\$20	1,500.00	10,560
\$10 x 2	\$20	1,500.00	10,560
\$20	\$20	1,500.00	10,560
(\$5 x 4) + \$10	\$30	8,000.00	1,980
(\$5 x 2) + (\$10 x 2)	\$30	8,000.00	1,980
\$10 x 3	\$30	8,000.00	1,980
\$10 + \$20	\$30	8,000.00	1,980
\$30	\$30	8,000.00	1,980
\$10 x 5	\$50	8,000.00	1,980
(\$10 x 3) + \$20	\$50	9,600.00	1,650
(\$10 x 2) + \$30	\$50	9,600.00	1,650
\$20 + \$30	\$50	9,600.00	1,650
\$50	\$50	9,600.00	1,650
\$20 x 5	\$100	16,000.00	990
(\$10 x 2) + \$30 + \$50	\$100	16,000.00	990
(\$10 x 2) + \$20 + (\$30 x 2)	\$100	16,000.00	990
(\$20 x 2) + (\$30 x 2)	\$100	16,000.00	990
\$100	\$100	20,000.00	792
\$20 + \$30 + (\$50 x 3)	\$200	80,000.00	198
\$50 x 4	\$200	80,000.00	198
(\$50 x 2) + \$100	\$200	80,000.00	198
\$100 x 2	\$200	80,000.00	198
\$200	\$200	80,000.00	198
\$100 x 5	\$500	120,000.00	132
(\$100 x 3) + \$200	\$500	240,000.00	66
\$100 + (\$200 x 2)	\$500	240,000.00	66
\$500	\$500	240,000.00	66
\$5,000	\$5,000	240,000.00	66

(10) The estimated overall odds of winning some prize in Instant Game Number 1047 are 1 in 4.96. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 1047, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for SOLID GOLD lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 12-30-09.

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: December 30, 2009

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER09-74  
RULE TITLE: Instant Game Number 7010, TREASURE GROVE

SUMMARY: This emergency rule describes Instant Game Number 7010, "TREASURE GROVE," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER09-74 Instant Game Number 7010, TREASURE GROVE.

(1) Name of Game. Instant Game Number 7010, "TREASURE GROVE."

(2) Price. TREASURE GROVE lottery tickets sell for \$2.00 per ticket.

(3) TREASURE GROVE lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning TREASURE GROVE lottery ticket, the ticket must meet the applicable requirements of Rule 53ER08-89, F.A.C.

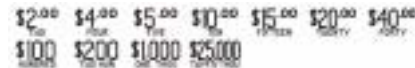
(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:



(5) The "WINNING NUMBERS" play symbols and play symbol captions are as follows:



(6) The prize symbols and prize symbol captions are as follows:



(7) The legends are as follows:

WINNING NUMBERS YOUR NUMBERS

(8) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the "YOUR NUMBERS" play area that matches a play symbol and corresponding play symbol caption in the "WINNING NUMBERS" play area shall entitle the claimant to the corresponding prize shown for that symbol. A

ticket having a "🍀" symbol in the "YOUR NUMBERS" play area shall entitle the claimant to all ten prizes shown.

(b) The prizes are: \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$20.00, \$40.00, \$100, \$200, \$1,000 and \$25,000.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 7010 are as follows:

GAME PLAY	WIN	ESTIMATED ODDS OF 1 IN	NUMBER OF WINNERS IN 100 POOLS OF TICKETS PER POOL
\$2	\$2.00	8.62	1,392,000
\$2 x 2	\$4.00	44.12	272,000
\$4	\$4.00	44.12	272,000
\$5	\$5.00	41.67	288,000
\$10	\$10.00	250.00	48,000
\$5 x 2	\$10.00	250.00	48,000
\$4 x 2 + \$2	\$10.00	187.50	64,000
\$15	\$15.00	375.00	32,000
\$10 + \$5	\$15.00	375.00	32,000
\$5 x 3	\$15.00	750.00	16,000
\$20	\$20.00	375.00	32,000
\$10 x 2	\$20.00	750.00	16,000
\$5 x 4	\$20.00	375.00	32,000
\$40	\$40.00	705.88	17,000
\$10 x 4	\$40.00	705.88	17,000
\$2 x 5 + \$5 x 4 + \$10 (win all)	\$40.00	705.88	17,000
\$20 x 2	\$40.00	705.88	17,000
\$20 x 2 + \$10 x 4 + \$5 x 4 (win all)	\$100.00	2,000.00	6,000
\$100	\$100.00	1,967.21	6,100
\$40 x 2 + \$10 x 2	\$100.00	1,967.21	6,100
\$40 x 2 + \$20 x 3 + \$15 x 2 + \$10 x 3 (win all)	\$200.00	12,000.00	1,000
\$200	\$200.00	12,000.00	1,000
\$100 + \$40 x 2 + \$20	\$200.00	12,000.00	1,000

<u>\$1,000</u>	<u>\$1,000.00</u>	<u>80,000.00</u>	<u>150</u>
<u>\$200 x 3 + \$100</u>	<u>\$1,000.00</u>		<u>150</u>
<u>x 3 + \$40 x 2 +</u>			
<u>\$10 x 2 (win all)</u>		<u>80,000.00</u>	
<u>\$25,000</u>	<u>\$25,000.00</u>	<u>600,000.00</u>	<u>20</u>

(10) The estimated overall odds of winning some prize in Instant Game Number 7010 are 1 in 4.56. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 7010, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) Payment of prizes for TREASURE GROVE lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes.

A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 12-30-09.

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: December 30, 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**

**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 December 17, 2009, the South Florida Water Management District ("District"), received a petition for waiver from Miami-Dade County Public Works, Application No. 09-1217-1M, Permit (MOD) Number

12603 for utilization of Works or Lands of the District known as the C-4 Canal to allow the construction of an above-ground canal water level recorder located approximately 25' from the top of the canal bank within the northerly right of way of C-4 located easterly of S. W. 120th Avenue. The proposed water level recorder is in conjunction with the Belen Pump Station Project, Section 1, Township 54S, Range 39E, Miami-Dade County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent and /or semi-permanent above-ground structures within 40 feet of the top of the canal bank within Works 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](mailto: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.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT on December 24, 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 Kay Yocum, Shoreline Island Resort, Madeira Beach, FL, to not comply with Rules 3.11.3, 3.10.4(t) and 2.7.4, ASME A17.3, 1996 edition until January 1, 2013 (VW 2009-157 and 582).

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 December 24, 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 Adrian P. Ignowski, La Puerta Del Sol Condo Assoc., St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition (VW 2009-191).

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 December 24, 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 met its burden as some of the licenses have passing inspections and a variance is no longer needed and the requested completion date has already passed, as submitted by

Cynthia Noble of Florida Hospital and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-267).

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 December 24, 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 Sara M. Wayson, Franklin Exchange, Tampa, FL, to not comply with Rules 3.11.3, 3.10.4(t) and 2.7.4, ASME A17.3, 1996 edition, Rules 2.1.2.1, 2.14.1.5, 2.14.1.7, 2.14.7, 2.20, 2.24.2, 2.27.1 and 2.29.1, ASME A17.1, 2004 edition, Rule 102.2, ASME A17.1, 1996 edition and Chapter 3002.3, 2004 Florida Building Code until December 31, 2012 (VW 2009-480).

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 December 24, 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 Heath Phillips, Navy Federal Credit Union Bldg. 4, Pensacola, FL, to not comply with Rules 2.18.5, 2.20.4 and 8.11.2.1.3(cc)(1 & 3) ASME A17.1, 2004 edition (VW 2009-597 and 620).

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 December 24, 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 and no means of meeting the intent of the code have been put forth, as submitted by Richard S. Johnson, Jr., Flagler Center II and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-599 and 617).

---

NOTICE IS HEREBY GIVEN THAT on December 24, 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 Marion M. Smith, Greater Plant City Chamber of Commerce, Plant City, FL, to not comply with Rule 3.10.3, ASME A17.3, 1996 edition and Rule 8.6.1.6.3(a), ASMR A17.1, 2004 edition (VW 2009-603).

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 December 24, 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, Seville Condominium II, Inc., Clearwater, FL, to not comply with Rules 2.2.3, 2.3.1, 3.3.2, 3.9.1 and 3.10.4(t), ASME A17.3, 1996 edition and Rule 110.10(b), ASME A17.1, 1996 edition until June 31, 2011 (VW 2009-610).

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 December 31, 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 Daniel Giust, Municipal Parking Garage, West Palm Beach, FL, to not comply with Rules 3.11.3, 2.8.2 and 2.7.4, ASME A17.3, 1996 edition and Rule 2.2.2.5, ASME A17.1, 2007 edition until August 1, 2010 (VW 2009-614).

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 December 31, 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 Mark DeWitt, Riverside Presbyterian Church Day School, Jacksonville, FL, to not comply with Rules 3.11.3, 2.7.4, 3.10.4(t), 3.11.1(a)(2), 3.3.2 and 2.3.1, ASME A17.3, 1996 edition until August 1, 2010 (VW 2009-618).

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 December 24, 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 Jill Ellis, Clearwater Key-South Bay Condominium Assoc., Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2013 (VW 2009-643).

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 December 24, 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 Susan A. Moak, Bethesda Memorial Hospital, Boynton Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until May 1, 2012 (VW 2009-645).

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 December 24, 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 Mark Hasson, Ocean at the Bluffs South, Jupiter, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until May 1, 2011 (VW 2009-650).

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 December 24, 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 Vincent R. Campbell, Venice Sands Condo Assoc., Venice, FL, to not comply with Rules 3.11.3, and 2.7.4, ASME A17.3, 1996 edition and Rule 2.14.7, ASME A17.1, 2007 edition until May 1, 2010 (VW 2009-660).

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 December 24, 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 Tray Edmonds, Commodore Bldg. at Bay Island, South Pasadena, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-661).

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 December 24, 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 Celeste G. MacDonald, West Forsyth Financial Associates, Jacksonville, FL, to not comply with Rule 2.7.4, ASME A17.3, 1996 edition until January 1, 2011 (VW 2009-666).

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 December 24, 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 Tray Edmonds, Lakeside Hills Estates, Lakeland, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition (VW 2009-668).

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 December 24, 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 and no means of meeting the intent of the code have been put forth, as submitted by Paul Komie, Gulfstream, Lake Worth, FL, and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-677).

---

NOTICE IS HEREBY GIVEN THAT on December 24, 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 requested a variance of statute, which the agency has no statutory authority to grant, as submitted by Jennifer Livingston, Marriott Ocean Palms and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-735).

---

NOTICE IS HEREBY GIVEN THAT on December 24, 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 Farrow, Bishop Moore HS Memorial Stadium, Orlando, FL, to not comply with Rule 2.7.1, ASME A18.1, 2003 edition (VW 2009-748).

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 December 24, 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 requested a variance of statute, which the agency has no statutory authority to grant, as submitted by Jennifer

Livingston, Boca Beach Resort and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-755).

---

NOTICE IS HEREBY GIVEN THAT on December 24, 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, Fairway Gardens, Naples, FL, to not comply with Rules 3.11.3 and 3.3.2, ASME A17.3, 1996 edition until November 20, 2012 (VW 2009-769).

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 December 24, 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, Flamingo Bay Condominium, Tierra Verde, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 15, 2012 (VW 2009-770).

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 December 24, 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, Florentine Gardens, Marco Island, FL, to not comply with Rules 3.11.3, 3.10.4(u) and 2.7.4, ASME A17.3, 1996 edition until November 15, 2012 (VW 2009-771).

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 December 24, 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 E. Elder, Village of Winterset, Winter Park, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2013 (VW 2009-774).

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 December 24, 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 John

Townsell, Days Inn Tropical Sea's Hotel, Daytona Beach Shores, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 31, 2012 (VW 2009-775).

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 December 24, 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 Ken Huff, Captain's Quarters Condominium, Marathon, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition (VW 2009-776).

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 December 24, 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, Sholtz Power Plant, Sneads, FL, to not comply with Rule 5.7.12.2, ASME A17.1, 2000 edition to allow the Petitioner to install an elevator with an area of 13.09 ft<sup>2</sup> and a load capacity of 1320 lbs. (VW 2009-778).

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 December 24, 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 John Malloy, Waldorf Condominium Association, Naples, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until January 1, 2013 (VW 2009-784).

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 December 24, 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 Danny Bower, Orlando Sentinel, Orlando, FL, to not comply with Rule 3.11.3 4, ASME A17.3, 1996 edition until December 1, 2010 (VW 2009-786).

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 December 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, Imperial Cove Condo Assoc. IX, Clearwater, FL, and location of the Serial Number 21230-31, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Bob Kresnik, CAM (VW 2009-791).

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 December 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 3.11.1, 3.11.3 and 3.10.3(a), as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Kress Building, Tampa, FL, and location of the Serial Number 18340, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Steven J. Pouyat (VW 2009-792).

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 December 11, 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 various Sections 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, The Islander Condominium Assoc., Clearwater, FL, and location of the Serial Number 10852 & 10886, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Karen J. Cochran, CAM (VW 2009-793).

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 December 11, 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, Bermuda Cay Condo Assoc., Boynton Beach, FL, and location of the Serial Number 21384-88, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Alex Cohen, President (VW 2009-794).

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 December 11, 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 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, Sandcastle Condominium Association, Jacksonville Beach, FL, and location of the Serial Number 32148, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Alice L. Levin, Vice President (VW2009-795).

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 December 11, 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 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, Oceanside Inn Beach Resort Condo Assoc., Daytona Beach Shores, FL, and location of the Serial Number 11193, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Sherry K. Clifton, CAM (VW 2009-796).

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 December 11, 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, Lake Virginia Condo Assoc., Inc., Winter Park, FL, and location of the Serial Number 14679-80, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Cathy Wasson (VW 2009-797).

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 December 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, 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 Bldg., St. Petersburg, FL, and location of the Serial Number 37186-90, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder, Agent (VW 2009-798).

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 December 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 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, Island Winds, Ft. Myers Beach, FL, and location of the Serial Number 20804-05, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Stephen Dilluvio, CAM (VW 2009-799).

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 December 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, 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, River Commons, Port Charlotte, FL, and location of the Serial Number 26250, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Dan R. Peterka, Vice President (VW 2009-800).

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 December 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,

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, Scottich Towers II Apartments, Dunedin, FL, and location of the Serial Number 16629-30 and 17989-90, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Dan R. Peterka, Vice President (VW 2009-801).

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 December 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, 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, Stetson University, Deland, FL, and location of the Serial Number 7717, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from James R. Beasley, Sr. Vice President (VW 2009-802).

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 December 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, 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, Steamboat Bend East, Ft. Myers, FL, and location of the Serial Number 29971-74, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Carolyn S. Oppie, CAM (VW 2009-803).

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 December 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, 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, Wood Park Owners Assoc., Inc., Bradenton, FL, and location of the Serial Number 33615-17 and 35913-14, requests the variance for an extension of time to

complete repairs and for economic/financial hardship. The petition was received from Ellen Brown, CAM (VW 2009-804).

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 December 17, 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, Airport Executive Center, Tampa, FL, and location of the Serial Number 36576-82, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Vitin Matos (VW 2009-805).

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 December 17, 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, The Enclave Hotel & Suites, Orlando, FL, and location of the Serial Number 37797-98 and 38767-68, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Lee Rigby, Agent (VW 2009-806).

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 December 17, 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 and 3.11.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Gold Coast Towers, Lake Worth, FL, and location of the Serial Number 12274, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Richard Daniels, President (VW 2009-807).

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 December 17, 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 A17.1, Section 5.7.12.2, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Cosme Water Treatment Plant, St. Petersburg, FL, and location of the Serial Number 2713, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Richard F. Voakes, Manager (VW 2009-808).

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 December 17, 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, Park Plaza, Inc., Naples, FL, and location of the Serial Number 31526-28, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from Fred Gollash, President (VW 2009-809).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

---

#### **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 on January 5, 2010, the Board of Chiropractic Medicine, received a petition for Evan Finkelstein. Although the petition does not provide a reference to any specific rule number in the petition, it appears that the petitioner is seeking a waiver or variance of Rule 64B2-13.004, Florida Administrative Code, which requires that for the purpose of renewing or reactivating a license, an applicant must demonstrate to the Board that he/she has participated in at least forty (40) classroom hours of Board approved continuing chiropractic education.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on January 5, 2010, the Board of Chiropractic Medicine, received a petition for Todd M. Reiter, D.C., M.D., seeking a variance or waiver of Rule 64B2-13.004, Florida Administrative Code, which requires that for the purpose of renewing or reactivating a license, an applicant must demonstrate to the Board that he/she has participated in at least forty (40) classroom hours of Board approved continuing chiropractic education.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on December 1, 2009, the Board of Massage Therapy, received a petition for a waiver or variance of Rule 64B7-25.004, F.A.C., which requires an applicant by endorsement to demonstrate that the educational requirements for licensure in another state are substantially equivalent to those in Florida.

Comments on this petition should be filed with: Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kaye Howerton, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256.

NOTICE IS HEREBY GIVEN THAT on December 29, 2009, the Board of Medicine, received a petition for waiver or variance filed on behalf of Narendra Kini, M.D., from subsection 64B8-4.009(5), F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school.

Comments on this petition should be filed with: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Larry McPherson, Jr., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN THAT on December 21, 2009, the Board of Physical Therapy Practice, received a petition for a waiver of the requirements of subsection 64B17-3.001(4), Florida Administrative Code. The Petitioner seeks a waiver of the requirement that foreign trained applicants receive a determination that the credentials are equivalent to education required for licensure as a physical therapist in the United States.

Comments on this petition should be filed with: Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

NOTICE IS HEREBY GIVEN THAT on December 23, 2009, the Department of Health, received a petition for amendment for Variance from paragraph 64E-11.006(5)(b), and subparagraphs 64E-11.006(5)(b)1., 2. and 7., Florida Administrative Code (F.A.C.), from Advent Parrish Day School (Episcopal Church of the Advent), 815 Piedmont Dr., Tallahassee, Florida 32312. The amended petition was submitted to address additional concerns by the petitioner. The aforementioned sections of rule require that dishwashing machines have the specifications and manufacturer's instructions attached to the machine, a one-fourth inch IPS valve be provided immediately upstream from the final rinse control valve, and a machine or water line mounted digital or numerically scaled indicating thermometer, accurate to plus or minus 3 degrees Fahrenheit (F). The sections also require that the dishwashing machine reach temperatures of 165 degrees F for both the wash and rinse cycles or 180 degrees F for the final rinse cycle. Comments on this petition should be filed with: Sam Power, Agency Clerk, Department of Health, Office of General Counsel, 4052 Bald Cypress Way, BIN #A02, Tallahassee, Florida 32399-1703, within 14 days of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ric Mathis, Bureau of Community Environmental Health, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277.

## Section VI Notices of Meetings, Workshops and Public Hearings

### DEPARTMENT OF STATE

The **Friends of Mission San Luis** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 25, 2010, 11:00 a.m.

PLACE: Conference Room, Mission San Luis, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Committee will be discussing current budget projections, 2008-2009 annual audit, fund raising, and other Friends business.

A copy of the agenda may be obtained by contacting: Jessica Shiver at (850)487-1666 or email at [jbshiver@dos.state.fl.us](mailto:jbshiver@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 48 hours before the workshop/meeting by contacting: Jessica Shiver at (850)487-1666 or email at [jbshiver@dos.state.fl.us](mailto:jbshiver@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: Jessica Shiver at (850)487-1666 or email at [jbshiver@dos.state.fl.us](mailto:jbshiver@dos.state.fl.us).

---

#### DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Subcommittee on Imperiled Species** announces a public meeting to which all persons are invited.

DATE AND TIME: February 3, 2010, 2:00 p.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building #6, Tallahassee, Florida 32399, (850)487-0532

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Subcommittee is charged with developing recommendations to the Coordinating Council for Mosquito Control regarding conduct of mosquito control that will: 1) allow for management and recovery of imperiled species by state and federal agencies and 2) allow the Mosquito Control Districts to continue to provide mosquito control as required by State Law under Chapter 388 of the Florida Statutes. This meeting will be used to discuss priorities of the subcommittee.

A copy of the agenda may be obtained by contacting: Bureau of Pesticides at (850)487-0532 or via e-mail: [fekenm@doacs.state.fl.us](mailto:fekenm@doacs.state.fl.us). Instructions for joining via teleconference (webex) are also available.

For more information, you may contact: Mr. Max Feken, Bureau of Pesticides, 3125 Conner Boulevard, Building 6, Tallahassee, Florida 32399-1650, (850)487-0532.

---

The **Pesticide Registration Evaluation Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2010, 9:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Bureau of Pesticides Conference Room, 3125 Conner Boulevard, Building 6, Room 606, Tallahassee, Florida 32399, (850)487-2130

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee discusses and makes recommendations on pesticide registration issues impacting human health and safety and the environment.

A copy of the agenda may be obtained by contacting: Pesticide Registration Section at (850)487-2130 or from the PREC Web Site at: <http://www.flaes.org/pesticide/pesticideregistration.html>.

For more information, you may contact: Mr. Charlie L. Clark, Administrator, Pesticide Registration Section, 3125 Conner Boulevard, Building 6, Room 601, Tallahassee, Florida 32399-1650, (850)487-2130.

---

#### DEPARTMENT OF EDUCATION

The **Florida Rehabilitation Council** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Executive, January 20, 2010, 1:30 p.m. – 3:30 p.m.; Coordination, February 4, 2010, 9:30 a.m. – 11:30 a.m.

PLACE: DVR Headquarters, Building A, 2002 Old St. Augustine Road, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct conference calls for the Florida Rehabilitation Council's Coordination and Executive Committee. Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

A copy of the agenda may be obtained by contacting: Yolanda Triplett at (850)245-3320.

---

The Budget, Finance and Business Operations Committee, and the Facilities and Real Estate Committee, of the **Board of Governors** of the State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2010, 1:00 p.m. – 5:00 p.m.

PLACE: Traditions Hall, Gibbons Alumni Center, University of South Florida, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of amended 2010-2011 Fixed Capital Outlay Legislative Budget Request; Authorize release of funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the Florida Atlantic University Board of Trustees and the Town of Davie; Resolution of the Board of Governors Authorizing the Issuance by the Florida Atlantic University Financing Corporation of Debt to Finance the Construction of a Student Residence Facility, Boca Raton Campus; Completed Projects Report; Consideration of amended 2010-2011 SUS Legislative Budget Request; Consideration of amended 2010-2011 Board General Office Legislative Budget Request; Consideration of Tuition Differential Timeline; Tuition Differential Report; Update, Shared Services; and other related business.

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 Audit and Compliance Committee, Strategic Planning and Academic and System Oversight Committee, Student Affairs Committee and the regular meeting of the **Board of Governors** of the State University System of Florida, announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2010, 8:00 a.m. – 5:00 p.m.

PLACE: Traditions Hall, Gibbons Alumni Center, University of South Florida, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration, Update, Work Plans, Audit and Compliance Committee, 2009-2010; and Office of the Inspector General, 2009-2010; Discussion, Compliance Activities; Oversight of SUS Internal Audits; Discussion, Inspector General Activities; 2010 Committee Meeting Schedule; Notice, BOG Regulation 7.005, Residency for Tuition Purposes; Consideration, 2009 SUS Annual Report; Discussion of 2010 University Work Plans; Discussion, Efficiencies Regulation Development;

Consideration of Limited Access Request for the Bachelor of Science, Sustainability and the Built Environment, UF; Authorize release of funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the FAU Board of Trustees and the Town of Davie; Consideration, amended 2010-2011 Fixed Capital Outlay Legislative Budget Request; Resolution of the BOG authorizing the Issuance by the FAU Financing Corporation of Debt to Finance the Construction of a Student Residence Facility, Boca Raton Campus; Consideration, amended 2010-2011 State University System Legislative Budget Request; Consideration, amended 2010-2011 Board General Office Legislative Budget Request; Tuition Differential Timeline; Tuition Differential Report; Final Approval, Repeal BOG Regulation 5.900, State University System General Personnel Policy; Final Approval, Repeal, BOG Regulation 12.001, Florida Solar Energy Center; Final Approval, BOG Regulation 6.002, Undergraduate Admission of First-Time, Degree-Seeking Freshmen; Final Approval, BOG Regulation 6.004, Transfer Students; Final Approval, Repeal, BOG Regulation 6.005, Acceptance of College Credit by Examination; Limited Access Request, B.S., Sustainability and the Built Environment, UF; Consideration, 2009 SUS Annual Report; Ratification, Appointment, President, FSU; Discussion of 2010 Sunshine Census; and other related matters.

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 Rehabilitation Council** announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2010, 9:30 a.m. – 11:30 a.m.

PLACE: DVR Headquarters, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32301-4862

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notices of meetings and hearings must advise that a record is required to appeal. Each board, commission, agency of this state or of any political subdivision; thereof shall include in the notice any meeting or hearing, if notice of the meeting or hearing is required of such board, commission, or agency, conspicuously on such notice, they advise that if a person decides to appeal any decision made by the board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is to be based. (Florida Statutes, 286.0105)

A copy of the agenda may be obtained by contacting: Yolanda Triplett at (850)245-3320, 2002 Old St. Augustine Road, Building A, Tallahassee, Florida 32301-4862.

NOTICE OF CANCELLATION – The State **Board of Education** meeting scheduled for January 19, 2010, 10:00 a.m., Tampa Airport Marriott, 4200 George J. Bean Parkway, Duval Meeting Room, Tampa, Florida, noticed in the F.A.W. on 1/08/2010, Vol. 36/01, has been cancelled. The meeting upon rescheduling will be noticed in the F.A.W.

The **USF Center for Urban Transportation Research** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 27, 2010, 1:30 p.m. – 4:00 p.m.

PLACE: CUTR Building, University of South Florida, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the CUTR Advisory Board.

A copy of the agenda may be obtained by contacting: Kelly Douglass at (813)974-3120.

The **Commission for Independent Education** announces a public meeting to which all persons are invited.

Commission Meeting

DATE AND TIME: January 28, 2010, 9:00 a.m.

PLACE: Orlando Marriott – Lake Mary, 1501 International Parkway, Lake Mary, Florida 32646

GENERAL SUBJECT MATTER TO BE CONSIDERED: All Degree Granting Institutions and Non-Degree granting institutions for the following: Disciplinary Matters, Informal Hearings, Institutions Ordered to Appear Back Before the Commission, New Applications for Licensure, Institutional Applications for Program Modifications and Additional Programs, Application for Annual License, Motions for Extension of License, Motions for Request for Extension of Time to Comply with Contingencies, Reports, Approved Applicant Letters Sent, Licenses Sent, Closed Schools, Agent

Training Programs, Annual Renewals, Extension of Annual License, Licenses by Means of Accreditation, Annual Reviews of License By Means of Accreditation, Substantive Change Applications, Name Change Applications, Attorney and Executive Director Reports, Election of Officers, Applications for Exemption for Religious Colleges.

A copy of the agenda may be obtained by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

## DEPARTMENT OF COMMUNITY AFFAIRS

The **Division of Housing and Community Development**, The Florida Building Commission, The “Commission” announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 26, 2010, 10:00 a.m. – until completion; The Structural Technical Advisory Committee concurrent with the Special Occupancy TAC

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 1967168#. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and make recommendations to the Commission regarding Declaratory Statements and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by

contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)487-1824 or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If 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: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

The **Division of Housing and Community Development**, The Florida Building Commission, The "Commission" announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 26, 2010, 8:30 a.m. – until completion; The Plumbing Technical Advisory Committee concurrent with the Swimming Pool Sub-Committee

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 1967168#. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration and recommendation of Declaratory Statements and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If 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: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

The **Division of Housing and Community Development**, The Florida Building Commission, The "Commission" announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 26, 2010, 11:00 a.m. – Until Completion; Fire Technical Advisory Committee (concurrent with) Special Occupancy Technical Advisory Committee

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 1967168#. Public point of access: Room 210L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and make recommendations to the Commission regarding Declaratory Statements and other business on behalf of the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). If 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: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: [www.floridabuilding.org](http://www.floridabuilding.org).

The **Department of Community Affairs, Housing and Community Development Division**, Community Assistance Section announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, January 26, 2010, 9:00 a.m. – 11:00 a.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Randall Kelley Training Center, Room 305, Tallahassee, Florida 32399-2100. Telephone (850)488-7541, Conference Call: 1(888)808-6959, Conference Code: 3701948

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs announces a teleconference public hearing to receive input on the Weatherization Assistance Program (WAP) State Plan for federal fiscal year (FFY) 2010, to which all interested parties are invited. To obtain input and recommendations from the public and interested parties concerning the Weatherization Assistance Program State Plan for FFY 2009, which will be submitted to the United States Department of Energy.

A copy of the state plan for the Public Hearing may be obtained by writing: Department of Community Affairs, Mr. Norm Gempel, Manager, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. Copies may also be obtained by telephoning (850)488-7541, by Fax: (850)488-2488 or by appearing in person at the agency headquarters.

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: Community Assistance Section at (850)488-7541. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Department of Community Affairs, Mr. Norm Gempel, Manager, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

The **Department of Community Affairs, Housing and Community Development Division**, Community Assistance Section announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, January 26, 2010, 1:00 p.m. – 3:30 p.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Randall Kelley Training Center, Room 305, Tallahassee, Florida 32399. Telephone (850)488-7541, Conference Call: 1(888)808-6959, Conference Code: 3701948#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs announces a teleconference meeting of the Community Assistance Advisory Council to receive input on the Weatherization Assistance Program (WAP) State Plan for federal fiscal year (FFY) 2010, to which all interested parties are invited. The Community Assistance Advisory Council will review the Weatherization Assistance Program State Plan for FFY 2010. The Plan is Florida's application for funding from the United States Department of Energy.

A copy of the state plan and agenda for the Advisory Council Meeting may be obtained by writing: Department of Community Affairs, Mr. Norm Gempel, Manager, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. Copies may also be obtained by telephoning (850)488-7541, by Fax: (850)488-2488, or by appearing in person at the agency headquarters.

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: Community Assistance Section at (850)488-7541. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Department of Community Affairs, Mr. Norm Gempel, Manager, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

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

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

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: Monday, February 8, 2010, 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 by e-mail: [rebecca.prado@dep.state.fl.us](mailto: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](mailto:rebecca.prado@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).

**STATE BOARD OF ADMINISTRATION**

The Florida **Commission on Hurricane Loss Projection Methodology** announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2010, 9:00 a.m. – 4:00 p.m. (ET)

PLACE: Hermitage Centre Conference Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida; Persons who wish to participate by telephone may call 1(888)808-6959, Conference Code 4765251363#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will be for the purpose of finalizing a report on recommendations for improving the process of assessing, determining and applying windstorm mitigation discounts, credits, rate differentials and other appropriate reductions in deductibles, as well as to address other general business of the Commission.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund at (850)413-1349 or [donna.sirmons@sbafla.com](mailto:donna.sirmons@sbafla.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: Donna Sirmons at the number or email listed above. 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 Hurricane Catastrophe Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 9:00 a.m. (ET) – conclusion of the meeting

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the State Board of Administration to provide for permission for the Florida Hurricane Catastrophe Fund to file the following rules for Notice of Proposed Rulemaking and to file these rules for adoption if no rule hearing is requested: Rule 19-8.010, F.A.C., Reimbursement Contract, Rule 19-8.012, F.A.C., Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund due to Limited Exposure, Rule 19-8.013, F.A.C., Revenue Bonds Issued Pursuant to Section 215.555(6), F.S., Rule 19-8.029, F.A.C., Insurer Reporting Requirements, and Rule 19-8.030, F.A.C., Insurer Responsibilities. In addition, the Trustees will address other general business. All of the rules showing the proposed amendments and the incorporated forms are available on the Florida Hurricane Catastrophe Fund website: [www.sbafla.com/hhcf](http://www.sbafla.com/hhcf).

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: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, Florida 32317-3300, (850)413-1341. 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: Tracy Allen at the address or number listed above.

**FLORIDA PAROLE COMMISSION**

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesdays, February 3, 2010; February 10, 2010; February 24, 2010, 8:30 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, FL 32399-2450

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission at (850)488-1293.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Parole Commission at [ada@fpc.state.fl.us](mailto:ada@fpc.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.

---

#### EXECUTIVE OFFICE OF THE GOVERNOR

The **Florida Film and Entertainment Advisory Council** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** January 22, 2010, 10:00 a.m. – 11:30 a.m.

**PLACE:** Conference Call: 1(888)808-6959, Conference Code: 4104765#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Seth Schachner, Eric Breitenbach, and Suzy Spang, Chair of the FFEAC will discuss issues related to social media and the entertainment industry.

A copy of the agenda may be obtained by contacting: Office of Film and Entertainment at (850)410-4765.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Film and Entertainment at (850)410-4765. 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: Office of Film and Entertainment at (850)410-4765.

---

The **Florida Energy and Climate Commission** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Monday, January 25, 2010, 1:00 p.m. – until completion

**PLACE:** Florida Solar Energy Center, 1679 Clearlake Road, Cocoa, 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.

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 **Volunteer Florida Foundation Board** announces a public meeting to which all persons are invited.

**DATE AND TIME:** Tuesday, January 26, 2010, 10:00 a.m. – 5:00 p.m.

**PLACE:** Conference Call: 1(888)808-6959, Pass Code: 7857968#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** General Foundation business.

A copy of the agenda may be obtained by contacting: Frances F. Rhodes at (850)410-0696.

For more information, you may contact: Frances F. Rhodes at (850)410-0696.

---

The **Children and Youth Cabinet** announces a public meeting to which all persons are invited.

**DATE AND TIME:** January 26, 2010, 1:00 p.m. – 5:00 p.m.

**PLACE:** Tallahassee Community College, Center For Workforce Development, Room 105, 444 Appleyard Drive, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting is a workshop that will continue the Cabinet's work on Indicators. The workshop will also provide information on next steps in an outcomes accountability process, and include Cabinet discussion on timeline and tasks for moving the process forward.

A copy of the agenda may be obtained by contacting: Sharon Read at (239)489-9063 or [sharon.read@eog.myflorida.com](mailto:sharon.read@eog.myflorida.com).

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: Sharon Read at (239)489-9063 or sharon.read@eog.myflorida.com.

The Florida **Film and Entertainment Advisory Council**, Legislative Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 29, 2010, 10:00 a.m. – 11:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4104765#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues concerning the film and entertainment industry by the Legislative Committee.

A copy of the agenda may be obtained by contacting: Office of Film and Entertainment at (850)410-4765.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Office of Film and Entertainment at (850)410-4765. 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: Office of Film and Entertainment at (850)410-4765.

NOTICE OF CANCELLATION – The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Room 2103, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Drug Policy Advisory Council. THIS MEETING HAS BEEN CANCELLED.

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 2 days 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.

The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 18, 2010, 10:00 a.m. – 3:00 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: Implementation and Oversight Task Force.

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 **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2010, 5:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by 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: January 28, 2010, 6:00 p.m.

PLACE: Inn Hotel and Suites, 213 S. W. Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

---

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2010, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

---

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2010, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by calling: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

---

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: February 10, 2010, 9:30 a.m.

PLACE: Hardee County Board of County Commission Chambers, 412 West Orange Street, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Council and/or it's Executive Committee.

A copy of the agenda may be obtained by contacting: Kathryn Hall, Program Coordinator at email: khall@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: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, psteed@cfrpc.org.

---

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 28, 2010, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC Board will discuss, review, and approve issues affecting Southwest Florida.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, #232 or ngwinnett@swfrpc.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: Ms. Deborah Kooi at (239)338-2550, #210 or dkooi@swfrpc.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: Ms. Nichole Gwinnett at (239)338-2550, #232 or ngwinnett@swfrpc.org.

The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 28, 2010, 11:00 a.m. or immediately following the SWFRPC Board Meeting

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: SWFRPC's Climate and Energy Committee will meet to review climate and energy issues throughout Southwest Florida.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at (239)338-2550, ext. 232 or ngwinnett@swfrpc.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: Ms. Deborah Kooi at (239)338-2550, ext. 210 or dkooi@swfrpc.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: www.swfrpc.org.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 1, 2010, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting. Any proposed Local Government Comprehensive Plan received prior to the meeting. Any adopted Local Government Comprehensive Plan received prior to the meeting. Any Proposed Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Proposed Local Government Comprehensive Plan Amendment for Miami-Dade County and Parkland. Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting. Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments for Florida City, Davie and Parkland. Any Adopted Public Education Facilities Element (PEFE)/Capital Improvements Element (CIE) Amendments received prior to the meeting. Adopted Local Government Comprehensive Plan Amendment for Dania Beach and Palmetto Bay. Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting. Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location. Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by calling: (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by calling: (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may call: (954)985-4416.

The **District II Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 20, 2010, 10:00 a.m. (ET)

PLACE: Tallahassee Fire Department, Training Division Classroom, 2964 Municipal Way, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the District II LEPC.

A copy of the agenda may be obtained by contacting: Chris Rietow, Apalachee Regional Planning Council, 20776 Central Avenue East, Blountstown, FL 32424, (850)488-6211, ext. 102.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 28, 2010, 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.

---

#### **METROPOLITAN PLANNING ORGANIZATIONS**

The Florida **Metropolitan Planning Organization Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2010, 12:00 Noon – 3:00 p.m.

PLACE: Renaissance Orlando Hotel at SeaWorld, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, MPOAC, 605 Suwannee St., MS #28B, Tallahassee, Florida 32399-0450 or by email: [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.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 4 days before the workshop/meeting by contacting: Brigitte Messina, MPOAC, 605 Suwannee St., MS #28B, Tallahassee, Florida 32399-0450 or by email: [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.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: Brigitte Messina, MPOAC, 605 Suwannee St., MS #28B, Tallahassee, Florida 32399-0450 or by email: [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org).

The Florida **Metropolitan Planning Organization Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2010, 3:30 p.m. – 6:00 p.m.

PLACE: Renaissance Orlando Hotel at SeaWorld, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning within and adjacent to metropolitan areas in Florida carried out by local, state and federal agencies.

A copy of the agenda may be obtained by contacting: Brigitte Messina, MPOAC, 605 Suwannee St., MS 28B, Tallahassee, Florida 32399-0450 or by email: [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.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: Brigitte Messina, MPOAC, 605 Suwannee St., MS #28B, Tallahassee, Florida 32399-0450 or by email: [brigitte.messina@mpoac.org](mailto:brigitte.messina@mpoac.org).

---

The **Pinellas County Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 19, 2010, 9:15 a.m.

PLACE: Pinellas County Planning Department Conference Room, 600 Cleveland Street, Suite 750, Clearwater, FL 33755

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Local Coordinating Board meeting.

A copy of the agenda may be obtained by contacting: Heather Sobush at [hsobush@pinellascounty.org](mailto:hsobush@pinellascounty.org) or (727)464-8200.

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: Office of Human Rights, 400 South Ft. Harrison Avenue, Suite 300, Clearwater, Florida 33756, (727)464-4062 (V/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).

For more information, you may contact: Heather Sobush at [hsobush@pinellascounty.org](mailto:hsobush@pinellascounty.org) or (727)464-8200.

---

#### **WATER MANAGEMENT DISTRICTS**

The **Northwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2010, 1:00 p.m. (Eastern Time)

PLACE: District Headquarters, 10 miles west of Tallahassee on Highway 90, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting – to discuss District business.

OTHER MEETINGS TO BE HELD ON January 28, 2010:

11:30 a.m. – 12:30 p.m. District Lands Committee – to discuss Land Acquisition Matters.

1:15 p.m. Public Hearing to discuss Regulatory Matters.

1:20 p.m. Public Hearing to discuss Land Acquisition Matters.

A copy of the agenda may be obtained by contacting: Robin Tucker, NFWFMD, 81 Water Management Drive, Havana, FL 32333, (850)539-5999 (also available through the Internet at www.nfwfmd.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 72 hours before the workshop/meeting by contacting: Ms. Jean Whitten. 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 **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATES AND TIMES: January 19, 2010, 3:30 p.m.; January 26, 2010, 3:30 p.m.; February 2, 2010, 3:30 p.m.; February 9, 2010, 1:00 p.m.

PLACE: District Headquarters, 9225 County Road 49, Live Oak, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Investment Committee Meetings to discuss the financial investments of the District.

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: Melanie Roberts at (386)362-1001 or toll free in Florida at 1(800)226-1066. 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: Melanie Roberts at (386)362-1001 or toll free in Florida at 1(800)226-1066.

The **Southwest Florida Water Management District** (SWFWMD) announces a workshop to which all persons are invited.

DATE AND TIME: Friday, January 22, 2010, 1:00 p.m.

PLACE: Sawgrass Lake Park, 7400 25th Street N., St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Tour of the Sawgrass Lake restoration project site. One or more Governing or Basin Board members may attend.

A copy of the agenda may be obtained by contacting: www.WaterMatters.org, Boards, Meetings & Event Calendar, 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 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwm.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: Lou.Kavouras@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0005).

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 26, 2010, 9:00 a.m.

PLACE: SWFWMD Headquarters, 2379 Broad Street, Brooksville, FL 34604

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meeting, Committee Meetings and Public Hearing: Consider SWFWMD business. Some Board members may participate in the meeting via communications media technology.

A copy of the agenda may be obtained by contacting: www.WaterMatters.org, Boards, Meetings & Event Calendar, 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 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwm.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: Luanne.Stout@watermatters.org 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4605 (Ad Order EXE0005).

The **Water Resources Advisory Commission (WRAC)**, New Member Orientation announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding new member orientation. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Rick Smith at (561)682-6517 or at our website: <http://my.sfwmd.gov/wrac>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District's Clerk Office, Jacki McGorty at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **River of Grass Science Workshop** announces a workshop to which all persons are invited.

DATE AND TIME: January 27, 2010, 10:30 a.m. – 4:00 p.m.; January 28, 2010, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Building B-1, Auditorium, 3301 Gun Club Rd., West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: A science workshop to aid in defining key characteristics of Everglades hydrology and the means by which these characteristics should be measured during the River of Grass Phase II project planning process. This highly technical workshop will review the latest science associated with hydrologic stage and flow targets and present model results and ecological data which support the restoration of the greater Everglades ecosystem. This workshop will be webcast ([www.sfwmd.gov](http://www.sfwmd.gov)).

For agenda information please refer to: [www.sfwmd.gov](http://www.sfwmd.gov), Reviving the River of Grass, Restoration Project Planning, Phase II Planning or Joni Warner at (561)682-6537.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: District's Clerk Office, Jacki McGorty at

(561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: February 26, 2010, 9:00 a.m.

PLACE: SFWMD, Building B-1, 2nd Floor, 2A, Bridge Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406. Teleconference information, Local SFWMD (561)682-6700, Nationwide Toll Free 1(866)433-6299, Meeting ID: 0883#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Lake Belt Mitigation Committee (LBMC), created pursuant to Section 373.41492, Florida Statutes, to discuss a variety of Lake Belt issues.

A copy of the agenda may be obtained by contacting: Susan Brown at (561)682-2743, <http://www.sfwmd.gov/org/pld/proj/lakebelt/mitigcom.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 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.

#### LAND AND WATER ADJUDICATORY COMMISSION

The Florida **Land and Water Adjudicatory Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 9:00 a.m.

PLACE: Cabinet Meeting Room (Room LL-03), The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Florida Land and Water Adjudicatory Commission will consider adoption of proposed rule amendments to Rules 42SS-1.002, Boundary. Proposed rule amendments to 42SS-1.002, which address the expansion of the boundaries of the Tolomato Community Development District to include the existing Split Pine Community Development District lands, were published in the Florida Administrative Weekly on December 18, 2009 (Vol. 35, No. 50). Another proposed rule, which is separately noticed for simultaneous consideration,

would repeal the existing rules governing the Split Pine Community Development District – specifically, Rules 42TT-1.001, Establishment, 42TT-1.002, Boundary, and 42TT-1.003 Supervisors, F.A.C.

A copy of the agenda may be obtained by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Land and Water Adjudicatory Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 9:00 a.m.

PLACE: Cabinet Meeting Room (Room LL-03), The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Florida Land and Water Adjudicatory Commission will consider repeal of existing rules governing the Split Pine Community Development District, specifically Rules 42TT-1.001, Establishment, 42TT-1.002, Boundary, and 42TT-1.003 Supervisors, FAC. The proposed repeal of the referenced rules, which address the inclusion of the lands of the existing Split Pine Community Development District within the boundaries of the Tolomato Community Development District, was published in the Florida Administrative Weekly on December 18, 2009 (Vol. 35, No. 50). Another proposed rule action, which is separately noticed for simultaneous consideration, would expand the boundaries of the Tolomato Community Development District to include the existing Split Pine Community Development District lands – specifically, Rule 42SS-1.002, Boundary, F.A.C.

A copy of the agenda may be obtained by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

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

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Land and Water Adjudicatory Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 9:00 a.m.

PLACE: Cabinet Meeting Room (Room LL-03), The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is a regularly scheduled Cabinet meeting. The Florida Land and Water Adjudicatory Commission will consider adoption of proposed Rule Chapter 42NNN-1, Seven Oaks Community Development District. Proposed Rule Chapter 42NNN-1, which addresses the establishment, boundary, and supervisors of the Seven Oaks Community Development District, was published in the Florida Administrative Weekly on December 18, 2009 (Vol. 35, No. 50).

A copy of the agenda may be obtained by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least two days before the workshop/meeting by contacting: Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

## REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: January 20, 2010, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (US 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: February 17, 2010, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: March 17, 2010, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (US 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: April 21, 2010, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: May 19, 2010, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (US 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: June 16, 2010, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: July 21, 2010, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (US 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: August 18, 2010, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: September 15, 2010, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (US 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: October 20, 2010, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

DATE AND TIME: November 17, 2010, 4:30 p.m.

PLACE: SWFWMD Headquarters Governing Board Meeting Room, 2379 Broad Street (US 41 South), Brooksville, Florida 34604-6899

DATE AND TIME: December 15, 2010, 4:30 p.m.

PLACE: Withlacoochee Regional Planning Council Headquarters Conference Room, 1241 S. W. 10th Street (SR 200), Ocala, Florida 34474-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Withlacoochee River Water Supply Authority is required to publish a listing of its regularly scheduled meetings. The following list identifies the Board meetings scheduled for Fiscal Year 2010.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Water Supply Authority, 1107 Shalimar Drive, Tallahassee, Florida 32312 or [www.wrwsa.org](http://www.wrwsa.org) under "minutes and notices".

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: Jackson Sullivan at (850)385-0220. 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: Jackson Sullivan at (850)385-0220 or (352)796-7211, ext. 4622.

---

The **Peace River Manasota Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: February 3, 2010, 9:30 a.m.

PLACE: DeSoto County Administration Building, 201 East Oak Street, Arcadia, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will convene to conduct regular business of the Authority.

A copy of the agenda may be obtained by contacting: Peace River Manasota Regional Water Supply Authority, 6311 Atrium Drive, Suite 100, Bradenton, Florida 34202.

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 calling: (941)316-1776. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may call: (941)316-1776.

---

#### DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATES AND TIME: January 28, 2010; February 25, 2010; March 25, 2010; April 29, 2010, 9:30 a.m. – 11:30 p.m. (CST)

PLACE: 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561

GENERAL SUBJECT MATTER TO BE CONSIDERED: Northwest District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Michael Phillips, Department of Elder Affairs, 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561, (850)916-6720 or email: [phillipsm@elderaffairs.org](mailto:phillipsm@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 Phillips, Department of Elder Affairs, 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561, (850)916-6720 or email: phillipsm@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 Phillips, Department of Elder Affairs, 1101 Gulf Breeze Parkway, Gulf Breeze, FL 32561, (850)916-6720 or email: phillipsm@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: January 28, 2010; February 25, 2010; March 25, 2010; April 29, 2010, 12:30 p.m. – 2:30 p.m. (EST)  
PLACE: Lake Panasoffkee Parks and Recreation Community Center, 1582 County Road 459, Lake Panasoffkee, FL 33538

GENERAL SUBJECT MATTER TO BE CONSIDERED: Withlacoochee District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Marilyn Anderson, Department of Elder Affairs, 1515 Silver Springs Blvd., #203, Ocala, FL 34470, (352)620-3088 or email: andersonm@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: Marilyn Anderson, Department of Elder Affairs, 1515 Silver Springs Blvd., #203, Ocala, FL 34470, (352)620-3088 or email: andersonm@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: Marilyn Anderson, Department of Elder Affairs, 1515 Silver Springs Blvd., #203, Ocala, FL 34470, (352)620-3088 or email: andersonm@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: February 4, 2010; May 6, 2010; August 5, 2010; November 4, 2010, 9:00 a.m. – 12:00 Noon (EST)

PLACE: Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Executive Committee Business.

A copy of the agenda may be obtained by contacting: Betty Cambor, 11351 Ulmerton Rd., 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 Rd., 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 Rd., 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.

DATES AND TIME: February 4, 2010; May 6, 2010; August 5, 2010; November 4, 2010, 2:00 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, FL 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, FL 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.

DATES AND TIME: February 4, 2010; May 6, 2010; August 5, 2010; November 4, 2010, 2:00 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, FL 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: February 4, 2010; May 6, 2010; August 5, 2010; November 4, 2010, 2:00 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 Rd., 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 Rd., 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 Rd., 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.

DATES AND TIME: February 5, 2010; May 7, 2010; August 6, 2010; November 5, 2010, 8:00 a.m. – 12:00 Noon (EST)

PLACE: Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Quarterly State Council business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: baileyr@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: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: baileyr@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: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: baileyr@elderaffairs.org.

#### **AGENCY FOR HEALTH CARE ADMINISTRATION**

The **Agency for Health Care Administration, Medicaid** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 27, 2010, 1:30 p.m. – 4:30 p.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, Florida 33607, (813)879-5151. Conference Call: 1(888)808-6959, Conference Code 8509210737

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is an amended notice for a meeting of the Hemophilia Medical Advisory Panel (HMAP) formed to assist with the Agency's Comprehensive Hemophilia Disease Management Programs. Business is to review the clinical guidelines adopted by the Vendors. The purpose of HMAP is to develop clinical guidelines; review and recommend care protocols; suggest appropriate outreach methods to beneficiaries; review difficult cases and make recommendations.

A copy of the agenda may be obtained by contacting: Twila Sisk, Agency for Health Care Administration, 2727 Mahan Dr., Bldg. 3, Mail Stop #50, Tallahassee, FL 32308-5403, (850)487-2355. Requests for a copy of the agenda must be made at least seven days before the event; requestors will be asked to pay reasonable printing costs.

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: Beverly Johnson, Agency for Health Care Administration, 2727 Mahan Dr., Bldg. 3, Mail Stop #50, Tallahassee, FL 32308-5403, (850)487-2355. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Beverly Johnson, Agency for Health Care Administration, 2727 Mahan Dr., Bldg. 3, Mail Stop #50, Tallahassee, Florida 32308-5403, (850)921-0737.

#### DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a public meeting to which all persons are invited.

**DATES AND TIMES:** January 15, 2010, 11:00 a.m.; February 18, 2010, 2:00 p.m.

**PLACE:** Betty Easley Conference Center, Conference Room 152, 4075 Esplanade Way, Tallahassee, Florida 32399-0950

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** In accordance with Section 120.525 Florida Statutes, a Pre-Bid Conference (January 15, 2010) and Meeting of the Evaluation and Negotiation Team (February 18, 2010) are hereby noticed within the timeline for the Invitation to Negotiate (Number: 06-991-530-G) for Mail Services. The Department reserves the right to issue amendments, addenda, and changes to this timeline and specifically to the meeting notices listed above. Notice of any change will be posted within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Weekly (F.A.W.). The VBS can be accessed at: [http://vbs.dms.state.fl.us/vbs/main\\_menu](http://vbs.dms.state.fl.us/vbs/main_menu).

A copy of the agenda may be obtained by contacting: Fran Shewan at (850)488-4946, [fran.shewan@dms.myflorida.com](mailto:fran.shewan@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 48 hours before the workshop/meeting by contacting: Fran Shewan at (850)488-4946, [fran.shewan@dms.myflorida.com](mailto:fran.shewan@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).

For more information, you may contact: Fran Shewan at (850)488-4946, [fran.shewan@dms.myflorida.com](mailto:fran.shewan@dms.myflorida.com).

The **Department of Management Services** a joint meeting of the Standard Procedures and Technical Committees of the Joint Task Force on State Agency Law Enforcement announces a public meeting to which all persons are invited.

**DATE AND TIME:** January 15, 2010, 9:00 a.m. – 3:00 p.m.

**PLACE:** Woodcrest Office Complex, Building K, 325 John Knox Road, Tallahassee, Florida 32303. Conference Call: 1(888)808-6959, Passcode: 4108307#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss operational matters of the Statewide Law Enforcement Radio System.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: Department of Management Services at (850)922-7435. 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: Vic Cullars, Florida Department of Law Enforcement at (850)410-8300 or Todd Preston, Fish and Wildlife Conservation Commission at (850)410-0656, ext. 17120.

The **Agency for Workforce Innovation**, Unemployment Compensation Claims and Benefits Information System, Executive Steering Committee announces a public meeting to which all persons are invited.

**DATE AND TIME:** Thursday, January 21, 2010, 2:00 p.m. – 3:30 p.m.

**PLACE:** Caldwell Building, Conference Room 114, 107 E. Madison Street, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Regular recurring meeting to review project status and act on any decisions required of the Committee.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/Events/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 by contacting: Dianne Corbett at (850)245-7285. 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 Architecture and Interior Design** announces a public meeting to which all persons are invited.

**DATE AND TIME:** January 27, 2010, 9:00 a.m.

**PLACE:** Hilton St. Augustine Bayfront, 32 Avenida Menedez, St. Augustine, FL 32084

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Anastasia Design Group, Inc.

Valerie Lee

Michele Angelo

MLA Designs, Inc.

Architectural Designs, Inc.

Kenneth P. Kroger

Architex Design, Inc.

Terry L. Lessard

Brown's Interior Design  
 Steven Brown  
 Raja Buchanan  
 Buchanan P.E. Consulting, Inc.  
 C. Brett Carter Enterprises  
 Brett Carter  
 George Coon  
 George Coon, Inc.  
 CPS, Inc.  
 William E. Allison  
 Glenn Gray  
 Glenn Gray & Associates  
 OB\_ZURV Group, PA  
 Jerel McCants  
 Partners in Design Architects, Inc.  
 Werner H. Briske  
 Mel Percy  
 Architectural Drafting & Residential Design  
 SW3 Consultants, Inc.  
 Cheree Roberts  
 Vernon J. Thompson  
 Paradise Design & Construction

A copy of the agenda may be obtained by contacting: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

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: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: David K. Minacci, Smith, Thompson, Shaw & Manausa, PA, 3520 Thomasville Road, Fourth Floor, Tallahassee, Florida 32309, (850)402-1570.

The **Board of Landscape Architecture** announces a public meeting to which all persons are invited.

DATE AND TIME: February 5, 2010, 9:00 a.m.

PLACE: Celebration Hotel, 700 Bloom Street, Celebration, FL 34747, (407)566-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

A copy of the agenda may be obtained by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, FL 32399, (850)922-7154.

The **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 25, 2010, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advance Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399-0773.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board office. 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 Real Estate Appraisal Board (FREAB)** announces a public meeting to which all persons are invited.

DATES AND TIME: Monday, February 1, 2010; Tuesday, February 2, 2010, 8:30 a.m. or soon thereafter

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801-1757

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Appraisal Board: Topics include, but not limited to, proposed legislation affecting Chapter 475, Part

II, F.S., rule development workshops, Florida Administrative Code 61J1 rule amendments, disciplinary actions, and general subject matter.

A copy of the agenda may be obtained by contacting: Beverly Ridenauer, Government Analyst II, Florida Real Estate Appraisal Board, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1757.

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 (5) days before the workshop/meeting by contacting: Department of Business and Professional Regulation at (407)481-5632. 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 Probable Cause Panel of the **Florida Real Estate Appraisal Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 3, 2010, 9:00 a.m. or soon thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Division of Real Estate, Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found. Portions of the probable cause proceedings are not open to the public. All or part of this meeting may be conducted by teleconference in order to permit maximum participation of the Board members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

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 (5) days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5632. 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 ENVIRONMENTAL PROTECTION

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

---

The **Department of Environmental Protection**, Bureau of Mining and Minerals Regulation announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2010, 9:00 a.m.

PLACE: Circle B-Bar Reserve, Polk's Nature Discovery Center, 4399 Winter Lake Road, Lakeland, FL 33803

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Peace River Basin Management Advisory Committee will meet to discuss implementation of the Peace River Basin Resource Management Plan adopted by the Department of Environmental Protection in 2007. An optional tour of the Tenoroc Fish Management Area will occur following the meeting.

A copy of the agenda may be obtained by contacting: Lisa Robertson, Department of Environmental Protection, 2051 East Dirac Dr., Tallahassee, FL 32310, (850)488-8217.

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: Lisa Robertson at (850)488-8217. 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: Lisa Robertson at (850)488-8217.

---

The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 4, 2010, 9:00 a.m.

PLACE: Florida Fish and Wildlife Research Institute, 100 Eighth Avenue, S. E., St. Petersburg, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to aid the Department in establishing numeric nutrient criteria for estuaries and coastal waters from Tampa Bay to Estero Bay along the southwest coast of Florida. The Department is seeking to gather information on individual marine systems that will serve to support statewide criteria development and provide a solid



foundation to establish nutrient criteria appropriate for each specific area. The initial effort consists of identifying currently available data and soliciting local area expertise, including members of the Numeric Nutrient Criteria Technical Advisory Committee (Nutrients TAC). The purpose of the meeting is to solicit and discuss information regarding nutrients and documented associations between nutrients and ecological conditions within the estuaries. While not intended as a meeting of the Nutrients TAC, one or more members of the Nutrients TAC may participate and provide comments at this meeting.

A copy of the agenda may be obtained by contacting: Charles Kovach, Department of Environmental Protection, Southwest District, 13051 North Telecom Parkway, Temple Terrace, FL 33637-0926, (813)632-7600 or e-mail: charles.kovach@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Charles Kovach at (813)632-7600. 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 **Correctional Medical Authority** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 21, 2010, 10:00 a.m. – 11:30 a.m.

PLACE: 4030 Esplanade Way, 2nd Floor, Room 280N, Tallahassee, FL 32399-1732, Conference Call: 1(888)808-6959, Conference Code: 5391969#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Continued discussion of issues relating to correctional health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by contacting: Correctional Medical Authority at (850)245-4557.

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: Correctional Medical Authority at (850)245-4557. 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: Correctional Medical Authority at (850)245-4557.

---

The **Board of Medicine**, Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 4, 2010, 9:00 a.m.

PLACE: Marriott Tampa Airport, 4200 George Bean Pkwy., Tampa, FL 33607, Hotel phone #: (813)879-5151.

**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](http://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](mailto: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](mailto: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**, Physician Assistant Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 4, 2010, 2:00 p.m. or soon thereafter

PLACE: Marriott Tampa Airport, 4200 George Bean Pkwy., Tampa, FL 33607. Hotel phone #: (813)879-5151

**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](http://www.flhealthsource.com) for cancellations or changes to meeting dates or call the Board of Medicine.

A copy of the agenda may be obtained by contacting: Vera Johnson, [Vera\\_Johnson@doh.state.fl.us](mailto:Vera_Johnson@doh.state.fl.us) or call (850)245-4131, ext. 3528.

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: Vera Johnson at [Vera\\_Johnson@doh.state.fl.us](mailto:Vera_Johnson@doh.state.fl.us) or call (850)245-4131, ext. 3528. 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, February 4, 2010, 4:00 p.m.

PLACE: Marriott Tampa Airport, 4200 George Bean Pkwy., Tampa, FL 33607, Hotel phone #: (813)879-5151.

**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](http://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](mailto:whitney_bowen@doh.state.fl.us), (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](mailto: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**, Surgical Care Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 4, 2010, 5:00 p.m. or shortly thereafter (Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at [www.flhealthsource.com](http://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: Marriott Tampa Airport, 4200 George Bean Parkway, Tampa, FL 33607, (813)879-5151

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss the general business of the Board of Medicine Surgical Care Committee.

A copy of the agenda may be obtained by contacting: Gwyn Willis, (850)245-4131 or [www.Gwyn\\_Willis@doh.state.fl.us](mailto:www.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 [www.Gwyn\\_Willis@doh.state.fl.us](mailto:www.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).

---

The Florida **Board of Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday and Saturday, February 5-6, 2010, 8:00 a.m.

PLACE: Marriott Tampa Airport, 4200 George Bean Pkwy., Tampa, FL 33607, Hotel phone #: (813)879-5151.

**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](http://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](mailto:whitney_bowen@doh.state.fl.us) or (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](mailto: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 Nursing and Council on Certified Nursing Assistants** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday – Friday, April 7-9, 2010

PLACE: Hilton Ft. Lauderdale Airport, 1870 Griffin Road, Ft. Lauderdale, FL 33004, (954)920-3300

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Wednesday, 8:30 a.m. Council on Certified Nursing Assistants (CNA) meets  
 Practice Committee Meeting immediately following CNA Council Meeting adjournment  
 Advanced Practice Committee Meeting immediately following Practice Committee Meeting adjournment  
 Legislative Committee Meeting immediately following Advanced Practice Committee Meeting adjournment  
 Special Education Committee Meeting immediately following Legislative Committee Meeting adjournment

Thursday, 8:30 a.m. Credentials Committee

Thursday, 8:30 a.m. Education Committee

Thursday, 1:00 p.m. Full Board meeting

Friday, 8:30 a.m. Full Board meeting

A copy of the agenda item may be obtained by writing: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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: Board office. 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: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

The Florida **Board of Nursing and Council on Certified Nursing Assistants** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday – Friday, June 9-11, 2010

PLACE: Hyatt Regency Riverfront, 225 East Coastline Drive, Jacksonville, FL 32202, (904)588-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Wednesday, 8:30 a.m. Council on Certified Nursing Assistants (CNA) meets  
 Practice Committee Meeting immediately following CNA Council Meeting adjournment

Advanced Practice Committee Meeting immediately following Practice Committee Meeting adjournment

Legislative Committee Meeting immediately following Advanced Practice Committee Meeting adjournment

Special Education Committee Meeting immediately following Legislative Committee Meeting adjournment

Thursday, 8:30 a.m. Credentials Committee

Thursday, 8:30 a.m. Education Committee

Thursday, 1:00 p.m. Full Board meeting

Friday, 8:30 a.m. Full Board meeting

A copy of the agenda may be obtained by contacting: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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: Board office. 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: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

The Florida **Board of Nursing and Council on Certified Nursing Assistants** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday – Friday, August 4-6, 2010

PLACE: Embassy Suites Tampa – USF, 3705 Spectrum Boulevard, Tampa, FL 33612, (813)977-7066

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Wednesday, 8:30 a.m. Council on Certified Nursing Assistants (CNA) meets.

Practice Committee Meeting immediately following CNA Council Meeting adjournment.

Advanced Practice Committee Meeting immediately following Practice Committee Meeting adjournment.

Legislative Committee Meeting immediately following Advanced Practice Committee Meeting adjournment.  
 Special Education Committee Meeting immediately following Legislative Committee Meeting adjournment.  
 Thursday, 8:30 a.m. Credentials Committee.  
 8:30 a.m. Education Committee.  
 1:00 p.m. Full Board meeting.  
 Friday, 8:30 a.m. Full Board meeting.

A copy of the agenda may be obtained by contacting: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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: Board office. 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: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

The Florida **Board of Nursing and Council on Certified Nursing Assistants** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday – Friday, October 6-8, 2010

PLACE: Double Tree Resort, 10100 International Dr., Orlando, FL 32821, (407) 352-1100

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Wednesday, 8:30 a.m. Council on Certified Nursing Assistants (CNA) meets.  
 Practice Committee Meeting immediately following CNA Council Meeting adjournment.  
 Advanced Practice Committee Meeting immediately following Practice Committee Meeting adjournment.  
 Legislative Committee Meeting immediately following Advanced Practice Committee Meeting adjournment.

Special Education Committee Meeting immediately following Legislative Committee Meeting adjournment.

Thursday, 8:30 a.m. Credentials Committee.  
 8:30 a.m. Education Committee.  
 1:00 p.m. Full Board meeting.

Friday, 8:30 a.m. Full Board meeting.

A copy of the agenda may be obtained by contacting: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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: Board office. 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: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

The Florida **Board of Nursing and Council on Certified Nursing Assistants** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday – Friday, December 1-3, 2010

PLACE: Hyatt Regency Miami, 400 S. E. 2nd Avenue, Miami, FL 33131, (305)358-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Wednesday, 8:30 a.m. Council on Certified Nursing Assistants (CNA) meets  
 Practice Committee Meeting immediately following CNA Council Meeting adjournment  
 Advanced Practice Committee Meeting immediately following Practice Committee Meeting adjournment  
 Legislative Committee Meeting immediately following Advanced Practice Committee Meeting adjournment  
 Special Education Committee Meeting immediately following Legislative Committee Meeting adjournment

Thursday, 8:30 a.m. Credentials Committee

Thursday, 8:30 a.m. Education Committee

Thursday, 1:00 p.m. Full Board meeting

Friday, 8:30 a.m. Full Board meeting

A copy of the agenda may be obtained by contacting: Board office.

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: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252. 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: Rick García, Florida Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

**NOTICE OF CANCELLATION – The Board of Opticianry** announces a public meeting to which all persons are invited.

DATE AND TIME: February 8, 2010, 8:30 a.m.

PLACE: Renaissance Tampa Hotel International Plaza, 4200 Jim Walker Blvd., Tampa, FL 33607, (813)877-9200

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official Board Meeting has been CANCELED.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Opticianry 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which records include the testimony and evidence upon which the appeal is to be made. Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8770 (Voice), 1(800)955-8771 (TDD). Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, (850)245-4474 at least one week prior to the meeting date.

The **Board of Opticianry** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 8, 2010, 9:30 a.m.

PLACE: (850)245-4461 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel and Reconsiderations.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Opticianry 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she may need to ensure that a verbatim record of the proceeding is made, which records include the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster at (850)245-4474 at least one week prior to the meeting date.

The **Board of Pharmacy**, Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: February 9, 2010, 9:00 a.m.

PLACE: Embassy Suites, 9300 Baymeadows Road, Jacksonville, Florida 32256, (904)731-3556

GENERAL SUBJECT MATTER TO BE CONSIDERED: The committee will review various rules in progress.

The public agenda will be available one week prior to the meeting date at [www.doh.state.fl.us/mqa/pharmacy](http://www.doh.state.fl.us/mqa/pharmacy).

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: Board of Pharmacy, 4052 Bald Cypress Way, Bin #C-04, Tallahassee, FL 32399-3254, (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Pharmacy, 4052 Bald Cypress Way, Bin #C-04, Tallahassee, FL 32399-3254, (850)245-4292.

The **Board of Pharmacy** announces a public meeting to which all persons are invited.

DATES AND TIMES: February 9, 2010, 1:00 p.m.; February 10, 2010, 8:00 a.m.

PLACE: Embassy Suites, 9300 Baymeadows Road, Jacksonville, Florida 32256, (904)731-3556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss general Board business.

The public agenda will be available one week prior to the meeting date at [www.doh.state.fl.us/mqa/pharmacy](http://www.doh.state.fl.us/mqa/pharmacy).

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: Board of Pharmacy, 4052 Bald Cypress Way, Bin #C-04, Tallahassee, FL 32399-3254, (850)245-4292. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Pharmacy, 4052 Bald Cypress Way, Bin #C-04, Tallahassee, FL 32399-3254, (850)245-4292.

#### **DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Florida **Department of Children and Family Services** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 25, 2010, 9:00 a.m. – 12:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Access Code: 4871987#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is the second meeting of the Statewide Task Force on Human Trafficking Meeting, which was created during the 2009 legislative session.

For more information, you may contact: Regina Bernadin at (305)376-1948.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2010, 10:00 a.m. – 4:00 p.m.

PLACE: 9393 North Florida Avenue, Tampa, Florida 33612

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Redesign of services to young adults formerly in foster care.

A copy of the agenda may be obtained by contacting: Gay Frizzell, 1317 Winewood Boulevard, Building 1, Room 303B, Tallahassee, Florida 32399, Email: [gay\\_frizzell@dcf.state.fl.us](mailto:gay_frizzell@dcf.state.fl.us), (850)921-3005.

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: Gay Frizzell, 1317 Winewood Boulevard, Building 1, Room 303B, Tallahassee, FL 32399, Email: [gay\\_frizzell@dcf.state.fl.us](mailto:gay_frizzell@dcf.state.fl.us), (850)921-3005.

[dcf.state.fl.us](http://dcf.state.fl.us), (850)921-3005. 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: Gay Frizzell, 1317 Winewood Boulevard, Building 1, Room 303B, Tallahassee, Florida 32399, Email: [gay\\_frizzell@dcf.state.fl.us](mailto:gay_frizzell@dcf.state.fl.us), (850)921-3005.

The **Department of Children and Family Services** announces a meeting of the ACCESS Advisory Panel co-chairs and Secretary George Sheldon to which all persons are invited. DATE AND TIME: Thursday, January 28, 2010, 3:00 p.m. – 4:00 p.m.

PLACE: The meeting will be held in the Secretary's Large Conference Room, 1317 Winewood Blvd, Building 1, Tallahassee, Florida 32399

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The co-chairs of the Advisory Committee on Economic Security will discuss the committee recommendations with the Secretary. The future direction of the committee will also be discussed. A copy of the agenda may be obtained by contacting: the ACCESS Florida Headquarter's Office, (850)488-3169.

The **Local Planning Team** announces a public meeting to which all persons are invited.

DATE AND TIME: January 29, 2010, 11:00 a.m.

PLACE: JAC Center, 823 W. Central Blvd., Orlando, FL 32805

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Issues related to children and families.

A copy of the agenda may be obtained by contacting: Kristi Gray at (407)245-0400.

For more information, you may contact: Kristi Gray at (407)245-0400.

The **Governor's Task Force on Autism Spectrum Disorders** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, January 21, 2010, 1:00 p.m. – 2:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4881558#

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This call will be to discuss meeting logistics for the January 28, 2010, full Task Force Meeting in Lake Mary and discuss any recent updates pertinent to the Task Force.

A copy of the agenda may be obtained by contacting: Deleah Sims at (850)488-9547 or email: [Deleah\\_Sims@apd.state.fl.us](mailto:Deleah_Sims@apd.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: Deleah Sims at (850)488-9547 or email: Deleah\_Sims@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: Deleah Sims at (850)488-9547 or by email: Deleah\_Sims@apd.state.fl.us.

The **Agency for Persons with Disabilities** announces a public meeting to which all persons are invited.

DATE AND TIME: January 22, 2010, 9:00 a.m. – 12:00 Noon  
PLACE: Lucanus Center, 6411 Taft Street, Hollywood, Florida 33024. ADA Contact: Area 10 Office (954)461-4218

DATE AND TIME: January 25, 2010, 9:00 a.m. – 12:00 Noon  
PLACE: Gulf Coast Community College, Sarvin Lecture Hall, 5230 West Highway 98, Panama City, Florida 32401. ADA Contact: Tasha Tubbs (850)872-7652

GENERAL SUBJECT MATTER TO BE CONSIDERED: A presentation about the draft plan for individual budgeting (“iBudget Florida”) and opportunity for the public to provide comment. 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 the individual or entity listed under “ADA Contact” for each meeting location.

A copy of the agenda may be obtained by contacting: Hilary Brazzell, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)488-4877.

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: Stephanie Rogers, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)414-6558. 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: Hilary Brazzell, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)488-4877.

The **Agency for Persons with Disabilities** announces a public meeting to which all persons are invited.

DATE AND TIME: January 23, 2010, 10:00 a.m. – 12:00 Noon

PLACE: Sheraton Suites Orlando Airport, Florida Room, 7550 Augusta National Drive, Orlando, FL 32822, (407)240-5555. Conference Call: 1(888)808-6959, Conference Code: 9227733#

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss revisions for the utilization of APD Medicaid Waiver Alternative Transportation Providers.

A copy of the agenda may be obtained by contacting: <http://apd.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 7 days before the workshop/meeting by contacting: Kent Carroll, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8501. 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: Kent Carroll, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8501.

The **Governor’s Task Force on Autism Spectrum Disorders** announces a public meeting to which all persons are invited.

DATE AND TIMES: January 28, 2010, 9:00 a.m., 7:30 p.m. or conclusion; Public comment, 5:30 p.m. – 7:30 p.m.

PLACE: Westin Lake Mary Orlando North, Seminole Room, 2974 International Parkway, Lake Mary, Florida 32746, <http://www.westinlakemary.com/>

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.

A copy of the agenda may be obtained by contacting: Deleah Sims 1 week prior to meeting. All members of the public wishing to give comment are asked to sign up at the public comment table by 5:00 p.m.

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: Deleah Sims at (850)488-9547 or by email: Deleah\_Sims@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). 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: Deleah Sims at (850)488-9547 or by email: Deleah\_Sims@apd.state.fl.us.

## DEPARTMENT OF FINANCIAL SERVICES

The **Board of Funeral, Cemetery and Consumer Services**, Probable Cause Panel B announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2010, 10:00 a.m.

PLACE: 2020 Capital Circle, S. E., Alexander Building, Conference Room 230A, Tallahassee, Florida 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct a public meeting to reconsider the following two disciplinary cases with prior findings of probable cause: Wright & Young Funeral Home, Inc., Case No.: 103361-09-FC and Kimberly White, Case No.: 103362-09-FC. A copy of the agenda may be obtained by contacting: LaTonya Bryant-Parker at (850)413-3039 or email: LaTonya.Bryant-Parker@myfloridacfo.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: LaTonya Bryant-Parker at (850)413-3039 or email: LaTonya.Bryant-Parker@myfloridacfo.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).

**FINANCIAL SERVICES COMMISSION**

The **Financial Services Commission, Office of Financial Regulation** announces a hearing to which all persons are invited.

**DATE AND TIME:** January 26, 2010, 9:00 a.m., during a regular meeting of the Financial Services Commission

**PLACE:** Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is the Final Public Hearing on the adoption of proposed Rule 69W-600.0021, F.A.C., published on October 23, 2009, in Vol. 35, No. 42 of the Florida Administrative Weekly. A notice of change for this rule is published in the January 8, 2010, Vol. 36, No. 01, edition of the Florida Administrative Weekly. The proposed rule sets forth the policies of the Office of Financial Regulation with respect to processing registration applications for persons who have been found guilty of, or who have pled guilty or nolo contendere to, certain crimes. The rule makes a general classification of crimes into two classes: Class A and Class B. Class A crimes address felonies involving fraud, dishonesty or any other act of moral turpitude; and Class B crimes address misdemeanors involving those same issues. Under the proposed rule, the disqualification period for a Class A crime is 15 years. For Class B crimes, the disqualification period is 5 years. The rule provides that the disqualification period will be extended if the applicant has multiple Class A or B crimes, and it provides that mitigating factors may be considered to reduce disqualifying periods. The disqualifying periods established in the rule do not give an applicant a right to registration after any set period of time. Regardless of the expiration of any disqualifying period imposed by the rule, the

burden to prove entitlement to registration remains on the applicant. Other factors related to the consideration of the applicant's criminal history are also addressed.

A copy of the agenda may be obtained by contacting: Governor and Cabinet website at: <http://www.myflorida.com/myflorida/cabinet/mart.html>. The agenda should be available approximately one week before the cabinet 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: Andrea Moreland, Office of Financial Regulation, at (850)410-9601, [andrea.moreland@flofr.com](mailto:andrea.moreland@flofr.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: Andrea Moreland, Office of Financial Regulation at (850)410-9601, [andrea.moreland@flofr.com](mailto:andrea.moreland@flofr.com).

**FLORIDA INSURANCE GUARANTY ASSOCIATION**

The **Florida Insurance Guaranty Association** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Friday, January 15, 2010, 2:00 p.m. (EST)

**PLACE:** Via Conference Call

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Request for Proposal for audit services for 2010.

A copy of the agenda may be obtained by contacting: Cathy Irvin at [cirvin@agfgroup.org](mailto:cirvin@agfgroup.org) or (850)386-9200, ext. 1810.

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 (850)386-9200, ext. 1810. 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 WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION, INC.**

The **Florida Workers' Compensation Insurance Guaranty Association, Inc.** announces a telephone conference call to which all persons are invited.

**DATE AND TIME:** Friday, January 15, 2010, 2:00 p.m. (EST)

**PLACE:** Via Conference Call

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Request for Proposal for audit services for 2010.

A copy of the agenda may be obtained by contacting: Cathy Irvin at [cirvin@agfgroup.org](mailto:cirvin@agfgroup.org) or (850)386-9200, ext. 1810.



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 (850)386-9200, ext. 1810. 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).

---

#### **TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

The **Technological Research and Development Authority** (TRDA) announces a public meeting to which all persons are invited.

DATE AND TIMES: January 20, 2010, 2:00 p.m., Board of Directors; 3:00 p.m., TRD Foundation Board of Directors (or immediately following adjournment of the Board of Directors/TRDA)

PLACE: Business Innovation Center, 1050 West NASA Boulevard, Melbourne, FL 32901

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Meeting of the Board of Directors.

A copy of the agenda may be obtained by contacting: Dave Kershaw, Deputy Director at email: [dkershaw@trda.org](mailto:dkershaw@trda.org).

---

#### **SOIL AND WATER CONSERVATION DISTRICTS**

The **Collier Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2010, 8:30 a.m.

PLACE: 14700 Immokalee Rd., Naples, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Business Meeting.

---

The **Palm Beach Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATES AND TIME: January 26, 2010; February 23, 2010; March 23, 2010; April 27, 2010; May 25, 2010; June 22, 2010; July 27, 2010; August 24, 2010; September 28, 2010, TBA

PLACE: 420 S. State Road 7, Royal Palm Beach, FL 33414

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

---

#### **SMALL BUSINESS REGULATORY ADVISORY COUNCIL**

The **Small Business Regulatory Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 22, 2010, 9:00 a.m. (Eastern); February 5, 2010 if needed

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4737801#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business, rules review, and legislative update.

A copy of the agenda may be obtained by contacting: Vicky Baker at [vicky.baker@floridasbrac.org](mailto:vicky.baker@floridasbrac.org) or call (850)473-7816.

For more information, you may contact: Vicky Baker at [vicky.baker@floridasbrac.org](mailto:vicky.baker@floridasbrac.org) or call (850)473-7816.

---

#### **FLORIDA ASSOCIATION OF COURT CLERKS**

The **Florida Trust Board of Trustees** announces a public meeting to which all persons are invited.

DATE AND TIMES: Friday, January 22, 2010, 9:30 a.m., Committee Meeting; 10:30 a.m., Board of Trustees Meeting

PLACE: Crowne Plaza Hotel Orlando-Airport, 5555 Hazeltine National Drive, Orlando, FL 32812

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board of Trustees Meeting (fund performance & operations).

Annual Advisory Board and Audit Committee Meeting (annual audit).

A copy of the agenda may be obtained by contacting: Michelle Kimbler, Trust Manager at (850)577-4606.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 15 days before the workshop/meeting. 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: Michelle Kimbler, Trust Manager at (850)577-4606.

---

#### **CITIZENS PROPERTY INSURANCE CORPORATION**

The **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2010, 9:00 a.m. (EST)

PLACE: Teleconference

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance and Investment Committee Meeting.

Finance and Investment Committee Meeting

DATE AND TIME: Monday, January 25, 2010, 9:00 a.m. (EDT)

PLACE: Conference Call: 1(888)277-7951

GENERAL SUBJECT MATTER TO BE CONSIDERED: Item of discussion include, 2010 Pre-Event Liquidity Financing.

For additional information, please call Jill Booker at 1(800)807-7647, extension 8287.

Special Accommodations: In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Jill Booker at least five days prior to the meeting.

---

The **Citizens Property Insurance Corporation**, Board of Governors announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, January 25, 2010, 10:15 a.m. (EST)

PLACE: Conference Call: 1(888)295-6211

GENERAL SUBJECT MATTER TO BE CONSIDERED: Item of discussion includes, but is not limited to, pre-liquidity financing.

A copy of the agenda may be obtained by contacting: [www.citizensfla.com](http://www.citizensfla.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: Barbara Walker at 1(800)807-7647, extension 3744. 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: Barbara Walker.

---

#### **SOUTHWOOD SHARED RESOURCE CENTER**

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 25, 2010, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1703, 325 W. Gaines Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the SSRC Board of Trustees.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895, [rick.mitchell@ssrc.myflorida.com](mailto: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](mailto: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](mailto:rick.mitchell@ssrc.myflorida.com).

---

#### **ENTERPRISE FLORIDA, INC.**

The **Florida Defense Alliance Growth Management Working Group** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Holiday Inn Hotel & Suites – Tallahassee, 2725 Graves Road, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Enterprise Florida**, Rural/Urban Working Group announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 10:00 a.m.

PLACE: DoubleTree Hotel Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Florida Defense Alliance** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 1:00 p.m. – 5:00 p.m.

PLACE: Holiday Inn Hotel & Suites – Tallahassee, 2725 Graves Road, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Enterprise Florida Competitiveness Working Group** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 1:00 p.m. – 2:45 p.m.

PLACE: DoubleTree Hotel Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders (407)956-5613.

---

The **Enterprise Florida**, Marketing Working Group announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 3:00 p.m. – 4:30 p.m.

PLACE: DoubleTree Hotel Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Florida Defense Alliance Reception** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 5:00 p.m. – 7:00 p.m.

PLACE: Holiday Inn Hotel & Suites – Tallahassee, 2725 Graves Road, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Enterprise Florida**, Stakeholders Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2010, 8:30 a.m. – 11:30 a.m.

PLACE: DoubleTree Hotel Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Enterprise Florida Technology**, Entrepreneurship & Capital (TEC) Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2010, 1:30 p.m. – 3:00 p.m.

PLACE: DoubleTree Hotel Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Enterprise Florida**, Global Commerce Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2010, 2:30 p.m. – 4:00 p.m.

PLACE: DoubleTree Hotel Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Enterprise Florida Life Sciences Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2010, 3:00 p.m. – 5:00 p.m.

PLACE: DoubleTree Hotel Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Enterprise Florida**, Legislative Policy Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2010, 4:00 p.m. – 6:00 p.m.

PLACE: DoubleTree Hotel Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956-5613.

---

The **Enterprise Florida**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: January 28, 2010, 8:30 a.m. – 12:30 p.m.

PLACE: DoubleTree Hotel Tallahassee, 101 S. Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Debra Flanders at (407)956.5613.

---

#### **H. LEE MOFFITT CANCER CENTER AND RESEARCH INSTITUTE, INC.**

The **H. Lee Moffitt Cancer Center and Research Institute, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: January 26, 2010, 1:30 p.m.

PLACE: Stabile Trustees Board Room, 12902 Magnolia Drive, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the Joint Finance and Planning Committee.

A copy of the agenda may be obtained by contacting: Barbara Sawyer, Administration, Moffitt Cancer Center, 12902 Magnolia Drive, SRB-ADM, Tampa, FL 33612.

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 24 hours before the workshop/meeting by

contacting: Barbara Sawyer. 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 SURPLUS ASSET FUND TRUST**

The **Florida Surplus Asset Fund Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: January 29, 2010, 12:00 Noon

PLACE: Fleming Island Public Library, 1895 Town Center Blvd., Orange Park, FL 32003

GENERAL SUBJECT MATTER TO BE CONSIDERED: This joint meeting of the Board of Participants and Board of Trustees will consider the following agenda items:

1. CALL TO ORDER/ROLL CALL
2. GUEST INTRODUCTIONS
3. BUSINESS ADMINISTRATION
  - a. Minutes of October 28, 2009 board meeting
  - b. Economic update and portfolio structure
  - c. Fourth quarter unaudited financial report
  - d. 2010 Budget
4. BUSINESS ITEMS
  - a. Board of Participants to consider Resolution 2010-1 increasing the number of members of the Board of Trustees and electing trustees
  - b. Participant elections for the Board of Trustees
  - c. Appointment to open board seats
5. STAFF REPORTS
  - a. The Reserve and Credit Watch update
  - b. Marketing
  - c. 2009 audit status
6. SET NEXT MEETING DATE/ADJOURNMENT
  - a. Future meeting dates.

A copy of the agenda may be obtained by contacting: Bill Spivey, VP, Client Services Manager at 1(866)999-1216.

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: Diane Walker at (904)269-6347 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: Bill Spivey, VP, Client Services Manager at 1(866)999-1216.

**FLORIDA HEALTH CHOICES**

The **Florida Health Choices** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 29, 2010, 12:00 Noon

PLACE: Conference Call: 1(877)776-0428, Conference Code: 8234840#, GrayRobinson, 301 East Pine Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board & business meeting. This meeting may be postponed until a later date upon the call of the chair. For up to date information refer to www.myfloridachoice.com or email: lauren@myfloridachoice.com.

A copy of the agenda may be obtained by contacting: Lauren McCarthy, lauren@myfloridachoice.org, (850)445-2496.

For more information, you may contact: Lauren McCarthy at (850)445-2496 or lauren@myfloridachoice.org.

**FLORIDA CORRECTIONS ACCREDITATION COMMISSION, INC.**

The **Florida Corrections Accreditation Commission, Inc.** announces a workshop to which all persons are invited.

DATE AND TIME: February 1, 2010, 3:00 p.m.

PLACE: Hutchinson Island Marriott Beach Resort and Spa, 555 N. E. Ocean Blvd., Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and discuss agenda for February 2, 2010 Commission meeting and other general business discussion.

A copy of the agenda may be obtained by contacting: Program Manager Jana Paulk at 1(800)558-0218.

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: Program Manager, Jana Paulk at 1(800)558-0218. 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: Program Manager, Jana Paulk at 1(800)558-0218.

The **Florida Corrections Accreditation Commission, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: February 2, 2010, 10:30 a.m.

PLACE: Hutchinson Island Marriott Beach Resort and Spa, 555 N. E. Ocean Blvd., Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review correctional facilities and pretrial agencies for accreditation and reaccreditation, and other general Commission business.

A copy of the agenda may be obtained by contacting: Program Manager, Jana Paulk at 1(800)558-0218.

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: Program Manager, Jana Paulk at 1(800)558-0218. 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: Program Manager, Jana Paulk at 1(800)558-0218.

---

#### **COMMISSION FOR FLORIDA LAW ENFORCEMENT ACCREDITATION, INC.**

The **Commission for Florida Law Enforcement Accreditation, Inc.** announces a workshop to which all persons are invited.

DATE AND TIME: February 2, 2010, 3:00 p.m.

PLACE: Hutchinson Island Marriott Beach Resort and Spa, 555 N. E. Ocean Blvd., Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review and discuss agenda for February 3, 2010 Commission Meeting and other general business discussion.

A copy of the agenda may be obtained by contacting: Program Manager, Debbie Moody at 1(800)558-0218.

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: Program Manager, Debbie Moody at 1(800)558-0218. 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: Program Manager, Debbie Moody at 1(800)558-0218.

The **Commission for Florida Law Enforcement Accreditation, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: February 3, 2010, 10:00 a.m.

PLACE: Hutchinson Island Marriott Beach Resort and Spa, 555 N. E. Ocean Blvd., Stuart, FL 34996

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review law enforcement agencies and Inspector General Investigative agencies for accreditation and reaccreditation, and other general Commission business.

A copy of the agenda may be obtained by contacting: Program Manager, Debbie Moody at 1(800)558-0218.

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: Program Manager, Debbie Moody at 1(800)558-0218. 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: Program Manager, Debbie Moody at 1(800)558-0218.

---

#### **FLORIDA ASSOCIATION OF COMMUNITY COLLEGES**

The **Florida Community Colleges' Council, Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: February 4, 2010, 8:00 a.m.

PLACE: Doubletree Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida's public community colleges.

A copy of the agenda may be obtained by contacting: Tina Ingram at (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Ave., Tallahassee, FL 32301.

---

The **Florida Community Colleges' Council, Presidents Dinner** announces a public meeting to which all persons are invited.

DATE AND TIME: March 3, 2010, 6:00 p.m.

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida's public community colleges

A copy of the agenda may be obtained by contacting: Tina Ingram at (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Ave., Tallahassee, FL 32301.

The **Florida Community Colleges’ Council, Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: March 4, 2010, 8:00 a.m.

PLACE: Doubletree, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to Florida’s public community colleges.

A copy of the agenda may be obtained by contacting: Tina Ingramm at (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Ave., Tallahassee, FL 32301.

**FIRST FLORIDA GOVERNMENTAL FINANCING COMMISSION**

The **First Florida Governmental Financing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 5, 2010, 11:00 a.m.

PLACE: Council Chambers, City Hall, City of Boca Raton, 201 West Palmetto Park Road, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of Commission Member Representatives.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Executive Director at (850)878-1874 or from the Commission’s web site: [www.ffgfc.com](http://www.ffgfc.com).

The **First Florida Governmental Financing Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 12, 2010, 11:00 a.m.

PLACE: Council Chambers, City Hall, City of Boca Raton, 201 West Palmetto Park Road, Boca Raton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of Commission Representatives.

A copy of the agenda may be obtained by contacting: Richard C. Dowdy, Executive Director at (850)878-1874 or at the Commission’s web site: [www.ffgfc.com](http://www.ffgfc.com).

**HILLSBOROUGH COUNTY, FLORIDA, PUBLIC WORKS DEPARTMENT**

The **Hillsborough County, Florida, Public Works Department** announces a hearing to which all persons are invited.

DATE AND TIME: February 9, 2010, 5:30 p.m.

PLACE: Bell Shoals Baptist Church – Special Events Center, 2102 Bell Shoals Road, Brandon, FL 33511

GENERAL SUBJECT MATTER TO BE CONSIDERED: Hillsborough County in cooperation with the Florida Department of Transportation, District Seven Office invites you to attend and participate in a public hearing for the Project Development and Environment (PD&E) study for the proposed improvement to Lithia Pinecrest Road (CR 640) from SR 60 to

CR 39. This public hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, and the social, economic, and environmental effects of the proposed improvements to Lithia Pinecrest Road. The project length is approximately 10.95 miles.

A copy of the agenda may be obtained by contacting: Steve Valdez, Hillsborough County, Public Works Department, County Center – 22nd Floor, 601 E Kennedy Blvd., Tampa, FL 33602, (813)307-8384 or [valdezs@hillsboroughcounty.org](mailto:valdezs@hillsboroughcounty.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: Sandra Sroka, ADA Liason at (813)276-2742. 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: Steve Valdez, Hillsborough County at (813)307-8384, [Valdezs@hillsboroughcounty.org](mailto:Valdezs@hillsboroughcounty.org).

**ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: February 11, 2010, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace at (407)282-3944.

**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.”

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has declined to rule on the petition for declaratory statement filed by Kenneth E. Fonderson, Unit Owner/Petitioner, by and through his attorney, Kenneth R. Dreyfus, Esq., In Re: Sayan Condominium Association, Inc. on October 14, 2009. The following is a summary of the agency's declination of the petition: The Division entered an Order Closing File pursuant to Petitioner's request that the petition be withdrawn and that the matter be treated as a complaint.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by Dan and Myra Schutzer, Kyriakos and Alexandra Davides, Marvin and Susan Berenblum, and Lois Kaufman, Unit Owners, In Re: Marbella Condominium Association, Inc. on November 13, 2009. The following is a summary of the agency's declination of the petition:

The Division declined to issue a Declaratory Statement because the Division cannot issue a Declaratory Statement concerning events that have already taken place.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

**NOTICE TO PROFESSIONAL CONSULTANTS:**

The University of Florida Board of Trustees announces that Professional Services in the discipline of architecture will be required for the project listed below:

Project: UF-357, Clinical Translational Research Building for the Institute on Aging (UF Campus)

This new facility will be designed to host the field operations and coordination of large phase 3 behavioral and pharmacological multicenter trials in the area of aging and disability. It will serve as the home for a number of active research training programs on aging, with a primary focus on assessing the long-term effects of proposed interventions, which specifically include moderate physical exercise and health education. This facility is currently programmed at 39,500 GSF and will house primarily clinical, support, and office spaces.

The estimated construction budget is approximately \$12,500,000.00 including site improvements, underground utilities, and impact fees. The project will be delivered using the Construction Manager-at-risk method. Platinum LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory.

Applicants should be prepared to demonstrate flexibility in design and the ability to quickly coordinate programmatic changes as this projects holds the potential to increase in scope to a total of 120,000 GSF and an estimated construction budget of up to \$35,000,000.00.

The selected firm will provide design, construction documents and construction administration services for the referenced project. Plans and specifications for University of Florida projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes.

Blanket design professional liability insurance will be required from the architect, mechanical, electrical, plumbing, fire protection and structural engineering subconsultants for this project and will be provided as a part of Basic Services.

Applicants will be evaluated on the basis of their past performance, experience, personnel, design ability, references, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant and its landscape architectural and engineering consultants must possess current design licenses from the appropriate governing board and be properly registered to practice its profession in the State of Florida. If the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida.

Applicants desiring to provide professional services for the project shall submit a proposal only after thoroughly reviewing the Facilities Program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the PQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant’s understanding of the scope of services, design intent, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. A completed, project-specific “Professional Qualifications Supplement” (PQS) proposal with signed certification. Applications on any other form will not be considered.

3. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff (applicant and consultants).
4. Proof of the applicant’s corporate status in Florida (if applicable) and copies of current licenses for applicant and all engineering and landscape architecture consultants from the appropriate governing board.
5. Proof of the applicant’s and all engineering consultants’ ability to be insured for the level of professional liability coverage demanded for this project.

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.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific PQS forms, instructions, Project Fact Sheet, Facilities Program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Owner-Professional agreement, and other project and process information – can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning & Construction office by 3:00 p.m. (Local Time), Friday, February 12, 2010. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning and Construction  
 232 Stadium / P. O. Box 115050  
 Gainesville, FL 32611-5050  
 Telephone: (352)273-4000; Fax: (352)273-4034  
 Internet: [www.facilities.ufl.edu](http://www.facilities.ufl.edu)

**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 OF REQUEST FOR QUALIFICATIONS**

NO. 09/10-010WR

North Florida Regional Groundwater Flow Model Revision

The Suwannee River Water Management District is requesting qualifications from consultants who can provide the expertise and work force to make modifications to an existing documented model for the purposes of performing predictive simulations. Any work proposed by the District as part of this Request for Qualification (RFQ) is subject to District Governing Board approval and funding.

The RFQ outlines the scope of services and all general and specific conditions. All qualifications submitted to perform the requested services must be prepared in accordance with the RFQ document.

A copy of this RFQ is available at [www.srwmd.state.fl.us](http://www.srwmd.state.fl.us) or requests for the RFQ document may be directed to:

Debbie Davidson, Business Resource Specialist II  
Suwannee River Water Management District  
9225 CR 49  
Live Oak, FL 32060  
(386)362-1001 or 1(800)226-1066 (Florida only)

Firms interested in being considered for these services are required to complete and submit Section 6, "Qualification Documents", prior to 4:00 p.m., February 1, 2010. Qualifications received after this date and time, for any reason, will be rejected.

**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."

**FLORIDA EDUCATION INVESTMENT TRUST FUND**

Notice is hereby given that sealed proposals will be received and publicly opened thereafter at the office of the Purchasing Department, District School Board of Pasco County, 20430 Gator Lane, Land O' Lakes, FL 34638 on or until February 10, 2010, 2:30 p.m., for Investment Management Services for the Florida Education Investment Trust Fund (FEITF). Proposals will be accepted and publicly opened on February 10, 2010, if date/time stamped 2:30 p.m. or earlier; date/time stamps of 2:30:01 or later will be rejected.

NAME OF PROJECT: RFP 10-075-KG

Investment Management Services for  
the Florida Education Investment  
Trust Fund (FEITF)

DOCUMENTS: Available through  
<http://purchasing.Pasco.k12.fl.us>,  
under "Vendor Bid"

The District School Board of Pasco County reserves the right to waive minor formalities in any proposal, to accept any proposal which they consider to be in the best public interest, and to reject any part of, or any and all proposals. Award will be made to the highest scoring, responsive and responsible proposer, in the opinion and at the option of the District School Board of Pasco County. Their decision shall be final and conclusive.

**SARASOTA MEMORIAL HOSPITAL**

**REQUEST FOR STATEMENTS OF QUALIFICATIONS  
for GENERAL CONTRACTING WORK for The Sarasota  
Memorial Hospital Nursing and Rehabilitation Center for the  
SARASOTA COUNTY PUBLIC HOSPITAL BOARD  
SARASOTA MEMORIAL HOSPITAL**

SARASOTA, FLORIDA

The Sarasota County Public Hospital Board of Sarasota County, Florida is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the common areas and resident rooms upgrade on approximately 32,250 sq. ft., of an existing, occupied nursing and rehabilitation facility located at 5640 Rand Blvd., Sarasota, FL 34238. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement, latest edition.
3. Proof of general, automobile and workers' compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Small/or Minority Business Enterprise as defined by the Florida Small Business Assistance Act of 1985.
5. A list of at least five client references consisting of name, title, address, telephone number and project name(s) for each project.
6. Resumes of key personnel that would be used on this project.
7. A schedule of completion based on provided interior design scope of work and related phasing plans.
8. Past experience of a phased interior update of an occupied nursing and rehabilitation facility project.
9. A list of AHCA reviewed and / or inspected projects. No others are considered applicable.
10. Location of firm's main office.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals.
2. The basis for selecting candidates includes, but is not limited to, consideration of related project experience, qualifications of proposed team and schedule. The Hospital reserves the right to request additional information beyond the data set forth above.
3. Any general contracting firm previously engaged in phasing, scheduling or pricing on this project is excluded from participating in the selection of or providing general contracting work on this project.
4. Electronic project related information packets are available for pick up on Wednesday January 27, 2010, at 1515 S. Osprey Ave, Building A, Sarasota, FL 34239.

Submissions shall be titled  
**GENERAL CONTRACTING WORK**  
 for The Sarasota Memorial Hospital  
 Nursing and Rehabilitation Center  
**SARASOTA, FLORIDA**

5. Submittals shall not contain pricing information.
6. Submittals must be received by the Hospital no later than 3:30 p.m., Wednesday, February 17, 2010, and submitted to Thomas Perigo, Director of Architecture and Facility Planning located at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
7. The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Tr., Sarasota, FL 34239, level one, on Monday, March 8, 2010, 8:00 a.m. – 12:00 Noon, to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

---

**TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY**

Request for Qualifications

Small Business Innovation and Research (SBIR) Grant Preparation Workshop Trainers The Technological Research and Development Authority (TRDA) is soliciting a Request for Qualifications (RFQ) response from workshop trainers with expertise in teaching success strategies for writing winning SBIR/STTR proposals, particularly with NASA. Responses must be submitted in accordance with the RFQ posted on: [http://www.trda.org/contact\\_us/rfps.asp](http://www.trda.org/contact_us/rfps.asp).

---

**Section XII**  
**Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS  
 INTERLOCAL AGREEMENT CONSISTENT WITH  
 SECTION 163.3177(2), FLORIDA STATUTES  
 DCA DOCKET NO. 32-02

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Jackson County School Board and the Town of Alford, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Town of Alford, 1768 Georgia Street, Alford, Florida 32420.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to: Jackson County School Board, Town of Alford. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not

available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

\_\_\_\_\_  
 -s-Mike McDaniel, Chief  
 Office of Comprehensive Planning  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

NOTICE OF INTENT TO FIND PUBLIC SCHOOLS  
 INTERLOCAL AGREEMENT CONSISTENT WITH  
 SECTION 163.31777(2), FLORIDA STATUTES  
 DCA DOCKET NO. 32-05

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) executed between the Jackson County School Board and the City of Cottdale, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at: City of Cottdale, 2659 Front Street, Cottdale, Florida 32431.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with: Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and a copy mailed or delivered to: Jackson County School Board and the City of Cottdale. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at: Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-1550. Failure to petition to intervene within the allowed

time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

\_\_\_\_\_  
 -s-Mike McDaniel, Chief  
 Office of Comprehensive Planning  
 2555 Shumard Oak Boulevard  
 Tallahassee, Florida 32399-2100

**DEPARTMENT OF TRANSPORTATION**

The Florida Department of Transportation intends to issue an “Airport Site Approval Order,” in accordance with Chapter 330, Florida Statutes, “Regulation of Aircraft, Pilots, and Airports” and Chapter 14-60, Florida Administrative Code, “Airport Licensing, Registration, and Airspace Protection” for the following site:

Sebastian River Medical Center, a private airport, in Indian River County, at Latitude 27° 50' 33.03" and Longitude 80° 29' 23.31", to be owned and operated by Sebastian River Medical Center, 13695 U.S. Hwy. 1, Sebastian, FL 32958.

A copy of the Airport Site Approval Order, the Airport’s application, the applicable rules, and other pertinent information may be obtained by contacting: Aaron N. Smith, State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4514, aviation.fdot@dot.state.fl.us. Website: <http://www.dot.state.fl.us/aviation>.

**ADMINISTRATIVE HEARING RIGHTS:** Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with: Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450. Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

**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 Fairplay Electric Cars, LLC, intends to allow the establishment of Nekia Motorsports, Inc. d/b/a Electric Car Company, Inc. as a dealership for the sale of low-speed vehicles manufactured by Fairplay Electric Cars, LLC (FPEC), at 102 South Harbor City Boulevard, Melbourne (Brevard County), Florida 32901, on or after January 1, 2010.

The name and address of the dealer operator(s) and principal investor(s) of Nekia Motorsports, Inc. are dealer operator(s): Daniel W. Fowler, 392 Cressa Circle, Cocoa, Florida 32926; principal investor(s): Daniel W. Fowler, 392 Cressa Circle, Cocoa, Florida 32926.

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: Jim Wilson, Fairplay Electric Cars, LLC, 743 Horizon Court, Suite 333, Grand Junction, Colorado 81506.

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**

The **Florida Prepaid College Board** hereby gives notice that the maximum account balance limit for the Florida Prepaid College Plan and for the Florida College Investment Plan is

\$382,000 until subsequently revised by the Board. The redemption value of an advance payment contract under the Florida Prepaid College Plan, plus the account balance of an account in the Florida College Investment Plan, for the same beneficiary may not exceed the maximum account balance limit.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

The Agency for Health Care Administration authorized the following exemption pursuant to Section 408.036(3), Florida Statutes:

County: Palm Beach District: 9  
 ID # E0900014 Decision: A Issue Date: 12/18/2009  
 Facility/Project: SandyPines Hospital  
 Applicant: SP Behavioral, LLC  
 Project Description: Add four child/adolescent psychiatric beds  
 Proposed Project Cost: \$0.00

The Agency for Health Care Administration has received an application for an emergency service exemption from Citrus Memorial Hospital located at 502 Highland Blvd., Inverness, FL 34452, pursuant to Section 395.1041(3), Florida Statutes and Rule 59A-3.255, Florida Administrative Code. The hospital is requesting an emergency service exemption for Otolaryngology and Plastic Surgery. Comments received within 15 days of publication will be considered by the Agency prior to making a determination of exemption status.

Additional information may be obtained by writing: Agency for Health Care Administration, Attention: Julie Young, 2727 Mahan Drive, MS #31, Tallahassee, Florida 32308, by phone (850)487-2717 or by e-mail: [youngj@ahca.myflorida.com](mailto:youngj@ahca.myflorida.com).

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to Florida Gas Transmission Company, LLC, 5444 Westheimer Road, Houston, Texas 77056, (File No. 43-0293015-002) to allow for turbidity up to 1,000 NTU's above natural background for a period of more than 12 consecutive hours in any day, and turbidity shall not exceed 3,000 NTU's above natural background for a period of more than 3 consecutive hours in any day (Groups 1 and 2), no more than 1,500 NTU's entering Jurisdictional Waters of the State (Group 3 wetlands) within the counties of Bay, Calhoun, Citrus, Dade, Desoto, Escambia,

Gadsden, Highlands, Hillsborough, Jefferson, Lafayette, Leon, Levy, Manatee, Okaloosa, Okeechobee, Pasco, Santa Rosa, Taylor, Walton, and Washington.

This variance is sought in conjunction with the activities necessary to construct the project as described in Environmental Resource Permit application No.: 43-0293015-001 for construction of a statewide natural gas pipeline system and with a request for water quality variance application No.: 43-0293015-003, which shall allow for temporary mixing zones. Of 147 surface water and wetland crossings, 35 surface waters and 3 ditch systems are classified as Group 1 crossings, 81 streams, 1 ditch system, 2 ponds, and 18 wetlands are classified as Group 2 crossings, and 7 wetlands are classified as Group 3 crossings. Group 1 crossings generally consist of waterbodies with open water widths greater than 35-feet and where stream flows are too great to cross by flume or dam and pump construction method, Group 2 crossings generally consist of waterbodies containing sand, silt, clay and/or other organic substrates with open water widths between 10-feet and 35-feet, or wetlands with undefined channels and flowing water, and Group 3 crossings generally consisting of large saturated wetland systems. The Department issues the Notice of Intent to grant the variance, based upon the following findings: (a) It is not financially feasible or technically possible to directionally drill under all open water and wetland crossings; (b) Performance-based best management practices (BMPs) to avoid or minimize turbidity problems in all surface water and wetland crossings shall be utilized; (c) BMPs are not expected to adequately control turbidity in 147 surface waters and wetland systems within the allowable 150-meter mixing zone of the 1,302 surface water and wetland proposed to be crossed in the Environmental Resource Permit application No.: 43-0293015-001; and (d) The elevated turbidity levels at the end of the expanded mixing zones will be temporary in nature and are not expected to cause long-term adverse affects to biological resources in the project area. Upon issuance of the final order, the variance shall be subject to but not limited to the following conditions: (a) This variance is valid only if an ERP (File No.: 43-0293015-001) is issued for this project, and is subject to any and all conditions of the permit, and the granting of this variance does not guarantee the issuance of the permit; (b) Given good cause by either party, the Secretary or designee may alter the terms and conditions of the variance; (c) This variance applies to the activities conducted within the approved 147 surface water and wetland crossings in File No.: 43-0293015-002; (d) As authorized in the water quality variance application No.: 43-0293015-003, which shall allow for temporary mixing zones, turbidity levels at the end of the 800-meter mixing zones shall not exceed 3,000 NTUs above natural background levels for more than 3 consecutive hours after construction and no more than 1,000 NTU's above natural background levels for more than 12 consecutive hours after construction in the above referenced waterbodies and wetland crossings; (e)

Appropriate performance-based BMPs shall be utilized to minimize increases in turbidity and control erosion when crossing the above referenced surface waters and wetlands; and (f) This variance shall be subject to all monitoring conditions required by Environmental Resource Permit No.: 43-0293015-001 and Variance No.: 43-0293015-003, and daily logs for the variance surface waters and wetlands shall be presented as a separate section in the monthly reports submitted to the Department.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: Department of Environmental Protection, Attention: Benny Luedike, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401, (561)681-6646. Additionally, maps that were submitted in the variance application are available for review at the Department's website: <http://www.dep.state.fl.us/southeast/erp/erpmain.htm>. The maps will be available on the Department's website for a minimum period of ninety days after the date of this notice.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the F. S., is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time

period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsection 28-106.111(2) and paragraph 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement

of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

The variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with: Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to Florida Gas Transmission Company, LLC, 5444 Westheimer Road, Houston, Texas 77056, (File No. 43-0293015-003) to allow a temporary mixing zone greater than 150-meters. The variance shall allow temporary mixing zones of 800-meters (2,625-feet) at a total of 140 surface water and wetland crossings within the counties of Bay, Calhoun, Citrus, Desoto, Gadsden, Highlands, Hillsborough, Jefferson, Lafayette, Leon, Levy, Manatee, Okaloosa, Okeechobee, Pasco, Santa Rosa, Taylor, Walton, and Washington.

This variance is sought in conjunction with the activities necessary to construct the project as described in Environmental Resource Permit application No.: 43-0293015-001 for construction of a statewide natural gas pipeline system and with a request for water quality variance application No.: 43-0293015-002, which shall allow for a higher turbidity standard. Of 140 surface water and wetland crossings, 35 surface waters and 3 ditch systems are classified as Group 1 crossings, and 81 streams, 1 ditch system, 2 ponds, and 18 wetlands are classified as Group 2 crossings. Group 1 crossings generally consist of waterbodies with open water widths greater than 35-feet and where stream flows are too great to cross by flume or dam and pump construction method and Group 2 crossings generally consist of waterbodies

containing sand, silt, clay and/or other organic substrates with open water widths between 10-feet and 35-feet, or wetlands with undefined channels and flowing water. The Department issues the Notice of Intent to grant the variance, based upon the following findings: (a) It is not financially feasible or technically possible to directionally drill under all open water and wetland crossings; (b) Performance-based best management practices (BMPs) to avoid or minimize turbidity problems in all surface water and wetland crossings shall be utilized; (c) BMPs are not expected to adequately control turbidity in 140 surface waters and wetland systems within the allowable 150-meter mixing zone of the 1,302 surface water and wetland proposed to be crossed in the Environmental Resource Permit application No.: 43-0293015-001; and (d) The elevated turbidity levels at the end of the expanded mixing zones will be temporary in nature and are not expected to cause long-term adverse affects to biological resources in the project area. Upon issuance of the final order, the variance shall be subject to but not limited to the following conditions: (a) This variance is valid only if an ERP (File No.: 43-0293015-001) is issued for this project, and is subject to any and all conditions of the permit, and the granting of this variance does not guarantee the issuance of the permit; (b) Given good cause by either party, the Secretary or designee may alter the terms and conditions of the variance; (c) This variance only applies to the activities conducted within the approved 140 surface water and wetland crossings in File No.: 43-0293015-003; (d) As authorized in the water quality variance application No.: 43-0293015-002, which shall allow for a higher turbidity standard, turbidity levels at the end of the 800-meter mixing zones shall not exceed 3,000 NTUs above natural background levels for more than 3 consecutive hours after construction and no more than 1,000 NTU's above natural background levels for more than 12 consecutive hours after construction in the affected waterbodies and wetland crossings; (e) Appropriate performance-based BMPs shall be utilized to minimize increases in turbidity and control erosion when crossing the above referenced surface waters and wetlands; and (f) This variance shall be subject to all monitoring conditions required by Environmental Resource Permit No.: 43-0293015-001 and Variance No.: 43-0293015-002, and daily logs for the variance surface waters and wetlands shall be presented as a separate section in the monthly reports submitted to the Department.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Attention: Benny Luedike, 400 North Congress Avenue, Suite 200, West Palm Beach, FL 33401, (561)681-6646. Additionally, maps that were submitted in the variance application are available for review at the Department's website: <http://www.dep.state.fl.us/southeast/erp/erpmain.htm>. The maps will be available on the Department's website for a minimum period of ninety days after the date of this notice.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk): Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the Florida Statutes is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsection 28-106.111(2) and paragraph 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with: Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a

copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

**NOTICE OF RECEIPT OF APPLICATIONS FOR PERMIT COVERAGE UNDER THE GENERIC PERMIT FOR STORMWATER DISCHARGE FROM PHASE II MUNICIPAL SEPARATE STORM SEWER SYSTEMS**

The Department announces the receipt of the applications listed below for permit coverage under the Generic Permit for Discharge of Stormwater from Phase II Municipal Separate Storm Sewer Systems (MS4). The applications are being processed and are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Science Applications International Corporation (SAIC), 2343 Hansen Lane, Tallahassee, Florida 32301, (850)523-1449. Any comments related to the noticed applications or objections to the use of the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice.

Phase II MS4 applications received November 4 – December 23, 2009

1. City of Key West – FLR04E128
2. City of Clewiston – FLR04E134
3. City of Clermont – FLR04E135
4. City of Groveland – FLR04E136

Comments may be mailed to the following address:

Edward C. Smith  
 NPDES Stormwater Program  
 2600 Blair Stone Road, MS #2500  
 Tallahassee, Florida 32399-2400

**FLORIDA STATE CLEARINGHOUSE**

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

**DEPARTMENT OF HEALTH**

On December 24, 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 Michael Joseph Morreale, D.C., License #CH 6778. 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 December 24, 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 Antoinette Louise Lloyd, M.D. License #ME 58238. 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 December 24, 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 Mary Jon Bibler, R.N., License #RN 3173802. 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 December 24, 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 Luke Lemar Drawdy, R.N. License #RN 9179250. 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 December 23, 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 Derek Allen Francis, R.N., License #RN 9234354. 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 December 22, 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 Jennifer Ann Hills, R.N., License #RN 9202654. 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 January 6, 2010, 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 Autumn Lee Loring, L.P.N. License #PN 5184567. 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 December 22, 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 Molly Ellen Meiring, R.N., License #RN 9240600. 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 December 24, 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 Kathleen Pautke, R.N., License #RN 857462. 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 December 23, 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 Dieula L. Pierre-Louis, C.N.A., License #CNA 36043. 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 December 24, 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 Randall Scott Ross, R.N., License #RN 3139782. 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 January 5, 2010, 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 Myra R. Vazquez, L.P.N. License #PN 5173693. 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 December 24, 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 Christina Dawn Wimberley, R.N., License #RN 3302912. 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 December 24, 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 David Michael Midgett, R.Ph. License #PS 20067. 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.

---

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN December 28, 2009  
 and December 31, 2009

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

5E-1.003	12/29/09	1/18/10	35/42	
5E-4.014	12/29/09	1/18/10	35/42	

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Freshwater Fish and Wildlife**

68A-9.005	12/30/09	1/19/10	35/44	
68A-13.003	12/30/09	1/19/10	35/44	
68A-15.064	12/30/09	1/19/10	35/44	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

**Marine Fisheries**

68B-14.0036	12/30/09	1/19/10	35/44	
68B-14.0039	12/30/09	1/19/10	35/44	
68B-14.0045	12/30/09	1/19/10	35/44	
68B-14.005	12/30/09	1/19/10	35/44	
68B-31.004	12/30/09	1/19/10	35/44	
68B-31.0045	12/30/09	1/19/10	35/44	
68B-44.002	12/30/09	1/19/10	35/44	
68B-44.003	12/30/09	1/19/10	35/44	
68B-44.004	12/30/09	1/19/10	35/44	
68B-44.005	12/30/09	1/19/10	35/44	
68B-44.006	12/30/09	1/19/10	35/44	
68B-44.007	12/30/09	1/19/10	35/44	
68B-44.008	12/30/09	1/19/10	35/44	

**DEPARTMENT OF FINANCIAL SERVICES**

**OIR Insurance Regulation**

69O-156.020	12/29/09	1/18/10	35/30	35/37
-------------	----------	---------	-------	-------