

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NOS.:	RULE TITLES:
IT-12.001	Definitions
IT-12.002	Acquisition Procedures
IT-12.003	Accessioning Procedures
IT-12.004	Inventory of State-owned Artifacts
IT-12.005	Loan of State-owned Artifacts
IT-12.006	Deaccession and Disposal of State-owned Artifacts

PURPOSE AND EFFECT: Create a new chapter and rules for the Museum of Florida History. The new chapter is IT-12 Museum of Florida History.

SUBJECT AREA TO BE ADDRESSED: Rules within the chapter detail: Definitions (IT-12.001), Acquisition Procedures (IT-12.002), Accessioning Procedures (IT-2.003), Inventory of State-owned Artifacts (IT-12.004), Loan of State-owned Artifacts (IT-12.005), and Deaccession and Disposal of State-owned Artifacts (IT-12.006).

RULEMAKING AUTHORITY: 265.704(1), 265.706(6) FS.

LAW IMPLEMENTED: 265.704, 265.706 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: Monday, June 18, 2012, 9:30 a.m.

PLACE: Museum of Florida History, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Jeana Brunson. If you are 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: Jeana Brunson, Museum of Florida History, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-9.001	Fresh Form
20-9.002	Processed Form
20-9.003	Fruit Shipped Out-of-State to Government Agencies, or to a Packinghouse or Processing Plant, or to a Fresh Fruit Juice Distributor
20-9.004	Fruit Handled by Express and Gift Package Shippers
20-9.005	Requirements to Guarantee Payment of Excise Tax
20-9.006	Late Filing of Returns and Inadequacy of Bond
20-9.007	Mixing of Oranges
20-9.008	Utilization of Certificate of Deposit in Lieu of Bond

PURPOSE AND EFFECT: Amending rule to change all references to tax, taxes, excise tax or excise taxes to assessment(s) due to 2012 Legislative rewrite of Chapter 601, F.S.

SUBJECT AREA TO BE ADDRESSED: 2012 Legislative rewrite of Chapter 601, F.S, changing tax(es) to assessment(s).
RULEMAKING AUTHORITY: 601.10(1), (7), 601.15(1), (5), (6), (10)(a), 601.155(3), (7) FS.

LAW IMPLEMENTED: 601.15, 601.152, 601.154, 601.155, 601.27 FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33831

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins at (863)537-3956 or awiggins@citrus.state.fl.us

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

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
 20-10.001 Charitable and Unemployment Relief Shipments
 20-10.002 Interstate Shipments for Commercial Processing
 20-10.003 Gift Fruit Shipments

PURPOSE AND EFFECT: Amending rule to change all references to tax, taxes, excise tax or excise taxes to assessment(s) due to the 2012 Legislative rewrite of Chapter 601, F.S.

SUBJECT AREA TO BE ADDRESSED: 2012 Legislative rewrite of Chapter 601, F.S., regarding the change of “tax” to “assessment.”

RULEMAKING AUTHORITY: 601.10(1), 601.50 FS.

LAW IMPLEMENTED: 601.50, 601.501 FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins @ (863)537-3956 or awiggins@citrus.state.fl.us

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

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:
 20-36.007 Payment of Fees at Time of Inspection

PURPOSE AND EFFECT: Amending rule to change all references to tax(es), or excise tax(es) to assessments in order to comply with Legislative rewrite of Chapter 601, F.S.

SUBJECT AREA TO BE ADDRESSED: Legislative rewrite of Chapter 601, F.S., changing tax to assessments.

RULEMAKING AUTHORITY: 601.10(1), 601.15(1)(a) FS.

LAW IMPLEMENTED: 601.9911 FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins at (863)537-3956 or awiggins@citrus.state.fl.us

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

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:
 20-44.001 Intrastate Shipments

PURPOSE AND EFFECT: Amending rule to change all references to tax, taxes, excise tax or excise taxes to assessment(s) due to the 2012 Legislative rewrite of Chapter 601, F.S.

SUBJECT AREA TO BE ADDRESSED: 2012 Legislative rewrite of Chapter 601, F.S., regarding the change of “tax” to “assessment.”

RULEMAKING AUTHORITY: 601.10(1), (7), 601.11, 601.50 FS.

LAW IMPLEMENTED: 601.03(8), 601.10(7), 601.11, 601.50(1) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins @ (863)537-3956 or awiggins@citrus.state.fl.us

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

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-50.001	Purpose
20-50.002	Seedless Grapefruit for Fresh Use Maturity Standards
20-50.003	When Seedless Grapefruit Shall be Deemed Mature
20-50.004	Seeded Grapefruit for Fresh Use Maturity Standards
20-50.005	When Seeded Grapefruit Shall be Deemed Mature

PURPOSE AND EFFECT: 2012 Legislative rewrite removed maturity standards from the statute and gave authority to department to place in rules. New Chapter 20-50 provides grapefruit maturity standards for fresh utilization.

SUBJECT AREA TO BE ADDRESSED: Fresh grapefruit maturity standards.

RULEMAKING AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910(1) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, FL 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws, dscrews@citrus.state.fl.us or (863)537-3999. If you are 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: Alice Wiggins, awiggins@citrus.state.fl.us or (863)537-3956

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

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-51.001	Purpose
20-51.002	Minimum Ratios of Solids to Acid

PURPOSE AND EFFECT: 2012 Legislative rewrite removed maturity standards from the statute and gave authority to department to place in rules. New Chapter 20-51 provides fresh grapefruit minimum ratios of solids to acid.

SUBJECT AREA TO BE ADDRESSED: Fresh grapefruit minimum ratios of solids to acid.

RULEMAKING AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910(1) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, FL 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws, dscrews@citrus.state.fl.us or (863)537-3999. If you are 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: Alice Wiggins, awiggins@citrus.state.fl.us or (863)537-3956

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

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-52.001	Purpose
20-52.002	Minimum Juice Content
20-52.003	Determination of Unusual or Abnormal Conditions
20-52.004	Establishment of Different Sizes

PURPOSE AND EFFECT: 2012 Legislative rewrite removed maturity standards from the statute and gave authority to department to place in rules. New Chapter 20-52 provides minimum juice content for fresh grapefruit utilization.

SUBJECT AREA TO BE ADDRESSED: Minimum juice content for fresh grapefruit utilization.

RULEMAKING AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910(1) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, FL 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws, dscrews@citrus.state.fl.us or (863)537-3999. If you are 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: Alice Wiggins, awiggins@citrus.state.fl.us or (863)537-3956 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-53.001	Purpose
20-53.002	Oranges for Fresh Use Maturity Standards
20-53.003	Maturation of Oranges Earlier Than Normal

PURPOSE AND EFFECT: 2012 Legislative rewrite removed maturity standards from the statute and gave authority to department to place in rules. New Chapter 20-53 provides oranges maturity standards for fresh utilization.

SUBJECT AREA TO BE ADDRESSED: Oranges maturity standards for fresh utilization.

RULEMAKING AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910(1) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, FL 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws, dscrews@citrus.state.fl.us or (863)537-3999. If you are 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: Alice Wiggins, awiggins@citrus.state.fl.us or (863)537-3956

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

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-54.001	Purpose
20-54.002	Minimum Ratios of Solids to Acid

PURPOSE AND EFFECT: 2012 Legislative rewrite removed maturity standards from the statute and gave authority to department to place in rules. New Chapter 20-54 provides fresh oranges minimum ratios of solids to acid.

SUBJECT AREA TO BE ADDRESSED: Fresh oranges minimum ratios of solids to acid.

RULEMAKING AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910(1) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, FL 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws, dscrews@citrus.state.fl.us or (863)537-3999. If you are 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: Alice Wiggins, awiggins@citrus.state.fl.us or (863)537-3956

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

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-55.001	Purpose
20-55.002	Tangerine Maturity Standards

PURPOSE AND EFFECT: 2012 Legislative rewrite removed maturity standards from the statute and gave authority to department to place in rules. New Chapter 20-55 provides tangerine maturity standards for fresh utilization.

SUBJECT AREA TO BE ADDRESSED: Tangerine maturity standards for fresh utilization.

RULEMAKING AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910(1) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, FL 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws, dscrews@citrus.state.fl.us or (863)537-3999. If you are 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: Alice Wiggins, awiggins@citrus.state.fl.us or (863)537-3956
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
 20-56.001 Purpose
 20-56.002 Minimum Ratios of Solids to Acid
 PURPOSE AND EFFECT: 2012 Legislative rewrite removed maturity standards from the statute and gave authority to department to place in rules. New Chapter 20-56 provides tangerine minimum ratios of solids to acid for fresh utilization.
 SUBJECT AREA TO BE ADDRESSED: Tangerine minimum ratios of solids to acid for fresh utilization.
 RULEMAKING AUTHORITY: 601.10(7), 601.11 FS.
 LAW IMPLEMENTED: 601.9910(1) FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: May 30, 2012, 9:30 a.m.
 PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, FL 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws, dscrews@citrus.state.fl.us or (863)537-3999. If you are 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: Alice Wiggins, awiggins@citrus.state.fl.us or (863)537-3956
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:
 20-69.001 Requirements for Fruit Imported for Processing
 PURPOSE AND EFFECT: Amending rule to change all references to tax, taxes, excise tax or excise taxes to assessment(s) due to the 2012 Legislative rewrite of Chapter 601, F.S.
 SUBJECT AREA TO BE ADDRESSED: 2012 Legislative rewrite of Chapter 601, F.S., regarding the change of “tax” to “assessment.”

RULEMAKING AUTHORITY: 601.10(1),(7), 601.11 FS.
 LAW IMPLEMENTED: 601.02(3), (4), (5), 601.10(7), 601.11, 601.15(3), 601.155, 601.47, 601.48, 601.49 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: May 30, 2012, 9:30 a.m.
 PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins @ (863)537-3956 or awiggins@citrus.state.fl.us
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
 20-71.005 Manifest Requirements and Statements for In-State Bulk Transports
 20-71.006 Manifest Requirements and Statements for Transports of Processed Citrus Products
 PURPOSE AND EFFECT: Amending rule to change all references to tax, taxes, excise tax or excise taxes to assessment(s) due to the 2012 Legislative rewrite of Chapter 601, F.S.
 SUBJECT AREA TO BE ADDRESSED: 2012 Legislative rewrite of Chapter 601, F.S., regarding the change of “tax” to “assessment.”
 RULEMAKING AUTHORITY: 601.10(1), (7), 601.11, 601.49, 601.51 FS.
 LAW IMPLEMENTED: 601.10(7), 601.11, 601.49, 601.52 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:
 DATE AND TIME: May 30, 2012, 9:30 a.m.
 PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins @ (863)537-3956 or awiggins@citrus.state.fl.us THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-82.001	Purpose
20-82.002	When Grapefruit for Processing into Juice and Juice Products Deemed Mature
20-82.003	Grapefruit for Processing into Grapefruit Sections and Salads Deemed Mature
20-82.004	Adjustment of Minimum Total Soluble Solids Requirements

PURPOSE AND EFFECT: 2012 Legislative rewrite removed maturity standards from the statute and gave authority to department to place in rules. New Chapter 20-82, F.A.C., provides grapefruit maturity standards for processed utilization SUBJECT AREA TO BE ADDRESSED: Grapefruit maturity standards for processed utilization.

RULEMAKING AUTHORITY: 601.10(7), 601.11 FS.

LAW IMPLEMENTED: 601.9910(1) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 East Main Street, Bartow, Florida 33830

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alice Wiggins, awiggins@citrus.state.fl.us or (863)537-3956 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE NO.:	RULE TITLE:
20-91.008	Assessment Forms Provided by Department

PURPOSE AND EFFECT: Amending rule to change all references to tax, taxes, excise tax or excise taxes to assessment(s) due to the 2012 Legislative rewrite of Chapter 601, F.S.

SUBJECT AREA TO BE ADDRESSED: 2012 Legislative rewrite of Chapter 601, F.S., regarding the change of “tax” to “assessment.”

RULEMAKING AUTHORITY: 601.10(1), 601.15(10)(a) FS. LAW IMPLEMENTED: 601.152(8)(b), (c) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins @ (863)537-3956 or awiggins@citrus.state.fl.us THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-98.006	Definitions

PURPOSE AND EFFECT: Amending rule to change all references to tax, taxes, excise tax or excise taxes to assessment(s) due to the 2012 Legislative rewrite of Chapter 601, F.S.

SUBJECT AREA TO BE ADDRESSED: 2012 Legislative rewrite of Chapter 601, F.S., regarding the change of “tax” to “assessment.”

RULEMAKING AUTHORITY: 601.10(1), 601.11, 601.15 FS.

LAW IMPLEMENTED: 601.101 FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins @ (863)537-3956 or awiggins@citrus.state.fl.us
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF CITRUS

RULE NOS.: 20-100.004
 RULE TITLES: Official Forms Used by Agency
 PURPOSE AND EFFECT: Amending rule to change all references to tax, taxes, excise tax or excise taxes to assessment(s) due to the 2012 Legislative rewrite of Chapter 601, F.S.

SUBJECT AREA TO BE ADDRESSED: 2012 Legislative rewrite of Chapter 601, F.S., regarding the change of “tax” to “assessment.”

RULEMAKING AUTHORITY: 601.10(1), (15) FS.

LAW IMPLEMENTED: 601.10(15) FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins @ (863)537-3956 or awiggins@citrus.state.fl.us

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

DEPARTMENT OF CITRUS

RULE NO.: 20-108.004
 RULE TITLE: Determination of Minimum Bond Required

PURPOSE AND EFFECT: Amending rule to include the schedule, removed from statute by the 2012 Legislative rewrite of Chapter 601, F.S., used in determining the minimum bond amount required for citrus fruit dealers.

SUBJECT AREA TO BE ADDRESSED: Minimum bond requirements schedule for citrus fruit dealers.

RULEMAKING AUTHORITY: 601.10(1), (7), 601.56 FS.

LAW IMPLEMENTED: 601.03(8), 601.10(1), (5), (7), 601.55, 601.56, 601.57, 601.58, 601.60, 601.61 FS.

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

DATE AND TIME: May 30, 2012, 9:30 a.m.

PLACE: Florida Department of Citrus, 605 E. Main Street, Bartow, Florida 33830

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3999 or dscrews@citrus.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: Alice Wiggins @ (863)537-3956 or awiggins@citrus.state.fl.us

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-102.101
 RULE TITLE: Public Information and Inspection of Records

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to amend a statutory reference in Form DC1-201, Invoice for Production of Records.

SUBJECT AREA TO BE ADDRESSED: Legal Services.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 119.07, 120.53 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: Laura Gallagher, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-102.101 Public Information and Inspection of Records.
 (1) through (4) No change.

(5) When copies requested pursuant to this rule are available to be picked up or for mailing, the requestor shall be notified of the costs of reproduction as specified in subsections (2) and (3) on Form DC1-201, Invoice for Production of Records. Form DC1-201. Form DC1-201 shall also indicate if

any information is redacted from the copies provided as required by state law. Form DC1-201, <http://www.flrules.org/Gateway/reference.asp?No=Ref-00954>, is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of Form DC1-201 is February, 2012.

Rulemaking Authority 944.09 FS. Law Implemented 119.07, 120.53 FS. History--New 10-8-76, Amended 2-24-81, Formerly 33-1.04, Amended 6-9-86, 2-9-88, Formerly 33-1.004, Amended 10-29-01, 12-5-05, 4-16-08, 12-25-08, 8-18-09, 2-26-12, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-0.102	Time for Consideration of Emergency Petition for Variance or Waiver
40E-0.109	Point of Entry into Proceedings and Mediation
40E-0.113	Variances from Specified Review Criteria for Environmental Resource Permits

PURPOSE AND EFFECT: To update the District’s rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S. Specifically, the amendments update the Governing Board delegation pursuant to Sections 373.079(4) and 373.083(5), F.S.

SUBJECT AREA TO BE ADDRESSED: Exceptions to Uniform Rules of Procedure.

RULEMAKING AUTHORITY: 120.54(5), 373.044, 373.113, 373.171, 373.414(17) FS.

LAW IMPLEMENTED: 120.54(5), 120.569, 120.57, 120.60, 373.079, 373.083, 373.146, 373.413, 373.427, 403.021, 668.003, 668.004, 668.50 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paulette Glebocki, Lead, Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-0.102 Time for Consideration of Emergency Petition for Variance or Waiver.

Notwithstanding Rule 28-104.005, F.A.C., when a petition for an emergency variance or waiver requires action by the District Governing Board, the District Board shall grant or deny a petition for emergency variance or waiver within 30 days of its receipt or at the next regularly scheduled meeting for which notice may be properly given.

Rulemaking Authority 120.54(5) FS. Law Implemented 120.54(5), 373.079, 373.083 FS. History--New 7-2-98, Amended _____.

40E-0.109 Point of Entry into Proceedings and Mediation. Point of entry into proceedings determining substantial interests are governed by Rule 28-106.111, F.A.C., and this section.

(1)(a) “Receipt of written notice of agency decision” as set forth in Rule 28-106.111, F.A.C., means receipt of either written notice through regular United States mail, or electronic mail, or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action.

(b) If notice is published pursuant to this chapter, publication shall constitute constructive notice to all persons. Until notice is published, the point of entry to request a formal or informal administrative proceeding shall remain open unless actual notice is received.

(2) If the District Board takes action which substantially differs from the notice of intended agency decision, the applicant or persons who may be substantially affected shall have an additional point of entry pursuant to Section 28-106.111, F.A.C., unless otherwise provided by law. The District Board action is considered to substantially differ from the notice of intended agency decision when the potential impact on water resources has changed.

(3) Notwithstanding Rule 28-106.111, F.A.C., intended agency decisions or agency decisions regarding consolidated applications for Environmental Resource Permits and Use of

Sovereign Submerged Lands pursuant to Section 373.427, F.S., shall provide a 14 day point of entry to file petitions for administrative hearing under Rule 28-106.111, F.A.C.

Rulemaking Authority 120.54(5), 373.044, 373.113, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 120.54(5), 120.569, 120.57, 120.60, 373.079, 373.083, 373.146, 373.413, 373.427, 668.003, 668.004, 668.50 FS. History—New 7-2-98, Amended 6-12-00, 3-22-09, _____.

40E-0.113 Variances from Specified Review Criteria for Environmental Resource Permits.

(1) The ~~District Governing Board~~ is authorized to grant a variance from the provisions of Section 373.414, F.S., paragraph 40E-4.301(1)(e) or Rule 40E-4.302, F.A.C., pursuant to Section 403.201, F.S. The variance under this rule is provided in addition to the variance and waiver procedures set forth in Chapter 28-104, F.A.C., which implements Section 120.542, F.S.

(2) through (7) No change.

Rulemaking Authority 373.044, 373.113, 373.171, 373.414(17) FS. Law Implemented 373.079, 373.083, 403.201 FS. History—New 9-2-98, Amended 6-12-00, 6-26-02, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-1.021	Definitions
40E-1.603	Application Procedures for Processing Permit Applications or Notices of Intent
40E-1.6065	Consideration of Intended Agency Decision on Permit Applications
40E-1.607	Permit Application Processing Fees
40E-1.6107	Transfer of Environmental Resource, Surface Water Management, or Water Use, or Wetland Resource Permit
40E-1.615	Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern
40E-1.659	Forms and Instructions
40E-1.711	Orders of Corrective Action and Consent Order
40E-1.715	Civil Penalty Calculation

PURPOSE AND EFFECT: To update the District’s rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S. Specifically, the amendments include: 1) adding chapters applicable to the definitions; 2) clarifying types of permits; 3) deleting references to repealed rules; 4) updating delegation pursuant to Sections 373.079(4) and 373.083(5), F.S.; 5) updating rules to comply with Section 120.55(1)(a)4. and 5.,

F.S., regarding incorporation of forms by reference; 6) updating titles of referenced rules; and 7) updating rule pursuant to Section 373.119, F.S.

SUBJECT AREA TO BE ADDRESSED: General and procedural rules.

RULEMAKING AUTHORITY: 120.53(1), 218.075, 373.044, 373.109, 373.113, 373.333, 373.4136, 373.416, 373.421(2), 373.421(6)(b), 380.051, 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.60, 120.69, 218.075, 373.079, 373.083, 373.107, 373.109, 373.113, 373.116, 373.119, 373.129, 373.136, 373.171, 373.209, 373.229, 373.309, 373.4135, 373.4136, 373.416, 373.417, 373.421, 373.422, 373.426, 373.429, 373.430, 373.436, 373.603, 380.051, 403.201, 668.003, 668.004, 668.50, 704.06 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paulette Glebocki, Lead, Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-1.021 Definitions.

When used in this Chapter, Chapters 40E-2, 40E-4, 40E-20, 40E-40, 40E-41, 40E-61, and 40E-400, F.A.C.:

(1) “e-Permitting website” means the District’s website address for e-Permitting at <http://www.sfwmd.gov/ePermitting>.

(2) through (5) No change.

Rulemaking Authority 373.044, 373.113, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 668.003, 668.004, 668.50 FS. History—New 10-1-06, _____.

40E-1.603 Application Procedures for Processing Permit Applications or Notices of Intent ~~Conceptual Approval, Individual and Standard Permits.~~

(1) through (1)(a) No change.

(b) If the District determines that the application is incomplete, the District shall request the information needed to complete the application within 30 days of its receipt. For individual environmental resource permits, and standard environmental resource permits, individual water use permits, and standard general water use permits, the applicant shall have 90 days from receipt of a timely request for additional information to submit that information to the District.

(c) through (e) No change.

(2) No change.

(3)(a) Agency action on individual permits and conceptual approvals for environmental resource permits shall occur within 90 days of receipt of a complete notice of intent, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.

(b) An authorization to proceed for standard general water use permits in Chapter 40E-20, F.A.C., shall occur within 60 days of receipt of a complete notice of intent, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.

(c) Agency action on a standard environmental resource permit application in Chapter 40E-40, F.A.C., shall occur within 60 days of receipt of a complete application, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.

~~(d) An authorization to proceed for general permits in Chapter 40E-30, F.A.C., shall be issued within 30 days of receipt of a complete notice of intent, including receipt of all requested information and correction of any error or omission of which the applicant was timely notified.~~

~~(d)(e)~~ Noticed general environmental resource permits under Chapter 40E-400, F.A.C., may be utilized by the applicant 30 days after the District receives the notice of intent, unless a notice that the project does not qualify for the noticed general permit is sent by regular United States mail or electronic mail by the District within 30 days, in accordance with Rule 40E-400.211, F.A.C. If notice that the proposed project does not qualify for the noticed general permit is sent by regular United States mail or electronic mail by the District to the applicant, the review process under subsection (1) shall be initiated or the applicant shall be required to apply for the appropriate permit if the requested activity is not covered by the noticed general permit rule.

Rulemaking Authority 120.53(1), 373.044, 373.113, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 120.60, 373.107, 373.109, 373.116, 373.229, 373.417, 373.421, 373.422, 668.003, 668.004, 668.50 FS. History—New 9-3-81, Formerly 16K-1.08(1)-(8), Amended 7-1-86, 7-26-87, 11-21-89, 5-11-93, 10-3-95, 4-1-96, 7-2-98, 6-12-00, 10-1-06, 12-1-11,_____.

40E-1.6065 Consideration of Intended Agency Decision on Permit Applications.

(1) After the application for a permit is declared by staff to be complete, ~~if a governing board hearing on the permit application is required,~~ the District shall prepare a Staff Review Summary, which shall contain its recommendations regarding the subject application and which shall constitute intended agency decision. A notice of intended agency decision together with the Staff Review Summary shall be furnished to the applicant and any persons requesting the same pursuant to Rule 40E-1.6058, F.A.C., as applicable. The notice shall state the District Staff's recommendation that the District Governing Board approve, deny, or approve with conditions the permit application and the reasons therefore.

(2) The District Governing Board shall consider the application for a conceptual approval, individual environmental resource, individual surface water management, or individual water use permit application at its next available regularly scheduled regulatory meeting following the mailing or electronic mailing of notice of intended agency decision, unless an administrative hearing is requested and granted pursuant to Section 120.569, F.S.

(3) No change.

(4) Because the District Governing Board may take a final agency action which materially differs from the noticed intended agency action, applicants and other interested persons should be prepared to defend their position regarding the permit application when it is considered by the District Governing Board. If the District Governing Board takes final agency action which materially differs from the intended agency decision, the District shall mail by regular United States mail or electronic mail a notice of the final agency action to all persons who were notified of the intended agency decision.

Rulemaking ~~Specific~~ Authority 120.53(1), 373.044, 373.113, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 120.60, 373.079, 373.083, 373.107, 373.109, 373.116, 668.003, 668.004, 668.50 FS. History—New 7-2-98, Amended 6-12-00, 10-1-06,_____.

40E-1.607 Permit Application Processing Fees.

Introductory paragraph – No change.

(1) Water Use Permit Application processing fees are in the following table:

TABLE 40E-1.607(1)
 PERMIT APPLICATION PROCESSING FEES FOR
 WATER USE PERMIT APPLICATIONS
 REVIEWED PURSUANT TO CHAPTERS 40E-2 AND
 40E-20, F.A.C.

Fee amounts shall apply to applications for new permits, permit modifications, and permit renewals, except as noted.

Category	Amount
Individual Public Water Supply with a duration less than 20 years Maximum monthly allocation through Aquifer Storage and Recovery – No change Permit Transfer to Another Entity Pursuant to Rules 40E-0.107 40E-1.611 and 40E-2.351, F.A.C.	\$300
Letter Modification to Individual Permit through Letter Modification to General Permit – No change.	

- (2) No change.
- (3) through (7) No change.

Rulemaking Authority 373.044, 373.109, 373.113, 373.421(2), 373.421(6)(b) FS. Law Implemented 218.075, 373.109, 373.421(2), 373.421(6)(b), 403.201 FS. History–New 1-8-89, Amended 1-2-91, 11-15-92, 6-1-93, 1-23-94, 10-3-95, 4-1-96, 11-8-99, 5-24-00, 6-26-02, 7-11-02, 8-10-03, 8-14-03, 11-18-07, 11-1-09, 12-15-11, _____.

40E-1.6107 Transfer of Environmental Resource, Surface Water Management, or Water Use, or Wetland Resource Permit.

(1) To transfer an environmental resource, surface water management, or water use permit, the permittee, in addition to satisfying the applicable provisions in Rules 40E-2.351, ~~and 40E-4.351, 40E-20.351, and 40E-40.351~~, F.A.C., must submit Form No. 0483, (date), (hyperlink), Request for Environmental Resource, Surface Water Management, Water Use, or Wetland Resource Permit Transfer, incorporated by reference herein and available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436, or (561)682-6436.

(2) ~~In addition, the permittee must~~ provide information required in Rule 40E-1.6105, F.A.C., and file a statement from the proposed transferee in writing or at the District’s e-Permitting website that it has reviewed the District permit and project design and will be bound by all terms and conditions of the permit, including all compliance requirements, for the duration of the permit.

- (2) through (4) renumbered (3) through (5) No change.

~~Rulemaking Specific~~ Authority 120.53(1), 373.044, 373.113, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 373.083, 373.171, 373.309, 373.416, 373.426, 373.429, 373.436, 668.003, 668.004, 668.50 FS. History–New 5-11-93, Amended 10-3-95, 10-1-06, _____.

40E-1.615 Coordinated Agency Review Procedures for the Florida Keys Area of Critical State Concern.

- (1) through (2) No change.

(3) The following coordinated agency review procedures apply to projects which require permits pursuant to Chapters 40E-2 or 40E-20 (Consumptive Use) and 40E-4 or 40E-40, (Environmental Resource), F.A.C.:

(a) The Coordinated Review Application shall consist of the application information required by Rules 40E-1.603 (Application Procedures for Processing Permit Applications or Notices of Intent), 40E-2.101 (Content of Application) or 40E-4.101 (Content of Application), F.A.C.

- (b) No change.

(c) The District’s Coordinated Review process follows the permit review procedures set forth in Rule 40E-1.603, F.A.C. (Application Procedures for Processing Permit Applications or Notices of Intent ~~Conceptual Approval, Individual and Standard Permits~~).

- (d) No change.

(e) The Certification of the Coordinated Review Application required by Section 380.051(2)(a), F.S., and subsections 9J-19.002(3) (Purpose) and 9J-19.009(1) and (2) (Completion of Substantive Review), F.A.C., shall occur within 60 days after the District begins substantive review, and shall consist of the notice of proposed agency action together with the staff report on the individual permit pursuant to subsection 40E-1.603(6) (Application Procedures for Processing Permit Applications or Notices of Intent ~~Conceptual Approval, Individual and Standard Permits~~), F.A.C., which may recommend denial to the Governing Board, or approval, or approval with conditions to its designee.

- (f) No change.

Rulemaking Authority 373.044, 373.113, 380.051, ~~668.003, 668.004, 668.50~~ FS. Law Implemented 380.051, 668.003, 668.004, 668.50 FS. History–New 9-22-87, Amended 10-3-95, 10-1-06, 12-1-11, _____.

40E-1.659 Forms and Instructions.

The following forms and instructions are incorporated by reference throughout the District’s rules as specified below and are listed herein for convenience. Hyperlinks are provided in the rules in which the forms and instructions are referenced and copies can be obtained without cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436, or (561)682-6436:

Form No.	Date	Title
0050A-	7-89	Application to the South Florida Water Management District for a Permit for Utilization of District Works or Modification of Existing Permit Works of the District No.
0108	3-91	Application for Release of Mineral, Canal, and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida
0123	4-95	Well Construction Permit Application
0124	11-90	Well Completion Report
0186	_____	<u>State of Florida Water Well Contractor's Application, incorporated by reference in subsection 40E-3.038(3), F.A.C.</u>
0188-QMQ	_____	<u>Quarterly Report of Withdrawals, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C.</u>
0188-MDQ	8-03	<u>Monthly Report of Daily Withdrawals</u>
0188-QASR	8-03	<u>Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C.</u>
0188-QMON	8-03	<u>Quarterly Report of Monitoring Requirements, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C.</u>
0188-QMQF	8-03	<u>Quarterly Report of Withdrawals from Wells and Surface Water Pumps, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C.</u>
0188-QCROP	8-03	<u>Report of Planting and Harvest of Seasonal Crops, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C.</u>
0188-QBWDR	8-03	<u>Quarterly Report of Bulk Water Delivered and Received, incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C.</u>
0195	6-91	Public Water Supply Well Information and Classification
0196	10-89	Water Well Inspection Scheduling Card
0444	12-11	No change.
0445	8-03	<u>Mining/Dewatering Permit Application (RC-1A, RC-1W, RC-1G), incorporated by reference in subsection 40E-2.101(3), F.A.C.</u>
0483	9-04	<u>Request for Environmental Resource, Surface Water Management, Water Use or Wetland Resource Permit Transfer, incorporated by reference in subsection 40E-1.6107(1), F.A.C.</u>
0645-W01	8-03	<u>Water Use Permit Application (RC-1A, RC-1W, RC-1G), incorporated by reference in subsection 40E-2.101(1), F.A.C.</u>
0645-G60	8-03	<u>Table A Descriptions of Wells, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0645-G61-1	8-03	<u>Table B Description of Surface Water Pumps, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0645-G61-2	8-03	<u>Table C Description of Culverts, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0645-G65	8-03	<u>Table D Crop Information, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0645-G74	8-03	<u>Table E Water Received From or Distributed to Other Entities, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0645-G69	8-03	<u>Table F Past Water Use & Table G Projected Water Use, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0645-G70	8-03	<u>Table H Projected Water Use (For Per Capita Greater than 200 GPD), incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0645-G71	8-03	<u>Table I Water Treatment Method and Losses, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0645-G72	8-03	<u>Table J Aquifer Storage and Recovery, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0645-G73	8-03	<u>Table K Water Supply System Interconnections, incorporated by reference in paragraph 40E-2.101(1)(a), F.A.C.</u>
0779	01-01	<u>Guidance for Preparing an Application for a "Works of the District" Permit in the Everglades/Application for a Works of the District Permit</u>
	5-5-92	

0830	4-94	Special Use Application and License, incorporated by reference in subsection 40E-63.091(9), F.A.C.
0881A through 1024		No change.
1045	11-10	<u>Application for a C-139 Basin Pollutant Source Control Permit and Guidebook for Preparing an Application for a C-139 Basin Pollutant Source Control Permit, incorporated by reference in subsection 40E-63.430(2), F.A.C.</u>
		No change.
		Water Use General Permit
1105 thru 1106		
1109	8-03	No change.
1189 thru 1318		
<u>62-532.900(1)</u>	<u>10-07-10</u>	<u>State of Florida Permit Application to Construct, Repair, Modify or Abandon a Well, incorporated by reference in subsection 40E-3.101(1), F.A.C.</u>
<u>62-532.900(2)</u>	<u>10-07-10</u>	<u>State of Florida Well Completion Report, incorporated by reference in subsection 40E-3.411(1), F.A.C.</u>

Rulemaking Authority 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS. Law Implemented 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06, 1-23-07, 8-7-07, 7-4-10, 12-15-11, _____.

40E-1.711 Orders of Corrective Action and Consent ~~Order~~ Agreements.

- (1) No change.
- (2) Consent Order Agreement.

(a) A consent order agreement is final agency action wherein all parties and the District, by negotiation, have arrived at a resolution of alleged violations of law for the purpose of achieving full and expeditious compliance with Chapters 373 and 403, F.S., and District rules promulgated thereunder. A consent order agreement, executed by all parties to an enforcement action, shall have the same force and effect as a final order entered by the District after a formal Section 120.57, F.S., administrative hearing, and shall be enforced in like manner.

(b) The resolution of an enforcement action which requires only the payment of civil penalties and costs but no corrective action shall be memorialized by use of a letter agreement. Any other remedial action required, such as mitigation, restoration, or procurement of permits shall be implemented by use of a consent order agreement.

(c) Upon execution by the Chair of the Governing Board, or a duly authorized designee, and filing by the District Clerk, a consent order agreement shall constitute agency action subject to the provisions of Rule ~~40E-0.109~~ ~~40E-1.511~~, F.A.C.

- (3) No change.

Rulemaking Specific Authority 120.53, 373.044, 373.113 FS. Law Implemented 373.119, 373.129, 373.136, 373.430, 373.603 FS. History—New 5-11-93, Formerly 40E-1.614, Amended 10-3-95, _____.

40E-1.715 Civil Penalty Calculation.

(1) Consistency and equitable treatment are essential elements of the District’s enforcement guidelines. Therefore, the District has developed ~~two a~~ civil penalty ~~matrices matrix~~ (CPMs) for use in calculating appropriate civil penalties in enforcement actions. The Consumptive Use CPM, Form No. _____, is incorporated by reference herein and utilized for violations of into this chapter and Chapters 40E-2, 40E-3, 40E-4, 40E-5, 40E-20, and 40E-21 40E-40, 40E-41, 40E-61, 40E-63 and 40E-400, F.A.C. The Environmental Resource CPM, Form No. _____, is incorporated by reference herein and utilized for violations of Chapters 40E-4, 40E-40, 40E-41, 40E-61, 40E-63, and 40E-400, F.A.C. Copies of the CPMs are also available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33405, 1(800)432-2045, ext. 6436, or (561)682-6436.

(2) The CPM is the initial basis for determining the appropriate amount for a particular penalty. The CPM reflects the District’s statutory authority under Section 373.129, F.S., to seek civil penalties of up to \$10,000 per day, per violation. The CPM is comprised of two principle components:

- (a) The actual or potential harm to the public and the environment that may occur as a result of the violation; and
- (b) The extent of deviation from statutory or regulatory requirements.

(3) Because an economic advantage can be derived through avoidance of expenditures necessary to achieve compliance with District permitting rules and regulations, the District shall consider in its assessment of civil penalties any economic benefit which the violator may have gained through noncompliance.

(4) Multiple penalties shall be calculated for every violation which constitutes an independent and substantially distinguishable violation, or when the same person has violated the same requirement in substantially different locations.

(5) Multi-day penalties shall be calculated where daily advantage is being gained by the violator for an ongoing violation, computed by multiplying the original assessment amount by the number of days of noncompliance.

Rulemaking Specific Authority 120.53(1), 373.044, 373.113, 373.333(1) FS. Law Implemented 120.69, 373.129, 373.209(3), 373.430, 373.603 FS. History—New 10-3-95, Amended _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-2.010	Review of Consumptive Use Permit Applications
40E-2.011	Policy and Purpose
40E-2.031	Implementation
40E-2.041	Permits Required
40E-2.091	Publications Incorporated by Reference
40E-2.101	Content of Application
40E-2.331	Modification of Permits
40E-2.341	Revocation of Permits
40E-2.381	Limiting Conditions
40E-2.451	Emergency Authorization
40E-2.501	Permit Classification

PURPOSE AND EFFECT: To update the District’s rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S. Specifically, the amendments: 1) update references to repealed rules; 2) update titles of referenced rule chapters; 3) correct typographical errors; 4) update delegation pursuant to Sections 373.079(4) and 373.083(5), F.S.; 5) update rules to incorporate forms in accordance with Section 120.55(1)(a)4. and 5., F.S.; and 6) add ePermitting option to be consistent with other rules.

In addition, the amendments update the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District,” incorporated by reference in Rule 40E-2.091, F.A.C., as follows: 1) update references to repealed rules; 2) update delegation pursuant to Sections 373.079(4) and (5), F.S.; 3) clarify types of permits; 4) correct typographical errors; 5) delete sections regarding basin expiration dates; 6) update rules to reflect compliance reports should be submitted every 10 years rather than 5, in accordance with Section 373.236(3), F.S.; 7) change definition of “Xeriscape” to “Florida Friendly Landscaping” pursuant to Section 373.185, F.S.; 8) update name of map; 9) move Figure 3-4 and re-label Figures 3-5 and 3-6; 10) update rules to incorporate forms in accordance with Section 120.55(1)(a)4. and 5., F.S.; 11) add e-Permitting option to be consistent with other rules; and 12) delete outdated contact information.

SUBJECT AREA TO BE ADDRESSED: Consumptive/Water Use permitting.

RULEMAKING AUTHORITY: 120.54(5), 120.60, 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.042, 373.0421, 373.079, 373.083, 373.103(1), 373.109, 373.196, 373.203, 373.216, 373.219, 373.223, 373.224, 373.226, 373.229, 373.232, 373.233, 373.236, 373.239, 373.244, 373.246, 373.249, 373.250 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Paulette Glebocki, Lead, Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-2.010 Review of Consumptive Use Permit Applications.

Consumptive use permit applications are processed pursuant to Section 120.60, Florida Statutes ~~and Part VI of Chapters 40E-1 and 28-106 28-107~~, F.A.C.

Rulemaking Specific Authority 120.54(5), 120.60 FS. Law Implemented 120.54(5), 120.60 FS. History—New 7-2-98, Amended _____.

40E-2.011 Policy and Purpose.

(1) through (2) No change.

(3) Additional rules relating to water use are found in Chapter 40E-5, F.A.C., (Artificial Recharge), Chapter 40E-8, F.A.C., (Minimum Flows and Levels (MFLs)), Chapter 40E-10, F.A.C., (Water Reservations), Chapters 40E-20, F.A.C., (General Water Use Permits), 40E-21, F.A.C., (The Water Shortage Plan), 40E-22, F.A.C., (Regional Water

Shortage Plans) and 40E-24 (Mandatory Year-Round Landscape Irrigation Conservation Measures) 40E-23, F.A.C., Water Resource Caution Areas.

(4) Standards for the construction, repair and abandonment of water wells are found in Chapters 40E-3, F.A.C. (Water Wells) and 40E-30 (General Permits for Water Wells), F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.203, 373.216, 373.249 FS. History—New 9-3-81, Formerly 16K-2.01, Amended 7-4-82, 2-24-85, 11-18-91, 8-1-02, 8-31-03, 7-2-09, _____.

40E-2.031 Implementation.

(1) The effective dates for the water use permitting program established in this chapter are:

(a) If the use or withdrawal of water exceeds 100,000 gallons per day, the effective dates are:

1. January 12, 1977, for the portion of the District formerly within the Ridge and Lower Gulf Coast Water Management District,

2. March 2, 1974, for the remainder of the District;

(b) If the use or withdrawal of water does not exceed 100,000 gallons per day, the effective date is January 14, 1979.

(2) The effective dates specified in subsection (1) are used to determine the two year period provided in Section 373.236, F.S. 373.266, Florida Statutes, for existing water users to file initial applications.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.103(1), 373.216, 373.226 FS. History—New 9-3-81, Formerly 16K-2.011, Amended _____.

40E-2.041 Permits Required.

(1) through (2) No change.

(3) Under certain circumstances the ~~District Board or the Executive Director~~ may issue a temporary water use permit pursuant to ~~Rule 40E-2.441, F.A.C., and~~ Section 373.244, Florida Statutes.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented ~~373.079, 373.083,~~ 373.103(1), 373.219, 373.244 FS. History—New 9-3-81, Formerly 16K-2.03(1), (2), Amended _____.

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – _____ ~~March 18, 2010,~~” (hyperlink), is incorporated by reference herein, and incorporates the following forms: is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

(1) Form 0188-QMQ, Quarterly Report of Withdrawals, _____ (date) _____ (hyperlink) (referenced in Section 4.1);

(2) Form 0188-QASR, Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells, _____ (date) _____ (hyperlink) (referenced in Section 4.1);

(3) Form 0188-QMON, Quarterly Report of Monitoring Requirements, _____ (date) _____ (hyperlink) (referenced in Section 4.2);

(4) Form 0188-QMQF, Quarterly Report of Withdrawals from Wells and Surface Water Pumps, _____ (date) _____ (hyperlink) (referenced in Section 4.1);

(5) Form 0188-QCROP, Report of Planting and Harvest of Seasonal Crops, _____ (date) _____ (hyperlink) (referenced in Section 5.2.3);

(6) Form 0188-QBWDR, Quarterly Report of Bulk Water Delivered and Received, _____ (date) _____ (hyperlink) (referenced in Section 4.1).

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District” and forms incorporated therein are available at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.109, 373.196, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239, 373.250 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, 6-9-03, 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, _____.

1.1 Objectives

Chapter 373, Florida Statutes (F.S.), enables and directs the District to regulate the use of water within its jurisdictional boundaries. The purpose of the water use regulatory program is to ensure that those water uses permitted by the District are reasonable-beneficial, will not interfere with any presently existing legal uses of water, and are consistent with the public interest pursuant to Section 373.223, F.S. The District has adopted rules for regulating the consumptive use of water, which are set forth in Chapters 40E-2 and 40E-20, Florida Administrative Code. The Basis of Review is incorporated by reference into Chapter 40E-2. The Basis of Review must be read in conjunction with Chapters 40E-2 and 40E-20, as applicable. The objective of the Basis of Review is to further specify the general procedures and information used by District staff for review of water use permit applications. All criteria in the Basis of Review applies to processing individual permit applications, and specified criteria applies to processing of general permit notices of intent. The criteria contained herein are flexible, with the primary goal being to meet District water resource objectives.

In addition, procedures for processing water use permit applications are set forth in Chapters 40E-0 and 40E-1, F.A.C. ~~Rules 40E-1.603 and 40E-1.606.~~ Rule 40E-1.610 provides procedures for permit renewals and Rule 40E-1.6107 sets forth procedures for permit transfers.

1.3.1 Third Party Interests

Frequently, other governmental entities, organizations, or affected citizens have an interest in the outcome of a permit action. Third party interests that would be substantially affected by issuance of a requested permit will have the opportunity to request an administrative hearing, pursuant to Sections 120.569 and 120.57(1), F.S. ~~Rule 40E-1.521~~, prior to issuance of the permit. In order to obviate any delays in permit issuance, discussions with such entities regarding their water resource concerns prior to or during permit application review is encouraged. Issuance of a water use permit by the District does not relieve the Applicant of the responsibility to obtain all necessary federal, state, local, or other District permits or authorizations.

1.3.2.1 Competition within the Central Florida Coordination Area (CFCA)

In adopting the interim CFCA rules, the District acknowledges the increasing stress on the water resources in the CFCA and the mandate of the Legislature to foster the development of additional water supplies and avoid the adverse effects of competition. However, the interim CFCA rules do not abrogate the rights of the ~~District Governing Board~~ or of any other person or entity under Section 373.233, F.S., Competing Applications. The CFCA regulatory framework provides a comprehensive strategy for interim allocations of available groundwater and expeditious development of supplemental water supply projects, as defined in Section 1.8, to minimize competition and thereby provide greater certainty of outcome than competition.

1.6 Professional Certification of Supporting Documents

All final plans, calculations, analyses, or other geologic/engineering documents, submitted as part of a permit application are required to be signed and sealed by an appropriate registered professional pursuant to Section 373.117, 373.1175, or Chapter 492, F.S., as appropriate.

1.7 Application Review Process

The District has established two ~~categories~~ procedures for ~~issuing~~ permits based on the quantity of water permitted; individual and standard general. ~~These two procedures include permit issuance by (1) the Governing Board for individual permits and (2) District staff for general permits~~ General permits include: (1) (minor standard general permits for uses of 3 million gallons per month or less; (2) major standard general permits for uses greater than 3 million gallons per month up to 15 million gallons per month; and (3) dewatering general permits). Individual permits must be obtained for water use activities that are not exempt pursuant to Rule 40E-2.051, F.A.C., and do not fall within the thresholds for general permits established in Rule 40E-20.302, F.A.C.

The permit application will be processed pursuant to Chapters 40E-0 and 40E-1 ~~Rule 40E-1.603~~, F.A.C., for individual and general permits. These rules set forth procedures for filing

applications, requests for additional information, permit application modification, public noticing of permit applications, and requests for administrative hearings.

(Remainder of section remains unchanged)

1.7.2.2 Special Duration Factors

A. 1. through 3. No change.

4. ~~For irrigation uses permit applications filed before the applicable Basin Application Date in Section 1.7.3, the permit duration will be limited to the Basin Expiration Date;~~

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

B.1. No change.

2. Lower East Coast Regional Water Supply Planning Area: Biscayne/Surficial Aquifer System to the extent that withdrawals result in induced seepage from the Central and Southern Florida Project, except when stormwater discharge or wet season discharge occurs; Lake Okeechobee; Central and Southern Florida Project; the Caloosahatchee River/Canal; and the Saint Lucie River/Canal.

3. and 4. No change.

C. through E. No change.

1.7.2.3 Compliance Reports

A. Where necessary to maintain reasonable assurance that the conditions for issuance of a permit can continue to be met over the duration of a 20 year permit, the District shall require the permittee to submit a compliance report pursuant to subsection 373.236(3), F.S., no more than once every ~~ten~~ five years. The permit shall be conditioned to assure compliance with the initial conditions for issuance, including implementation of schedules for Water Need and Demand Methodologies under Section 2.0, maintaining updated water conservation and efficiency requirements, and updated allocation methodologies, pursuant to District rules.

The compliance report shall contain sufficient information to maintain reasonable assurance that the permittee's use of water will continue to meet Chapters 40E-2 and 40E-20, F.A.C., as applicable, for the remaining duration of the permit. The compliance report shall, at a minimum, include all of the information specifically required by the permit limiting conditions.

B. No change.

C. No change.

1.7.3 Basin Expiration Dates

~~1.7.3.1 Definitions~~

- A. Irrigation Permit Expiration Basin – Geographic area where Individual and major Standard General Water Use Permits for the irrigation use class have a specified Irrigation Basin Expiration Date.
- B. Basin Application Date – The date, specified below in Section 1.7.3.3, after which complete applications for Individual and major Standard General Water Use Permits for the irrigation use class shall be reviewed under newly adopted rules.
- C. Basin Expiration Date – The date of expiration, specified below in Section 1.7.3.3, of Individual and major Standard General Water Use Permits for the irrigation use class located in the specified Irrigation Permit Expiration Basin.

1.7.3.2 Policy and Purpose

This Section addresses application and expiration procedures associated with Individual and major Standard General Water Use Permits for the irrigation use class during the transition from the use of Basin Expiration Dates to use of permit durations based on the date of permit application. These criteria establish Irrigation Permit Expiration Basins, Basin Expiration Dates, Basin Application Dates, and application procedures for Individual and major Standard General Water Use Permits for the irrigation use class.

The Irrigation Permit Expiration Basins are defined considering a number of factors including commonality of supply source, resource concerns, and work load management. By establishing the Irrigation Permit Expiration Basins, the District specifically does not intend to establish any priority or

preference between individual users or basins. The District recognizes individual user concerns regarding availability of shared resources across basin lines may warrant flexibility in the timing of permit application and review. Thus, procedures to address such concerns are detailed below.

1.7.3.3 Basin Expiration and Application Dates

- A. An Individual and major Standard General Water Use Permit for the Irrigation Use Class shall expire on the Basin Expiration Date for the Irrigation Permit Expiration Basin in which the permitted project is located.
- B. Individual and major Standard General Water Use Permits for the Irrigation Use Class issued pursuant to applications that are completed before the Basin Application Date shall have a permit expiration date commensurate with the Basin Expiration Date.
- C. The District shall provide notice to Individual and major Standard General Water Use Permit holders for the Irrigation Use Class of the expiration date of their permits 30 days prior to the Basin Application Date applicable to their project. Notice shall be made by mail or by publication in a newspaper of general circulation in the affected area.
- D. The following table identifies the Irrigation Permit Expiration Basins and states the applicable Basin Application Dates and Basin Expiration Dates.

Irrigation Permit Expiration Basin	Basin Application Date	Basin Expiration Date
Upper East Coast Basin A	October 30, 2003	February 28, 2004
Upper East Coast Basin B	February 28, 2004	June 30, 2004
Upper East Coast Basin C	June 30, 2004	October 30, 2004
Lower West Coast Basin A	October 30, 2004	February 28, 2005
Lower West Coast Basin B (excluding projects located within the Lake Okeechobee Basin)	February 28, 2005	June 30, 2005
Lower West Coast Basin C	June 30, 2005	October 30, 2005
Lower West Coast Basin D	October 30, 2005	February 28, 2006
Lower West Coast Basin E (excluding projects located within the Lake Okeechobee Basin)	February 28, 2006	June 30, 2006
Broward County Basin	June 30, 2006	October 30, 2006
Dade / Monroe Basin	October 30, 2006	February 28, 2007
Palm Beach County Basin	February 28, 2007	June 30, 2007
Kissimmee Basin A	October 30, 2007	February 28, 2008
Kissimmee Basin B	February 28, 2008	June 30, 2008
Kissimmee Basin C	June 30, 2008	October 30, 2008
Lake Okeechobee Basin	October 30, 2008	February 28, 2009

1.7.3.4 Lake Okeechobee Basin

Permittees located within the Lake Okeechobee Basin using water, in whole or in part, from sources other than Lake Okeechobee, the Caloosahatchee River, the St. Lucie

River/Canal, or integrated conveyance systems that are hydraulically connected to either Lake Okeechobee, the Caloosahatchee River or the St. Lucie River/Canal, may elect to have their permit applications reviewed concurrently with

other water use applications located within the same Irrigation Permit Expiration Basin:

1.7.3.5 Irrigation Permit Expiration Basin Descriptions

- (1) Lower West Coast Basin A is described in Figure 2.
- (2) Lower West Coast Basin B is described in Figure 3.
- (3) Lower West Coast Basin C is described in Figure 4.
- (4) Lower West Coast Basin D is described in Figure 5.
- (5) Lower West Coast Basin E is described in Figure 6.
- (7) Upper East Coast Basins A, B, and C are described in Figure 7.

- (8) Palm Beach County Basin is described in Figure 8.
- (9) Broward County Basin is described in Figure 9.
- (10) Kissimmee Basins A, B, and C are described in Figure 10.
- (11) Dade/Monroe Basin is described in Figure 11.
- (12) Lake Okeechobee Basin is described in Figure 12.

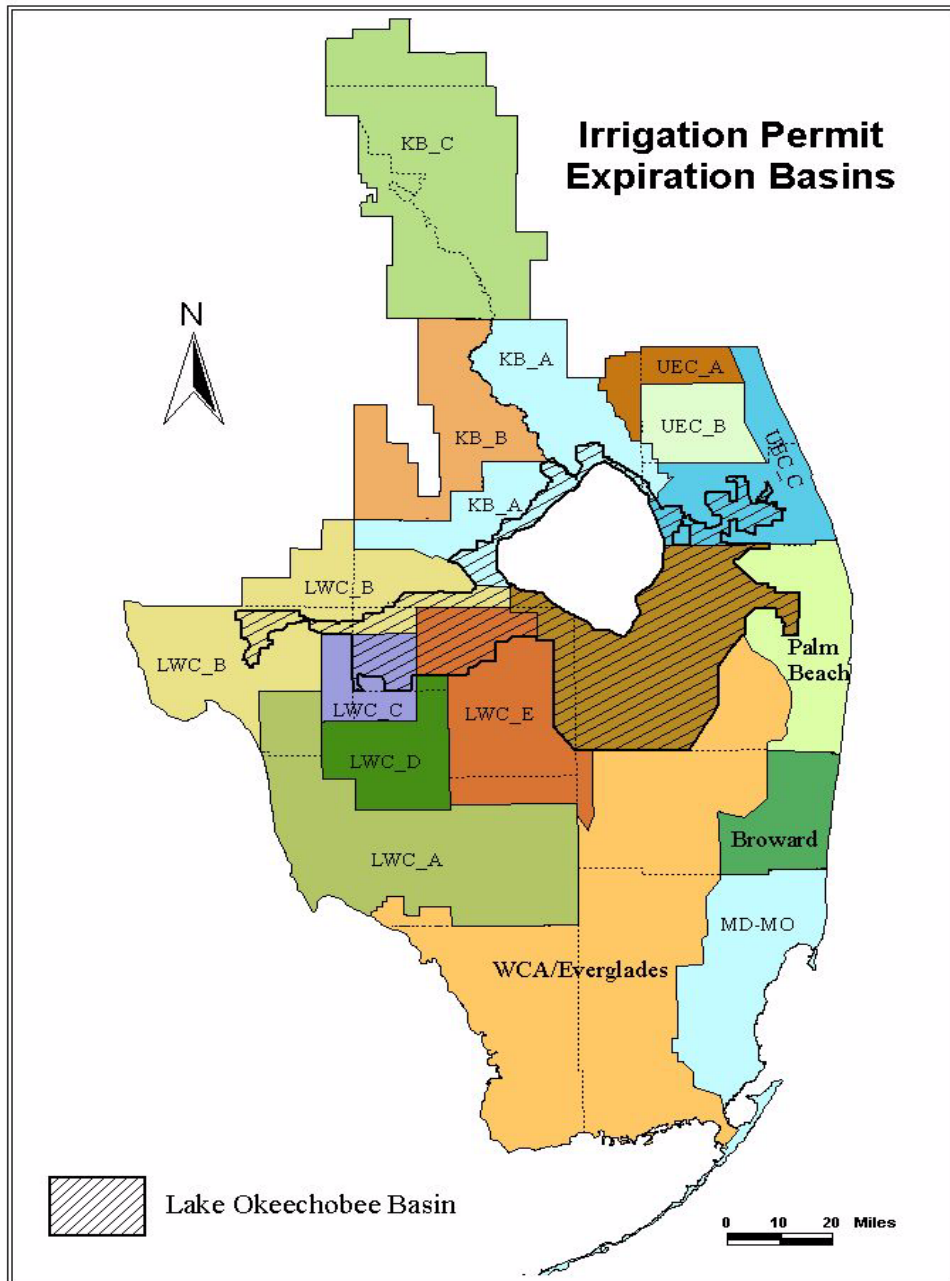
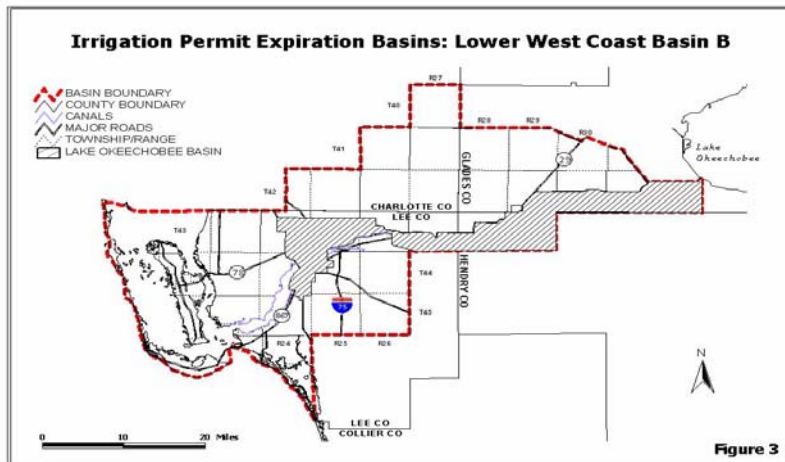
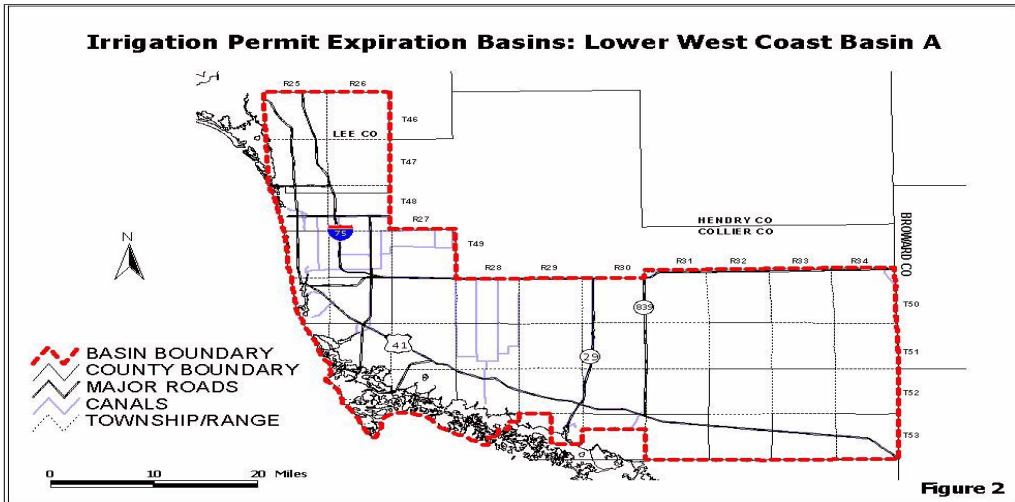
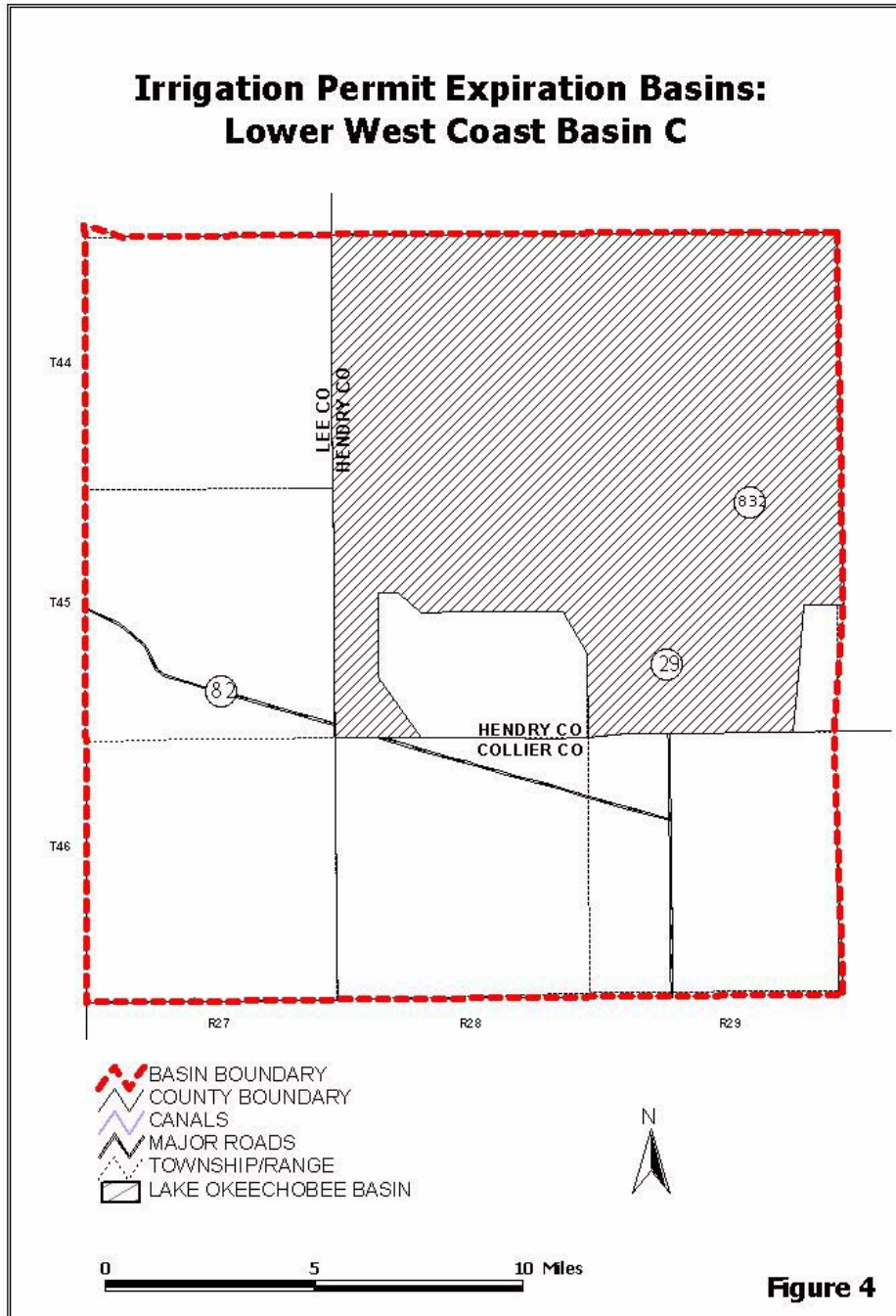
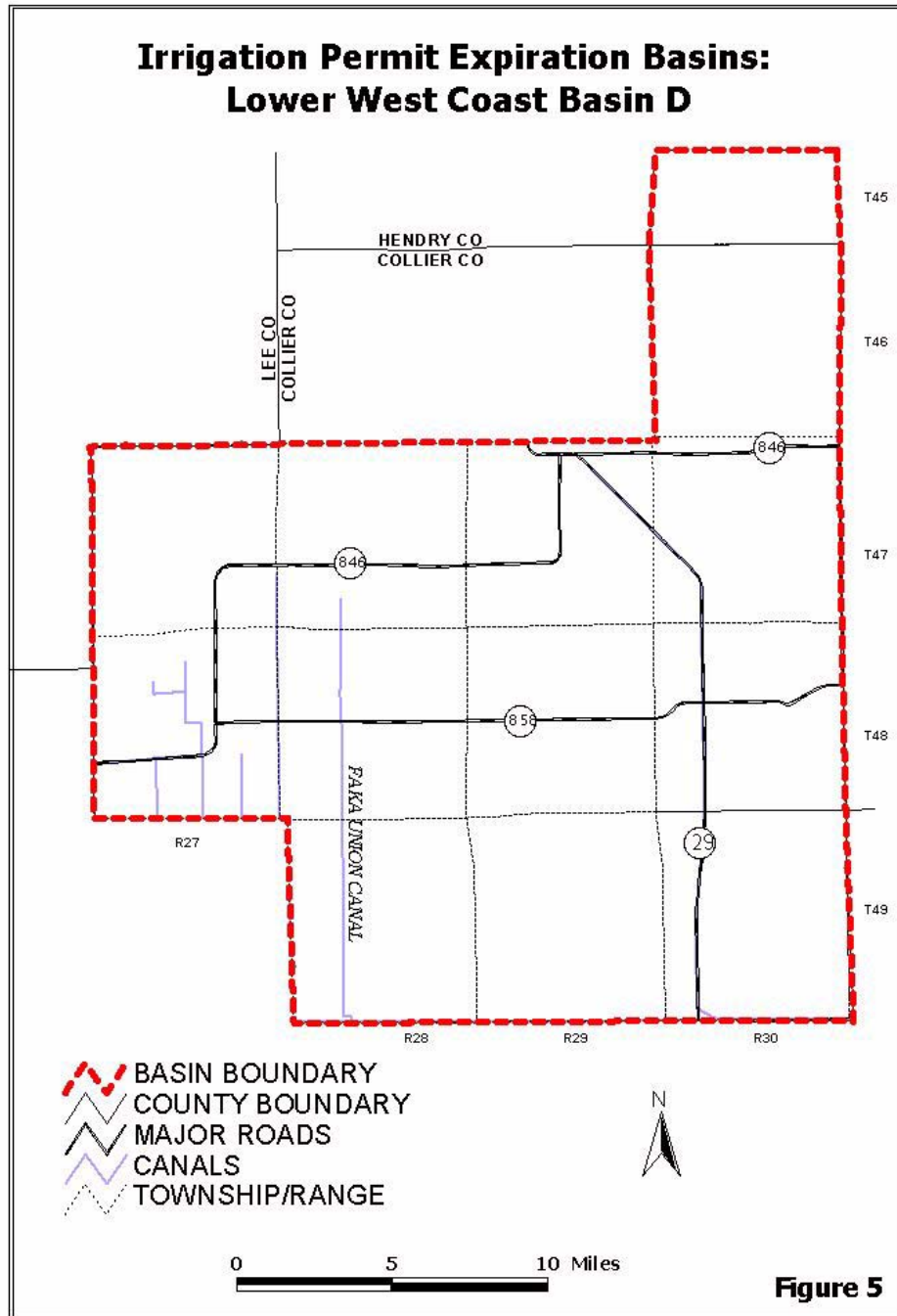
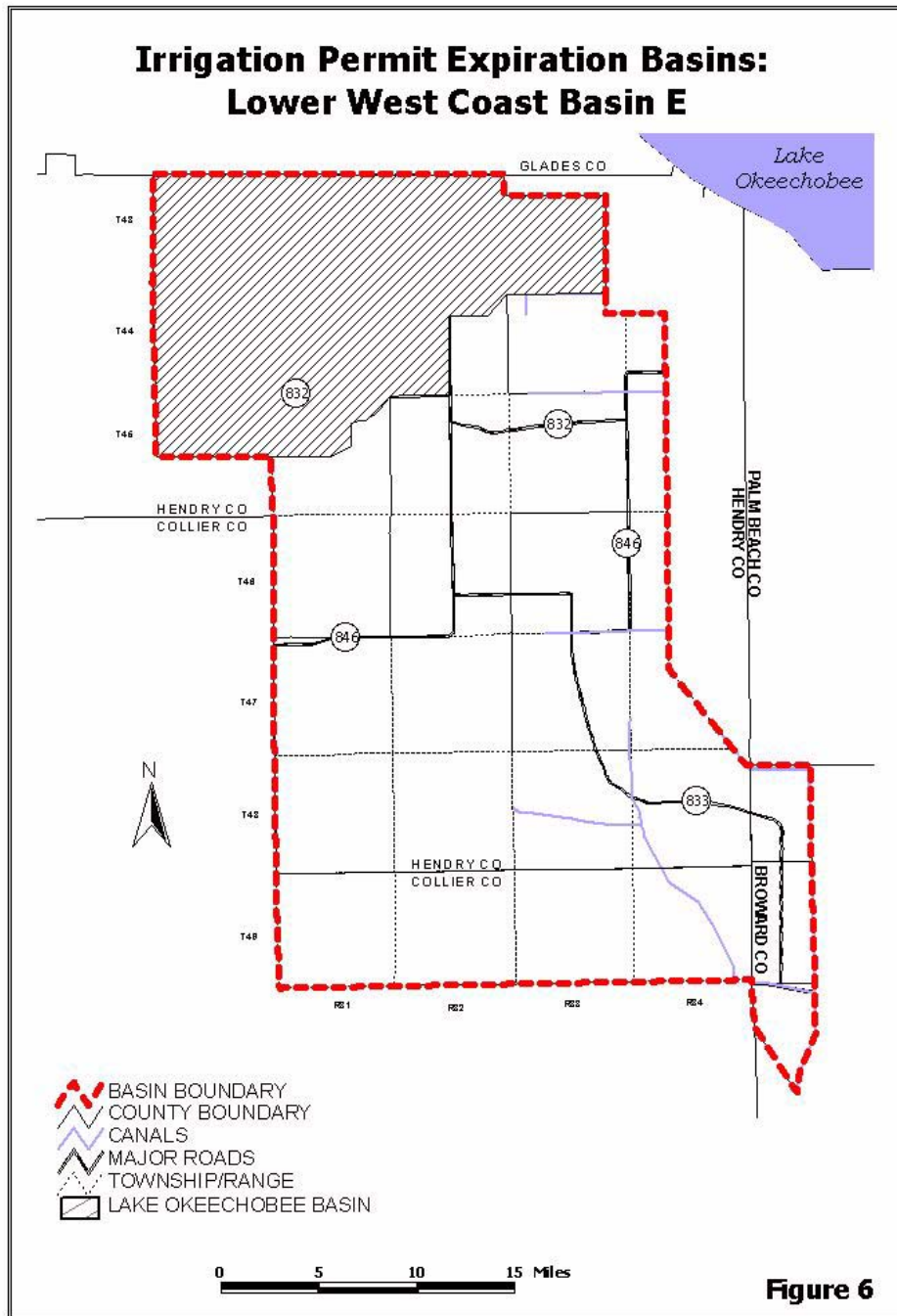


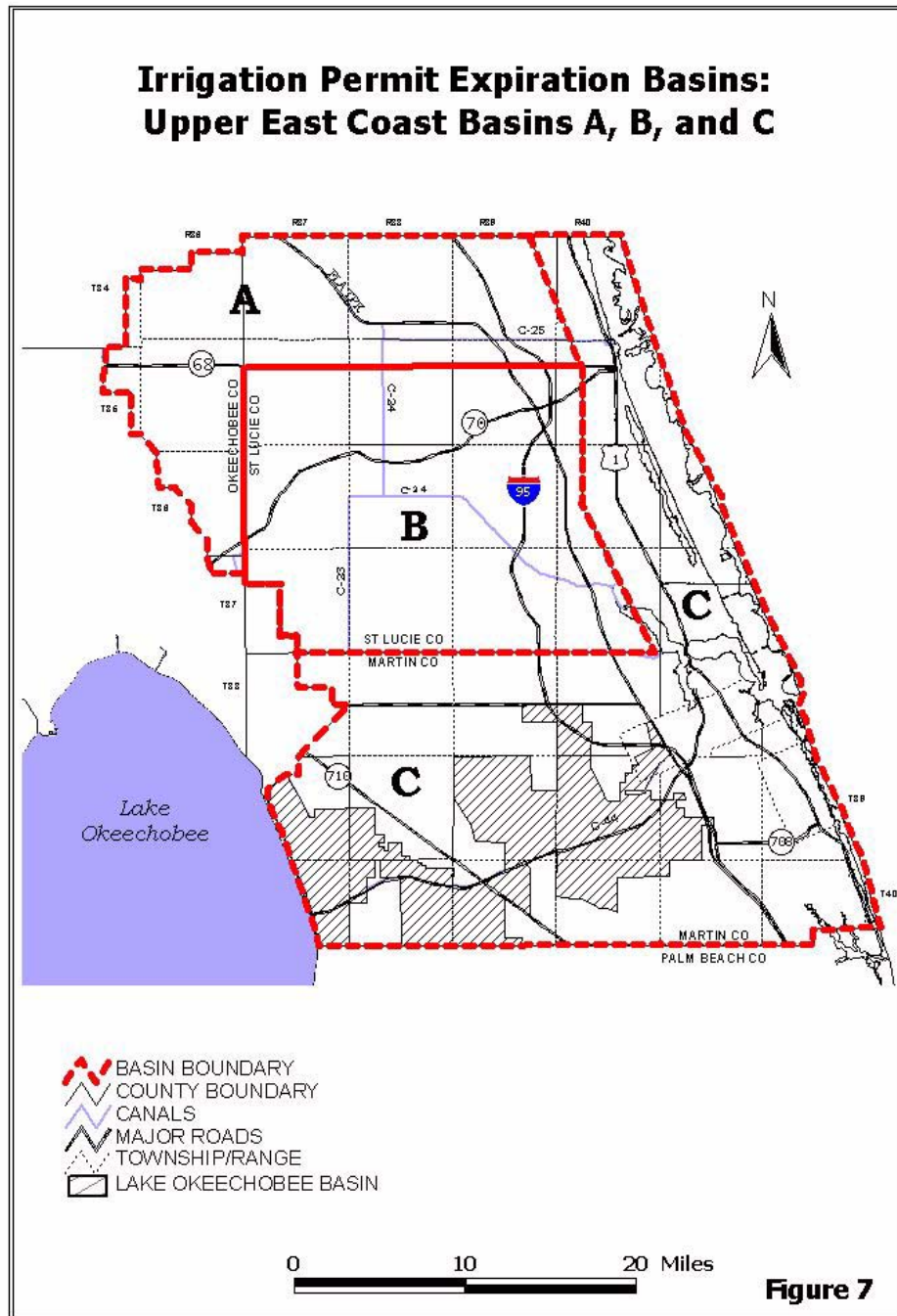
Figure 1

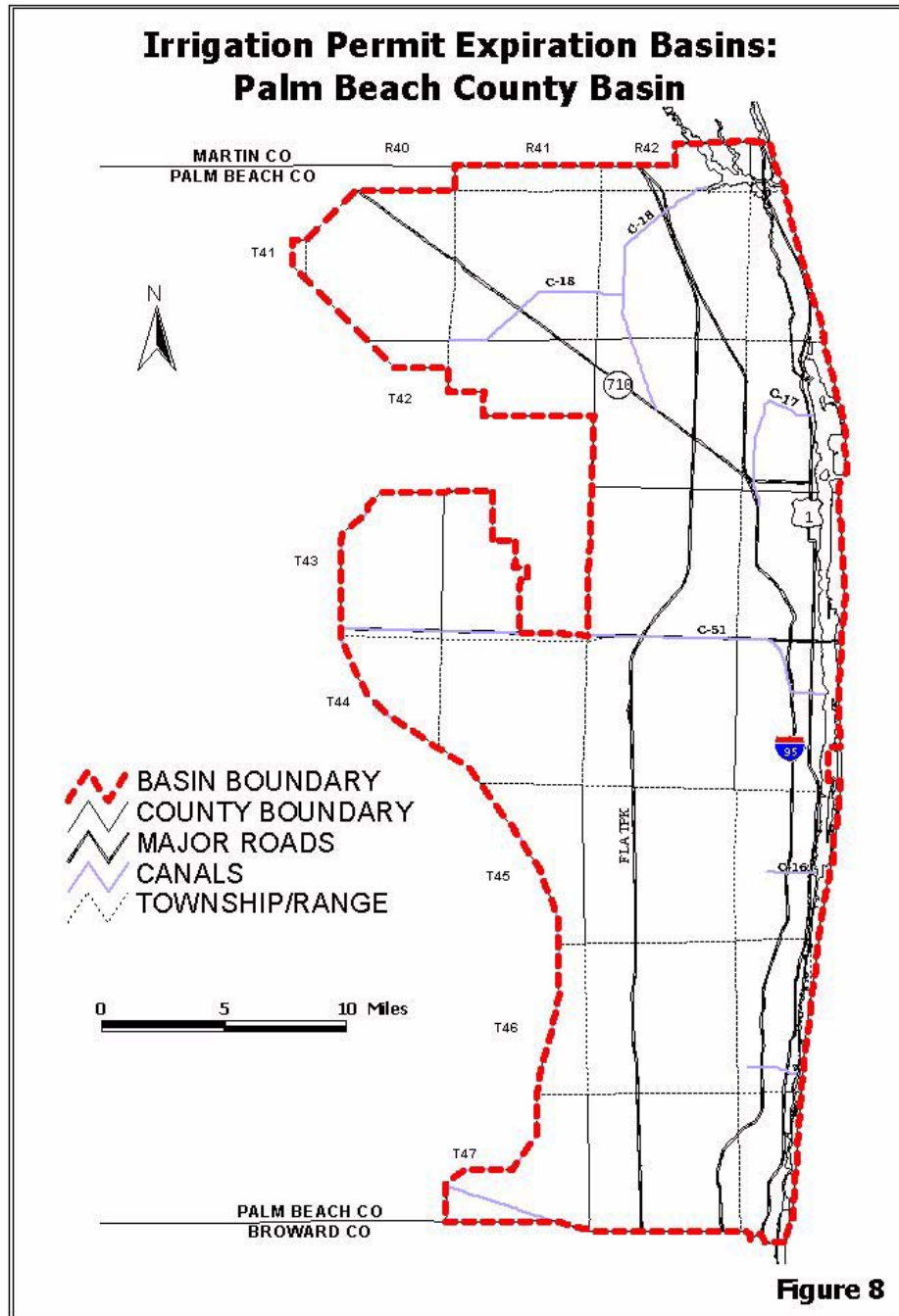


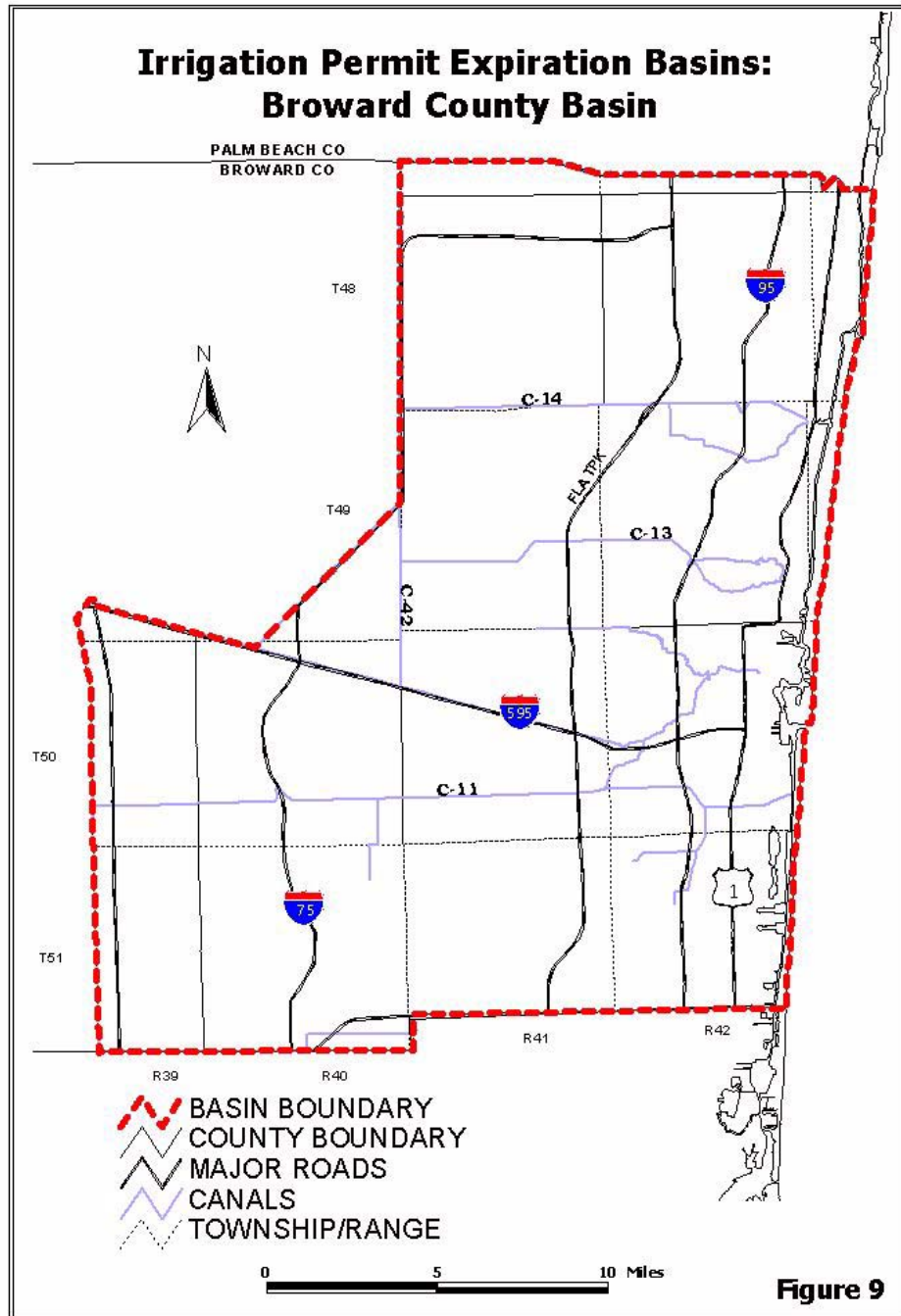


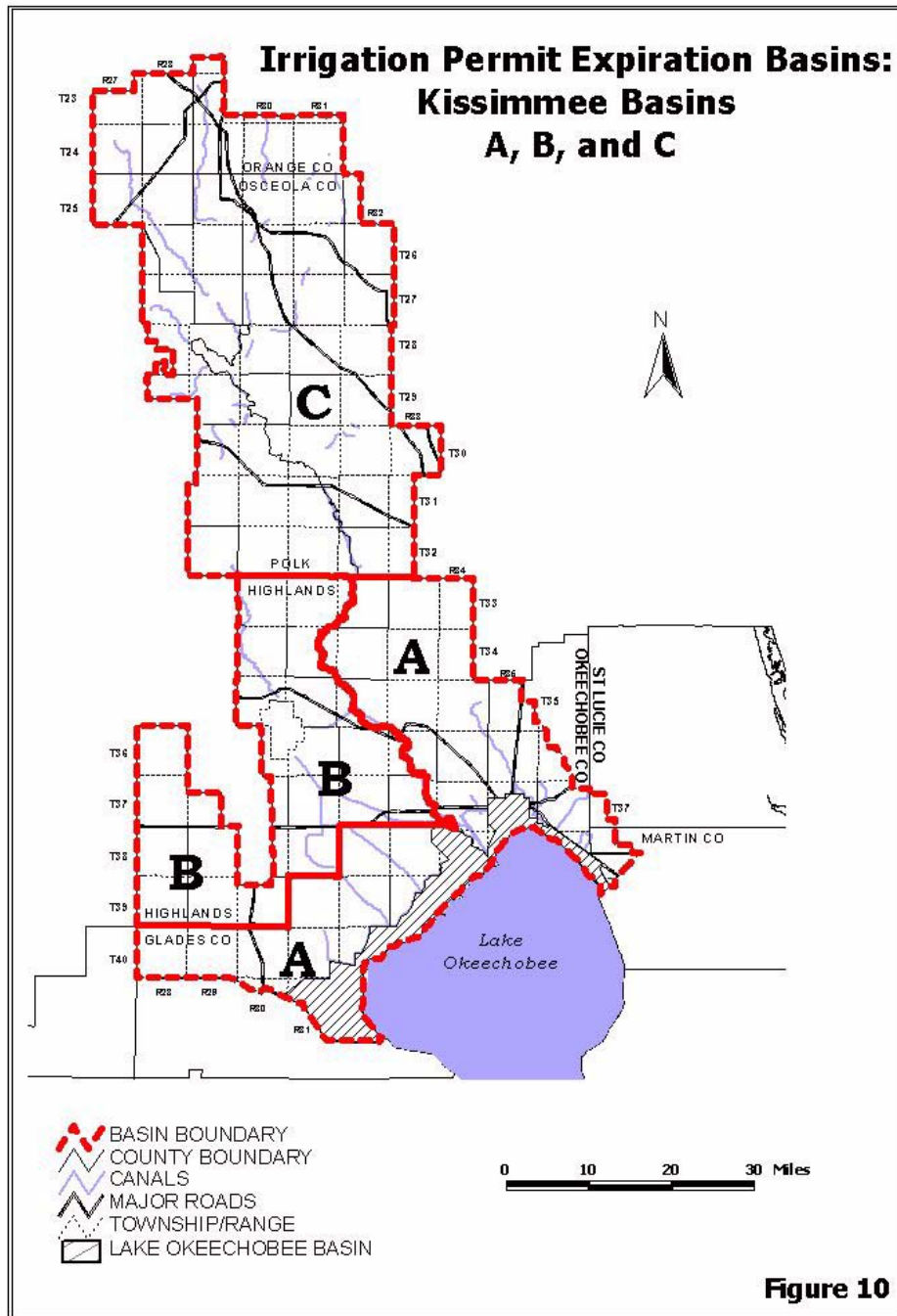


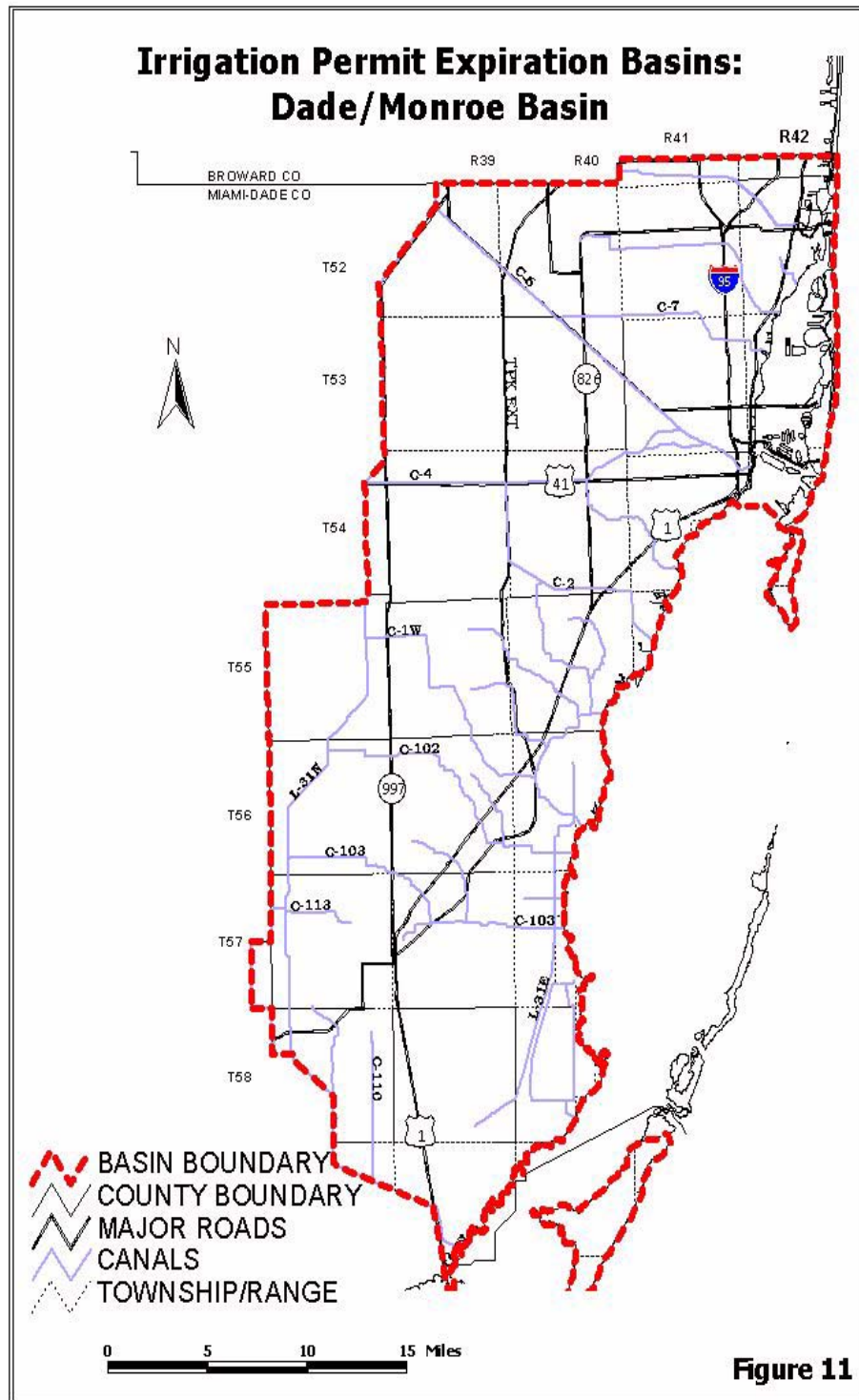




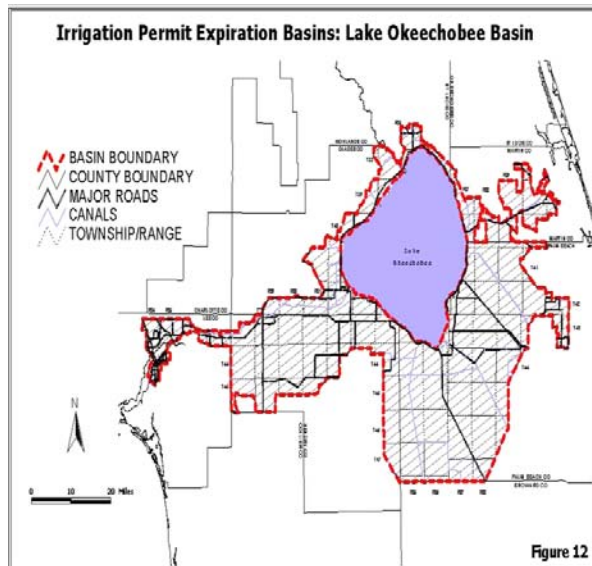








(Move to Section 3.2.1(G), remove Irrigation Permit Expiration Basins: from title and renumber as Figure 3-5)



1.7.3.6 Basin Boundary Overlap

For projects that cross Irrigation Permit Expiration Basin boundaries, the District shall assign a Basin Expiration Date and Basin Application Date that best addresses resource issues. A permit shall be assigned the Basin Expiration Date and Basin Application Date of the Irrigation Permit Expiration Basin in which:

- i. adverse resource impacts are likely to occur;
- ii. resource competition is a concern;
- iii. the majority of the withdrawal facilities are located, or;
- iv. the majority of the project's irrigated acreage is located if the withdrawal facilities are split equally between the basins.

1.7.3.7 User Rights

A. ~~The District does not intend, by adoption of these rules, to create a priority or preference between water users within different basins, however, it is possible that projects located in an adjacent basin having an earlier Basin Expiration Date and Basin Application Date may affect user rights by providing the ability to apply, and get a permit, before another affected user outside the designated basin is otherwise authorized to apply for a permit. Thus, if due to basin boundary lines water user rights are affected, a water user may elect to have its permit application reviewed concurrently with other water use applications within an adjacent basin. The~~

~~manner in which user rights may be affected include contribution to cumulative drawdown impacts which may trigger water resource protection rules such that there may be insufficient water available for allocation to all permit applicants.~~

B. ~~Water users shall have the burden of identifying those projects which may affect their water use rights.~~

1.7.4 Permit Renewals

Applications for permit renewal shall be made pursuant to Rule 40E-1.610, F.A.C., any time within six months prior to permit expiration. Permittees are encouraged to apply for renewal at least 90 days prior to the expiration date, ~~except as provided in Section 1.7.3.~~ Permits for which renewal applications have been submitted shall remain in effect past the expiration date until final agency action on the application is taken.

1.8 Definitions

Allocation Coefficient through Existing Legal Use of Water – No change.

Florida-Friendly Landscaping – A landscaping method that details nine landscape principles that conserve water, protect the environment, and promote planting native flora adaptable to local conditions. The principles are described in Section 373.185, F.S.

The definitions set forth in Chapter 40E-8, F.A.C., shall be incorporated into the Basis of Review.

Flow Meter through Wind Stress Damage – No change.

~~*Xeriscape* – A landscaping method that maximizes the conservation of water by the use of site appropriate plants and an efficient watering system. The definitions set forth in Chapter 40E-8, F.A.C., shall be incorporated into the Basis of Review.~~

2.1 Demonstration of Need

To receive a general or individual permit, an applicant must demonstrate that the proposed water use is a reasonable-beneficial use of water, as required by Section 373.223, F.S. In order to demonstrate that a water use is reasonable-beneficial, the Applicant must show “need” for the water in the requested amount. This chapter describes the factors involved in determining whether there is need and for determining the appropriate permit allocation, or "demand," for a particular water use.

For twenty year duration permits, the permittee shall ensure that, on a continual basis, the conditions for permit issuance are met for the duration of the permit, including requirements for attaining the maximum reasonable-beneficial use of water, preventing inefficient uses of water, and ensuring that uses continue to be consistent with the public interest. Every ~~ten~~ five years the permittee shall be required to evaluate and update the water use based on current District rules regarding efficiency of use and reasonable demands.

Demonstration of "need" requires consideration of several factors, including: 1) legal control over the project site, facilities, and for public water supplies, the proposed service area, and 2) compatibility of the proposed water use with the land use at the project site or area to be supplied water. Demonstration of "demand" is dependent on the specific water use classification requirements set forth in Sections 2.2 through 2.8.

2.3.1 Water Conservation Plans

All individual permit applicants for landscape and golf course irrigation projects shall develop a conservation program incorporating the following mandatory elements. This conservation program must be submitted at the time of permit application.

A. The use of Florida-Friendly Xeriscape landscaping principles for proposed projects and modifications to existing projects where it is determined that Florida-Friendly landscaping Xeriscape is of significant benefit as a water conservation measure relative to the cost of Florida-Friendly landscaping Xeriscape implementation and meets the requirements of Section 373.185(2)(a)-(f), F.S.

B. No change.

C. The limitation of all lawn and ornamental irrigation to the hours and days specified in Rule 40E-24.201, F.A.C., or alternative landscape irrigation conservation measures adopted by local government ordinance in accordance with Rule 40E-24.301, F.A.C.

2.5.3 Long-Term Dewatering Individual Permits

Long-term dewatering individual permits apply to projects that exceed the thresholds and criteria described in Basis of Review, Sections 2.5.1 and 2.5.2 above. ~~These permits must be approved by the District Governing Board.~~ Two types of individual dewatering permits are available from the District. For projects where all the dewatering activities are defined at the time of the permit application, the applicant may apply for a "standard" Individual Permit. For long-term, multi-phased projects, with undefined activities or no contractor at the time of the permit application, the applicant may apply for a "master" Individual Permit.

Applicants for all individual dewatering permits must satisfy the conditions of issuance for Individual Permits (Rule 40E-2.301, F.A.C.), ~~and may not commence dewatering prior to approval of the permit by the Governing Board.~~ In order to provide reasonable assurances that water reserved in Rule 40E-10.041, F.A.C., will not be withdrawn, all water from the dewatering activity shall be retained on site. If the applicant demonstrates that retaining the water on site is not feasible, the project shall be modified to demonstrate pursuant to Section 3.11 that reserved water will not be withdrawn. The applicant may elect to begin dewatering for a single period of only 90

days in areas of the project, that meet the No-Notice criteria specified in Section 2.5.1 of this Basis of Review, once an application for an Individual dewatering permit has been submitted to the District.

The applicant must provide the information required for the Dewatering General Permit, as specified in Section 2.5.2. In addition, the applicant shall provide estimates of the maximum monthly and annual dewatering withdrawals for the project and will be required to submit records of monthly withdrawals for each dewatering pump to the District. Staff shall not specify maximum monthly or annual withdrawal volumes in the recommended permit conditions ~~presented to the Governing Board.~~

A. "Standard" Individual Permits

The applicant shall specify all proposed dewatering activities for the project in terms of depth, duration, and areal extent of dewatering and proposed routing of dewatering water, the estimated magnitude and extent of drawdown, proposed recharge/storage areas, and the potential for harm. The applicant may proceed with all dewatering activities once the permit has been approved ~~by the Governing Board.~~

B. "Master" Individual Permits

Due to project uncertainties, the applicant may not be able to specify all aspects of the proposed dewatering activities at the time of the permit application. In order to receive a "master" dewatering permit, the applicant must meet all conditions of issuance and specify the depth, duration, and areal extent of dewatering, the proposed routing of dewatering water, the estimated magnitude and extent of drawdown, proposed recharge/storage areas, and the potential for harm for "typical" dewatering activities for the project. In addition, the applicant shall provide an estimated project schedule showing dewatering activities and calculated estimated maximum monthly and annual dewatering withdrawals. After approval of the permit ~~by the Governing Board,~~ the applicant shall be required by limiting condition to supply site-specific dewatering plans for each proposed dewatering activity to the District for review and approval at least two weeks prior to dewatering. The applicant may not initiate dewatering prior to receiving written notification from District Staff, that the proposed dewatering activity is consistent with the "master" permit approved ~~by the Governing Board.~~

(No change to Table 2-3 Dewatering Permits)

2.6.1 Water Conservation Plans

Introductory paragraph – No change.

A. No change.

B. Where the local government operating the public water supply utility, pursuant to Section 125.568 or 166.048, F.S., determines that Florida-Friendly Landscaping Xeriscape would be of significant benefit as a water conservation measure relative to the cost of Florida-Friendly Landscaping Xeriscape implementation, the local government

operating the public water supply utility is required to adopt a Florida-Friendly Landscaping Xeriscape landscape ordinance meeting the requirements of Section 373.185(2)(a)-(f), F.S. In the event such a Florida-Friendly Landscaping Xeriscape ordinance is proposed for adoption, the permit Applicant shall submit the draft ordinance to the District for determination of compliance with Section 373.185(2)(a)-(f), F.S. If the ordinance which the local government has or proposes to adopt includes an alternative set of requirements which do not encompass those contained in Section 373.185(2)(a)-(f), F.S., eligibility for the incentive program will not be achieved. The District, in compliance with Section 373.185, F.S., offers the following incentive program, to those local governments who are eligible, consisting generally of information and cost-benefit analysis assistance. Specifically, the information provided interested parties will consist of an explanation of the costs and benefits of Florida-Friendly Xeriscape landscapes; the types of plants suitable for Florida-Friendly Xeriscape landscapes within the local government's jurisdiction; the types of irrigation methods suitable for Florida-Friendly Xeriscape landscaping and the use of solid waste compost. Further, if requested, the District will assist local governments in determining whether the benefits of requiring Florida-Friendly Xeriscape landscaping outweigh the costs within that local government's jurisdiction; this assistance may consist of economic considerations, technical information or referral to other agencies that can provide information the local government may need to perform its cost benefit determination. The Governing Board finds that the implementation and use of Florida-Friendly Xeriscape landscaping, as defined in Section 373.185, F.S., contributes to the conservation of water. The Governing Board further supports adoption of local government ordinances as a significant means of achieving water conservation through Florida-Friendly Xeriscape landscaping.

C. through I. No change.

3.2.1 Restricted Allocation Areas

A. through D. No change.

E. In addition to all other applicable consumptive use statutory and rule provisions, the following restrictions shall apply when allocating water by permit for water use withdrawals within the Northern Palm Beach County Service Area and Lower East Coast Service Areas 1, 2 or 3.

This section is a component of recovery strategies for MFLs ~~minimum flows and levels~~ for the Everglades and the Northwest Fork of the Loxahatchee River, as set forth in Chapter 40E-8, F.A.C., and assists in implementing the objective of the District to ensure that water necessary for Everglades restoration and restoration of the Loxahatchee River Watershed is not allocated for consumptive use upon permit renewal or modification under this rule.

(1) through (6) No change.

(7) Permit applicants must meet the requirements of any established MFL ~~minimum flow and level~~ and water reservation, if applicable.

F. No change.

G. The following restrictions shall apply when allocating surface water derived from the Lake Okeechobee Waterbody for consumptive use within the Lake Okeechobee Basin as delineated in Figure 3-5 ~~defined in Section 1-7.3~~. This rule is a component of the recovery strategy for MFLs ~~minimum flows and levels~~ for Lake Okeechobee, as set forth in Chapter 40E-8, F.A.C., to address lower lake management levels and storage under the U. S. Army Corps of Engineers' interim Lake Okeechobee Regulation Schedule (LORS), adopted to protect the public health and safety (April 28, 2008). Compliance with this rule along with the other criteria contained in the Basis of Review implements the objectives of the District to protect the public health and safety, to prevent interference among legal users of Lake water, to be consistent with the MFL recovery strategy as defined in Rule 40E-8.421, F.A.C., and to ensure that water necessary for Everglades restoration is not allocated for consumptive use.

(1) The rule applies to applications for new projects, existing unpermitted projects, modifications to existing projects, and permit renewals for existing projects located within the Lake Okeechobee Basin as delineated in Figure 3-5 ~~described in Section 1-7.3~~, that propose to use surface water from the "Lake Okeechobee Waterbody," defined as:

(a) through (b) No change.

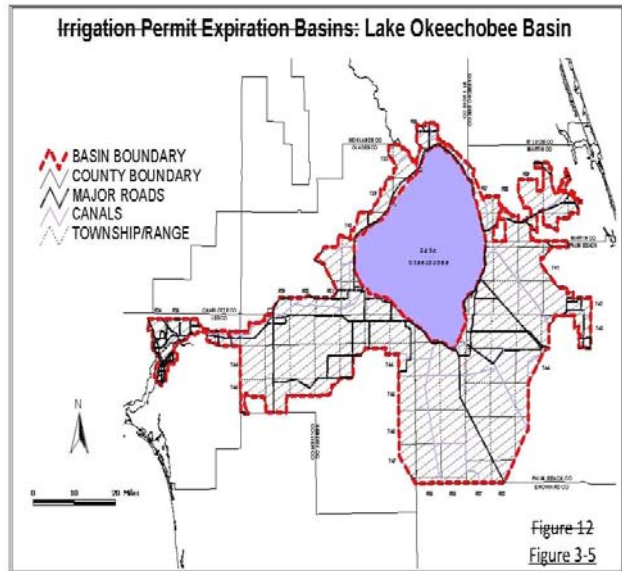
(2) through (3)(c)(iii) No change.

(iv) Unassigned, Terminated, or Reduced Base Condition Water Use. The requested allocation is for available base condition water use calculated pursuant to subsection 3.2.1(G)(2), above, that was not authorized by an existing permit (i.e. "unassigned"), permitted base condition water use that has been made

available through a permit which was terminated after January 1, 2008, or water made available pursuant to a modification made after January 1, 2008 which reduced the permitted base condition water use of an existing permit. In the event of competition for allocation of available base condition water use, those projects that seek an allocation of water in volumes equal to or less than that which was previously permitted to that project and/or used by that project shall be a positive consideration when determining which project best serves the public interest. Prior to February 28, 2010, the Governing Board reserves the right to restrict the re-allocation of terminated base condition water use if it determines that such water is demonstrated to improve the performance of a MFL minimum flow and level waterbody under recovery in terms of shortening the frequency or duration of projected MFL minimum flow and level violations or improve the performance of meeting a restoration target as defined in an approved District restoration plan or project while also considering if alternative water supplies are available, whether the proposed use is ancillary to an agricultural use and other relevant public interest considerations. On or after February 28, 2010, the Governing Board reserves the right to restrict the re-allocation of unassigned, terminated, or reduced base condition water use, if it determines that such water is demonstrated to improve the performance of a MFL minimum flow and level waterbody under recovery in terms of shortening the frequency or duration of projected MFL minimum flow and level violations or improve the performance of meeting a restoration target as defined in an approved District restoration plan or project while also considering if alternative water supplies are available, whether the proposed use is ancillary to an agricultural use and other relevant public interest considerations.

- (4) Incompatible Use Type: Requested allocations for new public water supply uses that exceed the thresholds in subsection 40E-20.302(1)(a), F.A.C., or increases in existing uses above the project’s base condition water use calculated pursuant to subsection (2)(a) above, shall not be permitted from the Lake Okeechobee Waterbody.
- (5) Requests for temporary increases over the project’s base condition water use from the Lake Okeechobee Waterbody shall be granted

to accommodate increased demands during a reasonable time period while alternative sources are constructed provided all other consumptive use permit criteria are satisfied. The duration of the temporary increase shall be determined based on a construction schedule for the alternative source to be implemented with due diligence and defined in permit conditions. Additionally, the permit shall include requirements to reduce the allocation to the base condition water use in accordance with this construction schedule.



3.4 Saline Water Intrusion

A water use permit application will be denied if the application requests freshwater withdrawals that would cause harm to the water resources as a result of saline water intrusion. Harmful saline water intrusion occurs when:

- A. No change.
- B. Withdrawals result in the sustained upward movement of saline water. Sustained upward movement is the level of movement that persists when the withdrawals have ceased. When the saline interface occurs beneath the point of withdrawal, the maximum maximum amount of pumpage from any well shall be constrained as follows:

(Remainder of section remains unchanged)

3.9.1 Evaluations for Minimum Flow and Level (MFL) Water Bodies Subject to a Recovery Strategy

Evaluations for direct or indirect withdrawals from MFL water bodies that are subject to a recovery strategy:

- A. Permit Renewals: A request for renewal of an existing permitted allocation, which directly or indirectly withdraws water from a MFL water body, shall meet the requirements of this section if:
 - (1) the impact of the withdrawal of water will be corrected through implementation of a recovery strategy; and
 - (2) the level of impacts from the allocation approved in the expiring permit are no greater under the requested renewal.

If the level of certainty under the expiring permit is changed to a 1 in 10 year level of certainty by rule (e.g. a golf course irrigation level of certainty changed from a 1 in 5 to a 1 in 10 year level of drought) the levels of impact from the withdrawal of water under the expiring permit shall be normalized to a 1 in 10 drought level of certainty in order to evaluate the impact of the withdrawal of water.

3.9.2 Evaluations for Minimum Flow and Level (MFL) Water Bodies Subject to a Prevention Strategy

Evaluations for direct or indirect withdrawals from MFL water bodies that are subject to a prevention strategy:

- A. Permit Renewals – A request for renewal of an existing permitted allocation that directly or indirectly withdraws water from a MFL water body shall meet the requirements of this section if the level of impacts from the allocation approved in the expiring permit are no greater under the requested renewal. If the level of certainty under the expiring permit is changed to a 1 in 10 year level of certainty by rule (e.g. a golf course irrigation level of certainty changed from a 1 in 5 to a 1 in 10 year level of drought) the levels of impact from the withdrawal of water under the expiring permit shall be normalized to a 1 in 10 drought level of certainty in order to evaluate the impact of the withdrawal of water.
- B. No change.

3.11.1 Picayune Strand and Fakahatchee Estuary

A permit applicant shall provide reasonable assurances that the proposed use will not withdraw water reserved under Rules 40E-10.041(1) and (2), F.A.C., except that water uses less than 100,000 gallons per day associated with land management or public access/recreation shall be permissible. Compliance with the following criteria constitutes reasonable assurances that water reserved in Rules 40E-10.041(1) and (2), F.A.C., will not be withdrawn. Water not reserved under Rules 40E-10.041(1) and (2), F.A.C., shall be allocated pursuant to Subsections A and B.

For this section, the following definitions apply:

Direct Withdrawals from Groundwater: water pumped from a well(s) constructed within the boundaries of the Picayune Strand or Fakahatchee Estuary into the water table or unconfined portions of the Lower Tamiami aquifer.

Indirect Withdrawals from Groundwater: a) a groundwater withdrawal from a well(s) constructed outside the boundaries of Picayune Strand and Fakahatchee Estuary into the water table or Lower Tamiami aquifer that results in a 0.1 foot or greater drawdown in the water table aquifer at any location underlying the Picayune Strand or the Fakahatchee Estuary as determined by an evaluation conducted pursuant to Section 1.7.5.2.A. or b) a groundwater withdrawal that causes a water table drawdown of 0.1 foot or greater underlying any canal identified in Figure ~~3-6~~ ~~3-5~~, as determined by an evaluation conducted pursuant to Section 1.7.5.2.A.

Direct Withdrawals from Surface Water: Withdrawal of surface water from facilities physically located within the Picayune Strand or Fakahatchee Estuary boundaries.

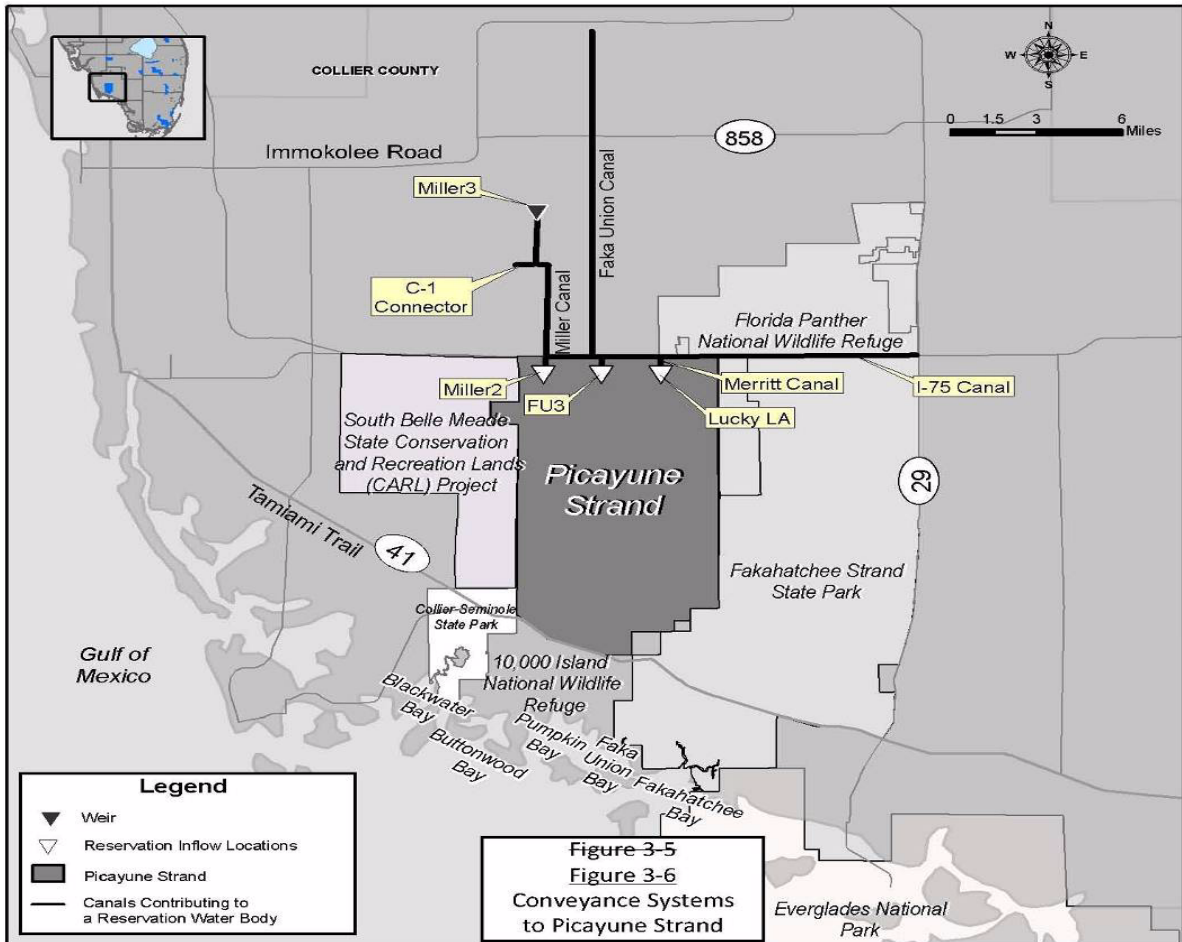
Indirect Withdrawal from Surface Water: Withdrawal of surface water from any canal identified in Figure ~~3-6~~ ~~3-5~~.

- A.1. through 8. No change.
- B. Model Impact Evaluation. If required by Section A, the applicant shall demonstrate water reserved for the Picayune Strand and Fakahatchee Estuary will not be withdrawn by conducting the following model impact evaluation. A pre-application meeting between the applicant and District staff is strongly recommended to be conducted prior to initiating model development.
 - 1. Defining Scope of Model Evaluation
 - (a) For groundwater withdrawals, identify the cone of influence of the proposed withdrawal per Section 1.7.5.2.A. Based on this analysis, the Applicant shall identify which reservation inflow locations (set forth in Figures 1 and 2 in Rule 40E-10.021, F.A.C.) and conveyance system(s) identified on Figure ~~3-6~~ ~~3-5~~ are potentially influenced by the proposed withdrawal.
 - (b) For surface water withdrawals, identify the reservation inflow locations, reservation water body (set forth in Figures 1 and 2 in Rule

- 40E-10.021, F.A.C.), and conveyance system(s) identified on Figure ~~3-6~~ ~~3-5~~ that are potentially influenced by the proposed withdrawal.
2. (a) through (f) No change.
 3. Impact Evaluation. Once the model is calibrated, applicants shall demonstrate that water reserved for the Picayune Strand and Fakahatchee Estuary will not be withdrawn, based on the following:
 - (a) “Without scenario”: All existing legal uses at the effective date of the rule shall be represented using the allocation in the permit. For the purposes of this evaluation and subsection (b) the annual allocation shall be distributed on a monthly basis based on the use type. For a public water supply use type, the monthly distribution shall be calculated based on the measured monthly pumpage divided by the annual total pumpage using the average of the three most recent representative years. Representative years shall not include years with water shortage restrictions, years with plant failures or other years that are not representative of normal pumpage. For an irrigation use type, the monthly distribution

shall be determined using the Blaney-Criddle distribution calculated for each project pursuant to “Part B Water Use Management System Design and Evaluation Aids” of the Volume III, Permit Information Manual for Water Use Permit Applications referenced in the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, which is incorporated by reference in Rules 40E-2.091 and 40E-20.091, F.A.C., the annual allocation and the associated monthly distribution shall be simulated using the calibrated model developed in accordance with the criteria identified in Subsection 3.11.1.B.2 in order to generate a daily flow data for each represented inflow location identified in Subsection 3.11.1. These data shall be presented as daily hydrographs as well as seasonal and period of record flow probability curves.

- (b) through (c) No change.
4. through 5. No change.



4.1 Withdrawal Quantity

Proper accounting for water use is essential to establish that the use is a reasonable-beneficial use of the resource and in the public interest. In addition, proper accounting of the various water uses enables the District to better estimate water use and to implement water shortage plans.

All Permittees with a maximum monthly allocation of greater than 3.0 million gallons, or irrigation water users located within the South Dade County Water Use Basin (as designated in Figure 21-11, Chapter 40E-21, F.A.C.), with a maximum monthly allocation of greater than 15.0 million gallons, are required to monitor and report withdrawal quantities from each withdrawal facility or point of diversion. Permittees shall submit the following forms, if applicable, electronically or at the address provided below:

0188-OMO, Quarterly Report of Withdrawals, (date), (hyperlink):

0188-OASR, Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells, (date), (hyperlink):

0188-OMQF, Quarterly Report of Withdrawals from Wells and Surface Water Pumps, (date), (hyperlink):

0188-OBWDR, Quarterly Report of Bulk Water Delivered and Received, (date), (hyperlink).

These forms are incorporated by reference herein and are available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800) 432-2045, ext. 6436 or (561) 682-6436.

(Remainder of section remains unchanged)

4.2 Saline Water Monitoring

The purpose of saline water monitoring is to ensure that harmful saline water intrusion, whether lateral from a surface or groundwater saline source, vertical from an aquifer containing lower quality water, or a combination of both, does not occur. Saline water monitoring is accomplished by routine sampling of the discharge water from production wells or from separate monitor wells. However, in areas of known saline water movement, separate monitor wells are required to be designed and constructed expressly for the purpose of saline water intrusion monitoring. The dissolved chloride concentration and the water level elevation, referenced to National Geodetic Vertical Datum, shall be measured. Frequency of measurements may be weekly, monthly, or quarterly, and will be identified in the permit limiting conditions. The data shall be reported using Form No. 0188-OMON, Quarterly Report of Monitoring Requirements, (date), (hyperlink), incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C.

A. through G. No change.

H. Staff evaluation indicates saline water may come in contact with a fresh water source ~~(per Section 3.4.1 of this Basis of Review)~~ as a result of the proposed use.

(Remainder of section remains unchanged)

5.1 Standard Permit Conditions

A. through N. No change.

O. Permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of the real property on which the permitted activities are located. All transfers of ownership are subject to the requirements of Rule 40E-1.6107, F.A.C.

(Remainder of section remains unchanged)

5.2 Special Permit Conditions

Permittee shall submit all data as required by the implementation schedule for each of the limiting conditions to: S-F-W-M-D: at www.sfwmd.gov/ePermitting, or the Regulatory Support Bureau, MSC 9611, Supervising Hydrogeologist - Water Use Compliance, Water Use Division (4320), P. O. Box 24680, West Palm Beach, FL 33416-4680 ~~or by e-mail to wucomp@sfwmd.gov.~~

5.2.1 Public Water Supply

A. through G. No change.

H. For uses with an annual allocation greater than 10 MGD and a permit duration of 20 years, every ~~ten~~ five years from the date of permit issuance, the permittee shall submit a water use compliance report for review and approval by District Staff to SFWMD at www.sfwmd.gov/ePermitting, or the Regulatory Support Bureau, MSC 9611, P. O. Box 24680, West Palm Beach, FL 33416-4680, which addresses the following:

1. through 2. No change.

5.2.3 Irrigation

A. No change.

B. ~~Landscape and Golf~~ course irrigation is prohibited between the hours of 10:00 A.M. and 4:00 P.M., except as follows:

a) through e) No change.

C. No change.

D. The permittee shall complete Form No. 0188-OCROP, a "Report of Planting and Harvest of Seasonal Crops", (date), (hyperlink), incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C., form and submit it with the appropriate "Quarterly Report of Withdrawals From Wells and Surface Water Pumps" (Form No. 0188-QMMQF) ~~form~~.

E. For uses with an annual allocation greater than 10 MGD and a permit duration of 20 years, every ~~ten~~ five years from the date of permit issuance the permittee shall submit a water use compliance report for review and approval by District Staff to SFWMD at www.sfwmd.gov/ePermitting or the Regulatory Support Bureau, MSC 9611, P.O. Box 24680, West Palm Beach, FL 33416-4680, which addresses the following:

1. and 2. No change.

F. No change.

G. Landscape irrigation shall be restricted to the hours and days specified in Rule 40E-24.201, F.A.C., or alternative landscape irrigation conservation measures adopted by local government ordinance in accordance with Rule 40E-24.301, F.A.C.

5.2.8 Well Construction

A. Permittee shall secure a well construction permit prior to construction, repair, or abandonment of all wells, as described in Chapters 40E-3 and ~~40E-30~~, F.A.C.

B. through D. No change.

E. Within six months of permit issuance, the Permittee shall plug and abandon the following wells in accordance with Chapters 40E-3 ~~or 40E-30~~, F.A.C.: (individual wells identified based on project specifications).

F. through H. No change.

40E-2.101 Content of Application.

(1) Applications for permits required by this chapter shall be filed electronically at www.sfwmd.gov/ePermitting or at the South Florida Water Management District Regulation Reception Desk, 3301 Gun Club Road, West Palm Beach, FL 33406, or at any of the District's Service Centers. The addresses and phone numbers of the District's Service Centers are online at www.sfwmd.gov, "Locations." ~~with the District.~~

(a) The application, Form No. 0645-W01, Water Use Permit Application, (date), (hyperlink) shall include the following forms, if applicable ~~contain~~:

Form No. 0645-G60, Table A Description of Wells, (date), (hyperlink), for permits with wells;

Form No. 0645-G61-1, Table B Description of Surface Water Pumps, (date), (hyperlink), for permits with pumps;

Form No. 0645-G61-2, Table C Description of Culverts, (date), (hyperlink), for permits with irrigation culverts;

Form No. 0645-G65, Table D Crop Information, (date), (hyperlink), for agricultural permits;

Form No. 0645-G74, Table E Water Received From or Distributed to Other Entities, (date), (hyperlink), (2)for public water supply permits;

Form No. 0645-G69, Table F Past Water Use & Table G Projected Water Use, (date), (hyperlink), for public water supply permits;

Form No. 0645-G70, Table H Projected Water Use, (date), (hyperlink), for public water supply permits;

Form No. 0645-G71, Table I Water Treatment Method and Losses, (date), (hyperlink), for public water supply permits;

Form No. 0645-G72, Table J Aquifer Storage and Recovery, (date), (hyperlink), for public water supply permits; and

Form No. 0645-G73, Table K Water Supply System Interconnections, (date), (hyperlink), for public water supply permits.

~~(a) The following parts of Form 0645 Water Use Permit Applications, as incorporated by reference in Rule _____ 40E-1.659, F.A.C.;~~

~~1. Part RC-1A Administrative Information for Water Use Permit Applications;~~

~~2. Part RC-1W Application for a Water Use Permit;~~

~~(b) through (d) No change.~~

~~(2) No change.~~

~~(3) Applicants for a Dewatering Water Use permit shall electronically file or file with the District Form 0445, _____ (date), (hyperlink), Mining/Dewatering Permit Application.~~

~~(4) The forms identified in subsections (1) and (3) above are incorporated by reference herein and are available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, (800)432-2045, ext. 6436, or (561)682-6436.~~

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.219, 373.223, 373.229 FS. History—New 9-3-81, Amended 12-1-82, 2-24-85, 11-21-89, Repromulgated 1-4-93, Amended 4-20-94, 8-1-02, _____.

40E-2.331 Modification of Permits.

(1) through (3) No change.

(4)(a) Modification of an existing water use permit shall be approved by letter, provided the permit is in compliance with all applicable limiting conditions and the modification request:

1. through 4. No change.

5. Does not result in a modification of the permit ~~which must be approved by the Governing Board~~ pursuant to Section 373.239(2), F.S.

6. No change.

(b) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.079, 373.083, 373.223, 373.229, 373.239 FS. History—New 9-3-81, Formerly 16K-2.09(1), Amended 4-20-94, 7-11-96, 4-9-97, 12-10-97, 8-1-02, 4-23-07, 2-13-08, 7-2-09, 3-15-10, _____.

40E-2.341 Revocation of Permits.

Violations of this chapter may result in the revocation or suspension of the authorization in whole or in part in accordance with the provisions of Chapter 373, including Sections 373.119 and 373.243, Florida Statutes, Chapter 120, Florida Statutes, and Rules 40E-1.609 and ~~28-106.2015~~ 28-107.004, F.A.C.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 120.60(6), 373.103(4), 373.219, 373.229 FS. History—New 4-20-94, Amended 7-2-98,_____.

40E-2.381 Limiting Conditions.

The ~~District Board~~ shall impose on any permit granted under this chapter such reasonable standard and special permit conditions as are necessary to assure that the permitted use or withdrawal will be consistent with the overall objectives of the District, will not be harmful to the water resources of the District, is reasonable-beneficial, will not interfere with any presently existing legal uses, and is consistent with the public interest. Standard permit conditions in Section 5.1 of the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-2.091, F.A.C., shall be set forth in the permit. Special permit conditions, including those specified in Section 5.2 of the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-2.091, F.A.C., shall be set forth in the permit.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.079, 373.083, 373.219(1) FS. History—New 9-3-81, Amended 2-24-85, 7-26-87, 4-20-94, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 8-1-02, 4-23-07, 2-13-08,_____.

40E-2.451 Emergency Authorization.

(1) Permission to begin use, withdrawal, or diversion of water prior to the issuance of a permit may be applied for in writing, when emergency conditions exist which would justify such permission. However, no such permission shall be granted unless the use, withdrawal, or diversion is already being considered for a permit under Rule 40E-2.041, F.A.C. A serious set of unforeseen or unforeseeable circumstances must exist to create an emergency. Mere carelessness or lack of planning on the part of the applicant shall not be sufficient grounds to warrant the granting of emergency authorization.

(2) Emergency authorizations shall be administered pursuant to Rule ~~40E-0.108~~ 40E-1.6115, F.A.C.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 120.60(5), 373.219 FS. History—New 9-3-81, Formerly 16K-2.11, Amended 4-20-94, 7-2-98,_____.

40E-2.501 Permit Classification.

Each water use permit shall be classified according to source, use and method of withdrawal. The source use and method of withdrawal classes are listed in Rules ~~40E-21.631~~ 40E-21.611 through 40E-21.691, F.A.C.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.246 FS. History—New 9-3-81, Formerly 16K-2.12(2), Amended 7-4-82,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-5.101	Content of Application
40E-5.381	Limiting Conditions

PURPOSE AND EFFECT: To update the District's rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S. Specifically, the amendments update delegation pursuant to Sections 373.079(4) and 373.083(5), F.S.; add ePermitting as an option, which is consistent with other rules; include location where applications may be submitted; and delete references to separate parts of Form 0645 which have been consolidated in Form 0645-W-01.

SUBJECT AREA TO BE ADDRESSED: Artificial recharge.
 RULEMAKING AUTHORITY: 373.044, 373.113, 373.229 FS.

LAW IMPLEMENTED: 373.079, 373.083, 373.106(1), 373.219 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paulette Glebocki, Lead, Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District,

3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, 1(800)432-2045, ext. 6299, or (561)682-6299

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-5.101 Content of Application.

(1) Applications for permits required by this chapter shall be filed electronically at www.sfwmd.gov/ePermitting, or at the South Florida Water Management District Regulation Reception Desk, 3301 Gun Club Road, West Palm Beach, FL 33406, or at any of the District's Service Centers. The addresses and phone numbers of the District's Service Centers are available online at www.sfwmd.gov, "Locations." ~~with the District. Water Use Permit Application, Form No. 0645-W-01, which is incorporated by reference in subsection 40E-2.101(1), F.A.C.. The application shall contain:~~

~~(a) The following parts of Form 0645 Surface Water Management Permit Applications and/or Water Use Permit Applications, as incorporated by reference in Rule 40E-1.659, F.A.C.:~~

~~1. Part RC 1A Administrative Information for Surface Water Management Permit Applications and/or Water Use Permit Applications;~~

~~2. Part RC 1W Application for a Water Use Permit;~~

(b) through (d) renumbered (a) through (c) No change.

(2) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.229 FS. Law Implemented 373.106(1) FS. History--New 9-3-81, Formerly 16K-2.02(2), Amended 5-30-82, 8-14-03, _____.

40E-5.381 Limiting Conditions.

The ~~District Governing Board~~ shall impose on any permit granted under this chapter such reasonable standards and special permit conditions necessary to assure that the permitted activity is consistent with the overall objectives of the District, will not be harmful to the water resources of the District, is reasonable-beneficial, will not interfere with any presently existing legal uses, and is consistent with the public interest.

Specific Authority 373.044, 373.113 FS. Law Implemented [373.079](#), [373.083](#), 373.106(1), 373.219 FS. History--New 8-14-03, Amended _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-8.011	Purpose and General Provisions
40E-8.021	Definitions
40E-8.221	Minimum Flows and Levels (MFLs): Surface Waters
40E-8.321	Minimum Flows and Levels (MFLs): Surface Waters

40E-8.341 Minimum Flows and Levels (MFLs):
Surface Waters for Upper East
Coast Regional Planning Area

40E-8.421 Prevention and Recovery Strategies

PURPOSE AND EFFECT: To update the District's rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S. Specifically, the amendments update incorporation language in accordance with Section 120.55(1)(a)4. and 5., F.S.; add ePermitting as an option, which is consistent with other rules; update delegation pursuant to Sections 373.079(4) and Section 373.083(5), F.S.; correct typographical errors; and add acronym to title.

SUBJECT AREA TO BE ADDRESSED: Minimum Flows and Levels.

RULEMAKING AUTHORITY: 373.042, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS.

LAW IMPLEMENTED: 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Paulette Glebocki, Lead, Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, 1(800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, (800)432-2045, ext. 6299, or (561)682-6299

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-8.011 Purpose and General Provisions.

(1) through (3) No change.

(4) The recovery and prevention strategies set forth in Rule 40E-8.421, F.A.C., the consumptive use permitting procedures described in paragraph 40E-2.301(1)(i), Rule 40E-8.431, F.A.C., Section 3.9 of the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – ~~September 10, 2001;~~” incorporated by reference in Rules 40E-2.091 and 40E-20.091, F.A.C., the water shortage plan implementation provisions specified in Rules 40E-8.441, 40E-21.531, and 40E-21.541, and Part III of Chapter 40E-22, F.A.C., ~~September 10, 2001,~~ are inseparable components of the MFLs minimum flows and levels established in Rules 40E-8.321 and 40E-8.331, F.A.C.; ~~September 10, 2001.~~ The District would not have adopted the MFLs minimum flows and levels set forth in Rules 40E-8.321 and 40E-8.331, F.A.C., for Lake Okeechobee, the Everglades, the Biscayne Aquifer, the Lower West Coast Aquifers, and the Caloosahatchee River without simultaneously adopting their related implementation rules. If the rules cited above, as they pertain to a specified MFL water body, are found to be invalid, in whole or in part, such specified minimum flow(s) or level(s) in Rule 40E-8.321 or 40E-8.331, F.A.C., (including Lake Okeechobee, Everglades, Biscayne Aquifer, Lower West Coast Aquifers, Caloosahatchee River) (month, year) shall not be adopted, or if already in effect, shall not continue to be applied, until the District amends the applicable regional water supply plan(s), as necessary, and amends the subject rules, as necessary to address the reason for invalidity consistent with the requirements of Section 373.0421, F.S. This section shall be triggered after a rule is found to be invalid pursuant to a final order issued under Section 120.56, F.S., and after appellate review remedies have been exhausted.

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

(e) Establish MFLs Minimum Flows and Levels for other tributaries to the Northwest Fork of the Loxahatchee River including Loxahatchee Slough, Cypress Creek, Kitching Creek and Hobe Grove Ditch as committed to in the District’s Priority Water Body List, as updated.

Rulemaking Specific Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History–New 9-10-01, Amended 4-1-03, 1-19-06, _____.

40E-8.021 Definitions.

(1) through (15) No change.

~~(16)(17) MFL Minimum Flow and Level Exceedance~~ – means to fall below a minimum flow or level, which is established in Parts II and III of this chapter, for a duration greater than specified for the MFL water body.

~~(17)(18) MFL Minimum Flow and Level Violation~~ – means to fall below a minimum flow or minimum level, which is established in Parts II and III of this chapter, for a duration and frequency greater than specified for the MFL water body. Unless otherwise specified herein, in determining the frequency with which water flows and levels fall below an

established MFL for purposes of determining an MFL violation, a “year” means 365 days from the last day of the previous MFL exceedance.

~~(18)(20) MFL Water Body~~ – means any surface water, watercourse, or aquifer for which an MFL is established in Part II or III of this chapter.

~~(19)(46) Minimum Flow~~ – means a flow established by the District pursuant to Sections 373.042 and 373.0421, F.S., for a given water body and set forth in Parts II and III of this chapter, at which further withdrawals would be significantly harmful to the water resources or ecology of the area.

~~(20)(49) Minimum Level~~ – means the level of groundwater in an aquifer or the level of surface water established by the District pursuant to Sections 373.042 and 373.0421, F.S., in Parts II and III of this chapter, at which further withdrawals would be significantly harmful to the water resources of the area.

(21) Northwest Fork of the Loxahatchee River: Means those areas defined below:

(a) Northwest Fork of the Loxahatchee River that has been federally designated as Wild, Scenic and Recreational uses (as defined in the Loxahatchee River Wild and Scenic River Management Plan 2000) (see Map 1, incorporated herein), including the river channel that extends from river mile 6.0 (latitude 26.9856, longitude 80.1426) located near the eastern edge of Jonathan Dickinson State Park and continues upstream to the G-92 structure (latitude 26.91014, longitude 80.17578), including the ~~C-18 C-14~~ Canal. The river channel includes the physical water flow courses and adjacent floodplain up to the limits of the floodplain swamp and wetlands within Riverbend Park, as determined by state wetland delineation criteria;

(b) through (d) No change.

(22) through (31) No change.

Rulemaking Specific Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History–New 9-10-01, Amended 11-11-02, 4-1-03, 1-19-06, 12-12-06, _____.

40E-8.221 Minimum Flows and Levels (MFLs): Surface Waters.

(1) through (5) No change.

Rulemaking Specific Authority §§ 9, 10 P.L. 83-358, 373.042, 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History–New 9-10-01, Amended 4-1-03, 12-12-06.

40E-8.321 Minimum Flows and Levels (MFLs): Surface Waters.

No change.

Rulemaking Specific Authority 373.044, 373.113, 373.119, 373.129, 373.136, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History–New 9-10-01.

40E-8.341 Minimum Flows and Levels (MFLs): Surface Waters for Upper East Coast Regional Planning Area.

No change.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421 FS. History–New 11-11-02.

40E-8.421 Prevention and Recovery Strategies.

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

(c) The rules implementing water resource protection tools, including Chapters 40E-2, 40E-8, 40E-20, 40E-21, 40E-22, F.A.C., and the “Basis of Review for Consumptive Use Permits Within the South Florida Water Management District —April 23, 2007” incorporated by reference in Rules 40E-2.091 and 40E-20.091, F.A.C., identify the specific factors and conditions that will be applied and considered in implementing the conceptual model. Due to the extreme variations in water resource conditions, climatic conditions, hydrologic conditions, and economic considerations that will be faced when implementing these rules, it is critical to apply such criteria flexibly and to reserve for the governing board the ability to implement water resource protection and allocation programs considering all of the District’s missions under Chapter 373, F.S., and to balance water supply, flood protection, resource protection and water quality protection needs. Implementation of the recovery and prevention strategies will be achieved in compliance with the assurances to consumptive users and to natural systems contained in the LEC Plan and the LWC Plan.

(d) through (f) No change.

(2) through (5) No change.

(6) Northwest Fork of the Loxahatchee River Recovery Strategy: Purpose and Intent.

(a) The Northwest Fork of the Loxahatchee River is currently not meeting the MFL and requires implementation of a recovery strategy to achieve the MFL as soon as practicable, consistent with Section 373.0421, F.S. The recovery strategy consists of projects contained within the following approved plans: the Lower East Coast Regional Water Supply Plan (LEC Plan), the Comprehensive Everglades Restoration Plan (CERP), and the Northern Palm Beach County Comprehensive Water Management Plan (NPBCCWMP). Four phases of recovery are identified in the Technical Documentation to Support Development of Minimum Flows and Levels for the Northwest Fork of the Loxahatchee River, November 2002, which are projected to increase flows to meet the MFL for the Northwest Fork of the Loxahatchee River. As part of the recovery strategy, as provided in this rule, the consumptive use permitting and water shortage requirements in this Chapter and

Chapters 40E-2, 40E-20, 40E-21, F.A.C., and the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District —April 23, 2007” incorporated by reference in Rules 40E-2.091 and 40E-20.091, F.A.C., including Section 3.2.1.E. regarding Restricted Allocation Areas for Lower East Coast Everglades Waterbodies and North Palm Beach County/Loxahatchee River Watershed Waterbodies, shall apply to consumptive use direct and indirect withdrawals from surface and groundwater sources from the Northwest Fork of the Loxahatchee River and those areas directly tributary to the Northwest Fork.

(b) through (f) No change.

(g) As reservations are adopted to restore the Loxahatchee River beyond that to be achieved by the MFL, the District shall revise the MFL minimum flow and level and associated prevention and recovery strategy, as appropriate, under Sections 373.042 and 373.0421, F.S., to be consistent with the reservation.

(7) through (8) No change.

Rulemaking Specific Authority §§ 9, 10 P.L. 83-358, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.036, 373.0361, 373.042, 373.0421, 373.175, 373.216, 373.219, 373.223, 373.246 FS. History–New 9-10-01, Amended 11-11-02, 4-1-03, 1-19-06, 12-12-06, 4-23-07, 10-14-08, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-20.010	Review of General Water Use Permit Applications
40E-20.061	Delegation of Authority Pertaining to General Water Use Permits
40E-20.091	Publications Incorporated by Reference
40E-20.101	Content of General Water Use Permit Applications
40E-20.301	Conditions for Issuance of General Water Use Permits
40E-20.321	Duration of General Water Use Permits

PURPOSE AND EFFECT: To update the District’s rules to ensure that its rules are correct and comply with statutory requirements, in accordance with Section 120.74, F.S. Specifically, the amendments: 1) update references to repealed rules; 2) update titles of agency positions; 3) update rules to comply with Section 120.55(1)(a)5., regarding incorporation of materials by reference; and remove references to basin expiration dates that have passed.

In addition, the amendments update the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-2.091, F.A.C., as follows: 1) update references to repealed rules; 2) update delegation pursuant to Section 373.079(4) and (5), F.S.; 3) clarify types of permits; 4) correct typographical

errors; 5) delete sections regarding basin expiration dates; 6) update rules to reflect compliance reports should be submitted every 10 years rather than 5, in accordance with Section 373.236(3), F.S.; 7) change definition of “Xeriscape” to “Florida Friendly Landscaping” pursuant to Section 373.185, F.S.; 8) update name of map; 9) move Figure 3-4 and relabel Figures 3-5 and 3-6; 10) update rules to incorporate forms in accordance with Section 120.55(1)(a)4. and 5., F.S.; 11) add ePermitting option to be consistent with other rules; and 12) delete outdated contact information.

SUBJECT AREA TO BE ADDRESSED: General water use permits

RULEMAKING AUTHORITY: 120.54(5), 120.60, 373.044, 373.113, 373.118, 373.171 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 373.118, 373.042, 373.0421, 373.103, 373.118, 373.1501, 373.1502, 373.171, 373.219, 373.223, 373.229, 373.2295, 373.470 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (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: Paulette Glebocki, Lead, Hydrogeologist, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, pglebock@sfwmd.gov, (800)432-2045, ext. 6941, or (561)682-6941. For procedural questions contact Jan Sluth, Senior Paralegal, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, jsluth@sfwmd.gov, (800)432-2045, ext. 6299, or (561)682-6299

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-20.010 Review of General Water Use Permit Applications.

General Water Use permit applications are processed pursuant to the provisions of Section 120.60, F.S., ~~Part VI of and Chapters 40E-1, F.A.C., and 28-106 Chapter 28-107, F.A.C.~~

~~Rulemaking Specific Authority 120.54(5), 120.60 FS. Law Implemented 120.54(5), 120.60 FS. History–New 7-2-98, Amended 8-14-02, _____.~~

40E-20.061 Delegation of Authority Pertaining to General Water Use Permits.

The Governing Board delegates to the Executive Director the authority to issue general water use permits under this chapter pursuant to Section 373.118, F.S. The Executive Director hereby executes such delegated authority through the ~~Chief Director~~ and supervisors of the ~~Bureau Division~~ that reviews water use permit applications.

~~Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118 FS. History–New 8-14-02, Amended _____.~~

40E-20.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District —~~March 18, 2010,~~” ~~and associated forms incorporated by reference in paragraph 40E-2.091(1)(a), F.A.C., are applicable and referenced throughout this chapter is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.~~

~~Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.042, 373.0421, 373.103(4), 373.118, 373.171, 373.223, 373.229 FS. History–New 8-14-02, Amended 8-31-03, 4-23-07, 9-13-07, 2-13-08, 10-14-08, 7-2-09, 3-15-10, 3-18-10, _____.~~

40E-20.101 Content of General Water Use Permit Applications.

(1) Except in those circumstances detailed in subsection (4) below, an application for a General Water Use permit shall be filed with electronically at www.sfwmd.gov/ePermitting, or at the South Florida Water Management District Regulation Reception Desk, 3301 Gun Club Road, West Palm Beach, FL 33406, or at any of the District’s Service Centers. The addresses and phone numbers of the District’s Service Centers are online at www.sfwmd.gov. “Locations.” Water Use Permit Application, Form No. 0645-W-01, which is incorporated by reference in subsection 40E-2.101(1), F.A.C., shall be filed with the District prior to commencement of any use of water authorized in this chapter. The application for all General Water Use Permits shall contain: ~~with the District.~~

(a) through (d) No change.

(2) Applicants for a ~~Standard~~ General Water Use Permit under subsection 40E-20.302(1), F.A.C., shall submit Form No. 0645-W01, Water Use Permit Application, _____ (date) _____ (hyperlink), and shall include the following forms, if applicable:

(a) Form No. 0645-G60, Table A Description of Wells, _____ (date) _____ (hyperlink), for permits with wells;

(b) Form No. 0645-G61-1, Table B Description of Surface Water Pumps, (date), (hyperlink), for permits with pumps;

(c) Form No. 0645-G61-2, Table C Description of Culverts, (date), (hyperlink), for permits with irrigation culverts;

(d) Form No. 0645-G65, Table D Crop Information, (date), (hyperlink), for agricultural permits;

(e) Form No. 0645-G74, Table E Water Received From or Distributed to Other Entities, (date), (hyperlink), (2)for public water supply permits;

(f) Form No. 0645-G69, Table F Past Water Use & Table G Projected Water Use, (date), (hyperlink), for public water supply permits;

(g) Form No. 0645-G70, Table H Projected Water Use, (date), (hyperlink), for public water supply permits;

(h) Form No. 0645-G71, Table I Water Treatment Method and Losses, (date), (hyperlink), for public water supply permits;

(i) Form No. 0645-G72, Table J Aquifer Storage and Recovery, (date), (hyperlink), for public water supply permits; and

(j) Form No. 0645-G73, Table K Water Supply System Interconnections, (date), (hyperlink), for public water supply permits.

~~file the following parts of Form 0645—Water Use Permit Applications, as incorporated by reference in Rule 40E-1.659, F.A.C.~~

~~(a) Part RC-1A Administrative Information for Water Use Permit Applications, and~~

~~(b) Part RC-1W Application for a Water Use permit (all Standard General Water Use Permits) or Part RC-1G Application for a General Water Use Permit (Standard General Water Use Permits with recommended maximum allocations < 3 million gallons per month).~~

(3) Applicants for a Dewatering Water Use General Permit under subsection 40E-20.302(2), F.A.C. shall electronically file or file with the District Form 0445, (date), (hyperlink), Mining/Dewatering Permit Application (RC-1A, RC-1W, RC-1G), incorporated by reference herein in Rule 40E-1.659, F.A.C.

(4) Applicants are not required to file an application to qualify for a No-Notice Short-Term Dewatering Permit, if the conditions of Rule 40E-20.301 and subsection 40E-20.302(3), F.A.C., are satisfied.

(5) Copies of the forms referenced above are available at no cost by contacting the South Florida Water Management District Clerk's Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436, or (561)682-6436.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103(1), 373.219, 373.223, 373.229 FS. History—New 8-14-02, Amended 8-31-03(2), 8-31-03(3),_____.

40E-20.301 Conditions for Issuance of General Water Use Permits.

(1)(a) through (h) No change.

(i) Is in accordance with the established minimum flows and levels (MFL) and implementation provisions in Chapter 373, F.S., Chapters 40E-2 and 40E-8, F.A.C.; and

(j) through (k) No change.

(2) No change.

Rulemaking Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.036, 373.042, 373.103(4), 373.1501, 373.1502, 373.223, 373.229, 373.2295, 373.470 FS. History—New 8-14-02, Amended 8-31-03, 4-23-07, 2-13-08, 7-2-09,_____.

40E-20.321 Duration of General Water Use Permits.

(1) No change.

(2) The duration of the general water use permit authorized in subsection 40E-20.302(1), F.A.C., shall not exceed the following time periods:

(a) No change.

(b) For uses with a maximum monthly allocation greater than 3 mgm (up to 15 mgm), authorized by a Major Standard General Water Use Permit, ~~the period shall not exceed the basin expiration date as specified in the document described in Rule 40E-20.091, F.A.C., as applicable to the location of the project; or, for Major Standard General Water Use Permits issued, renewed or modified after the applicable basin expiration date,~~ the period shall be based on the provisions in Rule 40E-2.321, F.A.C., and the applicable provisions in the “Basis of Review for Water Use Permit Applications within the South Florida Water Management District”, incorporated by reference in Rule 40E-20.091, F.A.C.

(3) through (6) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.118, 373.236 FS. History—New 9-3-81, Formerly 16K-2.031(2)(j), 16K-2.032(2)(d), Amended 7-26-87, 4-20-94, 8-14-02, 8-31-03, 4-23-07, 2-13-08,_____.

DEPARTMENT OF MANAGEMENT SERVICES

E911 Board

RULE NO.: RULE TITLE:

60FF1-5.003 E911 State Grant Programs

PURPOSE AND EFFECT: The Board proposes a substantial rewrite of the rule to modify W Form 3A, “Application for the E911 State Grant Program” and to update the procedures for applying for the state grant program.

SUBJECT AREA TO BE ADDRESSED: E911state grant programs.

RULEMAKING AUTHORITY: 365.172(6)(a)11. FS.

LAW IMPLEMENTED: 365.172(6)(a)3.b., 365.173(2)(i), 365.172(9)(a), (b), (c) 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: Christopher Campbell, Director, Division of Telecommunications, Designee of Secretary for the Department of Management Services, E911 Board, 4030 Esplanade Way, Suite 160, Tallahassee, Florida 32399-0950

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-11.002 RULE TITLE: Examination and Licensure

PURPOSE AND EFFECT: To calibrate the examination application period and the validity period of the score of the Laws and Rules Examination referenced in subsection (5) of this rule.

SUBJECT AREA TO BE ADDRESSED: Examination and Licensure.

RULEMAKING AUTHORITY: 455.217, 474.206, 474.2065, 474.207 FS.

LAW IMPLEMENTED: 455.217, 474.2065, 474.207 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NOS.:	RULE TITLES:
61G18-15.0022	Minimum Standards for Permanent Locations Where Agricultural Veterinary Medicine Is Practiced
61G18-15.0025	Minimum Standards for a Mobile Veterinary Practice for Agricultural Animals

PURPOSE AND EFFECT: Rule 61G18-15.0022, F.A.C.: To ensure that expired drugs are not comingled with current drugs in order to avoid the unintentional administration of said expired product. Rule 61G18-15.0025, F.A.C.: To ensure that practitioners are able to euthanize an animal without unnecessary delay in order to humanely reduce suffering in accordance with minimally accepted practices in the industry and to ensure that expired drugs are not comingled with current drugs in order to avoid the unintentional administration of said expired product.

SUBJECT AREA TO BE ADDRESSED: Veterinary Medicine is Practiced.

RULEMAKING AUTHORITY: 474.206, 474.215(6) FS.

LAW IMPLEMENTED: 474.215(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: 61G18-18.002 RULE TITLE: Maintenance of Medical Records

PURPOSE AND EFFECT: To more clearly establish the appropriate amount of time within which medical records shall be created and to make more specific the content of said records.

SUBJECT AREA TO BE ADDRESSED: Medical Records.

RULEMAKING AUTHORITY: 474.206, 474.216 FS.

LAW IMPLEMENTED: 474.216 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-1.016 Review of Fees

PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule change affects rule provisions relating to review of fees.

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 455.219, 475.125 FS.

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

DATE AND TIME: Tuesday, June 19, 2012, 8:30 a.m. or as soonest thereafter as possible

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. If you are 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: Deputy Clerk of the Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-2.027 Applications by Individuals

PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule change affects rule provisions relating to applications by individuals.

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.17, 475.175, 475.451 FS.

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

DATE AND TIME: Tuesday, June 19, 2012, 8:30 a.m. or as soonest thereafter as possible

PLACE: Division of Real Estate; Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate, (407)481-5662. If you are 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: Deputy Clerk of the Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-14.008 Definitions

PURPOSE AND EFFECT: The purpose of the proposed rule is to bring the rule into compliance with statutory changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule change affects rule provisions relating to definitions.

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.25(1)(k) FS.

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

DATE AND TIME: Tuesday, June 19, 2012, 8:30 a.m. or as soonest thereafter as possible

PLACE: Division of Real Estate, Conference Room N901, North Tower, 400 West Robinson Street, Orlando, Florida 32801

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate – (407)481-5662. If you are 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: Deputy Clerk of the Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-28.108 RULE TITLE: All Permits – Labels and Labeling of Medicinal Drugs

PURPOSE AND EFFECT: The Board proposes the rule amendment to update label requirements.

SUBJECT AREA TO BE ADDRESSED: All Permits – Labels and Labeling of Medicinal Drugs.

RULEMAKING AUTHORITY: 465.005, 465.022 FS.

LAW IMPLEMENTED: 465.022(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mark Whitten, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-2.001 RULE TITLE: Fees for Application, Re-Application and Initial Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the application and to remove the \$25 Laws and Rules application fee.

SUBJECT AREA TO BE ADDRESSED: Fees for Application, Re-Application and Initial Licensure.

RULEMAKING AUTHORITY: 486.025, 486.041(1), 486.081(2) FS.

LAW IMPLEMENTED: 456.013, 456.065, 486.041, 486.061, 486.081, 486.103, 486.106, 486.107 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-3.001 RULE TITLE: Licensure as a Physical Therapist by Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the application and to remove the \$25 Laws and Rules application fee.

SUBJECT AREA TO BE ADDRESSED: Licensure as a Physical Therapist by Examination.

RULEMAKING AUTHORITY: 486.025(1), 486.031(3) FS.

LAW IMPLEMENTED: 456.017, 486.031, 486.051 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-3.003 RULE TITLE: Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the application and to remove the \$25 Laws and Rules application fee.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement.

RULEMAKING AUTHORITY: 486.025, 486.081 FS.

LAW IMPLEMENTED: 486.031, 486.051 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-4.001 RULE TITLE: Licensure as a Physical Therapist Assistant by Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the application and to remove the \$25 Laws and Rules application fee.

SUBJECT AREA TO BE ADDRESSED: Licensure as a Physical Therapist Assistant by Examination.

RULEMAKING AUTHORITY: 486.025, 486.012 FS.

LAW IMPLEMENTED: 456.017, 486.102(3), 486.104 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-4.002 RULE TITLE: Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Laws and Rules Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the application and to remove the \$25 Laws and Rules application fee.

SUBJECT AREA TO BE ADDRESSED: Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Laws and Rules Examination.

RULEMAKING AUTHORITY: 456.017(1)(b), 486.025, 486.104 FS.

LAW IMPLEMENTED: 456.017, 486.104 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-4.003 RULE TITLE: Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the application and to remove the \$25 Laws and Rules application fee.

SUBJECT AREA TO BE ADDRESSED: Licensure by Endorsement.

RULEMAKING AUTHORITY: 486.025, 486.107(1) FS.

LAW IMPLEMENTED: 486.107(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 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 Physical Therapy Practice

RULE NO.: 64B17-6.001 RULE TITLE: Minimum Standards of Physical Therapy Practice

PURPOSE AND EFFECT: The Board proposes the rule amendment to update General Supervision of Physical Therapist Assistants.

SUBJECT AREA TO BE ADDRESSED: Updating language for General Supervision of Physical Therapist Assistants.

RULEMAKING AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 483.021(6), (9), (10), (11), 486.123, 486.125(1)(b), (d), (e), (f), (i), (j), 486.135, 486.151(1)(d), 486.161(3), 486.171 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-6.002 RULE TITLE: General Supervision of Physical Therapist Assistants; Eligibility; Requirements

PURPOSE AND EFFECT: The Board proposed to update General Supervision of Physical Therapist Assistants

SUBJECT AREA TO BE ADDRESSED: Updating language for General Supervision of Physical Therapist Assistants.

RULEMAKING AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 486.021(6), (9), 486.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice/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 Physical Therapy Practice

RULE NO.: 64B17-7.0027 RULE TITLE: Procedure for Compliance with Board Ordered Laws and Rules Exam

PURPOSE AND EFFECT: The Board proposes the rule amendment to update the application and to remove the \$25 Laws and Rules application fee.

SUBJECT AREA TO BE ADDRESSED: Updating application.

RULEMAKING AUTHORITY: 456.036, 456.072, 456.079, 486.025 FS.

LAW IMPLEMENTED: 456.072, 456.073, 456.079, 486.125 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-9.001 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide continuing education credit for clinical instructors and to update the hours for the Laws and Rules Exam.

SUBJECT AREA TO BE ADDRESSED: Continuing Education.

RULEMAKING AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.013(6), 486.109(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, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

RULE NO.: RULE TITLE:
73B-21.003 Filing an Appeal

PURPOSE AND EFFECT: The Department is proposing to amend the rule to clarify that appeals may only be filed by person’s adversely impacted by the decision of the appeals referee; that decisions may be made available by mail, by delivery through a Department-approved electronic system or by other delivery to a party and the date of delivery starts the appeal period. The rule is amended to address how an appeal may be filed with the Commission and to clarify how the date of receipt of an appeal will be determined by the Commission for each method of filing.

SUBJECT AREA TO BE ADDRESSED: Filing an Appeal.

RULEMAKING AUTHORITY: 443.012(11), 443.151(4)(d) FS.

LAW IMPLEMENTED: 443.151(4)(d) 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: Dorothy Johnson, Deputy General Counsel, Office of the Unemployment Appeals Commission, 101 Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida 32399-4151, (850)487-2685

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

73B-21.003 Filing an Appeal.

(1) Any person who is entitled by law to notice of an appeals referee’s decision and is adversely impacted by that decision may file an appeal of that decision within 20 calendar days after the ~~mailing of~~ notice of the appeals referee’s decision is mailed to the parties at their last known addresses or made available electronically through a Department-approved electronic account, or, in the absence of mailing or electronic delivery, the date of other delivery to the appellant, if not mailed, within 20 calendar days after the date of delivery of such notice.

(2) ~~The appeal shall be filed by mail to any appeal location designated in subsection 73B-21.002(1), F.A.C.; by facsimile transmission of the appeal document to any appeal location designated in paragraphs 73B-21.002(1)(a), (b), and (c),~~

~~F.A.C.; or by hand delivery of the appeal document to any appeal location designated in paragraphs 73B-21.002(1)(a), (b), and (d), F.A.C.~~

(2)(3) Appeals filed by mail ~~are shall be considered to have been~~ filed when postmarked by the United States Postal Service. Appeals filed by hand delivery, courier service, or facsimile ~~are shall be considered to have been~~ filed when date stamped received at the authorized location. Appeals filed through the Department web site as provided in Rule 73B-21.002, F.A.C., shall be considered to have been filed on the date the confirmation number is issued.

(3)(4) ~~Upon receipt of An~~ appeal delivered in person or by facsimile transmission will be date stamped by a ~~the~~ Commission or Department of Economic Opportunity, ~~or Office of Appeals~~ employee on the date hand delivered or the date placed on the document by the Department or Commission fax system shall record the date of receipt on the appeal document. The Internet filing system shall post on the appeal the date the confirmation number is issued and the appeal was successfully received by the system.

~~Rulemaking Specific~~ Authority 443.012(11), 443.151(4)(b), (d) FS. Law Implemented 443.151(4)(b), (d) FS. History–New 5-22-80, Formerly 38E-2.03, Amended 8-20-86, 1-5-93, 8-7-01, Formerly 38E-2.003, 60BB-6.003, Amended _____.

**Section II
Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Aquaculture

RULE NO.: RULE TITLE:
5L-1.003 Shellfish Harvesting Area Standards

PURPOSE AND EFFECT: These amendments propose to reclassify the West Bay, Alligator Harbor, Myakka River and South Volusia shellfish harvesting areas. Results of sanitary surveys, which evaluated current information on pollution sources and bacteriological water quality, recommended reclassification of the West Bay, Alligator Harbor, Myakka River and South Volusia shellfish harvesting areas. This amendment further proposes to make a minor change to the boundary of three shellfish areas. The effect would be to increase the acres available to shell fishing and to decrease the number of days the areas would be closed statewide.

SUMMARY: The proposed reclassification of the West Bay shellfish harvesting areas will: increase the size of Conditionally Approved area #0822 by 5,758 acres, from 11,987 acres to 17,745 acres; eliminate the Conditionally Approved area #0812, decreasing the size by 13,835 acres, from 13,835 acres to 0 acres; eliminate the Conditionally

Restricted area #0806, decreasing the size by 3,078 acres, from 3,078 acres to 0 acres; and decrease the size of the Prohibited area by 2,799 acres, from 7,075 acres to 4,276 acres.

The current management of the West Bay shellfish harvesting area is based on local rainfall. Proposed management of the West Bay shellfish harvesting area is based on local rainfall. The average closure frequency of Conditionally Approved area #0822 is expected to decrease 4.6 days per month from 7.2 days per month to 2.6 days per month.

The proposed reclassification of the Alligator Harbor shellfish harvesting areas will establish an Approved area #1802 (3,249 acres) from the existing Conditionally Approved area #1802 (3,249 acres), but will not change the size of the Prohibited area (570 acres). The current management of the Alligator Harbor shellfish harvesting area is based on local rainfall levels. Proposed management of the Alligator Harbor shellfish harvesting area is based on local rainfall levels. The average closure frequency of Approved area #1802 is expected to decrease 0.2 days per month from 0.2 days per month to 0.0 days per month.

The proposed reclassification of the Myakka River shellfish harvesting areas will: decrease the size of Conditionally Approved area #6002 by 466 acres, from 4,269 acres to 3,803 acres; increase the size of Conditionally Restricted area #6006 by 368 acres, from 2,952 acres to 3,320 acres; increase the size of the Prohibited area by 99 acres, from 1,760 acres to 1,859 acres.

The current management of the Myakka River shellfish harvesting area is based on local rainfall and/or river levels. Proposed management of the Myakka River shellfish harvesting area is based on local river levels. The average closure frequency of Conditionally Approved area #6002 is expected to increase 0.2 days per month from 2.0 days per month to 2.2 days per month.

The proposed reclassification of the South Volusia shellfish harvesting areas will: increase the size of Approved area #8201 by 63 acres, from 7,589 acres to 7,652 acres; increase the size of the Conditionally Approved area #8212 by 19 acres, from 1,605 acres to 1,624 acres; decrease the size of the Conditionally Approved area #8222 by 203 acres from 6,186 acres to 5,983 acres; decrease the size of the Conditionally Restricted area #8206 by 532 acres from 1,197 acres to 665 acres; and decrease the size of the Prohibited area by 45 acres, from 1,342 acres to 1,297 acres. With the exception of changes to acreages in #8212 and #8206 which are due to improving water quality, all changes to the South Volusia shellfish harvesting area are due to new accurate mapping technologies.

The current management of the South Volusia shellfish harvesting areas is based on local rainfall. Proposed management of the South Volusia shellfish harvesting areas is based on local rainfall. The average closure frequency of Conditionally Approved area #8212 is expected to decrease 3 days per month from 5.1 days per month to 2.1 days per month.

The average closure frequency of Conditionally Approved area #8222 is expected to decrease 0.8 days per month from 1 day per month to 0.2 days per month. These amendments propose to refine the boundary line of shellfish areas 1601, 1642 and 1605 to reflect current conditions.

These amendments place descriptions, references to shellfish harvesting area map numbers and operating criteria for the West Bay shellfish harvesting area #08, Alligator Harbor shellfish harvesting area #18, Myakka River shellfish harvesting area #60 and the South Volusia shellfish harvesting area #82 in the document Shellfish Harvesting Area Classification Boundaries and Management Plans. These amendments place descriptions and references to shellfish harvesting area map numbers for the Apalachicola Bay System shellfish harvesting area #16. These documents are incorporated in subsection 5L-1.003(1), F.A.C.

Additionally, these amendments provide illustrations of the West Bay shellfish harvesting area classification boundaries in shellfish harvesting area maps #08, illustrations of Apalachicola shellfish harvesting area classification boundaries in shellfish harvesting area maps #16, illustrations of Alligator Harbor shellfish harvesting area classification boundaries in shellfish harvesting area maps #18, illustrations of the Myakka River shellfish harvesting area classification boundaries in the shellfish harvesting area map #60, and illustrations of the South Volusia shellfish harvesting area classification boundaries in shellfish harvesting area maps #82. These maps are incorporated by reference in subsection 5L-1.003(1), F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's analysis of the economic impact of the rule did not trigger any of the requirements in Section 120.541(1), Florida Statutes, for preparing a Statement of Economic Regulatory Costs (SERC). As part of this analysis, the Department relied upon its data base of commercial oyster landings and knowledge of the shellfish harvesting areas.

For example, the proposed amendments improve existing management plans for the benefit of commercial and recreational harvesters while protecting public health. In the Myakka River harvest area, the slight reduction in harvest area is a required action of the Agency to protect public health due to changes in water quality. However, the Department's review

of commercial landings and commercial harvest data indicates the reduced area will have little to any effect because zero commercial landings of oysters occurred in the harvest area and very small (201 pounds) commercial landings of clams ceased in 2003 and have been zero ever since.

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: 597.020 FS.

LAW IMPLEMENTED: 597.020 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, Suite 501, Tallahassee, Florida 32301, Phone: (850)488-4033. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Chris Brooks, Division of Aquaculture, 1203 Governor’s Square Boulevard, Suite 501, Tallahassee, Florida 32301, Phone: (850)488-4033

THE FULL TEXT OF THE PROPOSED RULE IS:

5L-1.003 Shellfish Harvesting Area Standards.

(1) The Department shall describe and/or illustrate harvesting areas and provide harvesting area classifications as approved, conditionally approved, restricted, conditionally restricted, prohibited, or unclassified as defined herein, including criteria for opening and closing shellfish harvesting areas in accordance with Chapters II and IV of the National Shellfish Sanitation Program Model Ordinance. Copies of the document Shellfish Harvesting Area Classification Maps, DACS-P-01773, Revised February 2012 February 9, 2011, and the document Shellfish Harvesting Area Classification Boundaries and Management subsection 5L-1.003(1), F.A.C.t Plans, DACS-P-01593, Revised February 2012 February 9, 2011, containing shellfish harvesting area descriptions, references to shellfish harvesting area map numbers, and operating criteria are hereby herein incorporated by reference may be obtained by writing to the Department at 1203 Governor’s Square Boulevard, 5th Floor, Tallahassee, Florida 32301 or online as indicated are available at.

(a) Shellfish Harvesting Area Classification Maps, DACS-P-01593 (Rev. February 2012) – http://flrules.org/Gateway/reference.

(b) Shellfish Harvesting Area Classification Boundaries and Management Plans, DACS-P-01593 (Rev. February 2012) – http://flrules.org/Gateway/reference.

(2) through (10) No change.

(11) Shellfish harvesting area numbers are as follows:

AREA NUMBER	HARVEST AREA NAME
0212	Pensacola Bay Conditionally Approved Escambia Bay Shellfish Aquaculture Lease Areas managed during the Summer months of Jul – Sep
0222	Pensacola Bay Conditionally Approved Escambia Bay
0232	Pensacola Bay Conditionally Approved East Bay
0216	Pensacola Bay Conditionally Restricted Escambia Bay
0226	Pensacola Bay Conditionally Restricted East Bay
0622	Choctawhatchee Bay Conditionally Approved Central
0632	Choctawhatchee Bay Conditionally Approved Eastern
0806	West Bay Conditionally Restricted Spring/Fall Apr – Jun, Oct – Nov
0812	West Bay Conditionally Approved Winter Dec – Mar
0822	West Bay Conditionally Approved Spring/Fall Apr – Jun, Oct Nov – Jun
1012	North Bay Conditionally Approved Western
1022	North Bay Conditionally Approved Eastern
1006	North Bay Conditionally Restricted Eastern
1206	East Bay Conditionally Restricted
1212	East Bay Conditionally Approved Section 1
1222	East Bay Conditionally Approved Section 2
1401	St. Joe Bay Approved
1506	Indian Lagoon Conditionally Restricted
1512	Indian Lagoon Conditionally Approved Spring/Fall Mar – Jun, Oct
1542	Indian Lagoon Conditionally Approved Zone A Winter Nov – Feb
1552	Indian Lagoon Conditionally Approved Zone B Winter Nov – Feb
1572	Indian Lagoon Conditionally Approved Summer Jul – Sep
1611	Apalachicola Bay Approved Jan - May, Sept – Dec
1601	Apalachicola Bay Approved Jan - May, Sept – Dec
1621	Apalachicola Bay Approved June – Aug
1631	Apalachicola Bay Approved, Shellfish lease numbers 525, 551, 551B, 580, 582, 609, 672, and 981 Summer June – Aug
1612	Apalachicola Bay Conditionally Approved Jan – May, Sept – Dec
1622	Apalachicola Bay Conditionally Approved Jan – May, Sept – Dec
1632	Apalachicola Bay Conditionally Approved Jan – May, Sept – Dec
1641	Apalachicola Bay Approved Jun-Aug
1642	Apalachicola Bay Conditionally Approved Jan – May, Sept – Dec
1652	Apalachicola Bay Conditionally Approved June – Aug
1662	Apalachicola Bay Conditionally Approved June – Aug
1605	Apalachicola Bay Restricted Zone A, Zone B and Zone C
18021	Alligator Harbor Conditionally-Approved
2002	Ochlockonee Bay Conditionally Approved
2006	Ochlockonee Bay Conditionally Restricted
2206	Wakulla County Conditionally Restricted
2212	Wakulla County Conditionally Approved Zone 1 Winter
2222	Wakulla County Conditionally Approved Zone 2 Winter
2232	Wakulla County Conditionally Approved Zone 1 Spring
2242	Wakulla County Conditionally Approved Zone 2 Spring

2302 St. Marks Conditionally Approved
 2303 St. Marks Prohibited
 2501 Horseshoe Beach Approved Summer Apr – Sep
 2502 Horseshoe Beach Conditionally Approved Winter Oct – Mar
 2506 Horseshoe Beach Conditionally Restricted Winter Oct – Mar
 2802 Suwannee Sound Conditionally Approved Spring Summer Feb-May and Sept or Suwannee Sound Conditionally Approved Winter Oct-Jan
 2806 Suwannee Sound Conditionally Restricted Spring Summer Feb-May and Sept or Suwannee Sound Conditionally Restricted Winter Oct-Jan
 3012 Cedar Key Conditionally Approved Zone A
 3022 Cedar Key Conditionally Approved Zone B
 3006 Cedar Key Conditionally Restricted
 3202 Waccasassa Bay Conditionally Approved
 3206 Waccasassa Bay Conditionally Restricted
 3402 Withlacoochee Bay Conditionally Approved
 3406 Withlacoochee Bay Conditionally Restricted
 3701 Citrus County Approved Spring / Fall Mar. – June and Oct.
 3702 Citrus County Conditionally Approved Winter Nov. – Feb.
 3705 Citrus County Restricted Spring / Fall Mar. – June and Oct.
 3706 Citrus County Conditionally Restricted Winter Nov. – Feb.
 4202 Boca Ciega Bay Conditionally Approved
 4802 Lower Tampa Bay Conditionally Approved
 5402 Sarasota Bay Conditionally Approved
 5602 Lemon Bay Conditionally Approved
 5802 Dan Leonard Gasparilla Sound Conditionally Approved
 6002 Myakka River Conditionally Approved
 6006 Myakka River Conditionally Restricted
 6212 Pine Island Sound Conditionally Approved Western Section
 6222 Pine Island Sound Conditionally Approved Eastern Section
 6602 Ten Thousand Islands Conditionally Approved
 7001 Indian River/St. Lucie Approved
 7006 Indian River/St. Lucie Restricted
 7202 North Indian River Conditionally Approved
 7206 North Indian River Conditionally Restricted
 7412 Body F Conditionally Approved
 7416 Body F Conditionally Restricted
 7506 Body E Conditionally Restricted
 7602 Body D Conditionally Approved
 7606 Body D Conditionally Restricted
 7712 Body C Conditionally Approved Zone 1 Spring/Summer/Fall Mar – Nov
 7722 Body C Conditionally Approved Zone 2 Spring/Summer/Fall Mar – Nov
 7732 Body C Conditionally Approved Winter Dec – Feb
 7716 Body C Conditionally Restricted Winter Dec – Feb
 7726 Body C Conditionally Restricted Spring/Summer/Fall Mar – Nov
 7812 Body B Conditionally Approved Zone 1
 7822 Body B Conditionally Approved Zone 2
 7902 South Banana River Conditionally Approved
 7906 South Banana River Conditionally Restricted
 8001 Body A Approved
 8005 Body A Restricted
 8201 South Volusia Approved
 8212 South Volusia Conditionally Approved Zone 1

8222 South Volusia Conditionally Approved Zone 2
 8206 South Volusia Conditionally Restricted
 8802 St. Johns South Conditionally Approved
 8806 St. Johns South Conditionally Restricted
 9202 St. Johns North Conditionally Approved
 9206 St. Johns North Conditionally Restricted

Rulemaking Authority 597.020 FS. Law Implemented 597.020 FS. History–New 1-4-87, Amended 8-10-88, 7-9-89, 12-23-91, Formerly 16R-7.004, Amended 7-3-95, 6-18-97, 7-1-97, 7-22-97, 10-12-97, 12-16-97, 12-28-97, 2-12-98, 2-25-98, 7-1-98, 7-20-98, 11-13-98, 12-28-98, 3-18-99, 7-1-99, Formerly 62R-7.004, Amended 6-19-00, 8-9-00, 10-14-01 (1), 10-14-01 (1), 8-17-04, 9-28-04, 9-5-05, 6-11-06, 3-11-07, 10-2-07, 4-14-08, 7-28-08, 5-5-09, 6-18-09, 12-28-09, 2-9-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Leslie Palmer, Director, Division of Aquaculture
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Adam H. Putnam, Commissioner, Department of Agriculture and Consumer Services
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 26, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

PUBLIC SERVICE COMMISSION

RULE NO.: 25-6.097
 RULE TITLE: Customer Deposits
 PURPOSE AND EFFECT: The interest rate applied to customer deposits of electric utilities would be changed to a minimum interest rate of 2 percent per annum, and 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months.
 Docket No. 120125-PU
 SUMMARY: The current interest rates required on customer deposits are higher than justified by current credit and capital markets. The minimum interest rate is changed to 2 percent per annum, and to 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months. Currently, the minimum interest rates are set at 6 percent and 7 percent per annum, respectively. The utilities must apply the revised interest rates within 45 days of the effective date of the rule.
 SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:
 The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

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: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 366.03, 366.041(1), 366.05(1), 366.06(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-6.097 Customer Deposits.

(1) through (3) No change.

(4) Interest on deposits.

(a) Each electric utility which requires deposits to be made by its customers shall pay a minimum interest on such deposits of 2 6 percent per annum. The utility shall pay an interest rate of 3 7 percent per annum on deposits of nonresidential customers qualifying under subsection (2) when the utility elects not to refund such deposit after 23 months. Such interest rates shall be applied within 45 days of the effective date of the rule.

(b) through (7) No change.

Rulemaking Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.041(1), 366.05(1), 366.06(1) FS. History—New 7-29-69, Amended 5-9-76, 7-8-79, 6-10-80, 10-17-83, 1-31-84, Formerly 25-6.97, Amended 10-13-88, 4-25-94, 3-14-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark Cicchetti

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 22, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol, 38, No. 5, February 3, 2012

PUBLIC SERVICE COMMISSION

RULE NO.: 25-7.083
 RULE TITLE: Customer Deposits

PURPOSE AND EFFECT: The interest rate applied to customer deposits of gas utilities would be changed to a minimum interest rate of 2 percent per annum, and 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months.

Docket No. 120125-PU

SUMMARY: The current interest rates required on customer deposits are higher than justified by current credit and capital markets. The minimum interest rate is changed to 2 percent per annum, and to 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months. Currently, the minimum interest rates are set at 6 percent and 7 percent per annum, respectively. The utilities must apply the revised interest rates within 45 days of the effective date of the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon information contained in the SERC.

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: 350.127(2), 66.05(1) FS.

LAW IMPLEMENTED: 366.03, 366.04(1), 366.05(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-7.083 Customer Deposits.

(1) through (4) No change.

(5) Interest on deposits.

(a) Each gas utility which requests deposits to be made by its customers shall pay a minimum interest on such deposits of 2 6 percent per annum. The utility shall pay a minimum

interest rate of 3 7 percent per annum on deposits of nonresidential customers qualifying under subsection (6) below when the utility elects not to refund such a deposit after 23 months. Such interest rates shall be applied within 45 days of the effective date of the rule.

(b) through (7) No change

Rulemaking Specific Authority 366.05(1), 350.127(2) FS. Law Implemented 366.03, 366.05(1) FS. History—Repromulgated 1-8-75, Amended 6-15-76, 6-10-80, 1-31-84, Formerly 25-7.83, Amended 10-13-88, 4-25-94, 3-14-99,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Cicchetti

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 22, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 38, No. 5, February 3, 2012

PUBLIC SERVICE COMMISSION

RULE NO.: RULE TITLE:
25-30.311 Customer Deposits

PURPOSE AND EFFECT: The interest rate applied to customer deposits of water/wastewater utilities would be changed to a minimum interest rate of 2 percent per annum, and 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months.

Docket No. 120125-PU

SUMMARY: The current interest rates required on customer deposits are higher than justified by current credit and capital markets. The minimum interest rate is changed to 2 percent per annum, and to 3 percent per annum for non-residential customers when the utility elects not to refund such a deposit after 23 months. Currently, the minimum interest rates are set at 6 percent and 7 percent per annum, respectively. The utilities must apply the revised interest rates within 45 days of the effective date of the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: based upon the information contained in the SERC.

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: 350.127(2), 367.121 FS.

LAW IMPLEMENTED: 367.081, 367.111, 367.121 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: Cindy Miller, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6082, cmiller@psc.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

25-30.311 Customer Deposits.

(1) through (3) No change.

(4) Interest on deposit.

(a) Each public utility which requires deposits to be made by its customers shall pay a minimum interest on such deposits of 2 6 percent per annum. The utility shall pay an interest rate of 3 7 percent per annum on deposits of nonresidential customers qualifying under subsection (5) below when the utility elects not to refund such a deposit after 23 months. Such interest rates shall be applied within 45 days of the effective date of the rule.

(b) through (7) No change.

Rulemaking Specific Authority 367.121, 350.127(2) FS. Law Implemented 367.081, 367.111, 367.121 FS. History—Amended 6-1-63, 4-1-69, 9-12-74, 6-10-80, 1-31-84, Formerly 25-10.72, 25-10.072, Amended 10-13-88, 4-25-94,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Cicchetti

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Public Service Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 22, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 38, No. 5, February 3, 2012

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-208.001 Personnel – General

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to update organizational chart titles for community corrections staff.

SUMMARY: The rulemaking updates organizational chart titles.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the proposed rule only changes organizational titles and will have no adverse regulatory or economic impact requiring legislative ratification.

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: 20.315, 944.09 FS.

LAW IMPLEMENTED: 790.001(8), 944.09, 944.14 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: Laura Gallagher, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-208.001 Personnel – General.

(1) Designation as Law Enforcement Officers.

(a) The following officers and employees of the Department of Corrections are designated as law enforcement officers: Secretary; Deputy Secretary; Assistant Secretary of Community Corrections; Assistant Secretary of Institutions; Deputy Assistant Secretary of Institutions; Regional Directors; Correctional Security Administrator; wardens of all institutions and community facilities; the staff of all institutions and community facilities, including road prisons, vocational centers, community correctional centers, women’s adjustment centers and probation and restitution centers, excluding clerical and secretarial employees; Community Corrections Probation and Parole Regional Directors Administrators; Circuit Correctional Probation Administrators, Supervisors and Officers; Inspector General; Deputy Inspector General; and Correctional Inspectors.

(b) through (5) No change.

Rulemaking Specific Authority 20.315, 944.09 FS. Law Implemented 790.001(8), 944.09, 944.14 FS. History–New 10-8-76, Amended 2-17-77, Formerly 33-4.01, Amended 7-12-86, 6-13-88, Formerly 33-4.001, Amended_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Glory Parton, Director of Human Resources

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-401.105 RULE TITLE: Refusal of Health Care Services

PURPOSE AND EFFECT: The definition of “provider” is amended to include psychologists among the list of clinicians authorized to sign Form DC4-711A, Refusal of Health Care Services, before the form is entered into the inmate’s medical record.

SUMMARY: The rule is amended to add psychologists to the list of clinicians who are authorized to sign Form DC4-711A, Refusal of Health Care Services.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not directly or indirectly exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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: 944.09, 945.6034 FS.

LAW IMPLEMENTED: 944.09, 766.103, 945.6034 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: Laura Gallagher, 501 S. Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-401.105 Refusal of Health Care Services.

(1) Definitions.

(a) Provider – a mental or physical health physician, psychologist, clinical associate, or dentist.

(b) No change.

- (2) No change.
- (3) Documentation of refusal of treatment or procedure.

(a) If an inmate refuses an aspect of health care services other than medication, which is addressed in subsection (4), the inmate shall be required to sign Form DC4-711A, Refusal of Health Care Services. If the inmate refuses to sign the form, the notation "patient refuses to sign" will be entered and witnessed by two staff members. Form DC4-711A is hereby incorporated by reference ~~in subsection (7) of this rule~~. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 11-28-10.

(b) through (d) No change.

(e) Refusal of dental services will be documented by dental health staff on Form DC4-724, Dental Treatment Record, and Form DC4-711A, Refusal of Health Care Services. Form DC4-724 is hereby incorporated by reference ~~in subsection (7) of this rule~~. Copies of this form are available from the Forms Control Administrator, 501 S. Calhoun St., Tallahassee, FL 32399. The effective date of the form is 11-28-10.

(f) through (g) No change.

(4) through (6) No change.

~~(7) The following forms are hereby incorporated by reference. A copy of these forms is available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida, 32399-2500.~~

~~(a) Form DC4-711A, Refusal of Health Care Services, effective, 11-28-10.~~

~~(b) Form DC4-724, Dental Treatment Record, effective, 11-28-10.~~

Rulemaking Authority 944.09, 945.6034 FS. Law Implemented 944.09, 766.103, 945.6034 FS. History—New 11-28-10, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Dr. Olugbenga Ogunsanwo, Assistant Secretary of Health Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.718
 RULE TITLE: Review of Request for Visiting Privileges

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to amend form DC6-111D to allow conformity between the form and the rule, clarify that it is a conviction, not just incarceration, that leads to a denial of visiting privileges, and make administrative changes.

SUMMARY: The proposed rulemaking amends Form DC6-111D to allow conformity between the form and the rule text, clarify the reasons for denying visiting privileges and make administrative changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to these rules and incorporated forms, the department has determined that the amendments will not exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541(2)(a), F.S.

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: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09, 944.23 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: Laura Gallagher, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.718 Review of Request for Visiting Privileges.

In approving or disapproving visiting privileges, assigned institutional classification officer shall review Form DC6-111A, Request for Visiting Privileges, and shall consider all factors related to the security, order, or effective management of the institution. Form DC6-111A is incorporated by reference in Rule 33-601.715, F.A.C.

(1) No change.

(2) The assigned institutional classification officer staff shall evaluate a person's criminal history and visiting background using Form DC6-111D, Visitor Screening Matrix. Form DC6-111D is hereby incorporated by reference. A copy is available from the Forms Control Administrator, 501 South

Calhoun Street, Tallahassee, Florida 32399-2500,
<http://www.flrules.org/Gateway/reference.asp?No=Ref-01038>.
 The effective date of this form is March, 2012.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09, 944.23 FS. History--New 11-18-01, Amended 9-29-03, 3-22-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 James Upchurch, Director, Office of Institutions
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 25, 2012
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-1.6105	Limiting Conditions
40D-1.659	Forms and Instructions

PURPOSE AND EFFECT: The purpose and effect of the rulemaking is to correct the legal descriptions and maps and figures of the boundaries of the Southern Water Use Caution Area (SWUCA), the most impacted area of the SWUCA and the Northern Tampa Bay Water Use Caution Area.

SUMMARY: Discrepancies have been discovered between the boundaries of the Southern Water Use Caution Area (SWUCA) as adopted by rule and the District’s Geographic Information System (GIS) feature classes representing the SWUCA. The discrepancies were investigated and it was determined that several corrections or clarifications should be made to the legal description, and maps and figures contained in and incorporated in Rules 40D-1.6105, 40D-1.659, 40D-2.091, 40D-2.101, 40D-2.351 and 40D-2.801, F.A.C., and Part B, Basis of Review, Water Use Permit Information Manual, including permit applications and forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

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

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

LAW IMPLEMENTED: 373.079(4)(a), 373.083, 373.083(5), 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.4135, 373.414, 373.416, 373.419, 373.421, 373.705, 373.707, 668.50 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Martinez, Office of General Counsel, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2011042)

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-1.6105 Limiting Conditions.

(1) No change.

(2) A permit may be assigned to a subsequent owner subject to all terms and conditions contained in such permit upon notification in writing to the District of such assignment, provided ownership, lease, or other control of all such lands is conveyed to the assignee and further provided that the assignee, by accepting such assignment, does assume responsibility for complying with all such terms and conditions. To assign a permit, a subsequent owner must submit a Notification and Request for Transfer of Environmental Resource Permit, Form No. LEG-R.043.00 (4/09), incorporated by reference in subsection 40D-4.351(1), F.A.C., or an Application to Transfer a Water Use Permit, Form No. LEG-R.002.04 (12)(4/09), incorporated by reference in subsection 40D-2.351(1), F.A.C., as appropriate, that includes the signature of the permittee(s) or a copy of the legally recorded deed(s) to all of the land covered by the permit. Copies of these forms may be obtained from the District’s website at www.watermatters.org or from the District offices.

(3) No change.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.079(4)(a), 373.083(5), 373.219, 373.413, 373.4135, 373.416 FS. History—Readopted 10-5-74, Formerly 16J-0.12, Amended 2-10-93, Formerly 40D-0.381, Amended 12-16-97, 8-25-02, 10-19-05, 11-25-07, 8-30-09, 11-2-09_____.

40D-1.659 Forms and Instructions.

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

(1) GROUND WATER

(a) through (f) No change.

(g) WELL VERIFICATION FOR ALL NON-DOMESTIC USE WELLS LOCATED IN THE MOST IMPACTED AREA OF THE SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.016.01 (____)(4/09), incorporated by reference in subsection 40D-3.101(1), F.A.C.

(h) SMALL GENERAL WATER USE PERMIT APPLICATION FORM NO. LEG-R.027.01 (____)(12/10), incorporated by reference in paragraph 40D-2.101(2)(c), F.A.C.

(i) GENERAL WATER USE PERMIT APPLICATION FORM NO. LEG-R.028.01 (____)(12/10), incorporated by reference in paragraph 40D-2.101(2)(b), F.A.C.

(j) INDIVIDUAL WATER USE PERMIT APPLICATION FORM NO. LEG-R.029.01 (____)(12/10), incorporated by reference in paragraph 40D-2.101(2)(a), F.A.C.

(k) through (s) No change.

(t) APPLICATION TO TRANSFER A WATER USE PERMIT, FORM NO. LEG-R.002.04 (____)(4/09), incorporated by reference in subsection 40D-2.351(1), F.A.C.

(u) SUPPLEMENTAL FORM – SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.007.02 (____)(4/09), incorporated by reference in subsection 40D-2.101(6), F.A.C.

(v) NET BENEFIT SUPPLEMENTAL FORM – SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.010.01 (____)(4/09), incorporated by reference in paragraph 40D-2.101(6)(b), F.A.C.

(w) SOUTHERN WATER USE CAUTION AREA GROUND WATER REPLACEMENT CREDIT APPLICATION, FORM NO. LEG-R.011.01 (____)(4/09), incorporated by reference in paragraph 40D-2.101(6)(c), F.A.C.

(x) No change.

(y) IRRIGATION WATER USE FORM – ANNUAL CROPS, SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.017.01 (____)(4/09), incorporated by reference in paragraph 40D-2.091(2)(b), F.A.C.

(z) IRRIGATION WATER USE FORM – ANNUAL RECREATIONAL/AESTHETIC/GOLF, SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.018.01 (____12)(4/09), incorporated by reference in paragraph 40D-2.091(2)(c), F.A.C.

(aa) IRRIGATION WATER USE FORM – SUMMER/FALL SEASONAL, SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.019.01 (____)(4/09), incorporated by reference in paragraph 40D-2.091(2)(d), F.A.C.

(bb) IRRIGATION WATER USE FORM – WINTER/SPRING SEASONAL, SOUTHERN WATER USE CAUTION AREA, FORM NO. LEG-R.020.01 (____)(4/09), incorporated by reference in paragraph 40D-2.091(2)(e), F.A.C.

(cc) APPLICATION TO RENEW A SMALL GENERAL WATER USE PERMIT FOR AGRICULTURAL USE, FORM NO. LEG-R.036.01 (____)(12/10), incorporated by reference in paragraph 40D-2.101(2)(c), F.A.C.

(dd) through (fff) No change.

(gg) WATER USE PERMIT APPLICATION – MINING AND DEWATERING MATERIALS OTHER THAN PHOSPHATE, FORM NO. LEG-R.048.00 (____)(8/09), incorporated by reference in paragraph 40D-2.101(2)(d), F.A.C.

(hh) through (mm) No change.

(2) through (3) No change.

Rulemaking Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.083, 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 373.705, 373.707, 668.50 FS. History—New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00, 10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05(1) and (2), 10-19-05(5), 10-19-05(20), 2-6-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08, 12-30-08, 3-26-09, 7-1-09, 8-30-09, 9-1-09, 10-26-09, 1-27-10, 4-12-10, 4-27-10, 9-5-10, 9-12-10, 12-7-10, 1-16-11, 6-16-11_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Christopher Pettit, Senior Attorney

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 27, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 27, 2012

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference
40D-2.101	Content of Application
40D-2.351	Transfer of Permits
40D-2.801	Water Use Caution Areas

PURPOSE AND EFFECT: The purpose and effect of the rulemaking is to correct the legal descriptions and maps and figures of the boundaries of the Southern Water Use Caution Area (SWUCA), the most impacted area of the SWUCA and the Northern Tampa Bay Water Use Caution Area.

SUMMARY: Discrepancies have been discovered between the boundaries of the Southern Water Use Caution Area (SWUCA) as adopted by rule and the District’s Geographic Information System (GIS) feature classes representing the SWUCA. The discrepancies were investigated and it was determined that several corrections or clarifications should be made to the legal description, and maps and figures contained in and incorporated in Rules 40D-1.6105, 40D-1.659, 40D-2.091, 40D-2.101, 40D-2.351 and 40D-2.801, F.A.C., and Part B, Basis of Review, Water Use Permit Information Manual, including permit applications and forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

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

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

LAW IMPLEMENTED: 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715, 403.0877 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Martinez, Office of General Counsel, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2011042)

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-2.091 Publications and Forms Incorporated by Reference.

(1) The following publications are hereby incorporated by reference into this chapter, and are available from the District’s website at www.WaterMatters.org or from the District upon request:

(a) Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications (also referred to as the WUP Basis of Review) (~~____~~)(~~12-12-11~~).

(b) No change.

(2) No change.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0363, 373.042, 373.0421, 373.079(4)(a), 373.083(5), 373.116, 373.117, 373.1175, 373.118, 373.149, 373.171, 373.185, 373.216, 373.217, 373.219, 373.223, 373.227, 373.228, 373.229, 373.236, 373.239, 373.243, 373.250, 373.705, 373.709, 373.715 FS. History—New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09, 3-26-09, 7-1-09, 8-30-09, 10-26-09, 11-2-09, 1-27-10, 4-27-10, 5-26-10, 6-10-10, 6-30-10, 6-16-11,_____.

40D-2.101 Content of Application.

(1) through (2) No change.

(a) Individual Water Use Permit.

Application for a new or renewal of an existing Individual Water Use Permit shall be made using the Individual Water Use Permit Application, Form No. LEG-R.029.01 (~~____~~)(~~12/10~~). Applicants shall also submit one or more of the following Supplemental Forms as appropriate for each type of water use proposed in the permit application:

1. through 5. No change.

(b) General Water Use Permit.

Application for a new or renewal of an existing general WUP shall be made using the General Water Use Permit Application Form, No. LEG-R.028.01 () ~~(12/10)~~. Applicants shall also submit one or more supplemental forms listed in paragraph (2)(a) above as appropriate for each type of water use proposed in the permit application. Applicants seeking an initial, renewal, or modification of a general WUP for a combined annual average daily water demand of less than 100,000 gallons per day for public supply use may submit the Small General Water Use Permit Application – Public Supply Attachment, Form No. LEG-R.045.00 (12/09), in lieu of the Water Use Permit Application Supplemental Form – Public Supply, Form LEG-R.033.01 (09/09).

(c) Small General Water Use Permit.

Application for a new small general WUP shall be made using the Small General Water Use Permit Application Form, No. LEG-R.027.01() ~~(12/10)~~. To renew a small general WUP issued solely for agricultural use, application shall be made using the Application to Renew a Small General Water Use Permit for Agricultural Use Form, No. LEG-R.036.01 (12/10). Application to renew all other small general WUPs shall be made using the Small General Water Use Permit Application Form, No. LEG-R.027.01 () ~~(12/10)~~. One or more of the following Attachment Forms for a specific water use shall be submitted with the application form if the application proposes one of the specified water uses:

1. through 4. No change.

(d) No change.

(3) through (4) No change.

(5) Optional Application Forms.

The following forms may be used by applicants in support of permit applications, are hereby incorporated by reference and are available from the District’s website at www.WaterMatters.org or from the District offices:

(a) through (b) No change.

(6) Southern Water Use Caution Area Application Forms.

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

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

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

(7) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.0363, 373.116, 373.117, 373.1175, 373.216, 373.229, 373.236, 403.0877 FS. History–Readopted 10-5-74, Amended 10-24-76, 1-6-82, 2-14-82, Formerly 16J-2.06, Amended 10-1-89, 10-23-89, 2-10-93, 7-15-99, 1-1-03, 1-1-07, 11-25-07, 9-10-08, 7-1-09, 8-30-09, 10-26-09, 1-27-10, 4-27-10, 6-16-11_____.

40D-2.351 Transfer of Permits.

(1) Notwithstanding the provisions of Rule 40D-1.6105, F.A.C., persons who wish to continue an existing, permitted water use and who have acquired ownership or legal control of permitted water withdrawal facilities or the land on which the facilities are located must apply to transfer the permit to themselves within 45 days of acquiring ownership or legal control of such water withdrawal facilities or such land. The applicant shall request such transfer using the “Application to Transfer a Water Use Permit,” Form No. LEG-R.002.04 () ~~(04/09)~~, incorporated herein by reference. Copies of the form can be obtained from the District’s website at www.watermatters.org or from District offices. The District will transfer the permit provided all aspects of the permit except for ownership remain the same. All terms and conditions of the permit shall become binding on the transferee.

(2) through (4) No change.

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.219 FS. History–New 10-1-89, Amended 2-10-93, 3-30-93, 2-1-05, 10-19-05, 11-25-07, 8-30-09_____.

40D-2.801 Water Use Caution Areas.

(1) through (2) No change.

(3) The regions described in this rule have been declared WUCAs by the District Governing Board. This rule reaffirms the declaration of WUCAs and creates conditions to be applied to water users in those areas.

(a) Northern Tampa Bay Water Use Caution Area.

To address groundwater withdrawals that have resulted in lowering of lake levels, destruction or deterioration of wetlands, reduction in streamflow and salt water intrusion, the Governing Board declared portions of northern Hillsborough County, southwestern Pasco County and all of Pinellas County a WUCA on June 28, 1989, pursuant to Resolution Number 934. The Governing Board approved expansion of the boundaries of the WUCA in June 2007.

1. The boundary for the Northern Tampa Bay Water Use Caution Area is as follows:

- All of Pinellas County;
- All of Pasco County; and

That portion of Hillsborough County within the following sections; (all Townships are South; all Ranges are East);

- Township 27, Range 17: All Sections;
- Township 27, Range 18: All Sections;
- Township 27, Range 19: All Sections;
- Township 27, Range 20: All Sections;
- Township 27, Range 21: All Sections;
- Township 27, Range 22: All Sections;
- Township 28, Range 17: All Sections;
- Township 28, Range 18: All Sections;
- Township 28, Range 19: All Sections;
- Township 28, Range 20: All Sections;
- Township 28, Range 21: All Sections;
- Township 28, Range 22: All Sections;
- Township 29, Range 17: All Sections;
- Township 29, Range 18: All Sections;
- Township 30, Range 17: All Sections;
- Township 30, Range 18: All Sections;
- Township 30, Range 19: Section 5 West of the Hillsborough Bay Westerly Shoreline;
- Township 30, Range 19: Section 6;
- Township 29, Range 22: All Sections North of State Road 60;
- Township 29, Range 21: All Sections North of State Road 60;
- Township 29, Range 20: All Sections North of State Road 60;
- Township 29, Range 19: Sections 1 through 20, 30 and 31, Section 21 West of the Hillsborough Bay Westerly Shoreline, Section 24 North of State Road 60, Section 29 West of the Hillsborough Bay Westerly Shoreline and Section 32 West of the Hillsborough Bay Westerly Shoreline and all remaining Sections except 22, 23, 25, 26, 27 and 34 through 36.

2. through 4. No change.

(b) Southern Water Use Caution Area (SWUCA). To address lowered lake levels, stream flows and ground water levels, water quality degradation and adverse impacts to water users, the Governing Board declared all or portions of Manatee, Sarasota, DeSoto, Hardee, Charlotte, Highlands, Hillsborough and Polk Counties within the District's boundaries a WUCA on October 26, 1992, pursuant to Resolution Number 92-10.

1. As shown in Figure 2-1, the boundary for the Southern Water Use Caution Area is as follows:

All of Manatee, Sarasota, Charlotte, Hardee, DeSoto, and Highlands Counties within the boundaries of the Southwest Florida Water Management District, and that portion of Hillsborough County within the following sections (all Townships are South; all Ranges are East):

Township 29, Range 19: Section 21 East of the Hillsborough Bay Easterly Shoreline, Sections 22 and 23, Section 24 All whole or partial Sections South of State Road 60, Sections 25

through 28, Section 29 East of the Hillsborough Bay Easterly Shoreline, Section 32 East of the Hillsborough Bay Easterly Shoreline and Sections 33 through 36;

Township 29, Range 20: All whole or partial Sections South of State Road 60;

Township 29, Range 21: All whole or partial Sections South of State Road 60;

Township 29, Range 22: All whole or partial Sections South of State Road 60;

Township 30, Range 19: Sections 1 through 4, Section 5 East of the Hillsborough Bay Easterly Shoreline and Section 7 through 36; All Sections;

Township 30, Range 20: All Sections

Township 30, Range 21: All Sections;

Township 30, Range 22: All Sections;

Township 31, Range 18: All Sections;

Township 31, Range 19: All Sections;

Township 31, Range 20: All Sections;

Township 31, Range 21: All Sections;

Township 31, Range 22: All Sections;

Township 32, Range 17: Section 36;

Township 32, Range 18: All Sections;

Township 32, Range 19: All Sections;

Township 32, Range 20: All Sections;

Township 32, Range 21: All Sections;

Township 32, Range 22: All Sections;

Township 33, Range 15: All Sections;

Township 33, Range 16: All Sections;

and that portion of Polk County within the Southwest Florida Water Management District and within the following sections:

Township 26, Range 25: Section 36 South of Interstate 4;

Township 26, Range 26: All whole or partial Sections 28, 29, 31 and 32 South of Interstate 4, and All of Section 33;

Township 27, Range 23: All whole or partial Sections South of Interstate 4;

Township 27, Range 24: All whole or partial Sections South of Interstate 4;

Township 27, Range 25: All whole or partial Sections South of Interstate 4;

Township 27, Range 26: Sections 4 through 9, Sections 16 through 21, Sections 28 through 36, and Partial Sections 25 through 27 South of State Road 600 (US Route 17/92) All Sections;

Township 27, Range 27: Sections 25 through 28, Partial Sections 29 and 30 South of State Road 600 (US Route 17/92), and Sections 31 through 36;

Township 27, Range 28: Section 31;

Township 28, Range 23: All Sections;

Township 28, Range 24: All Sections;

Township 28, Range 25: All Sections;

Township 28, Range 26: All Sections;

Township 28, Range 27: All Sections;
 Township 28, Range 28: All Sections;
 Township 29, Range 23: All Sections;
 Township 29, Range 24: All Sections;
 Township 29, Range 25: All Sections;
 Township 29, Range 26: All Sections;
 Township 29, Range 27: All Sections;
 Township 29, Range 28: All Sections;
 Township 29, Range 29: Sections 19, 30, 31;
 Township 30, Range 23: All Sections;
 Township 30, Range 24: All Sections;
 Township 30, Range 25: All Sections;
 Township 30, Range 26: All Sections;
 Township 30, Range 27: All Sections;
 Township 30, Range 28: All Sections;
 Township 30, Range 29: Sections 5, 6, 7, 8, 18, 19, 30, 31;
 Township 31, Range 23: All Sections;
 Township 31, Range 24: All Sections;
 Township 31, Range 25: All Sections;
 Township 31, Range 26: All Sections;
 Township 31, Range 27: All Sections;
 Township 31, Range 28: All Sections;
 Township 31, Range 29: Section 6;
 Township 32, Range 23: All Sections;
 Township 32, Range 24: All Sections;
 Township 32, Range 25: All Sections;
 Township 32, Range 26: All Sections;
 Township 32, Range 27: All Sections;
 Township 32, Range 28: All Sections;
 2. As shown in Figure 2-1, the area for the MIA of the Southern Water Use Caution Area is as follows:
 Township 30, Range 19, Sections 2 through 36;
 Township 30, Range 20, Sections 17 through 22; and 27 through 36;
 Township 31, Range 18, all sections;
 Township 31, Range 19, all sections;
 Township 31, Range 20, all sections;
 Township 31, Range 21, Sections 6 through 8; 17 through 20; and 29 through 32;
Township 32, Range 17: Section 36;
 Township 32, Range 18, all sections;
 Township 32, Range 19, all sections;
 Township 32, Range 20, all sections;
 Township 32, Range 21, Sections 5 through 7;
~~Township 33, Range 16, all sections;~~
 Township 33, Range 17, all sections;
 Township 33, Range 18, all sections;
 Township 33, Range 19, all sections;
 Township 33, Range 20, all sections;
 Township 33, Range 21, Sections 19, 30, 31;

Township 34, Range 15, all sections;
 Township 34, Range 16, all sections;
 Township 34, Range 17, all sections;
 Township 34, Range 18, all sections;
 Township 34, Range 19, all sections;
 Township 34, Range 20, all sections;
~~Township 34, Range 16, all sections;~~
~~Township 34, Range 17, all sections;~~
~~Township 34, Range 18, all sections;~~
~~Township 34, Range 19, all sections;~~
~~Township 34, Range 20, all sections;~~
 Township 34, Range 21, Sections 6 through 8; 17 through 20; and 29 through 32;
 Township 35, Range 16, all sections;
 Township 35, Range 17, all sections;
 Township 35, Range 18, all sections;
 Township 35, Range 19, all sections;
 Township 35, Range 20, all sections;
 Township 35, Range 21, Sections 5 through 8; 17 through 20; and 30;
 Township 36, Range 17, all sections;
 Township 36, Range 18, all sections;
 Township 36, Range 19, Sections 1 through 24; and 27 through 32;
 Township 36, Range 20, Sections 2 through 10; and 17 and 18;
 Township 37, Range 17, Sections 1 through 18;
 Township 37, Range 18, Sections 1 through 10; and 17 and 18.
~~Township 34, Range 21, Sections 6 through 8; 17 through 20; and 29 through 32;~~
~~Township 35, Range 16, all sections;~~
~~Township 35, Range 17, all sections;~~
~~Township 35, Range 18, all sections;~~
~~Township 35, Range 19, all sections;~~
~~Township 35, Range 20, all sections;~~
~~Township 35, Range 21, Sections 5 through 8; 17 through 20; and 30;~~
~~Township 36, Range 17, all sections;~~
~~Township 36, Range 18, all sections;~~
~~Township 36, Range 19, Sections 1 through 24; and 27 through 32;~~
~~Township 36, Range 20, Sections 2 through 10; and 17 and 18;~~
~~Township 37, Range 17, Sections 1 through 18;~~
~~Township 37, Range 18, Sections 1 through 10; and 17 and 18.~~
 3. through 7. No change.
 (c) No change.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.216, 373.219, 373.223 FS. History—Readopted 10-5-74, Formerly 16J-3.30, Amended 10-1-89, 11-15-90, 3-1-91, 7-29-93, 1-1-03, 1-1-07, 10-1-07, 2-13-08, 4-7-08, 5-26-10, 6-16-11, _____.

Figure 2-1
Boundaries of the Southern Water Use Caution Area, Ridge
Lakes Area
and Most Impacted Area

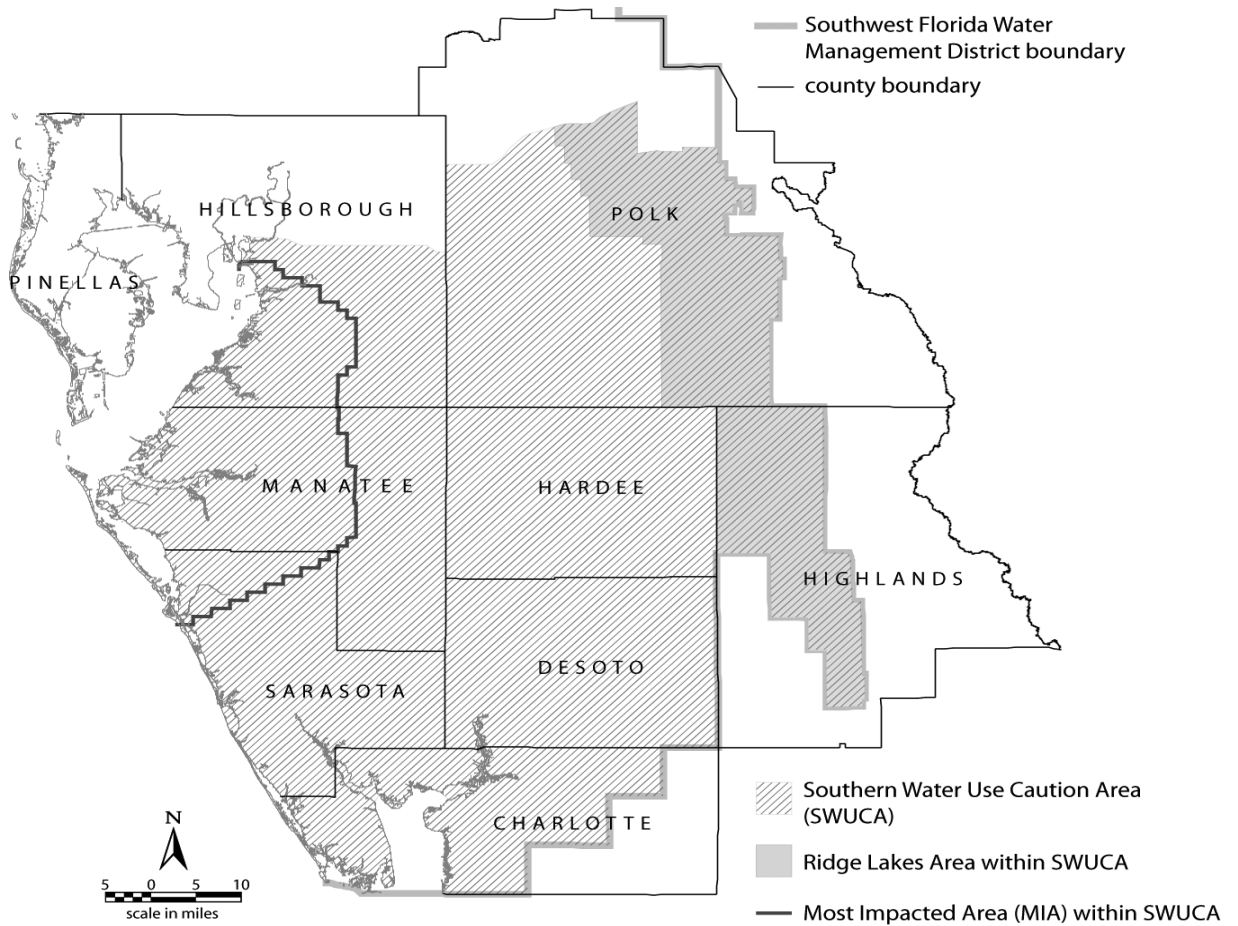


Figure 2-3 Dover Plant City Water Use Caution Area

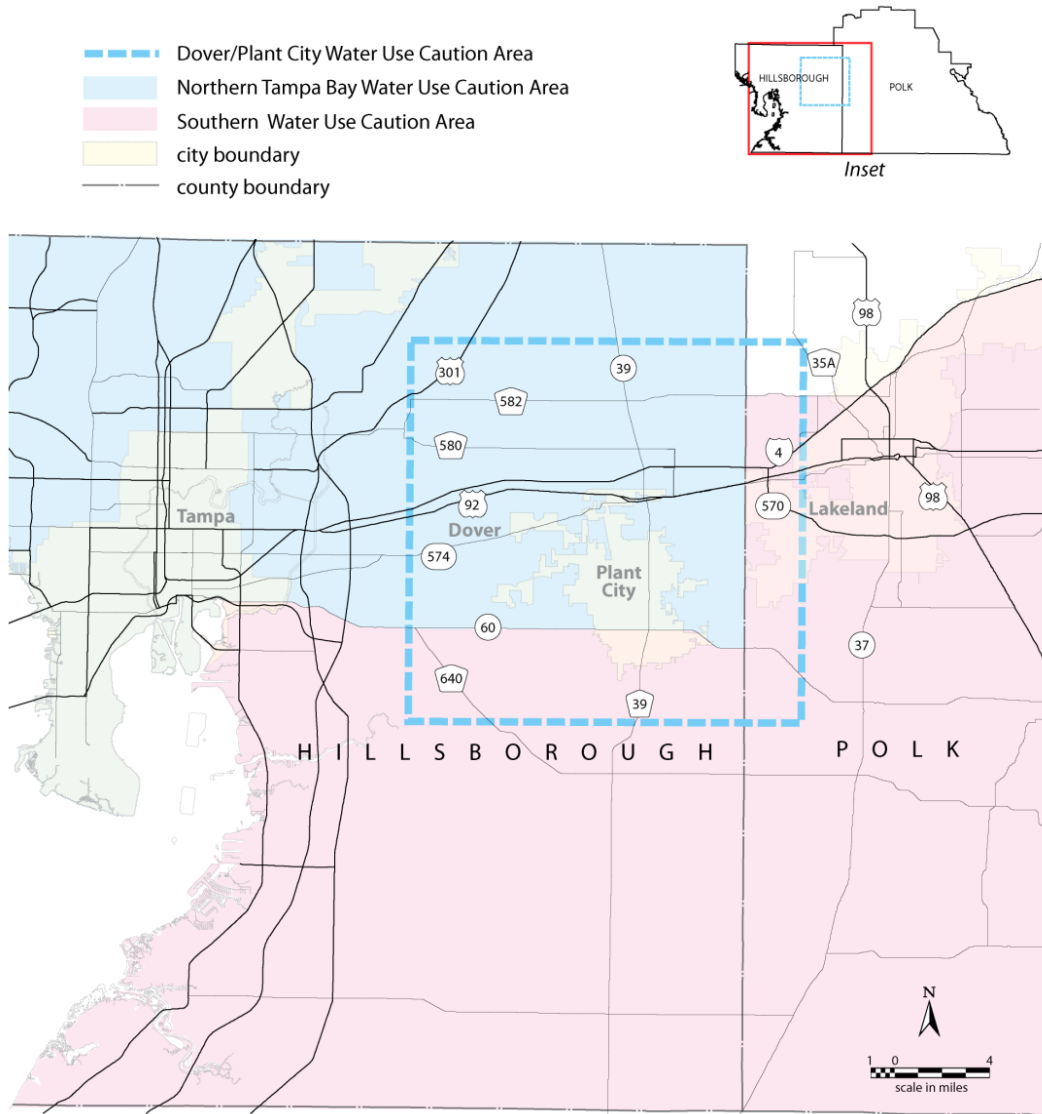
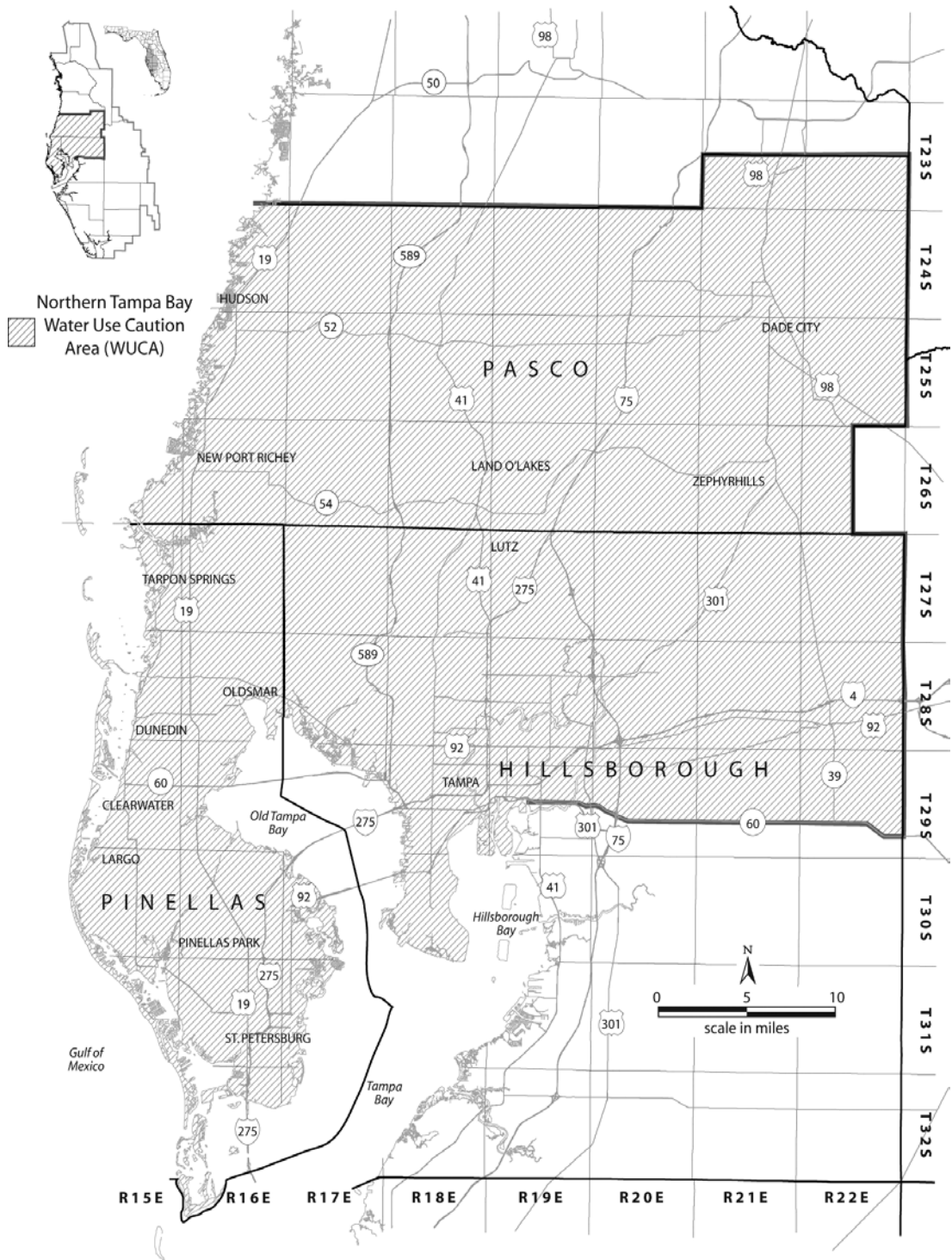


Figure 7.3-1



NAME OF PERSON ORIGINATING PROPOSED RULE:
Christopher Pettit, Senior Attorney
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Southwest Florida Water Management
District Governing Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 27, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: April 27, 2012

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-3.021	Definitions
40E-3.036	Rules and Publications Incorporated by Reference
40E-3.038	Violations of Contractor Licensing and Well Construction Requirements
40E-3.101	Content of Application
40E-3.411	Well Completion Reports
40E-3.507	Casing and Liner Pipe Standards
40E-3.512	Well Construction Requirements
40E-3.517	Grouting and Sealing
40E-3.521	Well Seals
40E-3.600	Scope of Part VI
40E-3.601	General Permit for Water Wells within a Portion of Southern Miami-Dade County

PURPOSE AND EFFECT: To amend Rules 40E-3.021, 40E-3.036, 40E-3.038, 40E-3.101, 40E-3.411, 40E-3.507, 40E-3.512, 40E-3.517, and 40E-3.521, F.A.C., and to create new rules, Rule 40E-3.600, F.A.C., Scope of Part VI, and Rule 40E-3.601, F.A.C., General Permit for Water Wells within a Portions of southern Miami-Dade County, in order to incorporate construction standards and forms adopted by the Florida Department of Environmental Protection (FDEP). New Rule 40E-3.600, F.A.C., will set forth the scope of Part VI in regard to the granting of general permits for certain specified well construction, repair or abandonment activities which have been determined by the District to exist in unique geographic areas, and new Rule 40E-3.601, F.A.C., will set forth requirements for general permits for agricultural wells in a specified portion of southern Miami-Dade County that are 25 feet or less in depth. Rule 40E-3.601, F.A.C., will also provide a legal description of the specified portion of southern Miami-Dade County and an updated map depicting the specified area (Figure 3-1).

SUMMARY: To incorporate construction standards and forms adopted by the Florida Department of Environmental Protection.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. The District has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. A Statement of Estimated Regulatory Costs (SERC) has 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: 373.044, 373.113, 373.171, 373.309, 373.333 FS.

LAW IMPLEMENTED: 373.019, 373.103, 373.106, 373.113, 373.303, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.326, 373.329, 373.333, 373.336, 373.342 FS.

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

DATE AND TIME: July 12, 2012, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk at 1(800)432-2945, x2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Paulette Glebocki, Hydrogeologist – Lead, Water Use Bureau, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6941 or (561)682-6941 or by email to pglebock@sfwmd.gov. For procedural questions, please contact Kathie (Ruff) Redfield, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6320 or (561)682-6320 or by email to kruff@sfwmd.gov.

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-3.021 Definitions.
When used in this chapter:

~~(1)~~ “Abandoned Well” means a well, the use of which has been permanently discontinued. Any well which is in such a state of disrepair that its continued use for the purpose of obtaining groundwater, or disposing of water or liquid wastes, or for observation, is impractical, shall be deemed to be abandoned.

~~(1)~~⁽²⁾ “Annulus” or “Annular Space” means any artificially created void existing between a well casing or liner pipe and a borehole wall, or between two casings, or between tubing and the casing for liner pipes.

~~(3)~~ “Aquifer” means a geologic formation, group of formations, or part of a formation that contains sufficient saturated permeable material to yield useful quantities of groundwater to wells, springs, or surface water.

~~(4)~~ “Bentonite Grout” means a pumpable grouting material, consisting of high solid sodium montmorillonite, used for plugging or sealing water wells.

~~(2)~~⁽⁵⁾ “Casing Diameter” or “Diameter of Casing” means the largest nominal permanent water bearing casing. For the purpose of this chapter, the diameter of the casing at the upper terminus will be presumed to be the diameter for the entire length, unless the well owner or contractor can demonstrate that the well has a smaller diameter permanent water bearing casing below the upper terminus.

~~(3)~~⁽⁶⁾ “Consolidated” means a geologic stratum, which is cemented with a binding substance commonly derived from within the deposit containing that stratum.

~~(4)~~⁽⁷⁾ “Consumptive Use Permit” or “Water Use Permit” means a Water Use Permit issued under Chapter 40E-2 or 40E-20, F.A.C.

~~(8)~~ “Department” means the Florida Department of Environmental Protection (FDEP).

~~(5)~~⁽⁹⁾ “Dewatering” means the use of wells or other such equipment to temporarily lower a water level as may be necessary during construction activities.

~~(6)~~⁽¹⁰⁾ “Driller” means a person licensed by the water management district or a person working under the direct supervision of a licensed water well contractor who actually constructs the well.

~~(11)~~ “Driven Casing” means well casing installed by the percussion drilling method, in which the well casing is advanced into a borehole that is less than the nominal outside diameter of the casing.

~~(12)~~ “Drive Shoe” means any device specifically designed, fabricated, and installed to protect the bottom end of a water well casing or liner pipe from collapse or other damage while the casing or liner pipe is being driven into place in a water well.

~~(7)~~⁽¹³⁾ “Field Log” means a log with accurate, written documentation of all construction activities needed to fill out well completion reports.

~~(8)~~⁽¹⁴⁾ “Filter Pack” means sand or gravel that is uniform, clean, and siliceous. It is placed in the annulus of the well between the borehole wall and the well screen.

~~(15)~~ “Grout” or “Neat Cement Grout” means a mixture consisting of water and Portland cement (American Concrete Institute Types I, II, or III, or other types of cement and acceptable amounts of those additives approved for use in cement grouts by the District), also Bentonite grout as defined by subsection 62-532.200(4), F.A.C.

~~(9)~~⁽¹⁶⁾ “Inspection Port” means any opening not less than three-quarters (3/4) inch in diameter through which unobstructed access to the inside of the casing can be obtained for measuring water levels. Inspection ports shall be threaded openings temporarily sealed with a removable watertight plug.

~~(10)~~⁽¹⁷⁾ “Jetted Well” or “Sand Point Well” means a pipe with an attached well point or open-ended screen. The well is installed in unconsolidated formations by the washing action of a water jet.

~~(18)~~ “Liner” means a metallic or nonmetallic pipe, which is installed within the permanent water bearing casing to improve, repair, or protect the casing or is installed below and separate from the casing to seal off casing material which may be encountered in the open hole of the well.

~~(11)~~⁽¹⁹⁾ “Monitoring Well” or “Observation Well” means a well used primarily to monitor hydrologic parameters such as water levels or water quality.

~~(20)~~ “Nominal” means the standard size of the well casing and may be less than or greater than the number indicated. Nominal, when referring to the grouting annulus, means either the available void thickness between the telescoped casings or the average available void thickness between the borehole and the outside wall of the casing at any point.

~~(12)~~⁽²¹⁾ “Packer” means a device placed within a well casing that seals the annulus between two pieces of casing, between the casing and the screen, between one formation or water bearing strata and another, or between the formation and the casing.

~~(13)~~⁽²²⁾ “Public Water Supply Well” means a well constructed for the purpose of supplying water to a public water system, as permitted under Chapters 62-550, 62-555, 62-560, 62-524, and 64E-8, F.A.C.

~~(23)~~ “Public Water System” means a system for the provision to the public of piped water for human consumption through pipes or other constructed conveyances, if such a system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year.

~~(24)~~ “Telescoped casing” means an interior well casing extending below an exterior casing.

~~(14)~~⁽²⁵⁾ “Test Hole” means any temporarily cased or uncased hole drilled, bored, cored, washed, or jetted, for the intended use of obtaining data for engineering, geophysical or

geological exploration, and/or prospecting for minerals or products of mining or quarrying, and not for the purposes of either producing, disposing of, or searching for water.

~~(15)(26)~~ “Upper Terminus” means that portion of a well casing ending at land surface or within an approved depth below land surface. Land surface is considered to be the ground elevation of the finished grade at the well.

~~(16)(27)~~ “Water Test Well” means a temporary water well for the purpose of obtaining data to determine aquifer properties or water quality. Water test wells are typically drilled prior to applying for a water use permit. Water test wells must either be abandoned or converted to a water well or monitoring well within 30 days of completion of testing.

~~(28)~~ “Water Use Permit” means a permit issued under Chapter 40E-2 or 40E-20, F.A.C.

~~(29)~~ “Water Well” means a well as defined in Section 373.303(7), F.S., which includes any excavation that is drilled, bored, bored, washed, driven, dug, jetted, or otherwise constructed when the intended use of such excavation is for the location, acquisition, development or artificial recharge of ground water. This term does not include any well constructed for the purpose of obtaining or prospecting for oil, natural gas, or products of mining or quarrying, for disposing of oil brine or re-pressuring oil bearing or natural gas bearing formations, for storing petroleum, natural gas or other products, or for temporary dewatering of subsurface formations for mining, quarrying or construction purposes.

~~(17)(30)~~ “Water Well Contractor” means an individual who is responsible for the location, construction, repair, or abandonment of a water well and who is licensed under Chapter 62-531, F.A.C., to engage in the business of construction, repair, or abandonment of water wells.

~~(18)(31)~~ “Well Casing” means a metallic or non-metallic pipe installed in a borehole or driven to prevent caving, provide structural strength, seal off zones of poor water quality, or prevent the interchange of waters between aquifers.

~~(19)(32)~~ “Well Completion Report” means the form, supplied or approved by the District, that is completed and signed by the licensed water well contractor.

~~(20)~~ All definitions contained in Section 373.303, F.S., and Chapters 62-531 and 62-532, F.A.C., adopted and incorporated by reference in paragraphs 40E-3.036(1)(a) and (c), F.A.C., respectively.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.019, 373.106, 373.303, 373.306 FS. History—New 1-1-85, Amended 12-19-89, 3-16-05, _____.

40E-3.036 Rules and Publications Incorporated by Reference.

~~(1)~~ The following Department rules and publications are incorporated by reference into this rule and shall apply to the well contractor licensing program administered by the District and to all wells constructed, repaired, or abandoned in the District.

~~(a)(4)~~ Chapter 62-531, F.A.C., Well Contractor Licensing Requirements (11-25-07), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00573>. ~~(4-25-02)~~

~~(b)(2)~~ The Department’s Water Well Contractor Disciplinary Guidelines and Procedures Manual (October 2002), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00581>, and the Department’s Florida Unified Citations Dictionary for Well Construction (October 2002), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00580>.

~~(c)(3)~~ Chapter 62-532, F.A.C., Water Well Permitting and Construction Requirements (10-07-10), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00574>. ~~(3-28-03)~~

~~(d)(4)~~ Chapter 62-555, F.A.C., Construction of Public Supply Water Wells (4-10-03), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00575>.

~~(e)(5)~~ Chapter 62-524, F.A.C., Construction of Water Wells in Delineated Areas (6-27-00), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00572>.

~~(2)~~ The following Department forms are incorporated by reference into this chapter and shall apply to the well contractor licensing program administered by the District and to all wells constructed, repaired, or abandoned in the District:

~~(a)~~ State of Florida Permit Application to Construct, Repair, Modify, or Abandon a Well, DEP Form 62-532.900(1), incorporated by reference in subsection 40E-3.101(1), F.A.C.

~~(b)~~ State of Florida Well Completion Report, DEP Form 62-532.900(2), incorporated by reference in subsection 40E-3.411(1), F.A.C.

~~(c)~~ Application for a State of Florida Water Well Contractor’s License, Form 0186, incorporated by reference in subsection 40E-3.038(3), F.A.C.

~~(3)~~ Copies of these publications and forms can be obtained at no cost by contacting the South Florida Water Management District Clerk’s Office, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436, and the delegated permitting authorities’ offices.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.103, 373.308, 373.309, 373.323, 373.324, 373.326, 373.329, 373.333 FS. History—New 3-16-05, Amended _____.

40E-3.038 Violations of Contractor Licensing and Well Construction Requirements.

~~(1)~~ Applications for a water well contractor license shall be filed with the District on Form 0186, (_____-2012), “Application for a State of Florida Water Well Contractor

License”, incorporated by reference herein: <http://www.flrules.org/Gateway/reference.asp?No=Ref-00607>. Form 0186 is available at no cost by contacting the South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436, and the delegated permitting authorities’ offices.

(2) Each well contractor meeting the licensing requirements set forth in Chapter 62-531, F.A.C., incorporated by reference in paragraph 40E-3.036(1)(a), F.A.C., will be assigned a permanent license number and shall be issued a certificate with that number.

(3)(4) Violations of the contractor licensing requirements and well construction requirements are provided by Chapter 373, F.S., and Chapter 62-531, F.A.C.

(4)(2) The licensed contractor must submit any change of address to the District within 30 days.

Rulemaking Authority 373.044, 373.113, 373.171, 373.333 FS. Law Implemented 373.323, 373.326, 373.333, 373.336 FS. History—New 12-19-89, Amended 3-16-05, _____.

40E-3.101 Content of Application.

(1) All applications shall be submitted to the permitting authority by the owner or by the water well contractor on behalf of the owner. All applications shall be submitted on [DEP Form 62-532.900\(1\), \(10-07-10\), http://www.flrules.org/Gateway/reference.asp?No=Ref-00576](http://www.flrules.org/Gateway/reference.asp?No=Ref-00576), the form entitled “State of Florida Permit Application to Construct, Repair, Modify, or Abandon a Well.”; incorporated by reference herein and available at no cost by contacting the South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436, and the delegated permitting authorities’ offices.

(2) All applications shall be submitted with the required non-refundable fee pursuant to Rule 40E-1.607, F.A.C., or the fee schedule established by the agency to which permitting authority has been delegated shall be submitted with the permit application.

(3) Applications for permits required by this chapter shall be filed with the District or the entity to which the authority to issue a permit has been delegated. The application for the construction, repair or abandonment of water wells shall contain:

(a) The name, address, telephone number, license number and signature of the licensed contractor who will be constructing the well, except in the case of a state agency or political subdivision that needs an indication of approval from the District in order to obtain financing to construct a well. In this case, the District will take action on the application for a permit not signed by a licensed water well contractor with the following condition: “Prior to well construction, a copy of the

original application, signed by the licensed water well contractor chosen to construct the well, will be submitted to the District”.

(b) The name, address, telephone number and signature of the property owner or his agent, if applicable, on whose property the well is being drilled,

(c) Written authorization from the owner designating the authorized agent, if any,

(d) The location of the well (to the nearest one-quarter-quarter section, or latitude and longitude to the nearest second, or Florida State Planar Coordinates to the nearest one hundred feet), and property site map of the well location, depicting land marks and providing a scale,

(e) The expected cased depth and total depth of the well,

(f) The proposed use of the well,

(g) The proposed grouting interval,

(h) The specification for well construction including the size(s) of the casing to be used, the proposed construction, repair or abandonment methods, specifications including casing types, casing diameters; open hole or screened intervals, sizes and screen openings; and proposed grouting materials;

(i) The proposed method of construction and completion of the well, or the method of plugging and abandoning of the well,

(j) The anticipated starting date to begin drilling,

(k) The District water use permit number, the water use application number, and the well number from the water use permit Table A, if applicable,

(l) A well completion report and/or lithologic or cuttings log for any test hole or water test well and testing results, which is being requested to be converted to a water well,

(m) Applications for public supply wells shall include: the name and address of the water system; the number of persons the well is intended to serve; and ~~three copies of~~ a scaled map showing the well location, property boundaries, existing buildings or physical features, the location of all known and proposed sources of contamination within a 500 foot radius of the proposed well location, and

(n) Applications for water test wells must be accompanied by a description of the proposed test. The description at a minimum shall include:

1. Purpose of the test, a brief description of the testing method, and a summary of the results to be provided to the District within 30 days of completion of the testing.

2. Name, address, and telephone number of the person or consulting firm performing the test.

3. A site map showing the location of the water test well and any observation wells.

(4) In addition to the information required to be submitted on the District form, the District staff may specifically request such reasonable additional information as may be necessary to evaluate the hydrologic impacts of the withdrawal to ensure

that the impacts will not be harmful to the water resource of the District as set forth in Chapter 40E-2, F.A.C., and that the withdrawals are in compliance with statutory and rule requirements. Pursuant to Section 373.314, F.S., the District will cite a specific rule when requesting such additional information. Such requests for additional information will be made in compliance with Section 120.60, F.S., and Chapter 40E-1, F.A.C.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.308, 373.309, 373.313, 373.326, 373.342 FS. History—New 1-1-85, Amended 12-19-89, 11-8-99, 3-16-05,_____.

40E-3.411 Well Completion Reports.

(1) The water well contractor shall ~~complete and submit a fully completed well completion report (Form 0124) DEP Form 62-532.900(2), (10-07-10), <http://www.flrules.org/Gateway/reference.asp?No=Ref-00578>, "State of Florida Well Completion Report," incorporated by reference herein,~~ to the District and delegated agency for the construction, repair or abandonment of all wells, regardless of whether a permit is required under Rules 40E-3.101 and 40E-3.600, F.A.C. Well completion reports shall be filed with the District and delegated agency within 30 days of the completion of the work, using DEP Form 62-532.900(2). Copies of DEP Form 62-532.900(2) are available at no cost by contacting the South Florida Water Management District Clerk, 3301 Gun Club Road, West Palm Beach, FL 33406, 1(800)432-2045, ext. 6436 or (561)682-6436, and the delegated permitting authorities' offices.

~~(a)~~ Well completion reports for sites controlled by Chapter 62-761, F.A.C., Underground Storage Tank Systems, may include all monitoring wells for the same site on a single form.

~~(b)~~ Computer generated completion reports developed by the contractor may be used in place of District supplied forms.

(2) The water well contractor shall keep or cause to be kept by a person in his employ an accurate field log of all well construction, repair or abandonment activities performed under each permit. Such logs shall be available for inspection at the site during all times when work is in progress.

(3) If no work is performed or if the well is not completed, a report shall be filed within 30 ~~thirty~~ days of the expiration of the permit stating that no well construction was performed under the permit or outlining the status of the incomplete well.

(4) For water test wells, a report on the test results shall be submitted to the District within 30 days of completion of the testing. The report shall also include a request and a proposed schedule to either abandon the water test well or convert the water test well to a production well or monitoring well.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.308, 373.309, 373.313, 373.326, 373.342 FS. History—New 1-1-85, Amended 3-16-05,_____.

40E-3.507 Casing and Liner Pipe Standards.

~~(1)(a) Well casing, liner pipe, and well screen shall be new or in like new condition. Such well casing, liner pipe, and well screen shall not be used unless free of breaks, corrosion, and dents, straight and true, and not out of round. Welded or seamless black or galvanized steel pipe or casing, or stainless steel pipe or casing, or approved types of nonmetallic pipe shall be used for well casing or liner pipe.~~

~~(b)~~ All well casing shall conform to the standards identified in subsection 62-532.500(1), F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C.

(2) Wells constructed using telescoping casings shall be considered as a continuous casing provided the following conditions are met:

(a) Any annular space including the overlapped section shall be grouted in accordance with subparagraph ~~62-532.500(3)(i)(4) 62-532.500(2)(f)4~~, F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C. The grout shall extend from the bottom of the casing to the top of the innermost casing. The use of lead packers is prohibited.

(b) The bottom end of the casing shall extend to or below the water level of the aquifer intended to supply water to the well.

(c) All casing zones below the uppermost consolidated unit shall be cased.

(d) A minimum of 10 feet overlap is required for non-public supply wells. One casing centralizer shall be used within the overlapped section.

(e) A minimum of 20 feet overlap is required for public supply wells. Two casing centralizers shall be used within the overlapped section.

~~(3) Steel well casing and liner pipe shall be joined in a watertight manner by threaded couplings, electrical welding methods, or other methods approved by the District which provide equivalent protection. PVC pipe shall be joined by solvent bonded couplings, threaded couplings, heat welding, or other methods approved by the District which provide equivalent protection.~~

~~(4) Nonmetallic and stainless steel well casing or liner pipe shall not be installed by driving unless prior approval is obtained from the District based on a demonstration that the integrity of the well casing or liner pipe will be maintained.~~

~~(a) For well casing or liner pipe installed by driving, the casing or pipe shall not butt together inside threaded couplings unless the joint is electrically welded so as to be completely watertight.~~

~~(b) A drive shoe is required for use on casing or pipe installed by driving unless prior approval is obtained from the District based on a demonstration that a drive shoe is not necessary to maintain the integrity of the casing or pipe.~~

Rulemaking Authority 373.044, 373.171, 373.309, ~~373.171~~ FS. Law Implemented 373.113, 373.306, 373.308, 373.309 FS. History—New 1-1-85, Amended 3-16-05,_____.

40E-3.512 Well Construction Requirements.

~~(1) In the construction of a well, reasonable caution shall be taken to maintain the work site so as to minimize the entrance of contaminants into the water resource.~~

~~(1)(a) Materials used in construction shall be reasonably free of contamination.~~

~~(b) Water used during construction shall be supplied from a potable well or potable water supply. If the well or water supply is a known source of contamination or is within a known area of contamination, it shall not be used to provide water for well construction.~~

~~(2)(a) All water wells which penetrate multiple aquifers or water-bearing zones shall be properly designed and constructed to prevent an interchange of water between water-bearing zones which may result in deterioration of the quality of water in one or more water-bearing zones, or will result in a loss of artesian pressure.~~

~~(b) If a well cannot be properly completed to prevent an unauthorized interchange of water between water-bearing zones or to prevent a loss of artesian pressure, the well shall be abandoned and plugged in accordance with subsection 40E-3.531(3), F.A.C., or other instructions from the District, which are appropriate for the geological conditions encountered.~~

~~(3) For wells obtaining water from unconsolidated earth materials, casing shall extend from the upper terminus of the well to the well screen.~~

~~(a) The well screen shall be attached to the casing with a watertight seal;~~

~~(2)(a)(b) The well shall be constructed to prevent caving or pumping of sand. A filter pack shall be installed around the screened portion of the well;~~

~~(b)(e) The well shall be adequately developed until clear of any drilling fluids, particulate material and turbidity.~~

~~(3)(4) For wells obtaining water from consolidated earth materials, a continuous casing shall extend from the upper terminus of the well to the top of the uppermost consolidated unit.~~

~~(4)(5) For artesian wells, the casing shall penetrate the entire thickness of the overlying formation above the aquifer. The District may grant waivers for seating of casing within the confining zone above an artesian aquifer provided that:~~

~~(a) The casing extends a sufficient distance into the confining zone so as to prevent movement of water from the artesian aquifer to overlying aquifers;~~

~~(b) The District determines that such construction will not harm the water resources.~~

Rulemaking Authority 373.044, 373.171, 373.309 FS. Law Implemented 373.113, 373.306, 373.308, 373.309 FS. History—New 1-1-85, Amended 3-16-05,_____.

40E-3.517 Grouting and Sealing.

Wells shall be grouted and sealed in accordance with paragraph 62-532.500(3)(i)(2)(f), F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C., and this section to protect the water resource from degradation caused by movement of waters along the well annulus either from the surface to the aquifer or between aquifers, and to prevent loss of pressure in artesian aquifers.

(1) All wells that are constructed in a manner which creates an annular space between the casing and the naturally occurring geologic formations shall be grouted and sealed in accordance with the methodologies listed in paragraph 62-532.500(3)(i)(2)(f), F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C. and this section.

~~(2) For any part of a well casing with an outside diameter of four inches or larger intended to be installed in a bore hole which is larger in diameter than the outside diameter of the casing, the annular space shall be filled from bottom to top with not less than a nominal two-inch thickness of neat cement grout.~~

~~(3) For any part of a well casing with an outside diameter of less than four inches intended to be installed in a bore hole which is larger in diameter than the outside diameter of the casing, the annular space shall be filled from bottom to top with not less than a nominal one-inch thickness of neat cement grout minimum.~~

~~(2)(4) Wells obtaining water from unconsolidated formations, using a method other than jetting or driving a casing, and creating an annular space, shall be grouted from no more than ten (10) feet above the top of the screen to the upper terminus. Borehole cuttings shall not be reintroduced into the annular space.~~

~~(3)(5) For jetted wells or sand point wells obtaining water from an unconsolidated formation of a naturally caving nature in which the annular space is completely filled with formation material, only the upper three (3) feet shall be grouted to provide protection from possible contaminated surface water.~~

~~(4)(6) For jetted wells or sand point wells circulating drilling fluids to the surface, and obtaining water from a consolidated formation, shall be grouted bottom to top prior to being seated into water bearing formation.~~

~~(5)(7) For wells constructed by driven casing, dry bentonite, with an average mesh size of between 4 and 20 U.S. standard sieve size or grain size between 5mm and .85mm, must be added to the continuous casing string at land surface at the beginning and during construction of the well.~~

~~(6)(8) All other wells shall be grouted from the bottom of the casing to land surface.~~

~~(7)(9) Unless a variance has been granted by the District, grouting and sealing of water wells shall be accomplished in the following manner:~~

(a) The grout mixture shall consist of either Portland Cement or a natural bentonite slurry for wells and boreholes meeting the requirements in subsection 40E-3.512(7), F.A.C. The mixture shall consist of 5.2 to 5.5 gallons of water per sack of Portland Cement or a mixture of 6.0 gallons of water per sack of Portland Cement with 3 to 7.5 pounds of Bentonite, not to exceed 8% by weight.

(b) The minimum set time for grouting of casing using either Portland Cement or Bentonite before drilling operations may continue is 12 hours.

~~(c) The casing shall be centered in the borehole prior to grouting and sealing.~~

~~(c)(d)~~ Grouting of the annular space shall be completed using the tremie pipe, forced pressure, or other equivalent method approved by the District. In all cases, grout will be introduced into the annular space from bottom to top.

~~(e) In those cases where, during grouting operation, circulation of the grout is lost so that the annular space being grouted cannot be filled in one continuous operation, a tremie pipe shall be installed in the annular space to a point immediately above the zone of lost circulation. The annulus shall be bridged at that point by sand or other approved material introduced through the pipe. Grouting or sealing of the annular space shall be completed using the tremie pipe or other approved methods.~~

~~(8)(10)~~ Water wells constructed using Bentonite grouts shall meet all the following requirements:

(a) The slurry grout mixture shall be introduced into the annular space from bottom to top. The casing seat must be clean, allowing the casing to set at the total depth bored in a hole reasonably free of drill cuttings;

(b) A formation packer or a 5-foot neat cement plug must be installed at the casing seat;

(c) Neat cement must be placed in the upper ten (10) feet of the annular space to prevent deterioration of, or damage to, the bentonite seal; and

(d) Bentonite grout may be used only on monitor, domestic, irrigation, water source, or ground source heat pump installations with a nominal casing diameter of five (5) inches or less. Use of bentonite grout is not allowed on public supply wells, wells in delineated areas, wells where artesian flow occurs, in any identified contamination sites where the contaminants will prevent an adequate seal, or in wells with the water quality concentrations exceeding 10,000 milligrams per liter total dissolved solids.

(e) Bentonite grout may be used for abandonment purposes for any well. However, it cannot be used to abandon a dry well, or a well which flows to surface and cannot be placed any higher in the well than the height of the static water level. Any unsealed remainder above the height of the static water level must be filled with neat cement.

(f) Bentonite chips or pellets used for abandonment purposes may not be placed in any well casing or hole less than three inches in diameter or for sealing the annular space of any well.

(g) In all circumstances, the manufacturer's mixing instructions shall be followed.

Rulemaking Authority 373.044, 373.171, 373.309 FS. Law Implemented 373.113, 373.306, 373.308, 373.309 FS. History—New 1-1-85, Amended 3-16-05, _____.

40E-3.521 Well Seals.

Wells shall be covered and sealed in accordance with paragraph 62-532.500(4)(a), F.A.C., incorporated by reference in paragraph 40E-3.036(1)(c), F.A.C.

~~(1) Temporary Well Seals:~~

~~(a) Whenever there is a temporary interruption in work on the well during construction, repair or abandonment, the well opening shall be sealed with a tamper resistant cover.~~

~~(b) Except in areas designated by the Department with the concurrence of the District, any well in which pumping equipment is installed seasonally or periodically shall, whenever pumping equipment is not installed, be capped with steel or reinforced concrete cover, or valve.~~

~~(1)(2) Permanent Well Seals.~~

~~(a) Wells shall be properly sealed to prevent the movement of contaminants and surface water into the well.~~

~~(b) The top of the well casing shall at a minimum extend 12 inches above land surface and if practical, 12 inches above the 100-year flood elevation.~~

~~(c) Any cased well equipped with permanently installed pumping equipment shall have that pumping equipment and any necessary piping installed through a well seal.~~

~~(d) Any unused well shall be capped in a watertight manner with a threaded, welded, or bolted cover or valve. The top of the well casing shall at a minimum extend 12 inches above land surface.~~

Rulemaking Authority 373.044, 373.171, 373.309 FS. Law Implemented 373.113, 373.306, 373.308, 373.309 FS. History—New 3-16-05, Amended _____.

40E-3.600 Scope of Part VI.

(1) This Part grants a general permit for certain specified well construction, repair or abandonment activities which have been determined by the District to exist in unique geographic areas.

(2) The District reserves the right to require permits under Parts I and II of this Chapter if the proposed construction, repair or abandonment of the well does not comply with the provisions of this Part or may be harmful to the water resources of the District, inconsistent with the intent and purpose of Part III of Chapter 373, Florida Statutes, or with the overall objectives of this rule or may be otherwise contrary to the public interest.

(3) The construction, repair or abandonment of wells in accordance with Rule 40E-30.302, F.A.C., are authorized subject to the requirements of this Part.

Rulemaking Authority 373.044, 373.113, 373.171, 373.309 FS, Law Implemented, 373.113, 373.306, 373.308, 373.309, 373.342 FS, History—New _____.

40E-3.601 General Permit for Water Wells within a Portion of Southern Miami-Dade County.

(1) It is determined that compliance with Rules 40E-3.101, 40E-3.201, 40E-3.301, 40E-3.321, 40E-3.411, 40E-3.507, 40E-3.512, 40E-3.517 and 40E-3.531, F.A.C., will create an undue hardship to those persons proposing to construct, repair or abandon wells used for agricultural water use within south Miami-Dade County. It is further determined that the continued existence of these wells and method of well construction has not been shown to impair the ground water resources. However, if the continued existence of the rule is determined in any way to impair the purpose and intent of Part III of Chapter 373, Florida Statutes, adversely impact the water resources, not be in the public interest, or for any other reason the District may delete the General Permit threshold at any time in accordance with applicable law.

(2) A general permit is granted to those wells intended for agricultural use which do not exceed 25 feet in depth and which are located within the area depicted on Figure 3-1 and described as follows:

BEGINNING at the intersection of the centerline of South Florida Water Management District's Levee 31 West and the south line of Section 7, Township 58 South, Range 38 East; Thence, Easterly along the south line of said Section 7 to the

centerline of South Florida Water Management District's Canal 111; Thence, Southeasterly, Southerly and Southeasterly along said centerline of Canal 111 to the centerline of State Road 5 (U.S. Highway 1); Thence, Southerly along said centerline of State Road 5 (U.S. Highway 1) to the Dade-Monroe County line and Florida Bay; Thence, Northeasterly along the Dade-Monroe County line to the Western shore of Little Card Sound; Thence, Northeasterly and Northerly along the Western shore of Little Card Sound and Biscayne Bay to the south line of Section 14, Township 56 South, Range 40 East; Thence, Westerly along the section lines to the centerline of State Road 821; Thence, Northerly along said centerline of State Road 821 to the South line of the North one-half of Section 17, Township 56 South, Range 40 East; Thence, Westerly along the one-quarter section lines to the Southwest corner of the Northwest one-quarter of said Section 18; Thence, Northerly to the Southeast corner of Section 12, Township 56 South, Range 39 East; Thence, Westerly along the south line of said Section 12 to the Southwest corner of said Section 12; Thence, Northerly along the West line of said Section 12 to the centerline of South Florida Water Management District's Canal 1 West; Thence, Northwesterly and Westerly along said centerline of Canal 1 West and its Westerly Extension to the centerline of South Florida Water Management District's Levee 31 North; Thence, Southerly along the centerline of said Levee 31 North and the centerline of South Florida Water Management District's Levee 31 West to the POINT OF BEGINNING.

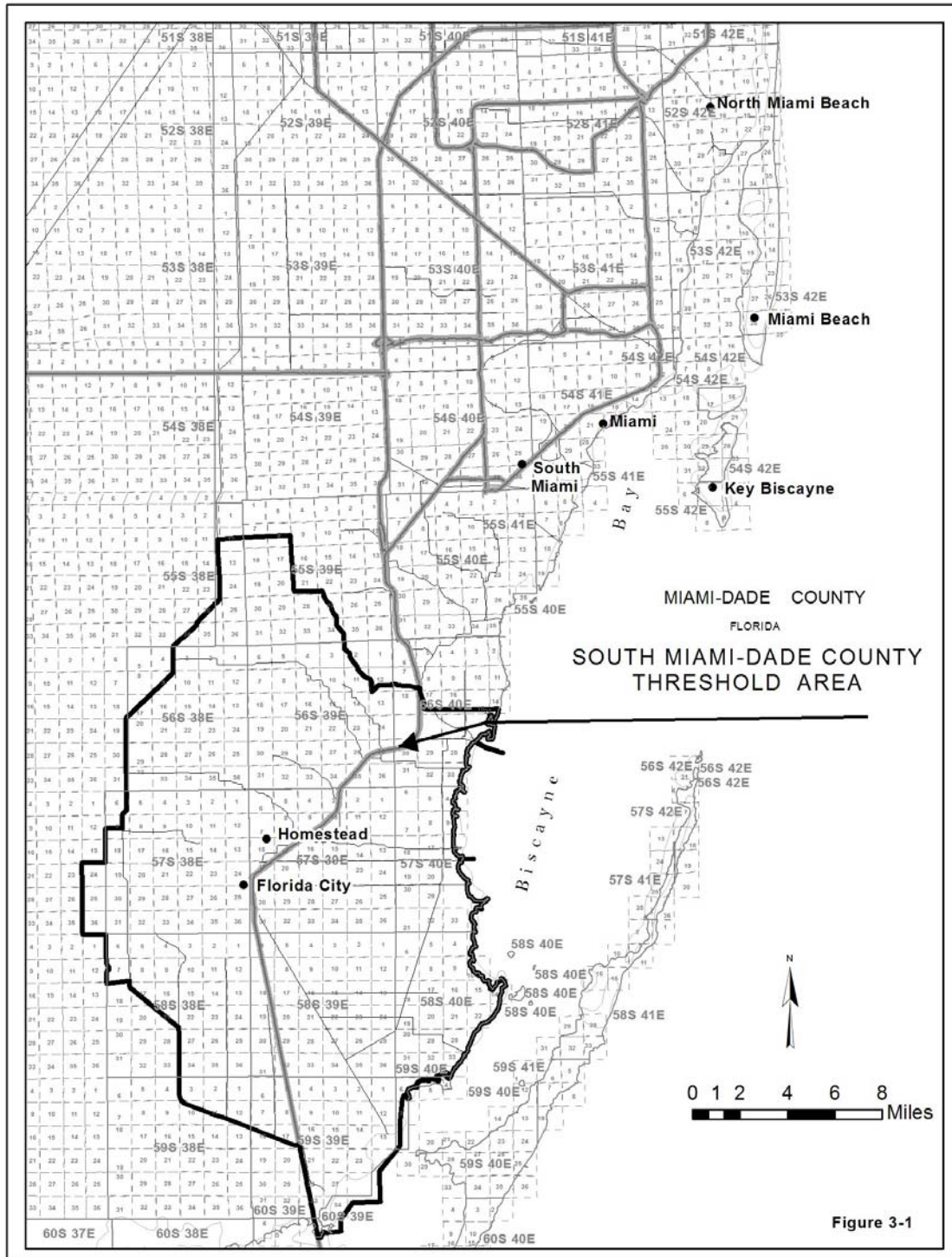


Figure 3-1

Rulemaking Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Steven Memberg, P.G., Water Use Policy Principal Scientist,
Water Use Bureau; phone (561)682-2133

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 11, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 7, 2011

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-30.011	General Permit for Wells
40E-30.031	Implementation
40E-30.042	General Permit for Construction, Repair or Abandonment of Wells
40E-30.112	Notice of Intent
40E-30.141	Request for Additional Information
40E-30.302	Thresholds for South Dade County

PURPOSE AND EFFECT: To repeal Chapter 40E-30, F.A.C., because, in the District's rule review, it was determined that the rules within this chapter are duplicative and will be unnecessary once the no-notice permit is put into Chapter 40E-3, F.A.C. New rules are being proposed in Chapter 40E-3, F.A.C., setting forth the scope of Part VI in regard to the granting of general permits which have been determined by the District to exist in unique geographic areas, and creating a general water well permit by rule for agricultural wells in a specified portion of southern Miami-Dade County that are 25 feet or less in depth.

SUMMARY: To repeal duplicative rule chapter.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. The District has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs. A Statement of Estimated Regulatory Costs (SERC) has been prepared.

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

RULEMAKING AUTHORITY: 373.044, 373.113 FS.

LAW IMPLEMENTED: 373.309, 373.313, 373.326, 373.342 FS.

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

DATE AND TIME: July 12, 2012, 9:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Water Management District Clerk at 1(800)432-2045, ext. 2087 or (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Paulette Glebocki, Hydrogeologist – Lead, Water Use Bureau, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, ext. 6941 or (561)682-6941 or by email to pglebock@sfwmd.gov. For procedural questions, please contact Kathie (Ruff) Redfield, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, ext. 6320 or (561)682-6320 or by email to kruff@sfwmd.gov

THE FULL TEXT OF THE PROPOSED RULES IS:

40E-30.011 General Permit for Wells.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History–New 1-10-85, Repealed _____.

40E-30.031 Implementation.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History–New 1-10-85, Repealed _____.

40E-30.042 General Permit for Construction, Repair or Abandonment of Wells.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History–New 1-10-85, Repealed _____.

40E-30.112 Notice of Intent.

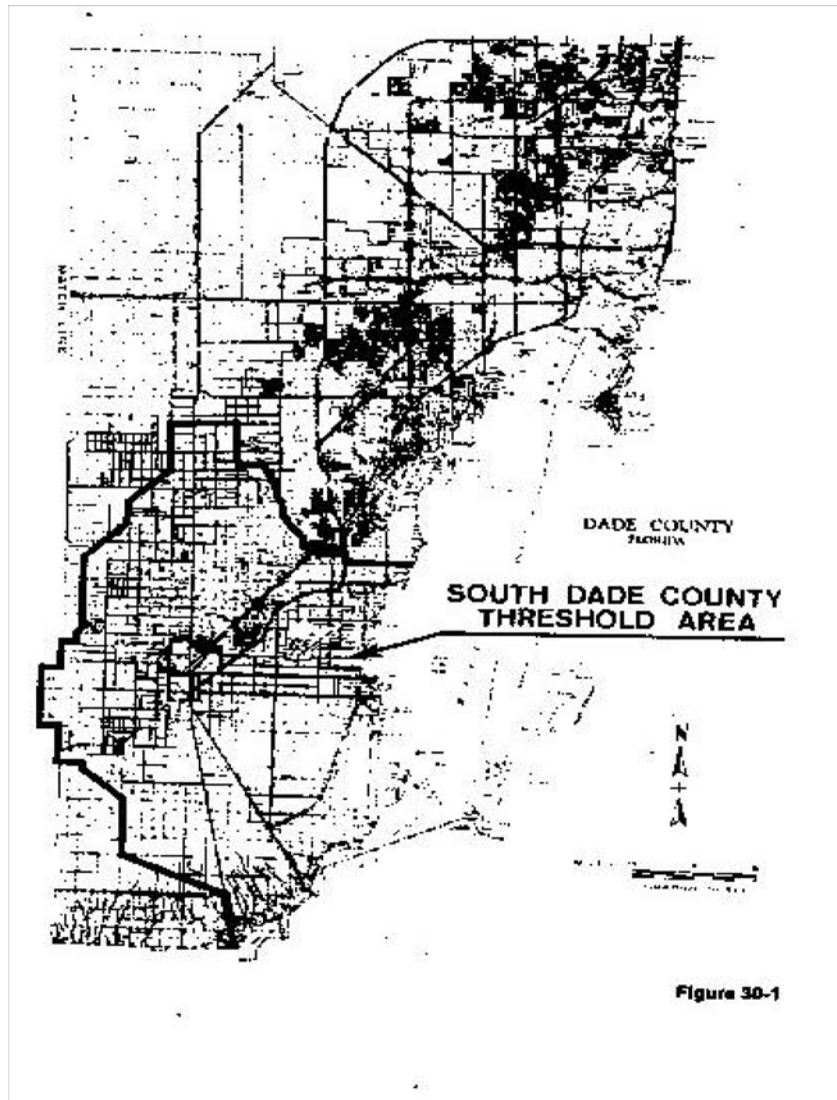
Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History–New 1-10-85, Repealed _____.

40E-30.141 Request for Additional Information.

Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History—New 1-10-85, Repealed.

40E-30.302 Thresholds for South Dade County.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.309, 373.313, 373.326, 373.342 FS. History—New 1-10-85, Repealed.



NAME OF PERSON ORIGINATING PROPOSED RULE:
Steven Memberg, P.G., Water Use Policy Principal Scientist,
Water Use Bureau, phone (561)682-2133

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

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 11, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 7, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-4.002 RULE TITLE:
Medicaid Provider Reimbursement
Schedule

PURPOSE AND EFFECT: The proposed rule amends Rule 59G-4.002, F.A.C. The purpose of the rule amendment is to record effective dates for practitioner procedure codes and fees. The rule amendment also excludes injectable medications from the fee schedule. This latter action is pursuant to Section 409.912(37)(a), F.S.

SUMMARY: The current amendment to Rule 59G-4.002, F.A.C., incorporates by reference the Florida Medicaid Provider Reimbursement Schedule including changes to the following: 1) practitioner procedure codes and fees, effective January 1, 2011; 2) practitioner procedure codes and fees, effective January 1, 2012; 3) fees for general dental services, effective July 1, 2011; 4) physician immunization fees, effective April 1, 2011; and 5) physician immunization fees, effective October 1, 2011. As indicated, the amendment also excludes injectable medications from the fee schedule, because reimbursement rates for medications are established pursuant to Section 409.912(37)(a), F.S. and Rule 59G-4.251, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, F.S., the rule will not require legislative ratification.

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

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Wednesday, June 27, 2012, 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: Fred Lawrence at the Bureau of Medicaid Services, (850)412-4208. If you are 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: Fred Lawrence, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4208, e-mail: fred.lawrence@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.002 Medicaid Provider Reimbursement Schedule. Medicaid providers who provide the following services and their billing agents who submit claims on behalf of an enrolled Medicaid provider must be in compliance with the provisions of the Florida Medicaid Provider Reimbursement Schedule for the following services: January 1, 2010, which is incorporated by reference: advanced registered nurse practitioner, birth center, chiropractic, general dental, hearing, licensed midwife, optometric, outpatient hospital laboratory, physician, physician assistant, podiatry, registered nurse first assistant, and visual. Rule 59G-4.002, F.A.C., incorporates by reference changes to the Florida Medicaid Provider Reimbursement Schedule for the following services: practitioner procedure codes and fees, effective January 1, 2011, practitioner procedure codes and fees, effective January 1, 2012, fees for general dental services, effective July 1, 2011, physician immunization fees, effective April 1, 2011, and physician immunization fees, effective October 1, 2011.

The Florida Medicaid Provider Reimbursement Schedule is available from the Medicaid fiscal agent’s Web site at www.mymedicaid-florida.com. Select Click on Public Information for Providers, then on Provider Support, and then

Fee Schedules. Paper copies of the reimbursement schedule may be obtained by calling the Provider Contact Center at (800)289-7799 and selecting Option 7.

Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 8-18-05, Amended 11-30-05, 4-16-06, 10-11-06, 3-27-07, 7-25-07, 9-29-08, 4-28-09, 2-11-10, 1-31-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Fred Lawrence

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 4, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 15, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-13.088
 RULE TITLE: Developmental Disabilities Consumer Directed Care Plus

PURPOSE AND EFFECT: The purpose is to adopt a new rule for the Developmental Disabilities Medicaid Waivers Consumer Directed Care Plus (CDC+) Program in response to Legislative mandates per the Appropriations Act, adding 2,500 Developmental Disabilities Waivers consumers to the program by July 1, 2010.

SUMMARY: The handbook will include guidelines and requirements specific to the Developmental Disabilities Medicaid Waivers Consumer-Directed Care Plus Program such as definitions, roles, responsibilities, coverage, limitations, forms, and reimbursement.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information and the requirements found in Section 120.541, F.S., the rule will not require legislative ratification.

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: 409.221 FS.
 LAW IMPLEMENTED: 409.221, 409.902, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Monday, June 25, 2012, 2:00 p.m. – 3:30 p.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: Danielle Reatherford at the Bureau of Medicaid Services, (850)412-4263. If you are 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: Danielle Reatherford, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4263, e-mail: danielle.reatherford@ahca.myflorida.com. To download a draft copy of this rule, if available, go to <http://ahca.myflorida.com/Medicaid/review/index.shtml>

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-13.088 Developmental Disabilities Consumer Directed Care Plus.

(1) Individuals enrolled in the Developmental Disabilities Medicaid Waivers Program for Consumer Directed Care Plus, along with all program representatives, consultants, employees, vendors, and Agency for Persons with Disabilities staff must be in compliance with the Developmental Disabilities Medicaid Waivers Consumer Directed Care Plus Program Coverage, Limitations, and Reimbursement Handbook, July, 2012, which is incorporated by reference. The handbook is available from the Medicaid fiscal agent’s Web site at www.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 Provider Contact Center at 1(800)289-7799 and selecting Option 7.

(2) The following appendices are incorporated by reference: Appendix A: CDC+ New Participant Training Program Affirmation Form, July 2012; Appendix B: CDC+ New Participant Training Registration, July 2012; Appendix C: CDC+ Participant Refresher Training Program Affirmation Form, March 1, 2011; Appendix D: CDC+ Participant Refresher Training Registration, March 1, 2011; Appendix E: CDC+ Purchasing Plan, February 14, 2012; Appendix F: CDC+ Quick Update to My Purchasing Plan, June 1, 2009;

Appendix G: Florida CDC+ Weekly Timesheet, January 1, 2011; and Appendix H: CDC+ Participant Information Update Form, November 1, 2009.

Rulemaking Authority 409.221 FS. Law Implemented 409.221, 409.902, 409.907, 409.908, 409.912, 409.913 FS. History New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Danielle Reatherford

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 22, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 11, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:	RULE TITLES:
61-11.001	Application Deadlines
61-11.002	How to Apply
61-11.004	Certification of Eligibility
61-11.005	Notification of Applicants
61-11.006	Examination Administration
61-11.007	Conduct at Test Site, and Notice of Protection Privileges by and to the Department
61-11.008	Licensure Examination Format and Procedures for Candidates with Disabilities (ADA)
61-11.010	Grading of Examinations and Grade Notification
61-11.012	Petitioning for a Formal Administrative Hearing and Requesting a Pre-hearing Review
61-11.015	Definition of a National Examination
61-11.017	Candidates' Post Exam Review of Examination Questions, Answers, Papers, Grades and Grading Key
61-11.0175	Petition or a Formal Administrative Hearing and Requesting a Pre-Hearing Review
61-11.018	Translations

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendments is to remove burdensome, unnecessary language, or language that is not statutorily mandated, to clarify technical language, to update reference manuals and other forms used by the Department, and to update the process for applying for, taking, reviewing, and challenging examinations with the Department or contracted vendors, as permitted by Section 455.217, F.S. The language in

Rule 61-11.012, F.A.C. is being amended and moved to 61-11.0175, F.A.C., as it is more appropriately located following Rule 61-11.017, F.A.C.

SUMMARY: The amendments remove burdensome, unnecessary language, or language that is not statutorily mandated, clarifies technical language, updates reference manuals and other forms used by the Department, and updates the process for applying for, taking, reviewing, and challenging examinations with the Department or contracted vendors.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Bureau of Education and Testing conducted an analysis of the proposed rule's potential economic impact and determined that it did not exceed any of the criteria established in Section 120.541(2)(a), F.S.

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: 455.203(5), 455.213(1), 455.217(1), 455.229 FS.

LAW IMPLEMENTED: 119.07(3), 120.60, 455.213(1), 455.217(1), 455.217(3), 455.217(6), 455.229 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: R. Kathleen Brown-Blake, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

THE FULL TEXT OF THE PROPOSED RULES IS:

61-11.001 Application Deadlines.

(1) Unless otherwise provided below or in board rule, completed applications for licensure examinations shall be submitted on a form as required by board rule, or department rule when there is no board, to the Department at least 60 days prior to the scheduled examination.

~~(2) Applications for permission to sit as a first-time candidate for the accountancy examination shall be postmarked or filed with the Department on or before February 1 for the May examination and on or before August 1 for the November examination.~~

~~(a) The items of original application which must be filed or postmarked by February 1 or August 1 are as follows: application fee, completed application form, character reference forms, and photographs.~~

~~(b) Official transcripts must be received on or before March 1 for the May examination and September 1 for the November examination. For those applicants who complete the educational requirements after February 1 and August 1, official transcripts must be delivered to the Department within 30 days after completion of the requirements. In no instance shall transcripts be delivered to the Department later than the thirtieth day prior to the commencement of the examination, which dates will be considered the times of application for the purpose of satisfying Chapter 473, F.S., if mailed, the postmark will be considered the delivery date.~~

~~(c) Applications to sit as an extended or conditioned candidate shall be made in writing to the Department. Such written request and application fee shall be postmarked or filed with the Department no later than March 1 for the May examination and September 1 for the November examination.~~

~~(3)(a) Applicants applying for the land surveyors examination shall submit their applications 120 days prior to scheduled examination.~~

~~(b) Completed applications will be reviewed by the board or its designee, to determine eligibility, 90 days prior to scheduled examination.~~

~~(c) Applicants applying for the Surveyor in Training (SIT) examination shall submit their completed application 90 days prior to scheduled examination.~~

~~(4) Application for the national funeral director and embalmer licensure examinations must be submitted ninety (90) days prior to the date of the administration of the examination.~~

~~(2)(5)(a) An applicant will be rescheduled for the next available examination if the applicant is unable to sit for the originally scheduled examination by reason of military service and submits to the board, or the Department where there is no board, or to the computer-based testing (CBT)-contracted vendor, a copy of the applicant's military orders or a letter from the applicant's commanding officer.~~

~~(b) An applicant's examination will be rescheduled if the applicant demonstrates to the board, or to the Department where there is no board, or to the computer-based testing (CBT)-contracted vendor, that there was a death in the immediate family, serious injury, illness, or other physical impairment that prevented the candidate from taking the examination. Any such request to reschedule an examination shall include a copy of documentation demonstrating the~~

~~forementioned circumstance which a death notice or death certificate or a statement from the applicant's treating physician which attests that such injury, illness or physical impairment prevented the applicant from taking the examination.~~

~~(c) Any requests for rescheduling of an examination under this section shall be submitted to the board, or the Department where there is no board, or to the computer-based testing (CBT)-contracted vendor, in writing no later than 21 days following the last day of the applicable examination.~~

~~Rulemaking Specific Authority 455.203(5), 455.213(1) FS. Law Implemented 455.213(1) FS. History-New 9-25-80, Amended 1-30-83, Formerly 21-11.01, Amended 11-29-89, 6-9-91, 6-18-91, Formerly 21-11.001, Amended 9-18-96, 2-25-01, _____.~~

~~61-11.002 How to Apply.~~

~~The application will be accompanied by the required fee for application and examination and all documents and other material that are to be considered in support of the application. In addition, two photographs of the applicant's face and head, size two (2) inches by two (2) inches, not more than twelve (12) months old, will be included. Any photograph which is not identifiable will be returned to the applicant and will delay the processing of the application. For examinations administered by a computer-based testing vendor, applicants shall provide two (2) forms of signature identification, one of which contains a photograph and the signature of the applicant. only one photograph shall be required. Applicants must be prepared to show sufficient identification to obtain admission to the test site. Student and employment identification cards shall not be accepted.~~

~~Rulemaking Specific Authority 455.203(5), 455.213(1) FS. Law Implemented 455.213(1), 455.217(4) FS. History-New 9-25-80, Formerly 21-11.02, 21-11.002, Amended 2-25-01, _____.~~

~~61-11.004 Certification of Eligibility.~~

~~(1) The Department, or its designee, will review all applications for licensure by examination to determine completeness of the application.~~

~~(1)(2) The Department shall determine that an application is complete within thirty (30) days after receipt. The Department, where there is no board, shall determine whether the applicant is qualified to take the licensure examination. Where there is a board, the application shall be scheduled for the next available meeting of the appropriate board for the board to determine whether the applicant is qualified to take the licensure examination. This eligibility determination shall be made within the time requirements of Section 120.60(1), Florida Statutes.~~

~~(3) If the Department or board determines that the applicant is not qualified to take the examination the applicant may petition for a hearing before an administrative law judge under Section 120.57, Florida Statutes.~~

~~(2)~~(4) For Department administered examinations, or examinations administered by the computer-based testing (CBT)-contracted vendor, unless otherwise specified by board rule, the board, or the Department when there is no board, shall provide the Bureau of Education and Testing or the computer-based testing (CBT)-contracted vendor a certified list of candidates eligible or pending determination of eligibility to take an examination. The certified list shall be provided to the Bureau of Education and Testing or to the computer-based testing (CBT)-contracted vendor at least ~~20~~ 45 days prior to each examination administration. Candidates who are identified as pending eligibility will ~~may~~ be changed to certified eligible up to 18 days prior to the examination administration date. Candidates who are not identified on the original certified list shall not be permitted to take the examination unless approved by the Chief of the Bureau of Education and Testing.

~~(a) The Barbers' Board shall provide a certified list of eligible candidates to the Bureau of Testing at least 21 days prior to the examination administration date. The list must be final and shall not include any candidates who are pending determination of eligibility.~~

~~(b) The Division of Certified Public Accounting shall provide the Bureau of Testing with site rosters and copies of admission slips at least 21 days prior to the examination admission date.~~

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 120.60, 455.213(1), 455.217(1) FS. History—New 9-25-80, Amended 2-3-81, Formerly 21-11.04, 21-11.004, Amended 9-18-96, 2-25-01, _____.

61-11.005 Notification of Applicants.

(1) For Department administered examinations, unless otherwise specified by board rule, after a decision is made that an applicant meets the lawful requirements for the licensure examination, the Department will schedule the applicant for the next examination where for which space is available that begins at least forty-five (45) days after the applicant is certified eligible.

(2) If all certified candidates cannot be scheduled for the next examination due to space, time, or other limitations beyond the control of the Department, the candidates will be scheduled chronologically according to the date the candidate was certified as eligible or the date the scheduling request was received by the computer-based testing (CBT)-contracted vendor.

(3) The Department or CBT-contracted vendor will notify applicants of the time, place, and date of the examination and provide the applicant with an official admission card or confirmation number, which will be required for admission to the examination. The notice will also inform the applicant what material, if any, should be taken to the examination. The Department or CBT-contracted vendor shall inform the

candidate of the length of the examination, subject content of the examination, and any special equipment or materials needed for the examination.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 455.217(1), 120.60 FS. History—New 9-25-80, Formerly 21-11.05, 21-11.005, Amended 9-18-96, 2-25-01, _____.

61-11.006 Examination Administration.

(1) During the examination, the candidates will follow the instructions of the examination supervisor. The candidates will be permitted to ask reasonable questions of the Department's or computer-based testing (CBT)-contracted vendor's examination supervisor and proctors relating to the instructions.

(2) The Department's valid admission slip for the specified examination and a government-issued, signature bearing photo I.D., such as a driver's license, must be presented in order to gain admission to the examination. This identification shall be acceptable in the absence of the admission slip provided the candidate's name appears on the examination admission roster that has been prepared by the Department for the specific examination. All CBT examination candidates will be required to provide two forms of signature identification, one of which must be photo bearing.

(3) If the candidate arrives at the designated testing location after the designated starting time for an examination administered by the Department, the candidate will be permitted to take the examination only after the candidate has signed a statement clearly indicating the candidate's late arrival time, and agreeing that the candidate will have only the remaining designated time in the examination to complete the examination. Any candidate who refuses to sign such a statement will be disqualified from the examination and must ~~may~~ apply to the Department for scheduling for the next available examination. If, when the late candidate arrives, any other candidate has already finished the examination and left the examination room, the late candidate will not be permitted to sit for the examination and must apply to the Department for scheduling for the next available examination. For CBT examinations and national examinations, late candidates shall comply with the CBT-contracted vendor's or the national examination organization's policies and procedures.

(4) All Department administered examinations will be administered in accordance with the "General Administration Manual for Examinations (GAME), copyright ~~2010~~ 2000," incorporated herein by reference and made available by the Bureau of Education and Testing, which may be obtained by writing to the Department of Business and Professional Regulation, Attention: Examination Administration, Northwood Centre, 1940 North Monroe Street, Tallahassee, Florida 32399-0791. Administration requirements set forth by national boards and councils will be complied with in the administration of the specific examination.

(5) All examination items, answer sheets, examination books, other examination papers, computer files, and materials are the sole property of the Department of Business and Professional Regulation or the national provider. No candidate shall take any of the examination questions, examination books, answer sheets, other examination papers, computer files, and materials from the examination room or retain, reproduce, or compromise the materials in whole or in part by any means or method whatsoever.

(6) For CBT examinations, candidates are permitted to test out of state and are, subject to fees charged by the CBT-contracted vendor to the candidates for this service.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 455.217(1) FS. History—New 9-25-80, Amended 2-3-81, 12-7-81, 10-28-82, Formerly 21-11.06, Amended 6-22-88, 7-10-90, Formerly 21-11.006, Amended 9-18-96, 2-25-01, _____.

61-11.007 Conduct at Test Site, and Notice of Protection Privileges by and to the Department.

(1) The examination supervisor, proctors, and computer-based testing (CBT)-contracted vendor are the Department's designated agents in maintaining a secure and proper examination administration.

(2) The department and its designated agents shall may use any technology reasonably necessary to protect the integrity and security of any licensure examination. To safeguard and maintain the validity, reliability, integrity, security, and confidentiality of the examination items, as set forth in Section 119.07(6), Florida Statutes, Section 119.071(1)(a), Florida Statutes, Section 455.217(1)(e) and (5), Florida Statutes, Section 455.229(1) and (2), Florida Statutes, Rule 61-11.006, Florida Administrative Code, and Rule 61-11.017, Florida Administrative Code, candidates must wait a twenty-four (24)-hour grace period after the release date on the original failed grade notification to reschedule on-line or through any contact with a representative of the Department or CBT-contracted vendor to reschedule for any failed examination.

(3) Any individual found by the Department or any board within the Department to have engaged in conduct which subverts or attempts to subvert the examination process will be subject to confiscation of any written, photographic, or recording materials or devices in the possession of the applicant at the examination site, will may have his or her scores on the examination withheld and/or declared invalid, be disqualified from the practice of the profession, and/or be subject to the imposition of other appropriate sanctions by the Department or, if administered by a board within the Department, by the applicable board. Any individual under investigation for an alleged violation of Section 455.2175, F.S. shall be prohibited from taking another exam until the criminal investigation determines if a violation occurred. If the

investigation reveals that a violation did occur, the individual is prohibited from taking another exam for licensure with the Department.

(4) Conduct which subverts or attempts to subvert the examination process includes:

(a) Conduct which violates the security of the examination materials, such as removing from the examination room any of the examination materials; reproducing or reconstructing any portion of the licensing examination; aiding by any means in the reproduction or reconstruction of any portion of the licensing examination; selling, distributing, buying, receiving or having unauthorized possession of any portion of a future or current licensing examination.

(b) Conduct which violates the standard of test administration, such as communicating with any other applicant examinee during the administration of the examination; copying answers from another applicant examinee or permitting one's answers to be copied by another applicant examinee during the administration of the examination; having in one's possession during the administration of the licensing examination any book, notes, written or printed materials or data of any kind, other than the examination materials distributed or specifically listed as approved materials for the examination room in the information provided to the applicant examinee in advance of the examination date by the Department and/or the national supplier of the examination.

(c) Conduct which violates the credentialing process, such as falsifying or misrepresenting educational credentials or other information required for admission to the examination; impersonating an applicant examinee or having an impersonator take the licensing examination on one's own behalf.

(5) Any violation of the conduct rules or other irregularities will be documented in writing by the Department's agent(s) and the documentation of the violation or irregularity will be presented to the appropriate regulatory board or departmental unit for consideration and action. The Department's agent(s) shall exercise extreme care in their documentation to ensure that the violation or irregularities are precisely recorded as they were witnessed.

(6) The department or its designated agents shall take steps reasonably necessary to prevent or investigate any conduct which subverts or attempts to subvert the examination process.

Rulemaking Specific Authority 455.203(5), 455-217(1)(e) FS. Law Implemented 455.217(1) FS. History—New 9-25-80, Formerly 21-11.07, Amended 6-22-88, Formerly 21-11.007, Amended 9-18-96, 2-25-01, 9-1-02, _____.

61-11.008 Licensure Examination Format and Procedures for Candidates with Disabilities (ADA).

(1) The Department of Business and Professional Regulation will provide reasonable and appropriate accommodations to candidates with physical, mental, or specific learning disabilities to the extent permitted by cost, administration restraints, security considerations, and availability of resources. Accommodations made will vary depending upon the nature and the severity of the impairment. Each case will be dealt with on an individual basis within the limits prescribed herein. In the instances of ~~n~~National examinations, guidance will be sought from the ~~n~~National provider. Reference information and guidelines regarding the process for documenting disabilities are contained in the document titled "ADA Application Instruction Booklet", ~~Request for Test Accommodations for Examinees with Disabilities~~, made available by the Bureau of Education and Testing, which may be obtained by writing the Department of Business and Professional Regulation, Attention: Special Testing Coordinator, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0791.

(2) A candidate requesting special accommodation must file the ADA application, incorporated herein by reference, ~~request~~ in addition to his or her completed application for licensure examination by the final application deadline of the assigned examination. The candidate must provide the following documentation of his or her disability completed by an appropriate professional. ~~The application and documentation required by this subsection must be provided on form number 2002-064, incorporated herein by reference and dated March 2000. This form can be obtained by writing the Department of Business and Professional Regulation, Attention: Special Testing, Northwood Centre, 1940 North Monroe Street, Tallahassee, FL 32399-0791. The candidate's documentation shall include:~~

- (a) The diagnosis and length of time with the condition;
- (b) The name and the results of the test(s) used for diagnosis; and
- (c) Recommended accommodations and testing environment.

(3) Reasonable and appropriate accommodations will be made for qualifying candidates. All accommodations must be directly linked to the amelioration of the identified functional limitations caused by the asserted disability and must be reasonable and effective. Permissible accommodations include:

(a) Flexible Time. Candidates requiring extra time for the examination must submit a recommendation of such from an appropriate professional. The Department recognizes that reading Braille or using a live reader takes longer than reading regular print. Untimed examinations will not be provided.

(b) Flexible Setting. Individual and small group setting examination administrations shall be available to candidates when such a service is recommended by an appropriate professional.

(c) Flexible Recording of Responses. The candidate's responses can be recorded by a proctor, a tape recorder, a typewriter, a Braille writer, marked on the examination test booklet, or other method approved by the Department. The proctor may transcribe the candidate's responses onto a machine scannable answer sheet. In these instances, the candidate will verify that the answers he or she indicated were marked.

(d) Flexible Format. The examination test booklet may be produced in large print, high quality regular print, Braille, or the test may be tape recorded, read aloud, or signed by an interpreter.

(e) Assistive Devices. The candidate, upon approval of the department, will be allowed to use appropriate assistive devices, such as lights, magnifiers, or special computer screens.

(4) The Department shall request further evidence on the necessity of the accommodation when the evidence substantiating the need for the accommodation is not complete. The Department shall request that the applicant submit to another professional evaluation to verify the disability or to determine what accommodations are most appropriate and effective when the initial evaluation is inconclusive, unclear, or does not substantiate the need for the requested accommodation.

(5) In no case shall any modifications authorized herein be interpreted or construed as an authorization to provide a candidate with assistance in determining the answer to any test item. No accommodation or modification shall be made that adversely affects the integrity of the examination.

(6) Definition of Terms.

(a) A person with disabilities means any person who:

- 1. Has a physical, mental, or specific learning disability which presently substantially limits one or more major life activities;
- 2. Has a record of such a disability; or
- 3. Is regarded as having such a disability.

(b) Major life activities are activities that an average person can perform with little or no difficulty including walking, talking, hearing, breathing, learning, working, caring for one's self, and performing manual tasks.

(c) A person with a physical disability means any person who has a permanent or temporary physical or psychomotor disability. Examples of a disability under this section include those disabilities that require the use of a wheelchair, braces, or crutches. It also includes candidates with a hearing or sight disability, or those who will may need special accommodation to move about.

(d) A person with a learning disability means any person who has a permanent or temporary mental disability such as brain damage, brain dysfunction, dyslexia, or a perceptual disorder.

(e) For purposes of this rule, “an appropriate professional” means a physician licensed pursuant to Chapters 458 (Medical Practice) or 459 (Osteopathic Medicine), Florida Statutes; a professional licensed pursuant to Chapters 460 (Chiropractic), 461 (Podiatric Medicine), 463 (Optometry), 468, Part I (Speech-Language Pathology and Audiology), or 490 (Psychological Services), Florida Statutes; or appropriately licensed in the state ~~where in which~~ the certification of disability was performed. Any certification, documentation, or recommendation relating to a candidate’s disability provided by an appropriate professional pursuant to the requirements of this rule must not be beyond the scope permitted by law for that professional or that which the professional knows or has reason to know that he or she is not competent to perform.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 455.217(1) FS. History—New 9-25-80, Formerly 21-11.08, Amended 6-22-88, Formerly 21-11.008, Amended 2-25-01, _____.

61-11.010 Grading of Examinations and Grade Notification.

(1) Pursuant to Section 455.217, Florida Statutes, grading of all examinations shall be processed only as follows:

(a) National Examinations shall be graded solely and exclusively by the national examination provider or its designee. National examinations shall include those developed by or for national boards, councils, associations or societies.

(b) Departmentally developed objective, multiple choice examinations shall be graded by the Department or its designee. The Department shall review the item analysis and any statistically questionable items after the examination has been administered. Based upon this review, the Department shall adjust the scoring key by totally disregarding the questionable items for grading purposes or by multi-keying, giving credit for more than one correct answer per item. All items which do not adequately and reliably measure the applicant’s ability to practice the profession shall be rejected. The Department or its designee shall calculate each candidate’s grade utilizing the scoring key or adjusted scoring key, if applicable, and shall provide each candidate with a grade report. The only paper that shall be graded is the official answer sheet. No credit shall be given for answers written in a candidate’s examination booklet.

(c) Departmentally developed practical examinations shall be graded by the Department or its designee. The Department shall review the item analysis, if applicable, examiner agreement report, and any procedure judged to be statistically questionable after the examination has been administered. Based upon this review, the Department shall adjust the scoring criteria by rejecting, crediting, or giving partial credit

for any procedure or question which does not adequately and reliably measure the applicant’s ability to practice the profession. The Department or its designee shall calculate each candidate’s grade using the scoring criteria or adjusted scoring criteria, if applicable, and shall provide each candidate with a grade report.

(d) If after the distribution of grades for a particular administration there are adjustments to the scoring, amended grade reports shall be mailed to all failing candidates whose scores are increased and to all candidates whose pass/fail status changes due to the adjustment unless the candidate has taken and passed a subsequent administration of the examination.

(e) Examinations developed or administered for the Department by contracted vendors ~~professional testing companies~~ other than national examination providers shall be graded by the contracted vendor testing company or by its designee. Grading procedures shall be in compliance with the provisions of this rule.

(2) The Department shall notify the candidate of the results of the candidate’s examination no later than sixty (60) days after the examination date, except when the grades, or portions thereof, are computed by the national board, council, association, or society responsible for a national examination in Florida. The grades for an examination containing a national portion shall be sent to the candidate no later than thirty (30) days after the receipt of the grades by the Department from the national board, council, association, or society responsible for the national examination in Florida. For Harbor Pilots, final results of the examination will be released sixty (60) ~~60~~ days after the reviews are completed.

(3) The Department or its designee shall inform each passing candidate of the candidate’s status and provide necessary instructions for obtaining a license.

(4) Any candidate who does not receive a passing score on a licensure or certification examination will be notified of the examination results test(s) failed, the requirements for re-examination, ~~and~~ review, and formal administrative hearing appeal rights and procedures.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented ~~455.203(5), 455.217(1), 455.229~~ FS. History—New 9-25-80, Formerly 21-11.10, Amended 10-27-92, 5-27-93, Formerly 21-11.010, Amended 9-18-96, 2-25-01, _____.

61-11.012 Petitioning for a Formal Administrative Hearing and Requesting a Pre-hearing Review

Rulemaking Specific Authority 455.203(5), 455.229 FS. Law Implemented ~~455.203(5), 455.217, 455.229~~ FS. History—New 9-25-80, Amended 2-3-81, 12-7-81, Formerly 21-11.12, Amended 6-14-89, 5-2-91, 7-28-92, 10-27-92, 5-27-93, Formerly 21-11.012, Amended 9-18-96, 2-25-01, Repealed _____.

61-11.015 Definition of a National Examination.

~~(1) In compliance with Section 455.217(1)(d), Florida Statutes, the Department shall use any national examination which is available and approved by the board.~~

~~(1)(2) A national examination is an examination developed by or for a national or multi-state professional association, board, council, or society (hereinafter referred to as organization) and administered for the purpose of assessing entry level standards of practice skills necessary to protect the health, safety, and welfare of the public from incompetent practice and meets the following standards:~~

~~(a) The organization must be generally recognized by practitioners across the nation in the form of representatives from the State Boards or shall have membership representing a substantial number of the nation's or states' practitioners who have been licensed through the national examination.~~

~~(b) The organization shall be the responsible body for overseeing the development and scoring of the national examination.~~

~~(2) Generally accepted testing standards must meet the following criteria:~~

~~(a) The purpose of the examination assesses shall be to establish entry level standards of practice that shall be common to all practitioners;~~

~~(b) The practice of the profession at the national level must be defined through an occupational analysis survey with a representative sample of all practitioners and professional practices; and~~

~~(c) The examination for licensure must assess the scope of practice and the entry skills defined by the national occupational analysis; and survey.~~

~~(3) The organization must be generally recognized by practitioners across the nation in the form of representatives from the State Boards or shall have membership representing a substantial number of the nation's or states' practitioners who have been licensed through the national examination.~~

~~(4) The organization shall be the responsible body for overseeing the development and scoring of the national examination.~~

~~(d)(5) The organization shall provide security guidelines for the development and grading of the national examination and shall oversee the enforcement of these guidelines.~~

~~(3) Parts A and B of the Examination Evaluation Questionnaire are adopted and incorporated herein by reference. This questionnaire can be obtained at 1940 North Monroe Street, Tallahassee, Florida 32399.~~

Rulemaking Specific Authority 455.203(5), 455.217(1)(d) FS. Law Implemented 455.217(1)(d)(e) FS. History—New 6-14-89, Formerly 21-11.015, Amended 2-25-01, _____.

61-11.017 Candidates' Post Exam Review of Examination Questions, Answers, Papers, Grades and Grading Key.

~~(1) Subsections (1) through (7) shall apply to all examinations other than those given pursuant to Chapter 475, Florida Statutes, and the Division of Real Estate. Pursuant to Section 455.217(3), Florida Statutes, a candidate who has taken and failed a departmentally developed objective multiple choice examination, a departmentally developed practical examination, or an examination developed for the Department by a computer-based testing (CBT)-contracted vendor or qualified national testing vendor permitting such a service, will professional testing company shall have the right to review only the last administered examination items, answers sheets, examination books, other examination, papers, grades, and grading keys for the parts of the examination failed or the questions the candidate answered incorrectly only. Review of examinations developed by or for a national council, association, or society (hereinafter referred to as "national organization") shall be conducted in accordance with national examination security guidelines and timeframes.~~

~~(2) Those candidates who elect to exercise their right to review must submit a request in writing to the Department or on-line with the computer-based testing (CBT)-contracted vendor within the time frame as set forth in this section.~~

~~(a) Unless otherwise provided in board rule, written or on-line review requests must be received no later than twenty-one (21) days after the release date on the original grade notification. The issuance of an amended grade notice, if applicable, will not extend the deadline for a candidate to request a post-examination review, unless the amended grade notice affects the pass/fail status of the candidate.~~

~~(b) No request received past the specified deadline in paragraph (2)(a) will be accepted.~~

~~(3) Examination reviews shall be conducted in the presence of a representative of the Department or CBT vendor at the Department's Tallahassee headquarters, Orlando, or Miami, where possible. Only the applicant will be permitted to attend the examination review and only one (1) review of the applicant's last administered examination will be allowed or in the same city where the candidate sat for the exam.~~

~~(a) All examination reviews shall be conducted in accordance with that examination's administration procedures to the extent possible and feasible.~~

~~(b) All security rules defined in Rules 61-11.006 and 61-11.007, Florida Administrative Code, shall apply to all review sessions. Any candidate violating any provision of said rules shall be dismissed from the review session and may be subject to other sanctions pursuant to Department and/or Board statutes or rules as determined by the board or Department when there is no board.~~

~~(c) Unless specified otherwise in board rule, all examination reviews by candidates shall be scheduled and completed no later than ninety (90) days after the release date~~

on the original grade notification. However, a candidate may not participate in a review during the twenty-one (21) day period immediately prior to his or her next examination attempt. The review and challenge process is only available for the last failed examination administered or taken by the applicant.

(d) A representative of the Department or the CBT vendor shall remain with all candidates throughout all examination reviews. Candidates shall be informed that the representative cannot defend the examination or attempt to answer any examination questions during the review.

(e) Candidates will be given an examination review time of one-half (1/2) the time provided for the examination administration of the part failed at the Department or at the CBT-contracted vendor's examination site at any reasonable time, under reasonable conditions, and in the presence of a representative of the Department or the CBT-contracted vendor.

(f) Examination Test booklets used by the candidate during the examination are not retained. Candidates reviewing the examination will be provided with a clean, exact copy of the original test questions. They will not be given the actual examination test booklets they used during the examination. Consequently, any marks or notes made by candidates during the examination will not be available during the review.

(g) Unless prohibited by board rule or national guidelines, candidates have the right to challenge any question ~~that which~~ they believe ~~to may~~ be ambiguous or any solution ~~that which~~ they believe ~~to may~~ be incorrect, and to request a formal administrative hearing if there are any disputed issues of material fact as set forth by Sections 120.569, 120.57, F.S., and Rule 61-11.012, F.A.C. if the challenge is found to be without merit. The candidate's challenges must be submitted in writing during the scheduled review. Any challenges or supporting documentation submitted after the candidate has left the review room shall not be accepted.

(h) Upon completion of reviews, candidates shall acknowledge in writing the review start time, the review end time, all materials reviewed, and other relevant review information, which candidate's acknowledgement must be verified by a representative of the Department or the CBT-contracted vendor.

(4) In addition to the provisions of subsection (3), examination candidates shall be prohibited from leaving the review with any written challenges, grade sheets, or any other examination materials.

(5) If an examination review results in a re-grade of examination, that re-grade shall be limited to the candidate who filed the examination challenge. For a practical examination, unless examination security is involved, a candidate may obtain by mail a copy of his or her grade sheets resulting from a practical examination. The request must be made in writing to the Department, and adhere to provisions

~~set forth in subsection (2), be signed by the candidate, and state the address to which the grade sheets are to be mailed. This shall constitute a review of the practical examination.~~

(6) Unless otherwise specified in board rule or prohibited by guidelines as set forth by national contracted vendors, the review fee will not exceed \$150 per exam part shall be 75, in addition to any fee charged for review by the national organization, if there is one.

(7) If a successful challenge results in a regrade of an examination, that regrade shall be limited to the candidate who filed the successful challenge.

~~(8) Division of Real Estate Examination Reviews:~~

~~(a) Each candidate who has taken a Division of Real Estate (DRE) examination for licensure or certification shall have the right to review the candidate's most recent examination within two years from the date of the examination. The candidate shall be permitted to review only those questions the candidate answered incorrectly.~~

~~(b) The candidate or the candidate's attorney shall make a request to the examination vendor, by telephone, facsimile, or in writing, for an appointment to review the candidate's examination. The examination review, consisting of not more than one hour, shall be conducted at the examination vendor's examination site during normal working hours.~~

~~(c) An employee of the examination vendor (examination review monitor) or authorized representative of the Department shall remain with the candidate and the candidate's attorney during the reviewing process. Neither the examination review monitor nor authorized Department representatives are permitted to defend the examination or attempt to answer or refute any questions.~~

~~(d) Only the candidate and the candidate's attorney shall be permitted to attend the examination review and only one review of the candidate's examination will be allowed. Neither the candidate nor the candidate's attorney will be permitted to copy questions from the test but may write on a separate paper, in the presence of the examination review monitor or authorized Department representative, any objections or questions the candidate has to the examination.~~

~~(e) The candidate and the candidate's attorney shall leave the written objections and questions with the examination review monitor or authorized Department representative when the candidate and the candidate's attorney leave the review room.~~

~~(f) If desired, a review by the appropriate Validation Committee may be requested, in writing to the Division, within 30 days from the date of the examination review.~~

~~(g) The review fee shall be \$75.~~

~~(h) If an examination review results in a regrade of an examination, that regrade shall be limited to the candidate who filed the examination challenge.~~

Rulemaking Specific Authority 455.203(5), 455.217(3), 455.229 FS. Law Implemented 119.07(3)(a), 455.217(3)(2), 455.229 FS. History--New 10-26-92, Amended 5-27-93, Formerly 21-11.017, Amended 11-16-95, 9-18-96, 2-25-01, _____.

61-11.0175 Petitioning for a Formal Administrative Hearing and Requesting a Pre-hearing Review.

(1) If the candidate did not exercise his or her right for the post-examination review, pursuant to Section 455.217, F.S., and elects to request a formal administrative hearing, he or she will be required to pay the post-examination review fee, as specified by board rule or by Department rule when there is no board, before a pre-hearing review is scheduled. In order to preserve the security and integrity of the examination, such candidate shall be permitted to review only the questions and answers missed on the examination.

(2) Any comments made during the pre-hearing review will not be responded to by the Department. All pre-hearing reviews shall be conducted at a location determined by the Department. All security procedures outlined in Rules 61-11.007 and 61-11.017, Florida Administrative Code, shall apply to the candidate, the candidate's attorney, and the candidate's expert witness for all review sessions.

(3) In preparation for a formal administrative hearing, if it is discovered by the Department that credit should be awarded for one or more items outlined in the candidate's petition, an amended grade notice shall be issued reflecting his or her amended score.

Rulemaking Authority 455.203(5), 455.229 FS. Law Implemented 455.217, 455.229 FS. History--New _____.

61-11.018 Translations.

In authorizing the translation of licensure examinations to an applicant's native language, the Legislature has determined that translated licensure examinations pose no inherent threat to the public health, safety, and welfare.

(1) To allow the Department sufficient time to translate an examination, an applicant for licensure in a profession directly regulated by the department wishing to take the examination in a language other than English or Spanish shall:

(a) File a written request with the Department at least six (6) months prior to the date of the scheduled examination.

(b) Submit, in addition to all other applicable fees, the required translation fee as defined in subsection (2) of this rule on or before the 60th day prior to the date of the scheduled examination.

(2) The Department shall notify the applicant of the amount of the translation fee on or before the 75th day prior to the scheduled examination. The amount of the fee for each applicant for the translated examination shall be a pro rata share for all applicants applying to take the scheduled translated examination to cover the Department's full direct

and indirect costs of the development, preparation, administration, grading and evaluation of the translated examination.

(3) Unless otherwise specified in board rule or prohibited by national guidelines, in lieu of a translated examination, candidates may elect to use a translation dictionary. This dictionary must consist of only word or phrase translations and must remain as published. Dictionaries containing definitions of words, explanations of words or handwritten notes will not be permitted. A representative of the Department or Computer-Based Testing (CBT)-contracted vendor Testing center staff will inspect and approve the dictionary at the examination site and approve it before it can be used during the examination. Any dictionary that does not meet these criteria will be rejected.

Rulemaking Specific Authority 455.203(5), 455.217(1) FS. Law Implemented 455.217(6) FS. History--New 1-4-94, Amended 2-25-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: R. Kathleen Brown-Blake, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-0062

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 8, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 23, 2012

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.012
 RULE TITLE: Provisional Certificates

PURPOSE AND EFFECT: This proposal codifies the purpose of the provisional license which was intended to provide local governments with a means to immediately authorize new hires and newly promoted individuals who are unlicensed to perform their newly assigned function while said newly commissioned employee endeavors to successfully complete the statutorily mandated licensure examination.

SUMMARY: Currently, in order to provide continuity of service to the public without placing the public at risk, governmental entities are authorized to utilize unlicensed newly hired or newly promoted individuals to perform building code administration and inspection services provided that said individuals meet all experiential requirements and only lack the successful completion of the licensure examination related to the license required.

The proposal restricts the activity of a provisional government servant to the jurisdiction of the governmental entity with which they were recently commissioned.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Council has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendment will not require ratification by the Legislature. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 468.606, 468.609(7) FS.

LAW IMPLEMENTED: 468.609 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.012 Provisional Certificates.

(1) through (3) No change.

(4) Provisional certificates shall only be issued to persons employed by an agency of government and the authority of the certificate shall be limited to the jurisdiction of the government agency with which the applicant was employed at the time the provisional certificate was originally issued.

(5) through (6) No change.

Rulemaking Specific Authority 468.606, 468.609(7) FS. Law Implemented 468.609(7) FS. History—New 5-23-94, Amended 5-21-95, 8-28-95, 12-6-95, 1-3-96, 2-23-99, 4-30-01, 1-10-07, 1-16-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Building Code Administrators and Inspectors Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 10, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 30, 2010

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-621.500 Permits

PURPOSE AND EFFECT: The Department is revising subsection 62-621.500(1), F.A.C., the existing Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds, providing permit requirements that meet a level of protection commensurate with potential environmental impacts, based on long-term monitoring data from existing citrus packinghouse facilities under individual permits.

SUMMARY: The Department is amending this Generic Permit to standardize ground water monitoring, reduce the number of parameters and frequency of effluent and ground water sampling and to develop standard Best Management Practices (BMPs) that can be implemented at all facilities covered under the generic permit.

OTHER RULES INCORPORATING THIS RULE: 62-620.310; 62-660.806, F.A.C.

EFFECT ON THOSE OTHER RULES: None

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The purpose of this rulemaking is to reduce and standardize the permitting requirements from what currently exists in Department rules. Therefore the rule reduces regulatory costs and does not impose any adverse impacts.

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: 403.061, 403.087, 403.088, 403.814 FS.

LAW IMPLEMENTED: 403.061, 403.087, 403.0877, 403.088, 403.814 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: June 25, 2012, 1:30 p.m. – 2:30 p.m.

PLACE: Conference Room A204/208, Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Rd., 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: Shirley Shields, Department of Environmental Protection, MS 3545, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8589, Shirley.shields@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hubbard, Department of Environmental Protection, MS 3545, 2600 Blair Stone Rd., Tallahassee, FL 32399-2400, (850)245-8589, allen.hubbard@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

62-621.500 Permits.

(1) Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds.

(a) The document “Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds,” document number 62-621.500(1)(a), issued by the Department and dated (effective date of this revised rule), ~~May 10, 2005~~, is hereby incorporated by reference and made part of this Chapter. This document may be obtained by contacting either the local Department District Office, by writing the Department of Environmental Protection, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or from the Department’s website or from (F.A.C. website link).

(b) Form number 62-621.500(1)(b), Notice of Intent to use Request for Coverage under the Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds, effective (effective date of this revised rule), ~~May 10, 2005~~, is hereby incorporated by reference and made part of this Chapter. This form may be obtained by contacting either the local Department District Office, by writing the Department of Environmental Protection, Industrial Wastewater Section, Mail Station #3545, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or from the Department’s website or from (F.A.C. website link).

(c) Definitions.

1. “Existing fresh citrus fruit packinghouse” or “existing facility” means a packinghouse which was in operation, under construction or under expansion on or before (effective date of this revised rule).

2. “Expanded fresh citrus fruit packinghouse” means a facility that increases the quantity of discharge flow.

3. “New fresh citrus fruit packinghouse” or “new facility” means a fresh citrus fruit packinghouse that begins construction after (effective date of this revised rule).

(d)(e) Applicability and Coverage.

1. This generic permit authorizes:

a. Construction and operation of new or expanded fresh citrus fruit packinghouses under Section 403.814, F.S., that use ~~utilize~~ percolation ponds to dispose ~~discharge~~ wash water to ground water; and

b. Operation of existing fresh citrus fruit packinghouses under Section 403.814, F.S., that use ~~utilize~~ percolation ponds to dispose ~~discharge~~ wash water to ground water.

2. This generic permit does not authorize; ~~constitute authorization for the construction~~

a. Construction and operation of storm water management facilities under Part IV of Chapter 373, F.S.;

b. Discharge of domestic wastewater;

c. Discharge of vehicle or mobile equipment wash water;
or

~~d.3. This generic permit does not constitute authorization to discharge of pollutants to waters of the United States under the National Pollutant Discharge Elimination System established by the federal Clean Water Act or surface waters of the state.~~

3. Existing facilities with current individual industrial wastewater permits or coverage under the generic permit adopted May 10, 2005, may submit DEP Form 62-621.500(1)(b), F.A.C., with Parts I, II, III and VI completed to convert directly to coverage under this generic permit, provided that:

a. The facility has no unresolved consent orders or notices of violation related to wastewater activities, and

b. The facility certifies in DEP Form 62-621.500(1)(b), F.A.C., that it does not propose to expand its discharge flow as defined in paragraph 62-621.500(1)(c), F.A.C.

4. Coverage under this generic permit is available ~~for fresh citrus fruit packinghouses that utilize percolation ponds to discharge wash water to ground water,~~ provided all criteria specified in the this permit are met.

5. through 6. No change.

7. Fresh Citrus Fruit Packinghouses that New and existing facilities that utilize percolation ponds to discharge wash water to ground water which do not qualify for coverage or do not choose to be covered under this generic permit shall:

a. through b. No change.

8. through 9. No change.

10. This generic permit does not apply to fresh citrus fruit packinghouses that ~~use~~ utilize sprayfield type land application wash water disposal systems, or other types of land application wash water disposal systems not otherwise complying with the requirements of this rule.

~~(e)(d)~~ Exemptions.

1. ~~1. Fresh Citrus Fruit Packinghouses~~ Any facility as defined under this rule generating less than 5,000 gallons of wash water per day during the operating season ~~is~~ exempt from the requirement to obtain a Department industrial wastewater permit if all of the following requirements are met:

a. The facility can document the volume of wash water generated.

~~b.a.~~ Wash water ~~Wastewater~~ is not discharged directly to surface waters or to ground waters through wells or sinkholes that allow direct contact with Class G-I, F-1 or G-II ground waters as defined in Chapter 62-520, F.A.C.;

~~c.b.~~ The disposal of the facility's wash water ~~wastewater~~ does not cause or contribute to a violation of surface water and/or ground water quality standards; and

~~e.~~ There is a 100 foot setback between the wetted perimeter and the facility's property boundary;

d. Best Management Practices (BMPs) are implemented to minimize overflows and runoff from the land application site, and ensure proper pond maintenance.;

~~e.~~ The facility shall maintain records in accordance with condition H.F.1. of this generic permit.

~~(f)(e)~~ Requests for Coverage.

~~1.~~ Request for coverage under this generic permit shall be submitted to the appropriate district office of the Department. New or expanded facilities shall submit ~~For new facilities, requests for coverage shall be submitted~~ at least 30 days prior to planned commencement of construction. Facilities seeking conversion from individual permits and facilities seeking continued coverage shall submit requests at least 30 days prior to expiration of current permit coverage. ~~All r~~Requests for coverage for new and existing facilities shall include the following items:

~~1.a.~~ Completed Notice of Intent to use the ~~Request for Coverage Under~~ Generic Permit for Discharges From Fresh Citrus Fruit Packinghouses to Percolation Ponds, DEP Form 62-621.500(1)(b);-

~~2.b.~~ Applicable generic permit fee pursuant to Rule 62-4.050, F.A.C., and Section 403.087, F.S., as specified in Form 62-621.500(1)(b), Notice of Intent to use the Generic Permit for Discharges from Fresh Citrus Fruit Packinghouses to Percolation Ponds.

~~e.~~ Ground Water Monitoring Plan prepared in accordance with Rule 62-621.500, F.A.C.

~~d.~~ Engineering report, signed and sealed by a professional engineer in accordance with Part V.A.3, certifying that the design of the percolation pond meets the requirements of Part III of this permit.

~~2. The permittee may request continued coverage under this generic permit in accordance with the requirements contained in Rule 62-621.500(1)(e)1, F.A.C., above. Alternatively, if no modifications or expansions to the facility have been made during the current term of coverage, the permittee may request continued coverage by completing Parts II, III, VII and VIII of DEP Form 62-621.500(1)(b), along with the applicable generic permit fee pursuant to Rule 62-4.050, F.A.C.~~

~~3. Request for continued coverage under this generic permit shall be made at least 180 days before expiration of current coverage.~~

(2) No change.

Rulemaking Specific Authority 403.061, 403.087, 403.088, 403.814 FS. Law Implemented 403.061, 403.087, 403.0877, 403.088, 403.814 FS. History--New 5-10-05, Amended 2-7-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Allen Hubbard
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 9, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 17, 2012

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE NO.: 64B1-4.0011
RULE TITLE: Documentation Necessary for Licensure Application

PURPOSE AND EFFECT: The Board proposes this rule amendment to update the form revision date and incorporate it by reference.

SUMMARY: The rule amendment will update the form revision date and incorporate it by reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and

that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 457.104 FS.

LAW IMPLEMENTED: 456.048, 457.105 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Jusevitch, Executive Director, Board of Acupuncture/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.0011 Documentation Necessary for Licensure Application.

(1) A properly completed application shall be submitted on Department of Health Form Acupuncture Application for Licensure with Instructions, DH-MQA 1116, 03/12 ~~12/09~~, adopted and incorporated herein by reference as this Board's application and available on the web at www.doh.state.fl.us/mqa/acupunct. To complete the application attach the appropriate fees and supporting documents and submit it to the Board Office.

(2) through (3) No change.

Rulemaking Authority 457.104 FS. Law Implemented 456.048, 457.105 FS. History--New 2-18-98, Amended 10-11-04, 5-25-09, 8-5-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Acupuncture

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2012

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.420
RULE TITLE: Registered Pharmacy Technician Responsibilities

PURPOSE AND EFFECT: The Board proposes the rule amendment to update tasks that registered pharmacy technicians may assist the pharmacist in performing.

SUMMARY: Tasks that registered pharmacy technicians may assist the pharmacist in performing will be updated.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.420 Registered Pharmacy Technician Responsibilities.

(1) Registered pharmacy technicians may assist the pharmacist in performing the following tasks:

(a) through (c) No change.

(d) The counting, weighing, measuring, pouring and ~~mixing~~ ~~compounding~~ of prescription medication or stock legend drugs and controlled substances, including the filling of an automated medication system;

(e) through (g) No change.

(3) No change.

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

Rulemaking Authority 465.005, 465.014 FS. Law Implemented 465.014 FS. History--New 8-31-87, Formerly 21S-4.0025, Amended 7-30-91, Formerly 21S-27.420, 61F10-27.420, 59X-27.420, Amended 2-23-98, 1-1-10,_____.

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: April 10, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 16, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-14.0036
RULE TITLE: Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption

PURPOSE AND EFFECT: The purpose of this rule amendment is to update subsection (8) to reflect numbering changes that have been made to the reef fish recreational bag limits rule. Subsection (8) includes two exceptions to the bag limits and creates multi-day possession limits for these exceptions. Red porgy harvested from the Atlantic Ocean would not be included in the state's multi-day possession limits because they are regulated in Atlantic Ocean federal waters by a trip limit rather than a daily bag limit and are not allowed under the multi-day possession limits. These proposed amendments would make the state's exceptions to the reef fish bag limits compatible with the federal exceptions to the reef fish bag limits.

SUMMARY: Rule 68B-14.0036 (Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption) would be amended to reflect numbering changes that have been made to this rule over the years. Red porgy harvested from the Atlantic Ocean would not be included in the state's multi-day possession limit because they are regulated in federal waters of the Atlantic Ocean under a trip limit rather than a daily bag limit and are not allowed under the federal multi-day possession limit. Therefore, the state's multi-day possession limit would be compatible with the federal multi-day possession limit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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.

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

DATES AND TIME: During the Commission's regular meeting June 27-28, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: PGA National Resort & Spa, 400 Avenue of the Champions, Palm Beach Gardens, FL 33418

Pursuant to the provisions of 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0036 Recreational Bag Limits: Snapper, Grouper, Hogfish, Black Sea Bass, Red Porgy, Amberjacks, Tilefish, Exception, Wholesale/Retail Purchase Exemption.

(1) through (7) No change.

(8) Exception.

(a) Any person harvesting pursuant to the bag limits established in paragraphs (a), (b), (c), subparagraphs (d)1., and (f)1., of subsection (1), paragraphs (a) and (b) of subsection (2), and subsections (3), (4), (5), paragraphs (6)(a) and (b) of this rule, with the exclusion of red porgy harvested from the Atlantic Ocean, who has fished for more than one day, may possess double the bag limit once such person has landed the fish, departed the fishing site and is no longer within 100 yards of any state waters, docks, fishing piers, or other fishing sites.

(b) Any person harvesting pursuant to the bag limits established in paragraphs (a), (b), (c), subparagraphs (d)1., and (f)1., of subsection (1), paragraphs (a) and (b) of subsection (2), and subsections (3), (4), (5), paragraphs (6)(a) and (b) of this rule, with the exclusion of red porgy harvested from the Atlantic Ocean, who has fished aboard a charter vessel or headboat on a trip that spans more than 24 hours may possess and land double the bag limit if the vessel has a sleeping berth for each passenger aboard the vessel and each such passenger possess a receipt issued on behalf of the vessel that verifies the length of the trip.

(9) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 12-31-98, Amended 3-1-99, Formerly 46-14.0036, Amended 10-22-99, 1-1-00, 3-6-00, 3-1-01, 1-1-03, 1-3-05, 9-16-05, 1-1-06, 7-1-06, 7-1-07, 4-1-08, 1-6-09, 8-27-09, 10-16-09, 1-19-10, 12-30-11, 7-1-12.

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: Jessica McCawley, 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: May 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

RULE NO.: 68E-18.003
 RULE TITLE: Certificate Allocations and Fees

PURPOSE AND EFFECT: The purpose of this rule amendment is to update Rule 68E-18.003, Florida Administrative Code to be consistent with Section 379.3671(2)(c)7., Florida Statutes. The effect of this rule would be to clarify that any trap certificates for which the required annual fee is not paid for a period of two years revert to the Commission and become ineligible for reissue. The

update would not result in any changes to the way FWC manages the trap certificate program because FWC already follows the provisions of the statute.

SUMMARY: Rule 68E-18.003 (Certificate Allocations and Fees) would be amended to state that trap certificates with unpaid annual fees revert to the Florida Fish and Wildlife Conservation Commission after a period of two years, instead of three as was previously the case. This update would mirror the change in Florida statutes that was made in 2010.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required

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: 379.3671 FS.; Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the Commission’s regular meeting June 27-28, 2012, 8:30 a.m.– 5:00 p.m., each day

PLACE: PGA National Resort & Spa, 400 Avenue of the Champions, Palm Beach Gardens, 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: 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68E-18.003 Certificate Allocations and Fees.

(1) No change.

(2) Any certificates for which the annual certificate fee is not paid for a period of ~~two (2) three (3)~~ years shall be considered abandoned and shall revert to the Commission. During any period of trap reduction, any certificates reverting to the Commission shall become permanently unavailable and be considered in that amount to be reduced during the next license-year period. A report of all certificates reduced is furnished by the Division of Marine Fisheries to the FWC pursuant to the annual evaluation process required in Section 379.3671(3), F.S. Certificates reduced from the certificate inventory are not recoverable or otherwise available for use or reissue during the remainder of any year in which there is an annual reduction.

(3) through (9) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012

Rulemaking Specific Authority Article IV, Section 9, Fla. Const. Law Implemented 379.3671 FS. History--New 5-16-95, Formerly 62R-18.003, Amended 7-1-12.

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: Jessica McCawley, 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: May 2, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 30, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

RULE NOS.:	RULE TITLES:
73C-49.001	Purpose and Effect
73C-49.002	Schedule

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to adopt by rule a phased schedule for local governments to submit an evaluation and appraisal notification letter regarding their local government comprehensive plan.

SUMMARY: The adoption of Chapter 73C-49, F.A.C., will establish a phased schedule for the local government evaluation and appraisal notification letter required by Section 163.3191(1), Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: this proposed rule is restricted to implementation of a statutory provision and is not anticipated to have any substantive effect. The proposed rule is not anticipated to have an impact on small business or the private sector.

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: 163.3191(5) FS.

LAW IMPLEMENTED: 163.3191 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: June 25, 2012, 1:00 p.m. – 2:00 p.m.

PLACE: Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, Room 132, Tallahassee, Florida 32399-6545.

Pursuant to the provisions of 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: Ray Eubanks, Community Program Administrator, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, MSC 160, Tallahassee, Florida 32399-4120, (850)717-8483. If you are 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: Ray Eubanks, Community Program Administrator, Department of Economic Opportunity, 107 East Madison Street, Caldwell Building, MSC 160, Tallahassee, Florida 32399-4120, (850)717-8483

THE FULL TEXT OF THE PROPOSED RULES IS:

73C-49.001 Purpose and Effect.

The purpose of this chapter is to establish the due dates for the evaluation and appraisal notification letter to be submitted by the local governing body and sent to the department pursuant to Section 163.3191(1), Florida Statutes. The evaluation and appraisal notification letter is the principal process for updating local comprehensive plans to reflect changes in state requirements in Chapter 163, Part II, Florida Statutes, since the last update of the comprehensive plan. The schedule divides the workload for the department over the submittal period and meets the required local governments deadlines set in Section 163.3191, Florida Statutes. Local governments which fail to submit the notification letter by their scheduled due date are subject to provisions of Subsection 163.3191(4), Florida Statutes.

Rulemaking Authority 163.3191(1), 163.3191(5) FS. Law Implemented 163.3191 FS. History--New _____.

73C-49.002 Schedule.

Local governing bodies shall submit their evaluation and appraisal notification letter to the Department of Economic Opportunity, Bureau of Community Planning, Caldwell Building, 107 East Madison Street, MSC 160, Tallahassee, FL 32399-6545, Attention Plan Processing Unit, in accordance with the schedule set forth below:

<u>LOCAL GOVERNMENT</u>	<u>NOTIFICATION DUE DATE</u>
<u>ALACHUA CITY</u>	<u>1/1/2012</u>
<u>ALACHUA COUNTY</u>	<u>4/1/2018</u>
<u>ALFORD</u>	<u>1/1/2013</u>
<u>ALTAMONTE SPRINGS</u>	<u>10/1/2017</u>
<u>ALTHA</u>	<u>5/1/2014</u>
<u>ANNA MARIA</u>	<u>12/1/2014</u>
<u>APALACHICOLA</u>	<u>2/1/2012</u>
<u>APOPKA</u>	<u>8/1/2017</u>
<u>ARCADIA</u>	<u>2/1/2012</u>
<u>ARCHER</u>	<u>12/1/2013</u>
<u>ASTATULA</u>	<u>2/1/2013</u>
<u>ATLANTIC BEACH</u>	<u>3/1/2017</u>
<u>ATLANTIS</u>	<u>11/1/2013</u>
<u>AUBURNDALE</u>	<u>11/1/2017</u>
<u>AVENTURA</u>	<u>1/1/2014</u>
<u>AVON PARK</u>	<u>3/1/2015</u>
<u>BAKER COUNTY</u>	<u>4/1/2018</u>
<u>BAL HARBOUR</u>	<u>1/1/2013</u>
<u>BALDWIN</u>	<u>6/1/2018</u>
<u>BARTOW</u>	<u>10/1/2017</u>
<u>BASCOM</u>	<u>2/1/2013</u>
<u>BAY COUNTY</u>	<u>10/1/2016</u>
<u>BAY HARBOR ISLAND</u>	<u>2/1/2012</u>

<u>BAY LAKE</u>	<u>7/1/2017</u>
<u>BELL</u>	<u>11/1/2014</u>
<u>BELLE GLADE</u>	<u>2/1/2015</u>
<u>BELLE ISLE</u>	<u>2/1/2017</u>
<u>BELLEAIR</u>	<u>2/1/2015</u>
<u>BELLEAIR BEACH</u>	<u>2/1/2015</u>
<u>BELLEAIR BLUFFS</u>	<u>2/1/2015</u>
<u>BELLEAIR SHORE</u>	<u>3/1/2015</u>
<u>BELLEVUE</u>	<u>6/1/2013</u>
<u>BEVERLY BEACH</u>	<u>11/1/2013</u>
<u>BISCAYNE PARK</u>	<u>10/1/2017</u>
<u>BLOUNTSTOWN</u>	<u>3/1/2012</u>
<u>BOCA RATON</u>	<u>10/1/2017</u>
<u>BONIFAY</u>	<u>7/1/2015</u>
<u>BONITA SPRINGS</u>	<u>4/1/2016</u>
<u>BOWLING GREEN</u>	<u>10/1/2013</u>
<u>BOYNTON BEACH</u>	<u>8/1/2015</u>
<u>BRADENTON</u>	<u>9/1/2016</u>
<u>BRADENTON BEACH</u>	<u>7/1/2018</u>
<u>BRADFORD COUNTY</u>	<u>8/1/2018</u>
<u>BRANFORD</u>	<u>12/1/2013</u>
<u>BREVARD COUNTY</u>	<u>12/1/2016</u>
<u>BRINY BREEZES</u>	<u>4/1/2012</u>
<u>BRISTOL</u>	<u>11/1/2013</u>
<u>BRONSON</u>	<u>5/1/2012</u>
<u>BROOKER</u>	<u>4/1/2014</u>
<u>BROOKSVILLE</u>	<u>1/1/2016</u>
<u>BROWARD COUNTY</u>	<u>12/1/2013</u>
<u>BUNNELL</u>	<u>12/1/2013</u>
<u>BUSHNELL</u>	<u>6/1/2014</u>
<u>CALHOUN COUNTY</u>	<u>6/1/2012</u>
<u>CALLAHAN</u>	<u>11/1/2012</u>
<u>CALLAWAY</u>	<u>4/1/2016</u>
<u>CAMPBELLTON</u>	<u>5/1/2013</u>
<u>CAPE CANAVERAL</u>	<u>10/1/2017</u>
<u>CAPE CORAL</u>	<u>10/1/2014</u>
<u>CARRABELLE</u>	<u>4/1/2012</u>
<u>CARYVILLE</u>	<u>10/1/2017</u>
<u>CASSELBERRY</u>	<u>7/1/2016</u>
<u>CEDAR KEY</u>	<u>8/1/2016</u>
<u>CENTER HILL</u>	<u>7/1/2014</u>
<u>CENTURY</u>	<u>10/1/2012</u>
<u>CHARLOTTE COUNTY</u>	<u>4/1/2014</u>
<u>CHATTAHOOCHEE</u>	<u>12/1/2015</u>
<u>CHIEFLAND</u>	<u>5/1/2017</u>
<u>CHIPLEY</u>	<u>8/1/2012</u>
<u>CINCO BAYOU</u>	<u>8/1/2016</u>
<u>CITRUS COUNTY</u>	<u>7/1/2013</u>
<u>CLAY COUNTY</u>	<u>10/1/2016</u>
<u>CLEARWATER</u>	<u>12/1/2015</u>

<u>CLERMONT</u>	<u>10/1/2014</u>	<u>FERNANDINA BEACH</u>	<u>9/1/2012</u>
<u>CLEWISTON</u>	<u>3/1/2014</u>	<u>FLAGLER BEACH</u>	<u>1/1/2012</u>
<u>CLOUD LAKE</u>	<u>3/1/2015</u>	<u>FLAGLER COUNTY</u>	<u>12/1/2018</u>
<u>COCOA</u>	<u>10/1/2017</u>	<u>FLORIDA CITY</u>	<u>1/1/2015</u>
<u>COCOA BEACH</u>	<u>1/1/2014</u>	<u>FORT LAUDERDALE</u>	<u>5/1/2015</u>
<u>COCONUT CREEK</u>	<u>5/1/2015</u>	<u>FORT MEADE</u>	<u>10/1/2013</u>
<u>COLEMAN</u>	<u>8/1/2014</u>	<u>FORT MYERS</u>	<u>9/1/2014</u>
<u>COLLIER COUNTY</u>	<u>1/1/2014</u>	<u>FORT MYERS BEACH</u>	<u>8/1/2016</u>
<u>COLUMBIA COUNTY</u>	<u>7/1/2012</u>	<u>FORT PIERCE</u>	<u>2/1/2018</u>
<u>COOPER CITY</u>	<u>12/1/2014</u>	<u>FORT WALTON BEACH</u>	<u>1/1/2018</u>
<u>CORAL GABLES</u>	<u>11/1/2016</u>	<u>FORT WHITE</u>	<u>10/1/2013</u>
<u>CORAL SPRINGS</u>	<u>8/1/2013</u>	<u>FRANKLIN COUNTY</u>	<u>5/1/2016</u>
<u>COTTONDALE</u>	<u>6/1/2013</u>	<u>FREEPORT</u>	<u>4/1/2012</u>
<u>CRESCENT CITY</u>	<u>6/1/2014</u>	<u>FROSTPROOF</u>	<u>11/1/2017</u>
<u>CRESTVIEW</u>	<u>5/1/2017</u>	<u>FRUITLAND PARK</u>	<u>11/1/2014</u>
<u>CROSS CITY</u>	<u>2/1/2012</u>	<u>GADSDEN COUNTY</u>	<u>5/1/2012</u>
<u>CRYSTAL RIVER</u>	<u>6/1/2018</u>	<u>GAINESVILLE</u>	<u>5/1/2012</u>
<u>CUTLER BAY</u>	<u>4/1/2014</u>	<u>GILCHRIST COUNTY</u>	<u>9/1/2013</u>
<u>DADE CITY</u>	<u>4/1/2017</u>	<u>GLADES COUNTY</u>	<u>6/1/2017</u>
<u>DANIA BEACH</u>	<u>2/1/2016</u>	<u>GLEN RIDGE</u>	<u>2/1/2016</u>
<u>DAVENPORT</u>	<u>10/1/2017</u>	<u>GLEN ST MARY</u>	<u>12/1/2012</u>
<u>DAVIE</u>	<u>8/1/2016</u>	<u>GOLDEN BEACH</u>	<u>8/1/2016</u>
<u>DAYTONA BEACH</u>	<u>10/1/2016</u>	<u>GOLF</u>	<u>6/1/2014</u>
<u>DAYTONA BEACH SHORES</u>	<u>1/1/2017</u>	<u>GRACEVILLE</u>	<u>3/1/2015</u>
<u>DEBARY</u>	<u>10/1/2017</u>	<u>GRAND RIDGE</u>	<u>7/1/2013</u>
<u>DEERFIELD BEACH</u>	<u>5/1/2014</u>	<u>GRANT-VALKARIA</u>	<u>4/1/2018</u>
<u>DEFUNIAK SPRINGS</u>	<u>10/1/2017</u>	<u>GREEN COVE SPRINGS</u>	<u>9/1/2018</u>
<u>DELAND</u>	<u>11/1/2016</u>	<u>GREENACRES</u>	<u>9/1/2015</u>
<u>DELRAY BEACH</u>	<u>12/1/2015</u>	<u>GREENSBORO</u>	<u>1/1/2014</u>
<u>DELTONA</u>	<u>10/1/2017</u>	<u>GREENVILLE</u>	<u>2/1/2014</u>
<u>DESOTO COUNTY</u>	<u>9/1/2013</u>	<u>GREENWOOD</u>	<u>8/1/2013</u>
<u>DESTIN</u>	<u>1/1/2012</u>	<u>GRETNA</u>	<u>1/1/2014</u>
<u>DIXIE COUNTY</u>	<u>11/1/2013</u>	<u>GROVELAND</u>	<u>10/1/2017</u>
<u>DORAL</u>	<u>6/1/2018</u>	<u>GULF BREEZE</u>	<u>12/1/2018</u>
<u>DUNDEE</u>	<u>10/1/2017</u>	<u>GULF COUNTY</u>	<u>12/1/2016</u>
<u>DUNEDIN</u>	<u>12/1/2015</u>	<u>GULFPORT</u>	<u>4/1/2016</u>
<u>DUNNELLON</u>	<u>12/1/2014</u>	<u>GULFSTREAM</u>	<u>7/1/2016</u>
<u>DUVAL/JACKSONVILLE</u>	<u>11/1/2016</u>	<u>HAINES CITY</u>	<u>1/1/2018</u>
<u>EAGLE LAKE</u>	<u>5/1/2018</u>	<u>HALLANDALE BEACH</u>	<u>9/1/2016</u>
<u>EATONVILLE</u>	<u>12/1/2014</u>	<u>HAMILTON COUNTY</u>	<u>11/1/2012</u>
<u>EBRO</u>	<u>10/1/2017</u>	<u>HAMPTON</u>	<u>6/1/2014</u>
<u>EDGEWATER</u>	<u>4/1/2018</u>	<u>HARDEE COUNTY</u>	<u>10/1/2017</u>
<u>EDGEWOOD</u>	<u>8/1/2012</u>	<u>HASTINGS</u>	<u>3/1/2012</u>
<u>EL PORTAL</u>	<u>3/1/2012</u>	<u>HAVANA</u>	<u>1/1/2014</u>
<u>ESCAMBIA COUNTY</u>	<u>6/1/2017</u>	<u>HAVERHILL</u>	<u>4/1/2016</u>
<u>ESTO</u>	<u>4/1/2013</u>	<u>HAWTHORNE</u>	<u>12/1/2014</u>
<u>EUSTIS</u>	<u>11/1/2017</u>	<u>HENDRY COUNTY</u>	<u>10/1/2017</u>
<u>EVERGLADES CITY</u>	<u>3/1/2012</u>	<u>HERNANDO COUNTY</u>	<u>12/1/2012</u>
<u>FANNING SPRINGS</u>	<u>2/1/2014</u>	<u>HIALEAH</u>	<u>8/1/2014</u>
<u>FELLSMERE</u>	<u>7/1/2013</u>	<u>HIALEAH GARDENS</u>	<u>5/1/2014</u>

<u>HIGH SPRINGS</u>	<u>6/1/2013</u>	<u>LAKE BUTLER</u>	<u>8/1/2014</u>
<u>HIGHLAND BEACH</u>	<u>1/1/2018</u>	<u>LAKE CITY</u>	<u>4/1/2014</u>
<u>HIGHLAND PARK</u>	<u>11/1/2017</u>	<u>LAKE CLARKE SHORES</u>	<u>6/1/2016</u>
<u>HIGHLANDS COUNTY</u>	<u>9/1/2017</u>	<u>LAKE COUNTY</u>	<u>5/1/2017</u>
<u>HILLCREST HEIGHTS</u>	<u>2/1/2013</u>	<u>LAKE HAMILTON</u>	<u>5/1/2018</u>
<u>HILLIARD</u>	<u>1/1/2013</u>	<u>LAKE HELEN</u>	<u>7/1/2012</u>
<u>HILLSBORO BEACH</u>	<u>4/1/2017</u>	<u>LAKE MARY</u>	<u>7/1/2017</u>
<u>HILLSBOROUGH COUNTY</u>	<u>6/1/2015</u>	<u>LAKE PARK</u>	<u>10/1/2015</u>
<u>HOLLY HILL</u>	<u>9/1/2017</u>	<u>LAKE PLACID</u>	<u>1/1/2013</u>
<u>HOLLYWOOD</u>	<u>2/1/2015</u>	<u>LAKE WALES</u>	<u>6/1/2012</u>
<u>HOLMES BEACH</u>	<u>2/1/2016</u>	<u>LAKE WORTH</u>	<u>10/1/2016</u>
<u>HOLMES COUNTY</u>	<u>3/1/2013</u>	<u>LAKELAND</u>	<u>8/1/2017</u>
<u>HOMESTEAD</u>	<u>7/1/2016</u>	<u>LANTANA</u>	<u>6/1/2016</u>
<u>HORSESHOE BEACH</u>	<u>4/1/2012</u>	<u>LARGO</u>	<u>12/1/2015</u>
<u>HOWEY-IN-THE-HILLS</u>	<u>10/1/2017</u>	<u>LAUDERDALE-BY-THE-SEA</u>	<u>9/1/2015</u>
<u>HYPOLUXO</u>	<u>1/1/2016</u>	<u>LAUDERDALE LAKES</u>	<u>5/1/2018</u>
<u>INDIALANTIC</u>	<u>11/1/2016</u>	<u>LAUDERHILL</u>	<u>6/1/2013</u>
<u>INDIAN CREEK VILLAGE</u>	<u>12/1/2012</u>	<u>LAUREL HILL</u>	<u>6/1/2018</u>
<u>INDIAN HARBOUR BEACH</u>	<u>10/1/2017</u>	<u>LAWTEY</u>	<u>7/1/2014</u>
<u>INDIAN RIVER COUNTY</u>	<u>10/1/2017</u>	<u>LAYTON</u>	<u>2/1/2015</u>
<u>INDIAN RIVER SHORES</u>	<u>10/1/2017</u>	<u>LAZY LAKE</u>	<u>3/1/2012</u>
<u>INDIAN ROCKS BEACH</u>	<u>4/1/2017</u>	<u>LEE TOWN</u>	<u>3/1/2014</u>
<u>INDIAN SHORES</u>	<u>7/1/2015</u>	<u>LEE COUNTY</u>	<u>5/1/2014</u>
<u>INGLIS</u>	<u>7/1/2017</u>	<u>LEESBURG</u>	<u>9/1/2014</u>
<u>INTERLACHEN</u>	<u>8/1/2014</u>	<u>LEON/TALLAHASSEE</u>	<u>1/1/2016</u>
<u>INVERNESS</u>	<u>4/1/2015</u>	<u>LEVY COUNTY</u>	<u>12/1/2015</u>
<u>ISLAMORADA</u>	<u>12/1/2015</u>	<u>LIBERTY COUNTY</u>	<u>8/1/2013</u>
<u>JACKSON COUNTY</u>	<u>11/1/2017</u>	<u>LIGHTHOUSE POINT</u>	<u>6/1/2016</u>
<u>JACKSONVILLE BEACH</u>	<u>5/1/2013</u>	<u>LIVE OAK</u>	<u>3/1/2014</u>
<u>JACOB CITY</u>	<u>8/1/2013</u>	<u>LONGBOAT KEY</u>	<u>12/1/2014</u>
<u>JASPER</u>	<u>3/1/2013</u>	<u>LONGWOOD</u>	<u>6/1/2016</u>
<u>JAY</u>	<u>11/1/2012</u>	<u>LOXAHATCHEE GROVES</u>	<u>8/1/2014</u>
<u>JEFFERSON COUNTY</u>	<u>11/1/2016</u>	<u>LYNN HAVEN</u>	<u>2/1/2017</u>
<u>JENNINGS</u>	<u>6/1/2013</u>	<u>MACCLENNY</u>	<u>10/1/2017</u>
<u>JUNO BEACH</u>	<u>5/1/2012</u>	<u>MADEIRA BEACH</u>	<u>5/1/2015</u>
<u>JUPITER</u>	<u>6/1/2015</u>	<u>MADISON CITY</u>	<u>3/1/2014</u>
<u>JUPITER INLET COLONY</u>	<u>9/1/2015</u>	<u>MADISON COUNTY</u>	<u>5/1/2013</u>
<u>JUPITER ISLAND</u>	<u>5/1/2018</u>	<u>MAITLAND</u>	<u>9/1/2017</u>
<u>KENNETH CITY</u>	<u>5/1/2015</u>	<u>MALABAR</u>	<u>8/1/2016</u>
<u>KEY BISCAYNE</u>	<u>7/1/2018</u>	<u>MALONE</u>	<u>8/1/2013</u>
<u>KEY COLONY BEACH</u>	<u>7/1/2014</u>	<u>MANALAPAN</u>	<u>3/1/2015</u>
<u>KEY WEST</u>	<u>1/1/2012</u>	<u>MANATEE COUNTY</u>	<u>12/1/2013</u>
<u>KEYSTONE HEIGHTS</u>	<u>6/1/2018</u>	<u>MANGONIA PARK</u>	<u>5/1/2012</u>
<u>KISSIMMEE</u>	<u>8/1/2017</u>	<u>MARATHON</u>	<u>1/1/2012</u>
<u>LABELLE</u>	<u>10/1/2018</u>	<u>MARCO ISLAND</u>	<u>3/1/2015</u>
<u>LA CROSSE</u>	<u>4/1/2014</u>	<u>MARGATE</u>	<u>1/1/2017</u>
<u>LADY LAKE</u>	<u>5/1/2013</u>	<u>MARIANNA</u>	<u>8/1/2012</u>
<u>LAFAYETTE COUNTY</u>	<u>11/1/2012</u>	<u>MARINELAND</u>	<u>10/1/2012</u>
<u>LAKE ALFRED</u>	<u>10/1/2017</u>	<u>MARION COUNTY</u>	<u>2/1/2018</u>
<u>LAKE BUENA VISTA</u>	<u>7/1/2017</u>	<u>MARTIN COUNTY</u>	<u>12/1/2016</u>

<u>MARY ESTHER</u>	<u>3/1/2017</u>	<u>OKEECHOBEE CITY</u>	<u>9/1/2012</u>
<u>MASCOTTE</u>	<u>9/1/2013</u>	<u>OKEECHOBEE COUNTY</u>	<u>5/1/2012</u>
<u>MAYO</u>	<u>10/1/2013</u>	<u>OLDSMAR</u>	<u>8/1/2015</u>
<u>MCINTOSH</u>	<u>5/1/2014</u>	<u>OPA-LOCKA</u>	<u>2/1/2012</u>
<u>MEDLEY</u>	<u>2/1/2016</u>	<u>ORANGE CITY</u>	<u>1/1/2018</u>
<u>MELBOURNE</u>	<u>1/1/2017</u>	<u>ORANGE COUNTY</u>	<u>5/1/2016</u>
<u>MELBOURNE BEACH</u>	<u>10/1/2017</u>	<u>ORANGE PARK</u>	<u>1/1/2017</u>
<u>MELBOURNE VILLAGE</u>	<u>8/1/2012</u>	<u>ORCHID</u>	<u>10/1/2013</u>
<u>MEXICO BEACH</u>	<u>6/1/2012</u>	<u>ORLANDO</u>	<u>6/1/2016</u>
<u>MIAMI</u>	<u>11/1/2015</u>	<u>ORMOND BEACH</u>	<u>6/1/2017</u>
<u>MIAMI BEACH</u>	<u>4/1/2018</u>	<u>OSCEOLA COUNTY</u>	<u>8/1/2017</u>
<u>MIAMI GARDENS</u>	<u>4/1/2014</u>	<u>OTTER CREEK</u>	<u>6/1/2012</u>
<u>MIAMI LAKES</u>	<u>9/1/2012</u>	<u>OVIEDO</u>	<u>11/1/2017</u>
<u>MIAMI SHORES</u>	<u>7/1/2015</u>	<u>PAHOKEE</u>	<u>9/1/2016</u>
<u>MIAMI SPRINGS</u>	<u>8/1/2016</u>	<u>PALATKA</u>	<u>7/1/2015</u>
<u>MIAMI-DADE COUNTY</u>	<u>12/1/2012</u>	<u>PALM BAY</u>	<u>3/1/2014</u>
<u>MICANOPY</u>	<u>5/1/2014</u>	<u>PALM BEACH TOWN</u>	<u>4/1/2016</u>
<u>MIDWAY</u>	<u>1/1/2014</u>	<u>PALM BEACH COUNTY</u>	<u>11/1/2012</u>
<u>MILTON</u>	<u>1/1/2013</u>	<u>PALM BEACH GARDENS</u>	<u>12/1/2015</u>
<u>MINNEOLA</u>	<u>9/1/2013</u>	<u>PALM BEACH SHORES</u>	<u>12/1/2017</u>
<u>MIRAMAR</u>	<u>6/1/2017</u>	<u>PALM COAST</u>	<u>2/1/2014</u>
<u>MONROE COUNTY</u>	<u>5/1/2014</u>	<u>PALM SHORES</u>	<u>9/1/2017</u>
<u>MONTICELLO</u>	<u>9/1/2013</u>	<u>PALM SPRINGS</u>	<u>11/1/2016</u>
<u>MONTVERDE</u>	<u>10/1/2013</u>	<u>PALMETTO</u>	<u>11/1/2017</u>
<u>MOORE HAVEN</u>	<u>9/1/2017</u>	<u>PALMETTO BAY</u>	<u>3/1/2014</u>
<u>MOUNT DORA</u>	<u>4/1/2012</u>	<u>PANAMA CITY</u>	<u>8/1/2017</u>
<u>MULBERRY</u>	<u>4/1/2012</u>	<u>PANAMA CITY BEACH</u>	<u>12/1/2016</u>
<u>NAPLES</u>	<u>9/1/2016</u>	<u>PARKER</u>	<u>9/1/2017</u>
<u>NASSAU COUNTY</u>	<u>10/1/2017</u>	<u>PARKLAND</u>	<u>8/1/2015</u>
<u>NEPTUNE BEACH</u>	<u>11/1/2018</u>	<u>PASCO COUNTY</u>	<u>6/1/2013</u>
<u>NEW PORT RICHEY</u>	<u>12/1/2014</u>	<u>PAXTON</u>	<u>5/1/2012</u>
<u>NEW SMYRNA BEACH</u>	<u>4/1/2018</u>	<u>PEMBROKE PARK</u>	<u>8/1/2013</u>
<u>NEWBERRY</u>	<u>7/1/2014</u>	<u>PEMBROKE PINES</u>	<u>10/1/2014</u>
<u>NICEVILLE</u>	<u>10/1/2017</u>	<u>PENNEY FARMS</u>	<u>11/1/2017</u>
<u>NORTH BAY</u>	<u>12/1/2014</u>	<u>PENSACOLA</u>	<u>11/1/2018</u>
<u>NORTH LAUDERDALE</u>	<u>5/1/2015</u>	<u>PERRY</u>	<u>7/1/2013</u>
<u>NORTH MIAMI</u>	<u>12/1/2014</u>	<u>PIERSON</u>	<u>11/1/2012</u>
<u>NORTH MIAMI BEACH</u>	<u>4/1/2018</u>	<u>PINECREST</u>	<u>5/1/2018</u>
<u>NORTH PALM BEACH</u>	<u>1/1/2017</u>	<u>PINELLAS COUNTY</u>	<u>3/1/2015</u>
<u>NORTH PORT</u>	<u>12/1/2015</u>	<u>PINELLAS PARK</u>	<u>6/1/2016</u>
<u>NORTH REDINGTON BEACH</u>	<u>11/1/2014</u>	<u>PLANT CITY</u>	<u>4/1/2016</u>
<u>NOMA</u>	<u>4/1/2013</u>	<u>PLANTATION</u>	<u>11/1/2014</u>
<u>OAK HILL</u>	<u>7/1/2012</u>	<u>POLK CITY</u>	<u>6/1/2013</u>
<u>OAKLAND</u>	<u>9/1/2012</u>	<u>POLK COUNTY</u>	<u>8/1/2017</u>
<u>OAKLAND PARK</u>	<u>12/1/2014</u>	<u>POMONA PARK</u>	<u>10/1/2014</u>
<u>OCALA</u>	<u>8/1/2012</u>	<u>POMPANO BEACH</u>	<u>1/1/2017</u>
<u>OCEAN BREEZE PARK</u>	<u>3/1/2013</u>	<u>PONCE DE LEON</u>	<u>4/1/2013</u>
<u>OCEAN RIDGE</u>	<u>4/1/2017</u>	<u>PONCE INLET</u>	<u>11/1/2015</u>
<u>OCOE</u>	<u>1/1/2013</u>	<u>PORT ORANGE</u>	<u>10/1/2017</u>
<u>OKALOOSA COUNTY</u>	<u>10/1/2016</u>	<u>PORT RICHEY</u>	<u>11/1/2015</u>

<u>PORT ST. JOE</u>	<u>3/1/2017</u>	<u>SUNNY ISLES BEACH</u>	<u>12/1/2014</u>
<u>PORT ST. LUCIE</u>	<u>9/1/2012</u>	<u>SUNRISE</u>	<u>7/1/2016</u>
<u>PUNTA GORDA</u>	<u>11/1/2015</u>	<u>SURFSIDE</u>	<u>1/1/2017</u>
<u>PUTNAM COUNTY</u>	<u>10/1/2017</u>	<u>SUWANNEE COUNTY</u>	<u>6/1/2012</u>
<u>QUINCY</u>	<u>1/1/2015</u>	<u>SWEETWATER</u>	<u>7/1/2018</u>
<u>RAIFORD</u>	<u>9/1/2014</u>	<u>TAMARAC</u>	<u>6/1/2015</u>
<u>REDDICK</u>	<u>9/1/2014</u>	<u>TAMPA</u>	<u>2/1/2016</u>
<u>REDINGTON BEACH</u>	<u>12/1/2015</u>	<u>TARPON SPRINGS</u>	<u>8/1/2016</u>
<u>REDINGTON SHORES</u>	<u>1/1/2016</u>	<u>TAVARES</u>	<u>7/1/2014</u>
<u>REEDY CREEK</u>	<u>7/1/2017</u>	<u>TAYLOR COUNTY</u>	<u>6/1/2017</u>
<u>RIVIERA BEACH</u>	<u>7/1/2017</u>	<u>TEMPLE TERRACE</u>	<u>6/1/2016</u>
<u>ROCKLEDGE</u>	<u>2/1/2018</u>	<u>TEQUESTA</u>	<u>2/1/2016</u>
<u>ROYAL PALM BEACH</u>	<u>4/1/2016</u>	<u>TITUSVILLE</u>	<u>6/1/2017</u>
<u>SAFETY HARBOR</u>	<u>4/1/2015</u>	<u>TREASURE ISLAND</u>	<u>11/1/2012</u>
<u>SAN ANTONIO</u>	<u>9/1/2016</u>	<u>TRENTON</u>	<u>11/1/2014</u>
<u>SANFORD</u>	<u>11/1/2016</u>	<u>UMATILLA</u>	<u>3/1/2013</u>
<u>SANIBEL</u>	<u>8/1/2014</u>	<u>UNION COUNTY</u>	<u>10/1/2014</u>
<u>SANTA ROSA COUNTY</u>	<u>12/1/2016</u>	<u>VALPARAISO</u>	<u>2/1/2012</u>
<u>SARASOTA CITY</u>	<u>12/1/2015</u>	<u>VENICE</u>	<u>6/1/2017</u>
<u>SARASOTA COUNTY</u>	<u>4/1/2013</u>	<u>VERNON</u>	<u>10/1/2017</u>
<u>SATELLITE BEACH</u>	<u>12/1/2016</u>	<u>VERO BEACH</u>	<u>2/1/2015</u>
<u>SEA RANCH LAKES</u>	<u>10/1/2012</u>	<u>VIRGINIA GARDENS</u>	<u>8/1/2016</u>
<u>SEBASTIAN</u>	<u>8/1/2012</u>	<u>VOLUSIA COUNTY</u>	<u>11/1/2015</u>
<u>SEBRING</u>	<u>10/1/2017</u>	<u>WAKULLA COUNTY</u>	<u>5/1/2017</u>
<u>SEMINOLE CITY</u>	<u>3/1/2018</u>	<u>WALDO</u>	<u>9/1/2014</u>
<u>SEMINOLE COUNTY</u>	<u>12/1/2015</u>	<u>WALTON COUNTY</u>	<u>3/1/2018</u>
<u>SEWALL'S POINT</u>	<u>4/1/2013</u>	<u>WASHINGTON COUNTY</u>	<u>10/1/2017</u>
<u>SHALIMAR</u>	<u>9/1/2012</u>	<u>WAUCHULA</u>	<u>10/1/2018</u>
<u>SNEADS</u>	<u>8/1/2013</u>	<u>WAUSAU</u>	<u>10/1/2017</u>
<u>SOUTH BAY</u>	<u>4/1/2018</u>	<u>WEBSTER</u>	<u>1/1/2012</u>
<u>SOUTH DAYTONA</u>	<u>5/1/2017</u>	<u>WEEKI WACHEE</u>	<u>4/1/2012</u>
<u>SOUTH MIAMI</u>	<u>4/1/2017</u>	<u>WELAKA</u>	<u>10/1/2014</u>
<u>SOUTH PALM BEACH</u>	<u>12/1/2015</u>	<u>WELLINGTON</u>	<u>7/1/2016</u>
<u>SOUTH PASADENA</u>	<u>3/1/2015</u>	<u>WEST MELBOURNE</u>	<u>10/1/2017</u>
<u>SOUTHWEST RANCHES</u>	<u>12/1/2016</u>	<u>WEST MIAMI</u>	<u>10/1/2015</u>
<u>SOPCHOPPY</u>	<u>12/1/2012</u>	<u>WEST PALM BEACH</u>	<u>12/1/2015</u>
<u>SPRINGFIELD</u>	<u>8/1/2017</u>	<u>WEST PARK</u>	<u>6/1/2014</u>
<u>ST. AUGUSTINE</u>	<u>12/1/2018</u>	<u>WESTON</u>	<u>1/1/2016</u>
<u>ST. AUGUSTINE BEACH</u>	<u>4/1/2018</u>	<u>WESTVILLE</u>	<u>4/1/2013</u>
<u>ST. CLOUD</u>	<u>2/1/2014</u>	<u>WEWAHITCHKA</u>	<u>10/1/2018</u>
<u>ST. JOHNS COUNTY</u>	<u>8/1/2017</u>	<u>WHITE SPRINGS</u>	<u>7/1/2013</u>
<u>ST. LEO</u>	<u>8/1/2016</u>	<u>WILDWOOD</u>	<u>2/1/2013</u>
<u>ST. LUCIE COUNTY</u>	<u>10/1/2017</u>	<u>WILLISTON</u>	<u>7/1/2017</u>
<u>ST. LUCIE VILLAGE</u>	<u>7/1/2013</u>	<u>WILTON MANORS</u>	<u>6/1/2017</u>
<u>ST. MARKS</u>	<u>1/1/2018</u>	<u>WINDERMERE</u>	<u>6/1/2017</u>
<u>ST. PETERSBURG</u>	<u>5/1/2016</u>	<u>WINTER GARDEN</u>	<u>6/1/2017</u>
<u>ST. PETE BEACH</u>	<u>7/1/2016</u>	<u>WINTER HAVEN</u>	<u>10/1/2018</u>
<u>STARKE</u>	<u>9/1/2013</u>	<u>WINTER PARK</u>	<u>2/1/2016</u>
<u>STUART</u>	<u>6/1/2012</u>	<u>WINTER SPRINGS</u>	<u>9/1/2016</u>
<u>SUMTER COUNTY</u>	<u>9/1/2012</u>	<u>WORTHINGTON SPRINGS</u>	<u>10/1/2014</u>

YANKEETOWN 7/1/2012
 ZEPHYRHILLS 9/1/2017
 ZOLFO SPRINGS 5/1/2013

Rulemaking Authority 163.3191(1), 163.3191(5) FS. Law Implemented 163.3191 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Ray Eubanks, Community Program Administrator,
 Department of Economic Opportunity, 107 East Madison
 Street, Caldwell Building, MSC 160, Tallahassee, Florida
 32399-4120, (850)717-8483

NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Hunting F. Deutsch

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: May 15, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: March 2, 2012

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Consumer Services

RULE NOS.:	RULE TITLES:
5J-17.016	Time for Compliance With Final Order; Probation
5J-17.029	Application Deadlines
5J-17.030	Certification of Eligibility for Examination and Notification to Applicants
5J-17.0321	Examination Administration
5J-17.0322	Licensure Examination Format and Procedures for Candidates with Disabilities
5J-17.034	Grading
5J-17.036	Grades Review Procedure
5J-17.039	Licensure, Inactive Status, Delinquent Status, Reactivation
5J-17.047	Approval of Continuing Education Courses
5J-17.080	Citations
5J-17.082	Mediation
5J-17.208	Pre-examination Continuing Education Program for Foreign Trained Exiled Professionals

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. 36, No. 47, November 24, 2010 issue of the Florida Administrative Weekly.

5J-17.016 Time for Compliance With Final Order; Probation.

(1) through (4) No change.

Rulemaking Authority 472.008 FS. Law Implemented 472.0202, 472.0351 FS. History–New 2-23-05, Formerly 61G17-2.006, Amended _____.

5J-17.029 Application Deadlines.

(1)(a) No change.

(b) A person wishing to apply for licensure by examination or licensure by endorsement shall submit a completed application to the Board by applying online at: <https://csapp.800helpfla.com/csrep/>. In lieu of completing an application online, an applicant shall obtain the application entitled “Board of Professional Surveyors and Mappers Application For Licensure By Examination or Endorsement”, DACS-10050, Rev. 02/12, hereby incorporated by reference. Copies of the form may be obtained from the Board office or accessed online at: <http://www.flrules.org/Gateway/reference>. Applications deemed complete by the Board will be reviewed by the board or ~~contracted vendor its designee~~, to determine eligibility at a date and time scheduled by the Board.

(c) A person wishing to apply for licensure as a surveyor intern shall submit a completed application to the Board by applying online at: <https://csapp.800helpfla.com/csrep/>. In lieu of completing an application online, an applicant shall obtain the application entitled “Board of Professional Surveyors and Mappers Application For Licensure As Surveyor In Training”, DACS-10055, Rev. 02/12, hereby incorporated by reference. Copies of the form may be obtained from the Board office or accessed online at: <http://www.flrules.org/Gateway/reference>. Applicants applying for the Surveyor-in-Training (SIT) examination shall submit their completed application no less than 90 days prior to scheduled examination or no less than 35 days prior to a scheduled meeting.

(d) Applicants for reexamination shall submit their completed applications no less than 21 days prior to the scheduled examination deadline set by the Department or ~~contracted vendor its designee~~.

(2)(a) An applicant will be rescheduled by the Department or ~~contracted vendor their designee~~ for the next available examination if the applicant is unable to sit for the originally scheduled examination by reason of military service and submits to the Board a copy of the applicant’s military orders or a letter from the applicant’s commanding officer.

(b) An applicant’s examination will be rescheduled by the Department or ~~contracted vendor, their designee~~ if the applicant demonstrates that there was a death in the immediate family, serious injury, illness, or other physical impairment which prevented the candidate from taking the examination. Any such request to reschedule an examination shall include a copy of a death notice or death certificate or a statement from

the applicant's treating physician which attests that such injury, illness or physical impairment prevented the applicant from taking the examination.

(c) No change.

Rulemaking Authority 472.008 FS. Law Implemented 472.011, 472.0131, 472.015, 472.0365 FS. History–New _____.

5J-17.030 Certification of Eligibility for Examination and Notification to Applicants.

(1) through (6) No change.

Rulemaking Authority 472.008 FS. Law Implemented 120.60, 472.0131(1), 472.015 FS. History–New _____.

5J-17.0321 Examination Administration.

(1) through (3) No change.

(4) ~~All Department administered examinations will be administered in accordance with the applicable Department standard.~~ Administration requirements set forth by any national board and council will be complied with in the administration of the specific examination.

(5) through (8) No change.

(9) Any individual found by the Department or the Board to have engaged in conduct which subverts or attempts to subvert the examination process shall have his or her scores on the examination withheld and/or declared invalid, be disqualified from the practice of the profession, and/or be subject to the imposition of penalties authorized under Chapter 472, Florida Statutes, including but not limited to, criminal penalties under Section 472.0132, Florida Statutes or Section 472.031, Florida Statutes, as well as the administrative penalties set forth at Section 472.0351(2), Florida Statutes ~~other appropriate sanctions by the Board.~~

(10) through (12) No change.

Rulemaking Authority 472.0131 FS. Law Implemented 472.0131 FS. History–New _____.

5J-17.0322 Licensure Examination Format and Procedures for Candidates with Disabilities.

(1) through (5) No change.

(6) Definition of Terms.

(a) A person with disabilities means any person who:

1. Has a physical, mental, or specific learning disability which presently substantially limits one or more major life activities;

2. Has a record of such a disability; or

3. Is regarded as having such a disability. An individual meets the requirement of "being regarded as having such a disability" if the individual establishes that he or she has an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity.

(b) through (e) No change.

Rulemaking Authority 472.008 FS. Law Implemented 472.0131 FS. History–New _____.

5J-17.034 Grading.

(1) through (2) No change.

(3) The organization must be generally recognized by practitioners across the nation in the form of representatives from the State Boards or shall have membership representing a majority ~~substantial number~~ of the nation's or states' practitioners who have been licensed through the national examination.

(4) through (5) No change.

(6) Grading Criteria and Passing Scores:

(a) No change.

(b) The Florida Jurisdictional Multiple Choice Examination consists of 100 multiple choice questions developed by the Department, or the Department's contracted vendor designee. The multiple choice questions will be weighted equally and machine graded. Scores for the multiple choice portion shall be determined by the applicant's ability to choose the correct answer from several given choices. A passing grade on the Florida Jurisdictional Multiple Choice Examination is defined as 70% of the total possible points.

(c) No change.

(7) No change.

(8) Departmentally developed objective, multiple choice examinations shall be graded by the Department or contracted vendor its designee. The Department or the Department's contracted vendor designee shall review the item analysis and any statistically questionable items after the examination has been administered. Based upon this review, the Department or the Department's contracted vendor designee shall adjust the scoring key by totally disregarding the questionable items for grading purposes or by multi-keying, giving credit for more than one correct answer per item. All items which do not adequately and reliably measure the applicant's ability to practice the profession shall be rejected. The Department or its contracted vendor designee shall calculate each candidate's grade utilizing the scoring key or adjusted scoring key, if applicable, and shall provide each candidate with a grade report.

The only paper that shall be graded is the official answer sheet. No credit shall be given for answers written in a candidate's examination booklet.

(9) through (10) No change.

~~(11)(12)~~ The Department or contracted vendor its designee shall inform each passing candidate of the candidate's status and provide necessary instructions for obtaining a license.

~~(12)(13)~~ No change.

Rulemaking Authority 472.0131 FS. Law Implemented 472.0131 FS. History—New 1-3-80, Amended 10-29-80, 4-19-82, 1-25-84, Formerly 21HH-4.03, Amended 9-16-87, 8-30-92, Formerly 21HH-4.003, Amended 9-7-93, 4-6-94, 5-30-95, 11-10-08, Formerly 61G17-4.003, Amended _____.

5J-17.036 Grades Review Procedure.

(1) No change.

(2) Those candidates who elect to exercise their right to review must submit a request in writing to the Department or the testing vendor. An examinee shall submit a completed form known as “Board of Professional Surveyors and Mappers Post Examination Review Request”, DACS-10063, Rev. 02/12, hereby incorporated by reference. Copies of the form may be obtained from the Board office or accessed online at: <http://www.flrules.org/Gateway/reference>.

(a) ~~Written~~ ~~Unless otherwise provided in Board rule,~~ ~~written~~ requests must be received by the Department or vendor no later than twenty-one (21) days after the release date of the original grade notification. The issuance of an amended grade notice, if applicable, will not extend the deadline for a candidate to request a post-examination review, unless the amended grade notice affects the pass/fail status of the candidate.

(b) No change.

(3) No change.

(a) No change.

(b) All security rules defined in this Chapter, shall apply to all review sessions. Any candidate violating any provision of said rules shall be dismissed from the review session ~~and may be subject to other sanctions pursuant to applicable statutes or rules as determined by the Board.~~

(c) through (f) No change.

(g) Unless prohibited by ~~board rule or~~ national guidelines, candidates have the right to challenge any question which they believe may be ambiguous or any solution which they believe may be incorrect and to request a hearing if the challenge is found to be without merit. The challenges must be submitted in writing during the review. Any challenges or supporting documentation submitted after the candidate has left the review room shall not be accepted.

(h) No change.

(4) through (6) No change.

Rulemaking Authority 472.008, 472.013, 472.0131(3) FS. Law Implemented 472.013, 472.0131(3) FS. History—New 1-3-80, Formerly 21HH-4.06, 21HH-4.006, Amended 5-30-95, 5-17-00, 10-31-08, Formerly 61G17-4.006, Amended _____.

5J-17.039 Licensure, Inactive Status, Delinquent Status, Reactivation

(1) Biennial Licensing: Licensees, except as may be provided in Chapter 472, F.S., must renew their license each biennial period. Biennial period shall mean a period of time consisting of two 12 month calendar years. The biennial period

for the purposes of the Board shall commence and continue on March 1 of each odd numbered year. Each application for renewal shall be considered timely filed if the application has been postmarked by the United States Postal Service officer prior to midnight on the date of expiration of the license or has been delivered by the close of business on the date of expiration of the license or the licensee has submitted an electronic application for renewal through the Department’s website, <https://csapp.800helpfla.com/csrep/>. ~~www.800helpfla.com~~. If that date falls on a Saturday, Sunday, or legal holiday, the day of expiration shall be the first working day after the expiration date on the license. In order to be complete, the application must have all appropriate spaces filled, be signed or otherwise authenticated by the licensee and include a money order, sufficiently funded check, or electronic draft in the correct amount. The licensee must meet all continuing education requirements as specified in this chapter.

(2) No change.

(3) Delinquent Status:

(a) No change.

(b) A delinquent status licensee may apply for active or inactive status any time during the biennial licensure cycle. A complete application, the renewal fee, and a delinquent fee shall be required. The license of a delinquent licensee that does not achieve active or inactive status before the end of the current biennial licensure period shall become null and void by operation of law and without further action by the Department or the Board. Subsequent licensure will require meeting all the requirements for initial licensure or complying with the procedure set forth in Rule 5J-17.048, F.A.C. Rule 5J-17.047, F.A.C.

Rulemaking Authority 472.006, FS. Law Implemented 472.006, 472.0202 FS. History—New _____.

5J-17.047 Approval of Continuing Education Courses.

(1) Continuing education courses shall be valid for purposes of the continuing education requirement only if such courses have received prior approval from the Board. The Board shall approve a course as a continuing education course for the purpose of this rule when the following requirements are met:

(a) Written application for course approval shall be received by the Board prior to the date the course is offered. A provider wishing to apply for continuing education course approval shall submit a completed application to the Board by completing the application entitled “Board of Professional Surveyors and Mappers Continuing Education Course Approval Application”, DACS-10057, Rev. 02/12, hereby incorporated by reference. Copies of the form may be obtained from the Board office or accessed online at: <http://www.flrules.org/Gateway/reference>.

(b) through (4) No change.

Rulemaking Authority 472.008, 472.018 FS. Law Implemented 472.018 FS. History—New 8-18-03, Amended 6-23-05, 12-28-05, 6-20-06, Formerly 61G17-5.0051, Amended_____.

5J-17.080 Citations.

The offenses enumerated in this rule may be disciplined by the issuance of a citation by the Department of Agriculture and Consumer Services. The citation shall impose the prescribed fine, and the Department may impose the costs of the investigation. If the citation option is accepted by the licensee, the offense will not be brought to the attention of the probable cause panel of the Board.

(1) Citations shall be issued pursuant to Sections 472.0345 and 472.036, F.S. The Department shall only issue citations on Form DACS-10060, Rev. 02/12 entitled “Professional Surveyors and Mappers Uniform Disciplinary Citation”, hereby incorporated by reference. Copies of the form may be obtained from the Board office or accessed online at: <http://www.flrules.org/Gateway/reference>.

(2) through (8) No change.

(9) All citations issued to unlicensed persons under this part shall be accompanied by a Notice and Order to Cease and Desist, as provided by Section 472.036(1), F.S. The Department shall only issue Notice and Orders to Cease and Desist on Form DACS-10061, Rev. 02/12, entitled “Notice To Cease And Desist Unlicensed Professional Surveying and Mapping”, hereby incorporated by reference. Copies of the form may be obtained from the Board office or accessed online at: <http://www.flrules.org/Gateway/reference>.

Rulemaking Authority 472.008, 472.0345 FS. Law Implemented 472.0345, 472.0351, 472.036, FS. History—New 1-16-92, Formerly 21HH-9.004, Amended 2-20-96, 10-29-06, 6-11-07, Formerly 61G17-9.004, Amended_____.

5J-17.082 Mediation.

(1) through (7) No change.

(8) Violations of paragraphs 5J-17.010(6)(f) and Rule 5J-17.010(6)(g), F.A.C., concerning conflicts of interest, can be mediated pursuant to Section 472.034, F.S..

Rulemaking Authority 472.034 FS. Law Implemented 472.034 FS. History—New 5-30-95, Formerly 61G17-9.005, Amended_____.

5J-17.208 Pre-examination Continuing Education Program for Foreign Trained Exiled Professionals.

No change.

(1) through (2) No change.

(3) Before a program is offered to an applicant as satisfying the requirements of this rule, such program shall be approved by the Department.

(a) Approval by the Department shall be based upon a finding by the Department that the program satisfies the following requirements:

1. Documentation of program content to demonstrate adequate training and coursework to prepare applicants for examination to practice the profession ~~as defined in Florida law and rules~~. Such training and coursework shall include a diagnostic evaluation of the applicant's completion of the program. Adequate training and coursework include attendance by applicant of no less than ninety (90) percent of the class sessions.

2. through (4)(b) No change.

Rulemaking Authority 472.0101 FS. Law Implemented 472.0101 FS. History—New_____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:

RULE TITLE:

6A-1.09981

Implementation of Florida's System of School Improvement and Accountability

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. 38, No. 5, February 3, 2012 issue of the Florida Administrative Weekly.

Sub-subparagraph (1)(a)1. b. and d. ; subparagraph (1)(a)3. and 5.; paragraph (2)(a); subparagraph (3)(a)1. and 2.; sub-subparagraphs (4)(a)2.e and g; subparagraph (4)(b)6.; sub-subparagraphs (4)(c)1. d. and e.; and paragraph (6)(e) are amended to read:

6A-1.09981 Implementation of Florida's System of School Improvement and Accountability.

(1) No change.

(a) No change.

1. School grades shall be based on a combination of:

a. No change.

b. Annual student learning gains as measured by FCAT 2.0 Reading and Mathematics (including Algebra 1 and Geometry EOC) and Florida Alternate Assessment ~~assessments~~ in applicable grades; and

c. No change.

d. For high schools, when data for the elements described in paragraph (4)(c) of this rule is available ~~to meet the cell size requirements for the elements described in paragraph (4)(c) of this rule,~~ for ten (10) or more students, the accountability system will also include graduation rates as measured by the federal uniform graduation rate according to 34 CFR § 200.19, which rate calculation is incorporated herein by reference, a five-year federal uniform rate, modified to include special diploma graduates, an at-risk graduation rate, participation and performance in accelerated mechanisms, and college readiness as measured by the ~~SAT, ACT, CPT, and~~ Postsecondary

Education Readiness Test (P.E.R.T.), or other common placement tests authorized under Rule 6A-10.0315, F.A.C., which is incorporated by reference herein.

2. No change.

3. Reading Performance Threshold. Beginning in the 2012-13 school year, a school that would otherwise qualify for a school grade of "D" or higher must have at least twenty-five (25) percent of their students' scoring at or above Achievement ~~Achievement~~ Level 3 on FCAT 2.0 Reading. A school that does not meet this requirements will have its grade reduced by one letter grade.

4. No change.

5. Adequate Progress Requirement for At-Risk Students for a High School Grade. A high school that would otherwise earn a grade of "A" must meet an additional requirement for adequate progress of at-risk students in order to be assigned a grade of "A" rather than one (1) letter grade lower ("B"). For such schools, the federal uniform graduation rate for academically at-risk students, according to 34 CFR § 200.19(b) as described in sub-subparagraph (4)(c)1.a. of this rule, must meet one or more of the following criteria to satisfy this requirement:

a. through c. No change.

(2) No change.

(a) The reading and mathematics assessment (FCAT, FCAT 2.0, statewide EOC assessment, and FAA) scores of all students, except English language learners (ELLs) who have been enrolled in school in the United States for less than one (1) year. Achievement data for Science and Writing (and, when available, Civics and U.S. History) will be based on scores on the FCAT, FCAT 2.0, FAA, and statewide EOC assessments for all students except English language learners (ELLs) who have been enrolled in school in the United States for less than one (1) year.

(b) through (c) No change.

(3) School Grades. The measure of school accountability shall be the school grade.

(a) The Commissioner is authorized to designate a school grade for each school that:

1. Has at least thirty (30) eligible students with valid FCAT 2.0 or Florida Alternate Assessment ~~assessment~~ scores in reading in both the current and the previous years, and

2. Has at least thirty (30) eligible students with valid FCAT 2.0 or EOC or Florida Alternate Assessment ~~assessment~~ scores in mathematics in the current and previous years, if the school is an accountability school type other than a high school. High schools must have at least ten (10) eligible students with valid Algebra 1 EOC or Florida Alternate Assessment ~~assessment~~ scores and beginning in 2012-13, at least ten (10) eligible students with valid Geometry 1 EOC assessment scores in mathematics in the current and previous years in order to receive a school grade. Performance designations shall be made using school grades A, B, C, D, and

F, as specified in Section 1008.34(2), F.S. School grades shall be based on the assessments and criteria as specified in subsection (4) of this rule.

(b) through (c) No change.

(4) Criteria for Designating School Grades. School grades shall be based on a combination of the following components:

(a) Components that apply to all school types:

1. through d. No change.

e. Learning gains for students with disabilities who have maintained the same FAA Performance Level below Performance Level 4 are established for students if their current-year score increases relative to their prior-year score by five (5) or more points more than the statewide standard error of the difference of the two scores.

f. No change.

3. No change.

g. Additional learning gains weighting is established for students who score at levels 1 and 2 on FCAT or levels 1, 2, and 3 on FAA and improve their scores by more than the minimum required to make a learning gain as described in sub-subparagraphs (4)(a)2.c. or e. Students whose score increases by 33% more than the required learning gain will be weighted as 1.1 in the numerator of the learning gains calculation.

(b) Additional components that apply to middle schools:

1. through 5. No change.

6. The school grading measures and requirements described in subparagraphs (4)(b)2., 3., and 5. of this rule shall be applied to middle schools for which there are at least ten (10) students included in the denominator of each component. For middle schools in which there are fewer than ten (10) students in the denominator of any one of these components, the school grade shall be determined using the components described in paragraph (4)(a) of this rule and shall not include any of the components described in subparagraphs (4)(b)2., 3., and 5. of this rule.

(c) Additional components that apply to high schools:

1. No change.

a. through c. No change.

d. Performance in accelerated coursework, defined as Advanced Placement (AP), International Baccalaureate (IB), dual enrollment, Advanced International Certificate of Education (AICE), and industry certification courses. Performance shall be calculated for the school by dividing the weighted number of grade 9-12 students with successful completions in accelerated coursework (numerator) by the count of all students in grades 9 through 12 who took an accelerated course or subject area examination during the academic year. For AP, IB, and AICE successful completion is defined as earning a passing score and qualifying for credit for specific postsecondary course(s) as determined by the Articulation Coordinating Committee's Credit by Exam

Equivalencies list, initially adopted November 14, ~~2001~~ 2011, with subsection revisions in 2010-2011, which is hereby incorporated by reference and may be obtained at <http://www.fldoe.org/articulation/pdf/ACC-CBE.pdf>. For dual enrollment successful completion is defined as a passing grade of “C” or higher in a dual enrollment course for college credit. For industry certification successful completion is defined as passing an industry certification examination on the Industry Certification Funding List adopted in Rule 6A-6.0573, F.A.C. Schools can earn additional successful completions for students who achieve industry certifications listed on the (Gold Standard Career Pathways Articulation Agreement that result in credit for more than one (1) college course), which is incorporated by reference herein and can be accessed at: <http://www.fldoe.org/workforce/dwdframe/aeticindcert2aas.asp> ~~that result in credit for more than one (1) college course through statewide articulation agreements. Those agreements can be accessed at http://www.fldoe.org/workforce/dwdframe/artic_frame.asp.~~ Weighting of counts for students with successful completions: For each student identified as having successfully completed accelerated coursework, the weighted count that is assigned to the student is established at 1.0 for a student with one successful completion in accelerated coursework and is increased incrementally by 0.1 for each additional successful completion credited to the student. The weighted counts for all successful completers are summed to produce the numerator described in sub-subparagraph (4)(c)1.d. of this rule.

e. Postsecondary readiness. This measure consists of two separate components, one for reading and one for mathematics. For each subject area component, postsecondary readiness shall be calculated by dividing the count of on-time (within 4 years) high school graduates scoring “college ready” on ~~the SAT, ACT, the Common Placement Test (CPT), or the Postsecondary Education Readiness Test (P.E.R.T.)~~ or any college placement test authorized under Rule 6A-10.0315, F.A.C., at any time during their high school careers by the count of all on-time high school graduates in the federal uniform graduation rate. Readiness cutoff scores by subject area on the ACT, SAT, CPT, and P.E.R.T. and other authorized common placement tests are established in Rule 6A-10.0315, F.A.C. For students who have taken multiple tests among the ~~ACT, SAT, CPT, and P.E.R.T., and other authorized common placement tests,~~ the student’s highest score by subtest shall be used to determine postsecondary readiness for the applicable subject area component.

- f. No change.
- 2. No change.
- (5) No change.

(6) School Grading Scale. The school grading scale shall be determined separately for elementary schools, middle schools, high schools, and combination schools with graduating seniors.

(a) through (d) No change.

(e) If the 2011-12 school grade preliminarily calculated for a school based on the points earned in paragraph (5) and the grade scale in paragraph (6) is more than one (1) letter grade below the school’s grade in 2010-11, the points assigned based on subparagraphs (5)(a)1., 2., and 3. shall be adjusted such that the school’s letter grade for the 2011-2012 school year is reduced by no more than one (1) letter grade. The difference between 2011-12 points earned and the points necessary to receive a one (1) letter grade reduction will be allocated evenly across the components in subparagraphs (5)(a)1., 2., and 3. in order to ensure that a school’s grade is based upon the components of student achievement, learning gains and the improvement of the lowest 25th percentile as set forth in Section 1008.34, F.S. This adjustment shall be limited to the 2011-12 year. Any points added to a school’s grade as described in this paragraph shall not be used for any purpose when determining school grades in the school years subsequent to 2011-2012.

(7) through (9) No change.

Rulemaking Authority 1001.02, 1008.22, 1008.34, 1008.345 FS. Law Implemented 1008.22, 1008.34, 1008.345, 1008.36 FS. History—New 10-11-93, Amended 12-19-95, 3-3-97, 1-24-99, 2-2-00, 2-11-02, 12-23-03, 5-15-06, 6-19-08, 11-26-08, 11-12-09, 6-21-11, _____.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.:	RULE TITLE:
12D-8.0065	Transfer of Homestead Assessment Difference; “Portability”; Sworn Statement Required; Denials; Late Applications

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. 38, No. 14, April 6, 2012 issue of the Florida Administrative Weekly.

This proposed new rule was subsequently amended by publication of a notice of change in the Vol. 38, No. 20, May 18, 2012 issue of the Florida Administrative Weekly. The Department is removing all the provisions added by the first notice of change published in the May 18, 2012 edition of the Florida Administrative Weekly. This removal will give interested parties an opportunity to comment on the proposed additional provisions at a public hearing to be scheduled in the near future.

A revised version of this proposed rule will be available at: <http://dor.myflorida.com/dor/property/legislation/rules/10ruledrafts.html>. This revised version is identical to the version originally published in the Notice of Proposed Rule for proposed new Rule 12D-8.0065 in the April 6, 2012 edition of the Florida Administrative Weekly, except for: a correction to a statute cite in paragraph (6)(a) of this proposed new rule; and,

a provision added to paragraph (12)(b) of this rule to clarify that the mandatory payment of the \$15 fee is required by Section 193.155(8), F.S. Both of these changes are based on comments received from the Joint Administrative Procedures Committee of the Florida Legislature.

12D-8.0065 Transfer of Homestead Assessment Difference: "Portability"; Sworn Statement Required; Denials; Late Applications.

(1) For purposes of this rule, the following definitions apply.

(a) "The previous property appraiser" means the property appraiser in the county where the taxpayer's previous homestead property was located.

(b) "The new property appraiser" means the property appraiser in county where the taxpayer's new homestead is located.

(c) "The previous homestead" means the homestead which the assessment difference is being transferred from.

(d) "The new homestead" means the homestead which the assessment difference is being transferred to.

(e) "Assessment difference" means the difference between assessed value and just value attributable to Section 193.155, F.S.

(2) Section 193.155(8), F.S., provides the procedures for the transfer of the homestead assessment difference, within stated limits, when a homestead is abandoned. This rule describes those procedures, which are an alternative to assessment at just value. The amount of the assessment difference is transferred as a reduction to the just value of the interest owned by taxpayers that qualify and receive homestead exemption on a new homestead.

(a) This rule sets limits and requirements consistent with Section 193.155(8), F.S. A taxpayer may apply for the transfer of an assessment difference from a previous homestead property to a new homestead property if:

1. The taxpayer received a homestead exemption on the previous property on January 1 of one of the last two years before establishing the new homestead; and,

2. The previous property was abandoned as a homestead after that January 1; and,

3. The previous property was, or will be, reassessed at just value or assessed under Section 193.155(8), F.S., as of January 1 of the year after the year in which the abandonment occurred subject to Sections 193.155(8) and 193.155(3), F.S.; and

4. The taxpayer establishes a new homestead on the property by January 1 of the year they are applying for the transfer.

(b) Under Section 193.155(8), F.S., the transfer is only available from a prior homestead for which a taxpayer previously received a homestead exemption. For these rules:

1. If a husband and wife owned and resided on a previous homestead, each is considered to have received the homestead exemption, even if only one of them applied.

2. For joint tenants with rights of survivorship and for tenants in common, those who applied for, received the exemption, and resided on a previous homestead are considered to have received the exemption.

(3) To apply for portability, the taxpayer must file Form DR-501T, Transfer of Homestead Assessment Difference, (incorporated by reference in Rule 12D-16.002, F.A.C.), including a sworn statement, by March 1. Form DR-501T is submitted as an attachment to Form DR-501, Original Application for Ad Valorem Tax Exemption, (incorporated by reference in Rule 12D-16.002, F.A.C.).

(4) Within the limitations for multiple owners in subsection (5), the total which may be transferred is limited as follows:

(a) Upsizing – When the just value of the new homestead equals or is greater than the just value of the previous homestead, the maximum amount that can be transferred is \$500,000.

(b) Downsizing – When the just value of the new homestead is less than the just value of the previous homestead, the maximum amount that can be transferred is \$500,000. Within that limit, the amount must be the same proportion of the new homestead's just value as the proportion of the assessment difference was of the previous homestead's just value.

(5)(a) Transferring without splitting or joining – When two or more persons jointly abandon a single homestead and jointly establish a new homestead, the provisions for splitting and joining below do not apply if no additional taxpayers are part of either homestead. The maximum amount that can be transferred is \$500,000.

(b) Splitting – When two or more people who previously shared a homestead abandon that homestead and establish separate homesteads, the maximum total amount that can be transferred is \$500,000. Within that limit, each taxpayer who received a homestead exemption and is eligible to transfer an amount is limited to a share of the previous homestead's difference between assessed value and just value.

1. For tenants in common, this share is the difference between just value and assessed value for the tenant's proportionate interest in the property. This is the just value of the taxpayer's interest minus the assessed value of the taxpayer's interest.

2. For joint tenancy with right of survivorship and for a husband and wife, the share is the assessed value of the homestead portion of the property, divided by the number of owners that received the exemption, unless another interest share is on the title. In that case, the portion of the amount that may be transferred is the difference between just value and assessed value for the stated share.

3. The shares of the assessment difference cannot be sold, transferred, or pledged to any taxpayer. For example, if a husband and wife divorce and both abandon the homestead, they each take their share of the assessment difference with them. The property appraiser cannot accept a stipulation otherwise. The shares of the taxpayers that received the homestead exemption cannot total more than 100 percent.

(c) Joining – When two or more people, some of whom previously owned separate homesteads and received a homestead exemption, join together to qualify for a new homestead, the maximum amount that can be transferred is \$500,000. Within that limit, the amount that can be transferred is limited to the highest difference between assessed value and just value from any of the taxpayers' former homesteads.

(6) Abandonment.

(a) To transfer an assessment difference, a homestead owner must abandon the homestead before January 1 of the year the new application is made. To do this, the taxpayer must notify the property appraiser in writing by the time he or she applies for the new homestead exemption. To transfer the assessment difference, the previous homestead must be reassessed at just value as of January 1, subject to Sections 193.155(8) and 193.155(3), F.S., which provide for assessment at other than just value.

(b) In the case of joint tenants with right of survivorship, if only one owner moved and the other stayed in the original homestead, the homestead would not be abandoned. The one who moved could not transfer any assessment difference.

(c) To receive an assessment reduction under Section 193.155(8), F.S., a taxpayer may abandon his or her homestead even though it remains his or her primary residence by providing written notification to the property appraiser of the county where the homestead is located. This notification must be delivered before or at the same time as the timely filing of a new application for homestead exemption on the property. This abandonment will result in reassessment at just value as provided in subparagraph (2)(a)3. of this rule.

(7) Only the difference between assessed value and just value attributable to Section 193.155, F.S., can be transferred.

(a) If a property has both the homestead exemption and an agricultural classification, a taxpayer cannot transfer the difference that results from an agricultural classification.

(b) If a homeowner has a homestead and is receiving a reduction in assessment for living quarters for parents or grandparents under Section 193.703, F.S., the reduction is not included in the transfer. When calculating the amount to be transferred, the amount of that reduction must be added back into the assessed value before calculating the difference.

(8) Procedures for property appraiser:

(a) If the previous homestead was in a different county than the new homestead, the new property appraiser must transmit a copy of the completed Form DR-501T with a completed Form DR-501 to the previous property appraiser. If

the previous homesteads of taxpayers applying for transfer were in more than one county, each taxpayer from a different county must fill out a separate Form DR-501T.

1. The previous property appraiser must complete Form DR-501RVSH, Certificate for Transfer of Homestead Assessment Difference (incorporated by reference in Rule 12D-16.002, F.A.C.). By April 1 or within two weeks after receiving Form DR-501T, whichever is later, the previous property appraiser must send this form to the new property appraiser. As part of the information returned on Form DR-501RVSH, the previous property appraiser must certify that the amount transferred is part of a previous homestead that has been or will be reassessed at just value as of January 1 of the year after the year in which the abandonment occurred as described in subparagraph (2)(a)3. of this rule.

2. Based on the information provided on Form DR-501RVSH from the previous property appraiser, the new property appraiser calculates the amount that may be transferred and applies this amount to the January 1 assessment of the new homestead for the year applied for.

(b) If the transfer is from the same county as the new homestead, the property appraiser retains Form DR-501T. Form DR-501RVSH is not required. For a taxpayer that applied on time for the transfer of assessment difference, the property appraiser updates the ownership share information using the share methodology in this rule.

(c) The new property appraiser must record the following in the assessment roll submitted to the Department according to Section 193.1142, F.S., for the year the transfer is made to the homestead parcel:

1. Flag for current year assessment difference transfer;
2. Number of owners among whom the previous assessment difference was split. Enter 1 if previous difference was not split;
3. Assessment difference value transferred;
4. County number of previous homestead;
5. Parcel ID of previous homestead;
6. Year from which assessment difference value was transferred;

(d) Property appraisers that have information sharing agreements with the Department are authorized to share confidential tax information with each other under Section 195.084, F.S., including social security numbers and linked information on Forms DR-501, DR-501T, and DR-501RVSH.

(9) The transfer of an assessment difference is not final until all values on the assessment roll on which the transfer is based are final. If the values are final after the procedures in these rules are exercised, the property appraiser(s) must make appropriate corrections and send a corrected assessment notice. Any values that are in administrative or judicial review must be noticed to the tribunal or court for accelerated hearing and resolution so that the intent of Section 193.155(8), F.S., may be

fulfilled. This rule does not authorize the consideration or adjustment of the just, assessed, or taxable value of the previous homestead property.

(10) Additional provisions.

(a) If the information from the previous property appraiser is provided after the procedures in this section are exercised, the new property appraiser must make appropriate corrections and send a corrected assessment notice.

(b) The new property appraiser must promptly notify a taxpayer if the information received or available is insufficient to identify the previous homestead and the transferable amount. This notice must be sent by July 1.

(c) If the previous property appraiser supplies enough information to the new property appraiser, the information is considered timely if provided in time to include it on the notice of proposed property taxes sent under Sections 194.011 and 200.065(1), F.S.

(d) If the new property appraiser has not received enough information to identify the previous homestead and the transferable amount in time to include it on the notice of proposed property taxes, the taxpayer may file a petition with the value adjustment board in the county of the new homestead.

(11) Denials.

(a) If the taxpayer is not qualified for transfer of any assessment difference, the new property appraiser shall send Form DR-490PORT, Notice of Denial of Transfer of Homestead Assessment Difference, (incorporated by reference in Rule 12D-16.002, F.A.C.) to the taxpayer by July 1 and include the reasons for the denial.

(b) Any property appraiser who sent a notice of denial by July 1 because he or she did not receive sufficient information to identify the previous homestead and the amount which is transferable, may grant the transfer after receiving information from the previous property appraiser showing the taxpayer was qualified. If a petition was filed based on a timely application for the transfer of an assessment difference, the value adjustment board shall refund the taxpayer the \$15.

(c) Petitions of denials may be filed with the value adjustment board as provided in Rule 12D-9.028, F.A.C.

(12) Late applications.

(a) Any taxpayer qualified to have property assessed under Section 193.155(8), F.S., who fails to file for a new homestead on time in the first year following eligibility may file in a subsequent year. The assessment reduction shall be applied to assessed value in the year the transfer is first approved. A refund may not be given for previous years.

(b) Any taxpayer who is qualified to have his or her property assessed under Section 193.155(8), F.S., who fails to file an application by March 1, may file an application for assessment under that subsection and, under Section

194.011(3), F.S., may file a petition with the value adjustment board requesting the assessment be granted. The petition may be filed at any time during the taxable year by the 25th day following the mailing of the notice by the property appraiser as provided in Section 194.011(1), F.S. In spite of Section 194.013, F.S., the taxpayer must pay a nonrefundable fee of \$15 when filing the petition, as required by paragraph (i) of Section 193.155(8), F.S. After reviewing the petition, the property appraiser or the value adjustment board may grant the assessment under Section 193.155(8), F.S., if the property appraiser or value adjustment board find the taxpayer is qualified and demonstrates particular extenuating circumstances to warrant granting the assessment.

Rulemaking Authority 195.027(1), 213.06(1) FS. Law Implemented 192.047, 193.114, 193.1142, 193.155, 193.461, 193.703, 194.011 FS. History—New _____.

DEPARTMENT OF REVENUE

Property Tax Oversight Program

RULE NO.: RULE TITLE:
12D-16.002 Index to Forms

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. 38, No. 14, April 6, 2012 issue of the Florida Administrative Weekly.

This proposed rule was subsequently amended in the Vol. 38, No. 20, May 18, 2012 issue of the Florida Administrative Weekly. The Department is removing the new form DR-50ITS, Designation of Ownership Share of Abandoned Homestead, added by the first notice of change published in the May 18, 2012 edition of the Florida Administrative Weekly. This removal will give interested parties an opportunity to comment on the proposed provisions and form at a public hearing to be scheduled in the near future. The proposed new form DR-50ITS, incorporated by reference in new paragraph (j) of subsection (39) of Section 12D-16.002, F.A.C., will be the form to be used to designate ownership shares based on the 2012 Legislative amendment to Section 193.155, F. S., enacted in Section 5 of Chapter 2012-193, Laws of Florida, (HB 7097). This legislative amendment required the Department to provide a form designating the ownership share when a husband and wife abandon a jointly titled property.

The proposed new rule text will be available at <http://dor.myflorida.com/dor/property/legislation/rules/10ruledrafts.html>. When adopted, subsection (39) of Rule 12D-16.002, will read as follows:

(39)(a)	DR-501	Original Application for <u>Homestead and Related Ad Valorem Tax Exemptions</u> (r. xx/12 12/06)	_____ 10/07
(b)	DR-501A	Statement of Gross Income (r. xx/12 6/94)	_____ 12/95
(c)	DR-501CC	Ad Valorem Tax Exemption Application Proprietary Continuing Care Facility (r. xx/12 n. 9/98)	_____ 12/98
(d)	<u>DR-501DV</u>	<u>Application for Homestead Tax Discount, Veterans Age 65 and Older with a Combat-Related Disability</u> (n. xx/12)	=====
(e)	<u>DR-501M</u> DR-501SC	<u>Deployed Military Exemption Application</u> (r. 11/11) Sworn Statement of Adjusted Gross Income of Household and Return (12/04)	_____ (6/11) 12/04
(f)(e)	DR-501PGP	Original Application for Assessment Reduction for Living Quarters of Parents or Grandparents (r. xx/12 n. 12/03)	_____ 1/04
(g)	<u>DR-501RVSH</u>	<u>Certificate for Transfer of Homestead Assessment Difference</u> (r. 12/08)	=====
(h)	<u>DR-501SC</u>	<u>Adjusted Gross Household Income Sworn Statement and Return</u> (r. xx/12)	=====
(i)	<u>DR-501T</u>	<u>Transfer of Homestead Assessment Difference, Attachment to Original Application for Homestead Tax Exemption</u> (r. 12/08)	=====

(40) through (61)(b) No change.

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-602.205 Inmate Telephone Use
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 38, No. 17, April 27, 2012 issue of the Florida Administrative Weekly. Subparagraphs (2)(a) i. through v. were renumbered to (2)(a)1. through 5.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-51.006 Rule Governing Licensure and
 Inspection of Electrology Facilities
 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. 38, No. 9, March 2, 2012 issue of the Florida Administrative Weekly. These changes are being made pursuant to comments received from the Joint Administrative Procedures Committee: The changes are as follows:

- (3)(f)8. A sharps container, as defined in Chapter 64E-16.002, F.A.C., ~~64E-16~~ for disposal of used needles/probes.;
- (3)(h)1. Proof of compliance with all requirements stated in Rule section 64B8-51.006, F.A.C.

(5) Transfer of Ownership or Location of the Electrology Facility.

(a) No license for an electrology facility may be transferred from the name of the original licensee to another.

(b) The department may approve the transfer of a license from one facility to another. An electrology facility license may be transferred from one location to another only upon approval by the Department which approval shall be granted upon compliance with all requirements set out below in subparagraphs 1. through 3. Only the licenses for electrology facilities which have passed the most recent inspection at the original location are eligible for transfer to another location. ~~In order to begin practice at the new location, the electrology facility license holder must first perform all of the following procedures:~~

3. Obtain ~~Pay \$100 to have the~~ new location inspected to determine compliance with Rule 64B8-51.006, F.A.C. The electrology facility may ~~license holder transferring the license shall be permitted to~~ perform electrolysis in the new facility, ~~only after the application has been processed by the Council office and notification provided to the licensee,~~ prior to inspection for a period of 60 days commencing with the first day electrolysis is performed in the new facility, provided the applicant has received notification from the Electrolysis Council that the application has been processed ~~providing~~. The required inspection must be performed within the 60 day period or electrolysis services must cease until the inspection is performed.

Section 478.55, Florida Statutes, will be added to the Law Implemented.

THE PERSON TO BE CONTACTED REGARDING THIS CHANGE IS: Allen Hall, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3258

DEPARTMENT OF FINANCIAL SERVICES**Division of Insurance Agents and Agency Services**

RULE NO.: 69B-162.011
 RULE TITLE: Suitability and Disclosure in Annuity Contracts-Forms Required

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 29, July 22, 2011 issue of the Florida Administrative Weekly has been withdrawn.

Section IV Emergency Rules

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-38
 RULE TITLE: FLORIDA LOTTO™

SUMMARY: This emergency rule sets forth the provisions for the conduct of FLORIDA LOTTO™. This emergency rule replaces Emergency Rule 53ER12-19, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-38 FLORIDA LOTTO™.

(1) How to Play FLORIDA LOTTO™.

(a) FLORIDA LOTTO is a lottery on-line game in which players select six (6) numbers from a field of one (1) to fifty-three (53).

(b) Players may make their FLORIDA LOTTO ticket selections by marking a play slip or by telling the retailer their desired selections. There are ten (10) panels on a play slip. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting six (6) numbers from each panel played, or may mark the "QP" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the six (6) numbers. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel.

(c) Players may receive one (1) ticket with either five (5), ten (10) or twenty (20) sets of six (6) numbers randomly selected by the terminal for the next FLORIDA LOTTO drawing by marking the desired purchase amount under the number 5, 10 or 20, respectively, in the "Quick Picks" box. Players may mark Quick Picks in addition to panel plays. Players must use only blue or black ink or pencil for making

selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers are authorized to manually enter numbers selected by a player.

(d) Players may play up to fifty-two (52) consecutive FLORIDA LOTTO drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive advance drawings selected shall apply to each panel (A-J) played. Advance play is not available with Grouper® or with the Quick Picks box on the play slip. In the event that a planned change in the FLORIDA LOTTO game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery's website, flalottery.com.

(e) Players may elect to play "Grouper®" to receive six (6) quick pick tickets for \$5.00 consisting of one (1) ticket each of CASH 3™, PLAY 4™, FANTASY 5®, MEGA MONEY™, and FLORIDA LOTTO™ plus one (1) free ticket automatically generated by the terminal of either FANTASY 5, MEGA MONEY or FLORIDA LOTTO by telling the retailer. Tickets in Grouper play cannot be player-selected and cannot be cancelled. Free tickets will be generated in the following percentages: FANTASY 5 – 47%; MEGA MONEY – 47%; FLORIDA LOTTO – 6%.

(2) FLORIDA LOTTO Drawings.

(a) FLORIDA LOTTO drawings shall be conducted twice per week, on Wednesday and Saturday.

(b) The equipment shall be configured so that six (6) balls are drawn from one (1) set of balls numbered one (1) through fifty-three (53).

(c) Six (6) balls will be selected in the drawing. The numbers shown on the six (6) balls, after certification by the Draw Manager and the Accountant, are the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

(3) FLORIDA LOTTO Prize Divisions.

(a) FLORIDA LOTTO is a pari-mutuel game. For each draw, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of FLORIDA LOTTO tickets in the corresponding FLORIDA LOTTO sales period shall be allocated as the winning pool for the payment of prizes as provided below. The value of the FLORIDA LOTTO portion of a FLORIDA LOTTO with XTRA ticket awarded as a prize or given for free in a promotion shall be deducted from FLORIDA LOTTO gross sales in all reports, and the value of the XTRA portion of a FLORIDA LOTTO with XTRA ticket awarded as a prize or given for free in a promotion shall be deducted from XTRA gross sales in all reports.

(b) The Jackpot prize pool shall consist of 63.5 percent (63.5%) of the Lotto pool for the drawing and any rounding differences that derive from the distribution of the winning pool to the second, third, and fourth prize pools, plus any Jackpot money carried forward from the previous draws. The Jackpot prize shall be divided equally among the players matching all six official winning numbers. If there is no Jackpot winner in a drawing, the Jackpot pool shall be carried over and added to the Jackpot pool of the next FLORIDA LOTTO drawing.

(c) The second prize pool shall consist of 12.3 percent (12.3%) of the Lotto pool for the drawing. The second prize pool shall be divided equally among the players matching five (5) of the six (6) official winning numbers. If there is no winner in the second prize category for a drawing, the second prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(d) The third prize pool shall consist of 10 percent (10%) of the Lotto pool for the drawing. The third prize pool shall be divided equally among the players matching four (4) of the six (6) official winning numbers. If there is no winner in the third prize category for a drawing, the third prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(e) The fourth prize pool shall consist of 14.2 percent (14.2%) of the Lotto pool for the drawing. The fourth prize pool shall be divided equally among the players matching three (3) of the six (6) official winning numbers. If there is no winner in the fourth prize category for a drawing, the fourth prize pool shall be carried over and added to the Jackpot prize pool of the next FLORIDA LOTTO drawing.

(f) The Jackpot prize will pay the guaranteed dollar amount. The second, third and fourth prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the fourth prize shall be no less than \$5.00. All rounding differences in the second, third and fourth prizes shall be used to fund future prizes in Lottery games or for special Lottery prize promotions. If the funds available for the payment of fourth prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I, or J) must match the official winning FLORIDA LOTTO numbers in any order for the draw date for which the ticket was purchased. The prizes are set forth as follows:

- (a) Jackpot Prize(s): Six of six official winning numbers.
- (b) Second Prize: Five of six official winning numbers.
- (c) Third Prize: Four of six official winning numbers.
- (d) Fourth Prize: Three of six official winning numbers.

(5) FLORIDA LOTTO Guaranteed Jackpot.

(a) For each drawing the Lottery will announce a guaranteed deferred payment value of the Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers, if any.

(b) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is insufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(c) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is more than sufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the excess funds will be used for future prizes in Lottery games or for special Lottery prize promotions.

(d) The guaranteed cash option value of the Jackpot will be the amount required on the day of the drawing or, if the drawing is held on a Saturday or holiday, the business day prior to the drawing, to purchase securities to fund the announced guaranteed deferred payment value of the Jackpot. This day shall be referred to as the "prize determination day."

(e) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is less than the cash option value of the Jackpot determined on the prize determination day, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature sufficient to pay the cash option value of the Jackpot.

(f) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is more than the cash option value of the Jackpot determined on the prize determination day, the excess funds will be used for future prizes in Lottery games or for special Lottery prize promotions.

(6) FLORIDA LOTTO with XTRA Option.

(a) The FLORIDA LOTTO with XTRA option shall be available in association with the FLORIDA LOTTO game. FLORIDA LOTTO tickets that contain the XTRA option and one or more plays eligible for FLORIDA LOTTO prizes shall be entitled to a total prize calculated by multiplying each FLORIDA LOTTO prize other than the Jackpot prize and the 2-of-6 prize described in paragraph (6)(d) below by the XTRA number for the applicable draw. The FLORIDA LOTTO Jackpot and the 2-of-6 prize will not be eligible for multiplication under the XTRA option.

(b) At the time of purchasing a FLORIDA LOTTO ticket, a player may choose the XTRA option for an additional \$1 per play for each play on the FLORIDA LOTTO ticket. The XTRA option will apply to all panels and selections marked on the play slip. The prize pool for XTRA prizes shall be funded by LOTTO with XTRA ticket sales. If the funds available from

XTRA ticket sales are insufficient to pay all XTRA prizes, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(c) Prior to each FLORIDA LOTTO drawing, the Lottery shall conduct an XTRA drawing to select the XTRA number from among the following series of numbers: 2, 3, 4, and 5. The odds of a particular XTRA number being selected in an XTRA drawing are 1:4. During special promotions, the Lottery will announce XTRA numbers that are higher than the foregoing series of numbers.

FLORIDA LOTTO		XTRA Estimated Prizes			
Match	Prize	X2 (Odds 1:4)	X3 (Odds 1:4)	X4 (Odds 1:4)	X5 (Odds 1:4)
6 of 6	Jackpot (Guaranteed)	—	—	—	—
5 of 6	\$5,000 (Estimated)	\$10,000	\$15,000	\$20,000	\$25,000
4 of 6	\$70 (Estimated)	\$140	\$210	\$280	\$350
3 of 6	\$5 (Guaranteed minimum)	\$10	\$15	\$20	\$25
2 of 6	N/A	Free Ticket	Free Ticket	Free Ticket	Free Ticket

(f) On occasion, the Florida Lottery will conduct promotions in which specified prize levels of FLORIDA LOTTO with XTRA tickets will be designated to have a higher multiplier number than the number drawn pursuant to paragraph (6)(c), above.

(7) FLORIDA LOTTO Odds of Winning.

The odds of winning the prizes described in subsection (4) and paragraph (6)(d) are as follows:

- (a) Jackpot Prize – 1:22,957,480.
- (b) Second Prize – 1:81,409,50.
- (c) Third Prize – 1:1,415,82.
- (d) Fourth Prize – 1:70,79.
- (e) Fifth Prize for LOTTO EXTRA plays only – 1:8.58

(f) The overall odds of winning a prize in a FLORIDA LOTTO drawing with a LOTTO ticket without the XTRA feature are 1:67.36. The overall odds of winning a prize in a FLORIDA LOTTO drawing with a LOTTO with XTRA ticket are 1:7.61.

(8) FLORIDA LOTTO Payment Options.

(a) Players have a choice of two payment options for receiving their portion of a FLORIDA LOTTO Jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(b) Jackpot winners have sixty (60) days after the winning draw date to choose between the two (2) payment options. Once a Jackpot winner files a claim and exercises the winner's chosen option, the election of that option shall be final. In order to select the Cash Option, the Jackpot winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Jackpot winner does not elect the

(d) FLORIDA LOTTO with XTRA tickets that match 2 of 6 winning numbers shall entitle the holder to a prize of a free FLORIDA LOTTO with XTRA quick pick ticket for the next available FLORIDA LOTTO draw. FLORIDA LOTTO with XTRA tickets generated as a prize cannot be cancelled.

(e) All XTRA prizes shall be paid in single, lump-sum payments determined by multiplying the FLORIDA LOTTO prize by the number selected in the XTRA drawing as follows:

Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (8)(f) below.

(c) A Jackpot winner who chooses the Cash Option will receive one (1) lump sum cash payment of the amount required on the prize determination day to purchase securities to fund the Jackpot prize paid over thirty (30) years, less applicable withholding taxes. The amount of the Cash Option payment to multiple Jackpot winners will be the amount required on the prize determination day to purchase securities to fund their pro rata share of the Jackpot prize paid over thirty (30) years, less applicable withholding taxes.

(d) If a Jackpot prize winner elects the Annual Payment option, his or her portion of the Jackpot prize will be paid in thirty (30) annual installments, each less applicable withholding taxes.

(e) If the prize amount per winner in a FLORIDA LOTTO drawing cannot be paid in increments of \$1,000 in thirty (30) installments, the winner's share of the prize pool will be invested in U.S. Treasury securities that will yield the maximum amount possible over thirty (30) years as can be reached in increments of \$1,000. If the amount the investment will yield is less than the announced guaranteed Jackpot, the present value of the difference between the amount the investment will yield and the winner's guaranteed prize amount over thirty (30) years will be paid to the winner in the first payment.

(f) If the number of winners of a Jackpot prize would result in each person's prize being less than \$1,000,000 if paid over thirty (30) years, the Lottery shall pay the Jackpot winner or winners in a single cash payment of the amount required on

the prize determination day to purchase securities to fund the winner's pro rata share of the Jackpot paid over thirty (30) years, less applicable withholding taxes.

(g) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made.

(h) Any interest or earnings accrued on a FLORIDA LOTTO Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment option, shall accrue to the State of Florida and not to the winner.

(9) FLORIDA LOTTO Rules and Prohibitions.

(a) By purchasing a FLORIDA LOTTO ticket, a player agrees to comply with and abide by all rules of the Florida Lottery.

(b) FLORIDA LOTTO prize payments shall be made in accordance with rules 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.

(c) Subject to a retailer's hours of operation and on-line system availability, FLORIDA LOTTO tickets are available for purchase daily between the hours of 6:00 a.m. and midnight Eastern Time (ET).

(d) The scheduled time for the Wednesday and Saturday FLORIDA LOTTO drawings is approximately 11:15 p.m., ET. Ticket sales for a specific FLORIDA LOTTO drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next FLORIDA LOTTO draw date.

(e) Retailer cancellations of FLORIDA LOTTO tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no FLORIDA LOTTO ticket shall be cancelled after game close for the related drawing. The two (2) hour cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related FLORIDA LOTTO close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers, wager amounts and draw date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

(10) The effective date of this emergency rule is May 21, 2012.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105 (9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS. History—New 5-21-12, Replaces 53ER12-19.

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: May 21, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER12-39 MEGA MONEY™.

SUMMARY: This emergency rule sets forth the provisions for the conduct of MEGA MONEY™. This emergency rule replaces Emergency Rule 53ER12-20, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-39 MEGA MONEY™.

(1) How to Play MEGA MONEY™.

(a) MEGA MONEY is a lottery on-line game in which players select four (4) numbers from a field of one (1) through forty-four (44) and one (1) MEGABALL® number from a separate field of one (1) through twenty-two (22).

(b) Players may make their MEGA MONEY ticket selections by marking a play slip or by telling the retailer their desired selections. There are five (5) panels on a play slip, each containing an upper play area and a lower play area. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five (5) numbers (four (4) in the upper play area and one (1) in the lower play area) from each panel played, or may mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select any or all of the five numbers from either or both play areas. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. For each panel played, the first four of the five numbers appearing in a single horizontal row on a MEGA MONEY ticket shall be the numbers selected from the upper play area of the play slip and the last number shall be the MEGABALL number selected from the lower play area of the play slip.

(c) Players may mark the \$5 "Quick Picks" box to receive one (1) ticket with five (5) sets of five (5) randomly selected numbers for the next MEGA MONEY drawing, or may mark the \$10 "Quick Picks" box to receive one (1) ticket with ten (10) sets of five (5) randomly selected numbers for the next MEGA MONEY drawing. Players may mark Quick Picks in addition to panel plays and/or Grouper®. Players must use

only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(d) Players may play up to thirty consecutive MEGA MONEY drawings by using the “advance play” feature. To use the advance play feature, players may either mark the number of drawings desired in the “Advance Play” section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-E) played. Advance play is not available with Grouper or with the Quick Picks box on the play slip. In the event that a planned change in the MEGA MONEY game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery’s website, flalottery.com.

(e) Players may mark the “Grouper®” box to receive six (6) quick pick tickets for \$5.00 consisting of one (1) ticket each of CASH 3™, PLAY 4™, FANTASY 5®, MEGA MONEY™, and FLORIDA LOTTO™ plus one (1) free ticket automatically generated by the terminal of either FANTASY 5, MEGA MONEY or FLORIDA LOTTO. Players may mark Grouper in addition to panel plays and/or Quick Picks. Tickets in Grouper play are not player-selected and cannot be cancelled. Grouper play may also be selected by telling the retailer. Free tickets will be generated in the following percentages: FANTASY 5 – 47%; MEGA MONEY – 47%; and FLORIDA LOTTO – 6%.

(2) MEGA MONEY Drawings.

(a) MEGA MONEY drawings shall be conducted two (2) times per week, on Tuesday and Friday.

(b) A MEGA MONEY ball set contains sixty-six (66) balls comprised of one (1) subset of forty-four (44) balls (“subset 1”) and one (1) subset of twenty-two (22) balls (“subset 2”). The balls in subset 1 are numbered one (1) through forty-four (44). The balls in subset 2 are numbered one (1) through twenty-two (22). A MEGA MONEY drawing machine contains two (2) separate mixing chambers and two (2) ball display devices.

(c) Four (4) balls from subset 1 and one (1) MEGABALL from subset 2 will be selected in the drawing. The numbers shown on the four (4) balls and the number shown on the MEGABALL, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(3) MEGA MONEY Prize Divisions.

(a) MEGA MONEY is a pari-mutuel game. For each draw, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of MEGA MONEY tickets in the corresponding MEGA MONEY sales period shall be allocated as the winning pool for the payment of the Jackpot prize, second prize, third prize, fourth prize, fifth prize, sixth prize and seventh prize.

(b) Jackpot Prize.

The Jackpot prize pool shall consist of 54.32 percent (54.32%) of the winning pool plus any money carried forward from the prior draw until the Jackpot prize pool reaches the estimated cash equivalent of the deferred payment value of \$2 million paid over twenty (20) years, at which point the Jackpot prize pool will be capped. When this threshold is met, the Jackpot prize pool will comprise zero percent of the winning pool in excess of the cap, and any money in excess of the cap shall roll down and be distributed among the second through the seventh prize levels according to the percentage each prize level comprises of the adjusted prize pool. The total winning prize pool, less the amount required to achieve the cap [not to exceed 54.32 percent (54.32%) of the total winning prize pool], shall comprise the adjusted prize pool.

1. If there is a Jackpot prize winner(s) in a drawing, the guaranteed Jackpot prize shall be divided equally among the Jackpot prize winners for that drawing.

2. If there is not a Jackpot prize winner in a drawing and the Jackpot prize pool is not capped, the Jackpot prize pool shall be carried over and added to the Jackpot prize pool of the next MEGA MONEY drawing.

3. If there is not a Jackpot prize winner in a drawing in which the Jackpot prize pool is capped, the capped amount shall be carried over to the next MEGA MONEY drawing and the money in excess of the cap shall be returned to an adjusted prize pool and then be distributed among the second through the seventh prize levels according to the adjusted percentage each prize level comprises of that winning prize pool.

(c) Second Prize.

When the Jackpot prize pool is not capped, the second prize pool shall consist of 1.72 percent (1.72%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the second prize pool shall consist of 3.75 percent (3.75%) of the adjusted prize pool for the drawing. The second prize pool shall be divided equally among the second prize winners for that drawing.

(d) Third Prize.

When the Jackpot prize pool is not capped, the third prize pool shall consist of 3.77 percent (3.77%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the third prize shall consist of 8.20 percent (8.20%) of the adjusted prize pool for the drawing. The third prize pool shall be divided equally among the third prize winners for that drawing.

(e) Fourth Prize.

When the Jackpot prize pool is not capped, the fourth prize pool shall consist of 11.25 percent (11.25%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the fourth prize pool shall consist of 24.50 percent (24.50%) of the adjusted prize pool for the drawing. The fourth prize pool shall be divided equally among the fourth prize winners for that drawing.

(f) Fifth Prize.

When the Jackpot prize pool is not capped, the fifth prize pool shall consist of 7.84 percent (7.84 %) of the winning pool for the drawing. When the Jackpot prize pool is capped, the fifth prize pool shall consist of 17.25 percent (17.25%) of the adjusted prize pool for the drawing. The fifth prize pool shall be divided equally among the fifth prize winners for that drawing.

(g) Sixth Prize.

When the Jackpot prize pool is not capped, the sixth prize pool shall consist of 7.94 percent (7.94%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the sixth prize pool shall consist of 18 percent (18%) of the adjusted prize pool for the drawing. The sixth prize pool shall be divided equally among the sixth prize winners for that drawing.

(h) Seventh Prize.

When the Jackpot prize pool is not capped, the seventh prize pool shall consist of 13.16 percent (13.16%) of the winning pool for the drawing. When the Jackpot prize pool is capped, the seventh prize pool shall consist of 28.30 percent (28.30%) of the adjusted prize pool for the drawing. The seventh prize pool shall be divided equally among the seventh prize winners for that drawing.

(i) Eighth Prize.

1. An eighth prize shall consist of one free MEGA MONEY quick pick ticket (\$1.00 value), except as provided in subparagraph (5)(i) 2. below. An eighth prize shall consist of one (1) free MEGA MONEY quick pick ticket regardless of whether the MEGA MONEY Jackpot prize pool is capped. Eighth prizes shall not utilize any portion of the winning prize pool or adjusted prize pool for the drawing.

2. A player who submits by mail a MEGA MONEY lottery ticket which entitles the claimant to a free MEGA MONEY quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(j) If there is not a winner within one of the second through seventh prize categories for a drawing, the prize pool for that category shall be distributed for that drawing in accordance with the following table:

<u>PRIZE POOL CATEGORY FOR WHICH THERE IS NO WINNER</u>	<u>PRIZE POOL CATEGORY TO WHICH THE NONWINNING PRIZE POOL CATEGORY IS ADDED</u>
<u>Second Prize- 4 of 4</u>	<u>3 of 4 + MEGABALL</u>
<u>Third Prize- 3 of 4 + MEGABALL</u>	<u>3 of 4</u>
<u>Fourth Prize- 3 of 4</u>	<u>2 of 4 + MEGABALL</u>
<u>Fifth Prize- 2 of 4 + MEGABALL</u>	<u>1 of 4 + MEGABALL</u>
<u>Sixth Prize- 1 of 4 + MEGABALL</u>	<u>2 of 4 -</u>
<u>Seventh Prize- 2 of 4</u>	<u>To fund future prizes in Lottery games or for special Lottery prize promotions —</u>

(k) Any rounding differences that derive from the distribution of the winning pool to the Jackpot and second through seventh prize pools will be deposited into a reserve account to be used for prizes or special prize promotions. Rounding differences will not be rolled into the Jackpot prize pool as in the FLORIDA LOTTO™ game because the percentage of the winning pool allocated to the Jackpot prize pool varies depending upon whether the Jackpot prize pool is capped. When the Jackpot pool is capped, the prize distribution percentage to the Jackpot prize pool becomes 0%.

(l) Except for the Jackpot prize, all prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the sixth and seventh prizes shall be no less than \$2.00. All rounding differences will be deposited into a reserve account to be used for prizes or special prize promotions. If the funds available for the payment of sixth and seventh prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners.

(a) Wherever used, the terms “Jackpot prize” and “top prize” both refer to the highest prize level in the MEGA MONEY game.

(b) In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I, or J) must match the official winning MEGA MONEY numbers in any order for the draw date for which the ticket was purchased, in one of the following combinations:

1. Jackpot Prize: Four (4) numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

2. Second Prize: Four numbers (4) selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

3. Third Prize: Three (3) numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

4. Fourth Prize: Three (3) numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

5. Fifth Prize: Two (2) numbers selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

6. Sixth Prize: One (1) number selected from the first subset of balls plus the MEGABALL number selected from the second subset of balls.

7. Seventh Prize: Two (2) numbers selected from the first subset of balls excluding the MEGABALL number selected from the second subset of balls.

8. Eighth Prize: No numbers selected from the first subset of balls and the MEGABALL number selected from the second subset of balls.

(5) MEGA MONEY Odds of Winning.

(a) The odds of winning the prizes described in subsection (3) are as follows:

1. Jackpot Prize – 1:2,986,522.00

2. Second Prize – 1:142,215.33

3. Third Prize – 1:18,665.76

4. Fourth Prize – 1:888.85

5. Fifth Prize – 1:638.15

6. Sixth Prize – 1:75.57

7. Seventh Prize – 1:30.39

8. Eighth Prize – 1:32.68

(b) The overall odds of winning a prize in a MEGA MONEY drawing are 1:12.58.

(6) MEGA MONEY Guaranteed Jackpot.

(a) For each drawing the Lottery will announce a guaranteed deferred payment value of the MEGA MONEY Jackpot that can be won by a single player, based upon the estimated cash value of the Jackpot pool determined by projected and historical sales figures, current interest rates, and funds from rollovers. For each MEGA MONEY drawing, the deferred payment value of the MEGA MONEY Jackpot prize that can be won by a single player shall be guaranteed at a minimum of \$500,000 paid over twenty (20) years except as set forth in paragraph (7)(e) below.

(b) For prizes to be paid in annual installments, if the cash available in the Jackpot prize pool is insufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall add to the Jackpot prize pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(c) For prizes to be paid in annual installments, if the cash available in the Jackpot pool is more than sufficient at the time the ticket is claimed to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall deposit the excess funds into a reserve account to be used for prizes or special prize promotions.

(d) The guaranteed cash option value of the Jackpot will be the amount required on the day of the drawing or, if the drawing is held on a holiday, the business day prior to the

drawing, to purchase securities to fund the announced guaranteed deferred payment value of the Jackpot. This day shall be referred to as the “prize determination day.”

(e) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is insufficient on the prize determination day to yield the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall add to the Jackpot pool funds available from any other funding source approved by the Legislature to render it sufficient to yield the announced guaranteed Jackpot.

(f) For prizes to be paid in a single cash payment, if the cash available in the Jackpot pool is sufficient on the prize determination day to yield more than the announced guaranteed Jackpot value over the designated deferred payment period, the Lottery shall deposit the excess funds into a reserve account to be used for prizes or special prize promotions.

(7) MEGA MONEY Payment Options.

(a) Players can choose one of two payment options for receiving their portion of the MEGA MONEY Jackpot prize. Payment options are “Cash Option” and “Annual Payment.”

(b) Jackpot prize winners have sixty (60) days after the winning draw date to choose between the two (2) payment options. Once the Jackpot prize winner files a claim and exercises the winner's chosen option, the election of that option shall be final. In order to select the Cash Option, the Jackpot prize winner must submit his or her ticket for payment within sixty (60) days after the winning draw date. If the Jackpot prize winner does not file a claim electing the Cash Option within sixty (60) days after the winning draw date, the Annual Payment option will be applied, except as provided in paragraph (7)(f) below.

(c) A Jackpot prize winner who chooses the Cash Option will receive one (1) lump sum cash payment of the amount required on the prize determination day to purchase securities to fund the announced guaranteed Jackpot paid over twenty (20) years, less applicable withholding taxes. The amount of the Cash Option payment to multiple Jackpot winners will be their pro rata share of the amount required on the prize determination day to purchase securities to fund the announced guaranteed Jackpot paid over twenty (20) years, less applicable withholding taxes.

(d) If a Jackpot prize winner elects the Annual Payment option, his or her portion of the guaranteed Jackpot prize will be paid in twenty (20) annual installments, each less applicable withholding taxes.

(e) If the prize amount per winner in a MEGA MONEY drawing cannot be paid in increments of \$1,000 in twenty (20) installments, the winner's share of the prize pool will be invested in U.S. Treasury securities that will yield the maximum amount possible over twenty (20) years as can be reached in increments of \$1,000. If the amount the investment will yield is less than the guaranteed Jackpot amount, the

present value of the difference between the amount the investment will yield and the winner's guaranteed prize amount over twenty (20) years will be paid to the winner in the first payment. The following example illustrates such payment. All payment amounts are less tax withholding.

Example: <u>Guaranteed Jackpot prize</u>	<u>\$ 500,000</u>
<u>Number of winners:</u>	<u>2</u>
<u>Guaranteed prize per winner</u> <u>(\$500,000 ÷ 2)</u>	<u>\$ 250,000</u>
<u>Annual Payment (\$250,000 ÷ 20)</u>	<u>\$ 12,500</u>
<u>Maximum Security Available for</u> <u>annual payments</u>	<u>\$ 12,000</u>
<u>Total Annual Payments</u>	<u>\$ 240,000</u>
<u>Difference between guaranteed prize and</u> <u>investments available</u>	<u>\$ 10,000</u>
<u>Present Value of Difference to be added</u> <u>to the 1st payment *</u>	<u>\$ X,XXX</u>
<u>* Will be calculated based on current</u> <u>interest rates at the time the investments</u> <u>are purchased.</u>	

The provisions of this paragraph (7)(e) shall not be construed to prohibit the Lottery from investing collectively, in a single U.S. Treasury security, the prize pool shares of multiple winners of the same drawing who all elect the Annual Payment option, and distributing the prize winnings on a pro rata basis in increments other than \$1,000.

(f) If the number of winners of a guaranteed Jackpot prize results in each person's prize being less than \$100,000 paid over twenty (20) years, the Lottery shall pay the Jackpot winners in a single cash payment of their pro rata share of the amount required on the prize determination day to purchase securities to fund the announced guaranteed Jackpot paid over twenty (20) years, less applicable withholding taxes.

(g) Federal income taxes shall be applied and withheld from the prize amount at the time payment is made, pursuant to applicable provisions of the Internal Revenue Code and Code of Federal Regulations.

(h) Any interest or earnings accrued on a MEGA MONEY Jackpot prize prior to the prize payment, under either the Cash Option or the Annual Payment Option, shall accrue to the State of Florida and not to the winner.

(8) MEGA MONEY Rules and Prohibitions.

(a) By purchasing a MEGA MONEY ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) MEGA MONEY prize payments shall be made in accordance with rules 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.

(c) Subject to a retailer's hours of operation and on-line system availability, MEGA MONEY lottery tickets are available for purchase daily between the hours of 6:00 a.m. and 12:00 midnight, Eastern Time (ET).

(d) The scheduled time for the Tuesday and Friday MEGA MONEY drawings is approximately 11:15 p.m., ET. Ticket sales for a specific MEGA MONEY drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next MEGA MONEY draw date.

(e) Retailer cancellations of MEGA MONEY tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no MEGA MONEY ticket can be cancelled after game close for the related drawing and no eighth prize (free MEGA MONEY quick pick ticket) can be cancelled at any time. The two (2) hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related MEGA MONEY close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers and date(s) on tickets. In the event that a ticket given to the player by the retailer contains selections which are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

(9) The effective date of this emergency rule is May 21, 2012.

Rulemaking Authority 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented, 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS. History—New 5-21-12, Replaces 53ER12-20.

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: May 21, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-40 RULE TITLE: FANTASY 5®

SUMMARY: This emergency rule sets forth the provisions for the conduct of FANTASY 5®. This emergency rule replaces Emergency Rule 53ER12-21, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-40 FANTASY 5®.

(1) How to Play FANTASY 5®.

(a) FANTASY 5 is a lottery on-line game in which players select five (5) numbers from a field of one (1) to thirty-six (36).

(b) Players may make their FANTASY 5 ticket selections by marking a play slip or by telling the retailer their desired selections. There are ten (10) panels on a play slip. Each panel played will cost \$1.00 per drawing. Players may mark their desired numbers on the play slip by selecting five (5) numbers from each panel played, or may mark the "Quick Pick" box located at the bottom of each panel for the terminal to randomly select one (1) or more of the five (5) numbers. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players must use only blue or black ink or pencil for making selections. Play slips must be processed by a retailer in order to obtain a ticket. Retailers also are authorized to manually enter numbers selected by a player.

(c) Players may mark the \$5 "Quick Picks" box to receive one (1) ticket with five (5) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing; or may mark the \$10 "Quick Picks" box to receive one (1) ticket with ten (10) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing. Players may mark Quick Picks in addition to panel plays and/or Grouper®.

(d) Players may play up to thirty (30) consecutive FANTASY 5 drawings by using the "advance play" feature. To use the advance play feature, players may either mark the number of drawings desired in the Advance Play section of a play slip or tell the retailer their desired number of consecutive advance drawings. The number of consecutive drawings marked will include the next available drawing and will apply to each panel (A-J) played. Advance play is not available with Grouper® or the Quick Picks box on the play slip. In the event that a planned change in the FANTASY 5 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Lottery's website, flalottery.com.

(e) Players may mark the "Grouper®" box to receive six (6) quick pick tickets for \$5.00 consisting of one (1) ticket each of CASH 3™, PLAY 4™, FANTASY 5®, MEGA MONEY™, and FLORIDA LOTTO™ plus one (1) free ticket automatically generated by the terminal of either FANTASY 5, MEGA MONEY or FLORIDA LOTTO. Players may mark Grouper in addition to panel plays and/or Quick Picks. Tickets in Grouper play cannot be player-selected and cannot be cancelled. Grouper play may also be selected by telling the retailer. Free tickets will be generated in the following percentages: FANTASY 5 – 47%; MEGA MONEY – 47%; FLORIDA LOTTO – 6%.

(f) Players may mark the \$5 "Quick Picks" box to receive one (1) ticket with five (5) sets of five (5) randomly selected numbers for the next FANTASY 5 drawing; or may mark the \$10 "Quick Picks" box to receive one (1) ticket with ten (10)

sets of five (5) randomly selected numbers for the next FANTASY 5 drawing. Players may mark Quick Picks in addition to panel plays and/or Grouper.

(g) Players may mark the appropriate EZmatch box to receive a FANTASY 5 ticket with Smutch for a chance to instantly win cash prizes.

(2) FANTASY 5 Drawings.

(a) FANTASY 5 drawings shall be conducted daily.

(b) The equipment shall be configured so that five (5) balls are drawn from one (1) set of balls numbered one (1) through thirty-six (36).

(c) Five (5) balls will be selected in the drawing. The numbers shown on the five (5) balls, after certification by the Draw Manager and the Accountant, shall be the official winning numbers for the drawing.

(d) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of the official winning numbers.

(3) FANTASY 5 Prize Divisions.

(a) FANTASY 5 is a pari-mutuel game. For each draw, 50 percent (50%) of net sales (gross sales less cancels and free tickets) from the sale of FANTASY 5 tickets in the corresponding FANTASY 5 sales period shall be allocated as the winning pool for payment of the top prize, second prize and third prize.

(b) The top prize pool shall consist of 62 percent (62%) of the winning pool for the drawing plus any money carried forward from the previous draw. Prize money allocated to the top prize pool shall be divided equally among the players who match all five (5) official winning numbers. If there is no top prize winner in a drawing, the top prize pool shall roll down and be added to the second prize pool for that FANTASY 5 drawing.

(c) The second prize pool shall consist of 10 percent (10%) of the winning pool for the drawing plus any money rolled down from the top prize. The second prize pool shall be divided equally among the players matching four (4) of five (5) official winning numbers except that the maximum prize amount per winner shall be \$555. Any funds in the second prize pool in excess of the second prize liability shall roll down and be added to the third prize pool. If there is no winner in the second prize category for a drawing, the second prize pool shall roll down and be added to the third prize pool.

(d) The third prize pool shall consist of 28 percent (28%) of the winning pool for the drawing plus any money rolled down from the second prize pool. The third prize pool shall be divided equally among the players matching three (3) of five (5) official winning numbers. If there is no winner in the third prize category for a drawing, the third prize pool is carried over and added to the top prize pool of the next FANTASY 5 drawing.

(e) A fourth prize shall consist of one (1) free FANTASY 5 quick pick ticket (\$1.00 value), except as follows. A player who submits by mail a FANTASY 5 lottery ticket which entitles the claimant to a free FANTASY 5 quick pick ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket. Fourth prizes shall not utilize any portion of the winning pool for the drawing. A free FANTASY 5 quick pick ticket shall be for the next FANTASY 5 drawing after the ticket is validated.

(f) Except for the top prize, which will pay the exact amount, cash prizes will be rounded down to the nearest fifty cents (\$.50); provided, however, that the third prize shall not be less than \$3.50. All rounding differences in the second and third prizes will be used to fund future prizes in Lottery games or for special Lottery prize promotions. If the funds available for the payment of third prizes are insufficient to pay the minimum amount, the percentage described in paragraph (3)(a) above will be adjusted or funds available from any other funding source approved by the Legislature will be used to cover the prize liability.

(4) Determination of Prize Winners.

In order for a ticket to be a winning ticket, numbers appearing in a single horizontal row on the ticket (A, B, C, D, E, F, G, H, I or J) must match the official winning FANTASY 5 numbers in any order for the draw date for which the ticket was purchased. The prizes are set forth as follows:

(a) Top Prize: Five (5) of five (5) official winning numbers.

(b) Second Prize: Four (4) of five (5) official winning numbers.

(c) Third Prize: Three (3) of five (5) official winning numbers.

(d) Fourth Prize: Two (2) of five (5) official winning numbers.

(5) FANTASY 5 Odds of Winning.

The odds of winning the prizes described above are as follows:

(a) Top Prize – 1:376,992

(b) Second Prize – 1:2,432,21

(c) Third Prize – 1:81.07

(d) Fourth Prize – 1:8.39

(e) The overall odds of winning a prize in a FANTASY 5 drawing are 1:7.58.

(6) FANTASY 5 Rules and Prohibitions.

(a) By purchasing a FANTASY 5 ticket, a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) FANTASY 5 prize payments shall be made in accordance with rules 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.

(c) Subject to a retailer's hours of operation and on-line system availability, FANTASY 5 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily FANTASY 5 drawing is approximately 11:15 p.m., ET. Ticket sales for a specific FANTASY 5 drawing will close at approximately 10:40 p.m., ET. Any ticket sold after the close of game will be printed with the next FANTASY 5 draw date.

(e) Retailer cancellations of FANTASY 5 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two (2) hours after printing, except that no FANTASY 5 ticket can be cancelled after game close for the related drawing and no fourth prize (free FANTASY 5 quick pick ticket) can be cancelled at any time. FANTASY 5 tickets with EZmatch cannot be cancelled. The two (2)-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation, the hours of on-line system availability, or the time of the related FANTASY 5 close of game.

(f) It is the responsibility of the player to determine the accuracy of selected panels of numbers and draw date(s) on a ticket. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of the player within the time period specified herein, the retailer shall make a good faith effort to cancel the ticket. A retailer is not required to cancel a ticket produced upon request of the player by the quick pick method of number selection.

(7) How to Play EZmatch™.

(a) EZmatch is an instant-win feature associated with FANTASY 5 that costs \$1.00 per play in addition to the cost of the FANTASY 5 ticket. A player selecting EZmatch will receive five (5) EZmatch numbers printed below the FANTASY 5 numbers on the ticket. If any of the EZmatch numbers matches any of the FANTASY 5 numbers, the player shall instantly win the corresponding amount shown.

(b) Players may play EZmatch by marking the applicable EZmatch box on the FANTASY 5 playslip or by telling the retailer. Marking the EZmatch box within a panel will add EZmatch to only the panel marked. Marking the "EZmatch on all panels played" box will (1) add EZmatch to every panel containing FANTASY 5 number selections, (2) override the EZmatch box within any panel, and (3) when the "Quick Picks" box is also marked, result in each quick pick ticket having the EZmatch feature.

(c) Each panel played with EZmatch will be printed on a separate ticket.

(d) The base prize structure and estimated odds of winning EZmatch are as follows:

Prize	Winners in 420,000 (Per Pool)	Estimated Odds
\$500	2	1:210,000.00
\$100	40	1:10,500.00
\$50	300	1:1,400.00
\$25	1,200	1:350.00
\$15	2,000	1:210.00
\$5	4,200	1:100.00
\$3	28,000	1:15.00
\$2	50,400	1:8.33
Overall		1:4.88

The EZmatch prize structure will be replenished automatically when the top tier prizes are exhausted. The prize structure and odds of winning are subject to change. The current prize structure and odds are available at www.flalottery.com. Lottery district offices and retailer locations.

(e) EZmatch prizes can be claimed up to 180 days from the first draw date on the FANTASY 5 ticket.

(8) The effective date of this emergency rule is May 21, 2012.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.115(1), 24.124(1) FS. History—New 5-21-12, Replaces 53ER12-21.

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: May 21, 2012

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER12-41
 RULE TITLE: FLORIDA LOTTO™ Gas for Life Promotion

SUMMARY: This emergency rule describes the FLORIDA LOTTO™ Gas for Life Promotion that will begin on May 23, 2012, and continue through July 11, 2012.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER12-41 FLORIDA LOTTO™ Gas for Life Promotion.

(1) Beginning Wednesday, May 23, 2012, through Wednesday, July 11, 2012, the Florida Lottery will conduct the FLORIDA LOTTO™ Gas for Life Promotion. Players who purchase a single FLORIDA LOTTO™ or FLORIDA LOTTO with XTRA ticket of \$5 or more will receive a \$50 instant winner coupon or an entry voucher with a unique serial number that can be entered in a drawing on the Florida Lottery’s website for a chance to win Gas for Life, Gas for a Year, Gas for a Month, or a VIP Race Package.

(2) Qualifying FLORIDA LOTTO ticket purchases will produce \$50 instant winner coupons or entry vouchers from the beginning of the promotion period until close of game for FLORIDA LOTTO at 10:40 p.m. on July 11, 2012.

(3) Instant \$50 Cash Prize Coupon.

(a) When a FLORIDA LOTTO ticket is produced that entitles the player to an instant prize of \$50, a “winner” audio message will play on the terminal and the FLORIDA LOTTO ticket will contain a Lottery prize alert symbol and a message that the ticket holder is an instant winner. Cancellation of a qualifying FLORIDA LOTTO ticket will cancel an instant winner coupon unless the instant winner coupon has been redeemed. Once the instant winner coupon is redeemed, the FLORIDA LOTTO ticket cannot be cancelled. Should an issue arise concerning the transaction and/or prize, it is the player’s responsibility to seek resolution of the issue with the retailer and the Lottery prior to leaving the retail location.

(b) Winners can redeem a \$50 instant winner coupon at any Florida Lottery retailer or any Florida Lottery office, or call (850)487-7777 [TDD (850)487-7784] for instructions on how to claim the instant winner coupon by mail.

(c) Winners must redeem instant winner coupons by September 9, 2012.

(d) Approximately 7,000 \$50 instant winner coupons will be produced.

(4) Vouchers. The entry voucher will be attached to the bottom of the FLORIDA LOTTO ticket. To enter an entry voucher serial number in a Gas for Life drawing, players must enter on the Lottery’s website at www.flalottery.com. On the home page of the Lottery’s website, players can click on the Gas for Life banner and follow the directions. The entry voucher serial number is located at the bottom on the front of the entry voucher. Players are to enter the first 13-digits of the 19-digit entry voucher serial number. A player will be able to enter his or her entry voucher serial numbers beginning at the top of the hour after the FLORIDA LOTTO ticket is purchased. A player entering an entry voucher serial number prior to the top of the hour after purchase will be directed to return at a later time to enter his or her entry voucher serial number in the drawing. Neither FLORIDA LOTTO tickets nor \$50 instant winner coupons can be used for entry in the drawings. The odds of winning are dependent upon the number of entries received. Entry vouchers should not be mailed to the Lottery unless players are contacted by the Florida Lottery and requested to do so. Entry vouchers or tickets received in the mail by the Florida Lottery will not be entered in the drawing and will not be returned. Cancellation of a qualifying FLORIDA LOTTO ticket will also cancel the associated entry voucher and the entry voucher number will be ineligible for entry into a Gas for Life Promotion drawing. Entry voucher numbers associated with a cancelled FLORIDA LOTTO ticket that are entered into a Gas for Life Promotion drawing will be disqualified.

(5) Drawings.

(a) Seven weekly computerized drawings will be held during the period from Thursday, May 31, 2012, to Thursday, July 12, 2012, and winners will be randomly selected from entries received during the entry periods shown below. Players may enter as many times as they wish during the contest period. However, each valid voucher serial number may only be used one time, for one entry in one weekly drawing. Additionally, one Pit Stop drawing and one Grand Prize drawing will be held. All entries received between May 23, 2012, and midnight on June 13, 2012, will also be included in the Pit Stop drawing on June 14, 2012. All entries received between May 23, 2012, and midnight on July 11, 2012, will also be included in the Grand Prize drawing on July 12, 2012. The drawing dates are:

<u>Drawing</u>	<u>Drawing Date</u>	<u>From Entries Received</u>
<u>1</u>	<u>Thursday, May 31, 2012</u>	<u>May 23, 2012 – May 30, 2012</u>
<u>2</u>	<u>Thursday, June 7, 2012</u>	<u>May 31, 2012 – June 6, 2012</u>
<u>3</u>	<u>Thursday, June 14, 2012</u>	<u>June 7, 2012 – June 13, 2012</u>
<u>Pit Stop</u>	<u>Thursday, June 14, 2012</u>	<u>May 23, 2012 – June 13, 2012</u>
<u>4</u>	<u>Thursday, June 21, 2012</u>	<u>June 14, 2012 – June 20, 2012</u>
<u>5</u>	<u>Thursday, June 28, 2012</u>	<u>June 21, 2012 – June 27, 2012</u>
<u>6</u>	<u>Thursday, July 5, 2012</u>	<u>June 28, 2012 – July 4, 2012</u>
<u>7</u>	<u>Thursday, July 12, 2012</u>	<u>July 5, 2012 – July 11, 2012</u>
<u>Grand Prize</u>	<u>Thursday, July 12, 2012</u>	<u>May 23, 2012 – July 11, 2012</u>

In each of the seven weekly drawings, five winners will win Gas for a Year and fifty winners will win Gas for a Month. A total of thirty-five Gas for a Year prizes and three hundred fifty Gas for a Month prizes will be awarded in the weekly drawings. In the Pit Stop drawing, one winner will win a VIP Race Package and two winners will win Gas for a Month. In the Grand Prize drawing, one winner will win Gas for Life and two winners will win Gas for a Month.

(b) Weekly Drawings. In each of the seven weekly drawings, the first five valid entries drawn will win Gas for a Year and the sixth through the fifty-fifth entries drawn will win Gas for a Month. The sixth through the fifty-fifth valid entries will be used in the order in which they were drawn and as needed to select an alternate Gas for a Year prize winner in the event a Gas for a Year prize cannot be awarded. The Florida Lottery will attempt to notify each Gas for a Year winner by telephone, U.S. mail or email using the contact information provided in the winner’s registration data no later than one week after the winners are drawn. If the Florida Lottery is unable to contact a Gas for a Year prize winner within sixty days of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Lottery is unable to contact an alternate, the Gas for a Year prize will not be awarded. An alternate winner will be awarded the difference in gas cards between the Gas for a Year and Gas for a Month prizes. The Florida Lottery will attempt to notify the Gas for a Month winners by telephone, U.S. mail or email using the

contact information provided in the winner’s registration data no later than one week after the winner is drawn in order to confirm the winner’s mailing address. If the Florida Lottery is unable to contact the Gas for a Month prize winner within sixty days of the date of the drawing, the winner will forfeit his or her right to claim the prize. No alternates will be drawn for Gas for a Month prizes.

(c) Pit Stop Drawing. In the Pit Stop drawing, the first valid entry drawn will win the VIP Race Package and the second and third valid entries drawn will win Gas for a Month. Gas for a Month winners will also be alternates for the VIP Race Package, and used in the order in which they were drawn, in the event the VIP Package cannot be awarded to the Race Package winner. The Florida Lottery will attempt to notify the VIP Race Package winner and the Gas for a Month winners by telephone, U.S. mail or email using the contact information provided in the winner’s registration data no later than one week after the drawing. If the Florida Lottery is unable to contact the VIP Race Package winner within one week of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate. If the Lottery is unable to contact a Gas for a Month winner within one week of the date of the drawing, the Gas for a Month winner will forfeit his or her right to serve as an alternate for the VIP Race Package. If the Lottery is unable to contact an alternate, the VIP Race Package prize will not be awarded. If the Florida Lottery is unable to contact a Gas for a Month prize winner within sixty days of the date of the drawing, the winner will forfeit his or her right to claim the Gas for a Month prize. No alternates will be drawn for a Gas for a Month prize. An alternate winner who has not claimed the Gas for a Month prize at the time of notification that he or she is the alternate winner of the VIP Race Package will be awarded only the VIP Race Package prize. An alternate winner who has claimed the Gas for a Month prize at the time of notification will receive the VIP Race Package minus the \$300 in gas cards.

(d) Grand Prize Drawing. In the Grand Prize drawing, the first valid entry drawn will be the winner of the Gas for Life prize and the second and third entries drawn will be the winner of a Gas for a Month prize. Gas for a Month winners will also be alternates for the Gas for Life prize, and used in the order in which they were drawn, in the event the Gas for Life prize cannot be awarded to the winner. The Florida Lottery will attempt to notify the Gas for Life winner by telephone, U.S. mail or email using the contact information provided in the winner’s registration data no later than one week after the winner is drawn. If the Florida Lottery is unable to contact the Gas for Life prize winner within sixty days of the date of the drawing, the winner will forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate winner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of available alternates. If the Lottery is unable to contact an

alternate, the Gas for Life prize will not be awarded. An alternate winner will be awarded the difference in gas cards between the Gas for a Month and Gas for Life prize, less applicable tax withholding, and in accordance with paragraph (7)(a) below. An alternate winner who elects the cash option for the Gas for Life prize will receive the difference between the value of the cash option Gas for Life prize and the value of the Gas for a Month prize, less applicable tax withholding. The Florida Lottery will attempt to notify the Gas for a Month winners by telephone, U.S. mail or email using the contact information provided in the winner's registration data no later than one week after the winner is drawn in order to confirm the winner's mailing address. If the Florida Lottery is unable to contact the Gas for a Month prize winner within sixty days of the date of the drawing, the winner will forfeit his or her right to claim the prize. No alternates will be drawn for a Gas for a Month prize.

(e) All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met.

(6) How to Claim a Prize.

(a) To claim a Gas for a Year or the Gas for Life prize, a winner must submit for receipt by the Florida Lottery no later than one week after being notified by the Lottery that he/she is a winner, the original valid entry voucher bearing the unique serial number selected in the drawing, a completed Winner Claim Form DOL-173-2, revised 02/11, or DOL-173-2S, revised 02/11, and a copy of acceptable identification. Forms DOL-173-2 and DOL-173-2S are hereby incorporated by reference and can be obtained from any Lottery office or from the Lottery's website, www.flalottery.com. A winner who cannot produce a valid entry voucher and/or does not submit the required documents to the Lottery as set forth above will forfeit his or her right to claim the prize.

(b) To claim the VIP Race Package prize, a winner must submit for receipt by the Florida Lottery no later than one week after being notified by the Lottery that he/she is a winner, the original valid entry voucher bearing the unique serial number selected in the drawing, the identification and forms set forth in paragraph (6)(a) above and a completed Release and Authorization form DOL-474, Eff. 10/08 or Spanish Release and Authorization form DOL-474S, effective 09/11. Forms DOL-474 and DOL-474S are hereby incorporated by reference and can be obtained from any Lottery office or from the Lottery's website, www.flalottery.com. The two Gas for a Month prize winners/VIP Race Package alternates selected in the Pit Stop drawing must also submit the original valid entry voucher, identification and required forms listed above within one week after being notified by the Lottery that they are alternates in order to ensure a timely award of the VIP Race Package in the event the VIP Race Package cannot be awarded

to the winner. A winner who cannot produce a valid entry voucher and/or does not submit the required documents to the Lottery will forfeit his or her right to claim the prize.

(c) Except as set forth in paragraph (6)(b) above, Gas for a Month prize winners are not required to submit the original valid entry voucher bearing the unique serial number selected in the drawing or a claim form in order to claim a prize.

(7) Award of FLORIDA LOTTO™ Gas for Life Promotion Prizes.

(a) Gas for Life. Upon receipt of the Gas for Life winner's required documentation, the Florida Lottery will award the Gas for Life prize. The winner of the Gas for Life prize shall receive \$100 prepaid gas cards in periodic increments no less frequently than semi-annually for life with a minimum of twenty years. The value of the gas cards received will be the annual value of \$3,600 less applicable tax withholding. Any excess amount not evenly divisible into a \$100 gas card will be paid in cash. A cash option of \$72,000, less applicable tax withholding, is available to the winner in lieu of the Gas for Life gas cards. A cash option prize will be paid in one lump sum payment.

(b) VIP Race Package. Upon receipt of the VIP Race Package winner's required documentation, the Florida Lottery will award the VIP Race Package prize which includes:

1. Two DAYTONA 500® Club tickets for the NASCAR Nationwide Series, "Subway Jalapeno 250 Powered By Coca-Cola At DAYTONA®" race scheduled to be held at Daytona International Speedway® on July 6, 2012;

2. Two DAYTONA 500® Club tickets for the NASCAR Sprint Cup Series, "Coke Zero 400 Powered By Coca-Cola At DAYTONA®" race scheduled to be held at Daytona International Speedway® on July 7, 2012;

3. Three nights' hotel accommodations in a Daytona Beach, Florida hotel;

4. July 7, 2012 pre-race pass (weather and schedule permitting);

5. VIP seating in Gatorade Victory Lane for the weekend;

6. VIP parking for the weekend;

7. Pit passes;

8. Weekend track credentials;

9. Food and non-alcoholic beverage in the DAYTONA 500® Club on July 6 and July 7, 2012;

10. Official souvenir event program; and

11. \$300 in gas cards.

The Florida Lottery will mail the gas cards and provide the winner of the VIP Race Package a certificate describing the race package prize won and containing all information necessary for the prize winner to fulfill the prize. Hotel accommodations include taxes, but do not include parking fees, incidentals, tips, telephone calls, or any other personal expenses such as valet service, laundry, etc. as well as revision or cancellation fees that may be charged by the hotel or other

suppliers. The race package does not include travel expenses to or from the race location, mileage or meals, except as specified above. No cash option is available in lieu of a VIP Race Package prize. The Florida Lottery, Daytona International Speedway, LLC, its parent, subsidiaries, limited liability and affiliated companies, advertising and promotion agencies, and each of their respective shareholders, officers, directors, employees, members, agents and assigns, the Daytona Beach Racing & Recreational Facilities District, City of Daytona Beach and County of Volusia (collectively, the "Released Parties") assume no liability of any kind or nature for any loss, claims, damages, or injuries of any kind resulting in whole or in part, directly or indirectly for any portion of the VIP Prize Package awarded in the FLORIDA LOTTO™ Gas for Life Promotion. (Total value \$2,300)

(c) Gas for a Year. Upon receipt of the Gas for a Year winner's required documentation, the Florida Lottery will award a Gas for a Year prize. The Florida Lottery will mail a winner a total of thirty-six \$100 prepaid gas cards in periodic increments no less frequently than semi-annually for one year. No cash option is available in lieu of a Gas for a Year prize. (Total value \$3,600)

(d) Gas for a Month. Upon confirmation of a Gas for a Month winner's mailing address or upon receipt of a Gas for a Month winner's required documentation, as applicable, the Florida Lottery will mail a total of three prepaid \$100 gas cards. No cash option is available in lieu of a Gas for a Month prize. If any prize is returned as unclaimed or undeliverable and the Lottery is unable to locate the winner after a reasonable attempt to do so, the prize will not be awarded. (Total value \$300)

(8) Gas Cards. Gas Cards awarded for the Gas for Life, Gas for a Year or a Gas for a Month prize will be \$100 pre-paid American Express® or Visa® cards and will expire one year from the date the card is ordered by the Lottery.

(9) Except as specifically mentioned herein, all federal, state and/or local taxes or other fees on FLORIDA LOTTO™ Gas for Life Promotion prizes will be the responsibility of the winner. Federal income taxes are required to be withheld from a prize awarded to a nonresident alien claimant at the rate of thirty percent (30%) pursuant to applicable provisions of the Internal Revenue Code. A nonresident alien claimant who is selected as a winner of a Gas for a Year prize or a Gas for a Month prize in which the winner is also an alternate for the VIP Race Package will be required to pay the withholding tax on the value of the prize and receive the remainder of the prize in prepaid gas cards of \$100 increments each. Any excess amount not evenly divisible into a \$100 gas card will be paid in cash. If a nonresident alien claimant does not pay the required tax withholding, he or she will forfeit the Gas for a Year prize. A nonresident alien claimant who is selected as the winner of the VIP Race Package prize will be required to pay the withholding tax or forfeit the VIP Race Package prize. The

reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien winner.

(10) If the winner of a Gas for Life or Gas for a Year prize is identified as owing an outstanding debt to a state agency or child support collected through a court, the debt will be collected in accordance with Section 24.115, Florida Statutes. In the case of a Gas for Life winner who elects to receive annual gas cards, following deduction of federal tax withholding, an amount sufficient to cover the amount owed, up to the total remaining prize amount, will be transferred to the state agency owed the debt. Any excess remaining after federal tax withholding and collection of the debt will be paid to the winner in \$100 gas cards. Any excess amount not evenly divisible into a \$100 gas card will be paid in cash. In the case of a Gas for a Year winner, an amount sufficient to cover the amount owed, to the total prize amount, will be transferred to the state agency owed the debt. Any excess remaining after collection of the debt will be paid to the winner in \$100 gas cards. Any excess amount not evenly divisible into a \$100 gas card will be paid in cash.

(11) The prizewinners in each drawing will be posted on www.flalottery.com, on the day of the drawing.

(12) The right to claim a prize cannot be assigned to another person or entity.

(13) The Florida Lottery reserves the right, due to unavailability of gas cards, to award a cash prize equal to the value of the gas cards.

(14) The VIP Race Package is transferable to another person; however, the value of the prize package will remain taxable income to the winner.

(15) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes will be paid in accordance with the rule of the Florida Lottery governing payment of prizes. Copies of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(16) Players must be at least 18 years of age. Persons prohibited by Section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to play.

(17) By entering the FLORIDA LOTTO™ Gas for Life Promotion, a player gives his or her permission for the Florida Lottery to provide the player's address and telephone number to the fulfillment entity for prize fulfillment purposes.

(18) A player entering the FLORIDA LOTTO™ Gas for Life Promotion is deemed to have granted permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

(19) The Gas for Life Promotion drawings shall be public, held in Tallahassee, Florida, and witnessed by an accountant employed by an independent certified public accounting firm.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 5-22-12.

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: May 22, 2012

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on March 26, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of paragraph 11B-35.001(9)(b), F.A.C., from Florida Corrections Academy, School 66, on behalf of two Correctional Officers. Paragraph 11B-35.001(9)(b), F.A.C., requires officers to achieve a passing score of 80% or higher on the end-of-course examinations for Basic Recruit Program Courses.

The petition supported the requested waiver by stating that the officers at issue achieved what they and the Petitioner understood to be passing scores on an end-of-course examination during Class 66-2011-502-6. An audit revealed a scoring discrepancy in the two officers' scores. The officers had already graduated, passed the State Officer Certification Examination, and obtained employment when the scoring discrepancy was discovered. Petitioner brought the officers back when the scoring discrepancy was discovered, and both officers passed the end-of-course examinations that they had previously failed.

Petitioner stated that the two officers should not be penalized because the officers and the Petitioner believed that the officers passed the end-of-course examinations with their class. Petitioner stated that the officers at issue will suffer a substantial hardship if their scores are not recognized because they will not be considered to have passed the course until they retook the end-of-course examinations, which will result in impairment of their employment. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the two officers and the Petitioner believed that the two officers passed the end-of-course examination with their basic recruit training class, 66-2011-502-6.

Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 15, April 13, 2012.

On May 10, 2012, pursuant to notice, at a meeting held in Naples, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. These two officers took their end-of-course examinations for the basic recruit training. Both they and the Petitioner understood that they achieved passing scores. The officers were then permitted to graduate, pass the SOCE, and obtain employment prior to the discovery of a grading discrepancy on one of the end-of-course examinations which resulted in a recalculation of the officer's grades and the realization that the officers did not, in fact, pass the examination. After careful consideration of the facts in this matter, the Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on February 29, 2012, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Indialantic Police Department on behalf of Sergeant Theodore Baker for the 2006-2008 (7/1/06 – 6/30/08) mandatory firearms requalification reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for Sergeant Baker by stating that he did, in fact, complete the mandatory firearms requalification retraining, however, he was supervised by a non-CJSTC-certified firearms instructor. The officer at issue is a CJSTC-certified firearms instructor. Notice of receipt of the petition was published in the Florida Administrative Weekly, Vol. 38, No. 12, on March 23, 2012.

On May 10, 2012, pursuant to notice, at its regularly scheduled Business Agenda meeting held in Naples, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved passing scores. The only deficiency in Sergeant Baker's 2008 firearms requalification was to be supervised by a non-CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on May 18, 2012, the Suwannee River Water Management District, received a petition for variance and waiver from Richard and Rebecca Tenaglia, 1799 N.W. 82nd Terrace, Bell, FL 32619, pursuant to Section 120.542, F.S. Petitioner is seeking waiver/variance from subsection 40B-4.3030(9), F.A.C., as to the zero rise certification requirement, subsection 40B-4.3030(4), F.A.C., as to buildings elevated on piles with no use of fill one foot above 100-year flood elevation, and paragraph 40B-4.3020(1)(d), F.S., as to building plans prepared or submitted by Florida licensed engineer. Petitioner request these waivers and variance due to severe financial distress as a result of health related issues, in Gilchrist County, located in Township 8 South, Range 14 East, Section 19. These rules are intended to set forth criteria for development activities within a Work of the District. The petition has been assigned ERP Number 11-0039, R. Tenaglia District Floodway Project.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Robin Lamm, Business Resource Specialist, Suwannee River Water Management District, 9225 CR 49, Live Oak, FL 32060, (386)362-1001 or 1(800)226-1066 in Florida only.

NOTICE IS HEREBY GIVEN that on May 18, 2012, the South Florida Water Management District (District), received a petition for waiver from CenturyLink for a Right of Way Occupancy Permit, Application No. 12-0514-1M, for utilization of Works or land of the District known as the C.R. 951 Canal, for a proposed aerial cable crossing located approximately 30' south of the centerline of The Lord's Way Bridge lying within Sections 14/15, Township 50 South, Range 26 East, Collier County. The petition seeks relief from paragraph 40E-6.221(2)(j), Florida Administrative Code, which governing the minimum vertical clearance of aerial installations within Works or Land of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell, (561)682-6268 or email: jurussel@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC #1410, West Palm Beach, FL 33406, Attention: Juli Russell, Office of Counsel.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that on April 26, 2012, the Agency for Health Care Administration, received a petition for Variance or Waiver from subsection 59A-1.005(35), Florida Administrative Code, from Eye Bank Association of America on behalf of Petitioners ALABAMA EYE BANK, FLORIDA LIONS EYE BANK, INTERNATIONAL SIGHT RESTORATION, INC., ROCKY MOUNTAIN LIONS EYE BANK, SIGHTLIFE, THE NORTH CAROLINA EYE BANK, INC., THE NATIONAL EYE BANK CENTER, and TISSUE BANKS INTERNATIONAL NATIONAL PROCESSING CENTER. The petition requests a variance of rule provisions requiring HTLV testing for donor tissue. The specific provision on which the waiver is sought is subparagraph 59A-1.005(35)(a)2., Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Lavers "A", filed February 22, 2012, and advertised in Vol. 38, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 3.11.3, 2.7.4 and 3.3.2 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings and platform guards until March 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-055).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Old Federal Courthouse Building, filed March 15, 2012, and advertised in Vol. 38, No. 14, of the Florida

Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.18.5.1 and 2.20.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires suspension be provided by steel wire ropes and that governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-089).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Palmer Catholic Academy Gym, filed March 15, 2012, and advertised in Vol. 38, No. 14, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.18.5.1 and 2.20.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires suspension be provided by steel wire ropes and that governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-088).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Meadow Park Elementary, filed February 22, 2012, and advertised in Vol. 38, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 2.18.5.1 and 2.20.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires suspension be provided by steel wire ropes and that governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-054).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Days Inn & Suites Mainsail, filed February 22, 2012, and advertised in Vol. 38, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 3.11.3 and 2.7.4 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations and restricted door openings until August 1, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-060).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from IOA Properties, filed April 23, 2012, and advertised in Vol. 38, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 3.3.2 and 2.7.4 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards and restricted door openings until May 1, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-124 & VW 2012-123).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from FAMU – Gore Educational Building, filed April 23, 2012, and advertised in Vol. 38, No.

18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4 and 8.11.2.1.3(cc)1&3 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires suspension and governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-122).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from 199 Building, filed April 24, 2012, and advertised in Vol. 38, No. 18, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rules 3.11.3, 2.7.4 and 3.11.1 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings and emergency communication until January 31, 2014, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-126).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Ybor Business Center, filed February 24, 2012, and advertised in Vol. 38, No. 10, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until June 1, 2013, because the Petitioner has demonstrated that

the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-068).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Addison Condo, filed March 1, 2012, and advertised in Vol. 38, No. 11, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.7.4 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires restricted door openings until January 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-072).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 15, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from 3946 St. Johns Ave., filed March 12, 2012, and advertised in Vol. 38, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until March 12, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-083).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 22, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Adventist Area 2, filed 3/23/2012, and

advertised in Vol. 38, No.15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, and 2.24.2.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of a 9.5 mm rope and a metallic sheave, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-099).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 22, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Valencia at Lake Nona, filed 3/26/2012, and advertised in Vol. 38, No.15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4, and 8.11.2.1.3(cc)1&3 ASME A17.1b, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires that suspension and governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-100).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 22, 2012 the Division issued an order. The Final Order was in response to a Petition for Variance from Sea Haven Resort Condo, filed 3/20/2012, and advertised in Vol. 38, No. 14, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1a, 1982 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators providing a supply line shutoff valve in the machine room because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-096).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 22, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Main Street Center, filed 4/2/2012, and advertised in Vol. 38, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until January 1, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-107).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 22, 2012, the Division issued an order. The Final Order was in response to a Petition for Variance from Wittner Centre Partners, filed 4/3/2012, and advertised in Vol. 38, No. 15, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until October 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-108).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 22, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from Pope John XXIII, filed 3/7/2012, and advertised in Vol. 38, No. 12, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final

Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.1, 2.19.2(b) and 2.15.9.2(a) ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires that suspension be provided by steel wire ropes and that governor ropes be no less than 9.5 mm because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-077). A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on May 22, 2012, the Division issued an order. The Final Order was in response to a Petition for a Variance from 204 West, filed January 9, 2012, and advertised in Vol. 38, No. 5, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3, 2.7.4, 3.10.4(t), 3.10.3, 3.11.1, 2.3.1, 2.3.3, 3.3.4.3(d) and 3.3.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations, restricted door openings, electrical protective devices, top-of-car operating devices, car emergency signaling devices, access to pits, stop switch, sight guards, and hinged platform sills until July 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-014).

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 May 16, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Kings Ave Parking Garage. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.27.1, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires car emergency signaling devices which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-149).

A copy of the Petition 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 May 16, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for St. Petersburg Masonic Lodge. Petitioner seeks an emergency variance of the requirements of ASME 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), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-148).

A copy of the Petition 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 May 17, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Scanlon Lexus. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.20.4, 2.18.5.1 and 2.24.2.1 as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires steel ropes of a minimum diameter of 9.5 mm and metallic sheaves and drums which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-150).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on May 20, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2001 FDA Food Code, from Amelia Island Plantation Hotel Rest. located in Fernandina Beach, FL. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash sink new omelet station.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN that on May 21, 2012, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for First Lido Condo. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 8.6.5.8, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires in-ground hydraulic cylinders be provide with a safety bulkhead which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2012-154).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on April 11, 2012, the Division of Hotels and Restaurants received a Petition for a Routine Variance for paragraph 61C-1.004(2)(a), subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from al Fresco located in Winter Garden, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers and employees. They are requesting to utilize bathrooms located on a different level.

The Petition for this variance was published in Vol. 38, No. 17, April 27, 2012. The Order for this Petition was signed on May 14, 2012, and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the public bathrooms located on the second floor are maintained in a clean and sanitary manner and are provided with hot and cold running water under pressure, soap, approved hand drying devices, and handwash sign and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed in the main restaurant area clearly stating the location of the bathrooms.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on April 30, 2012, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(6), (7), Florida Administrative Code, from SFT Commissary located in Dania Beach, FL. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to share the bathrooms located within an adjacent establishment for use by customers only.

The Petition for this variance was published in Vol. 38, No. 19 on May 11, 2012. The Order for this Petition was signed on May 17, 2012, and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within Digigraphics are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of Digigraphics changes, an updated signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN that on May 22, 2012, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Twin Palms located in Boca Raton, FL. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize dishwashing facilities located within another licensed establishment at the same location and under the same ownership.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Bureau of Beaches and Coastal Systems, hereby gives notice of receipt of this petition was published in the Florida Administrative Weekly on May 6, 2011. The petition requested a variance from the conditions where construction of coastal armoring will be authorized under Rule 62B-33.0051, F.A.C., for construction of a coastal armoring structure on property located at 3143 North Oceanshore Blvd., Flagler Beach, FL. No public comment was received. The Order, file number FL-309 AR V, denied the Petition for a variance from Rule 62B-33.0051, F.A.C., because the Petitioner failed to demonstrate that a strict application of the rule would result in substantial hardship to Petitioner or would affect Petitioner differently than other similarly situated applicants. Further, the Petitioner failed to demonstrate that it fulfilled the requirements of the underlying statute by other means.

A copy of the Order or additional information may be obtained by contacting: Kamie Carney, Department of Environmental Protection, MS #300, 3900 Commonwealth Blvd., Florida 32399, (850)488-7708, kamie.carney@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on May 17, 2012, the Board of Medicine, received a petition for waiver or variance filed on behalf of Sajidkhan S. Pathan, M.D., from Rule 64B8-4.018, F.A.C., with regard to the requirement that the core clerkship rotation be completed at a hospital which at the time had a residency program accredited by the Accreditation Council for Graduate Medical Education. Comments on this petition should be filed with the 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: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on May 16, 2012, the Board of Medicine, received a petition for waiver filed on behalf of Asok Kumar Sinha, M.D., from Rule 64B8-4.009, 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 the 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: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

The Board of Podiatric Medicine hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 14, 2012, by David Loiselle, D.P.M. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 8, of the February 24, 2012, Florida Administrative Weekly. The Petitioner sought a waiver or variance of Rule 64B18-17.001, F.A.C., entitled "Continuing Education Required for Licensure Renewal" with regard to allowing petitioner additional time to acquire the continuing education credits required for licensure renewal. The Board considered the instant Petition at a duly-noticed public meeting, held March 23, 2012, in Tampa, Florida.

The Board's Order, filed April 11, 2012, granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 461.007, Florida Statutes, would be met by granting a variance or waiver from Rule 64B18-17.001, F.A.C. The Board further found that Petitioner established that applying the requirements of the aforementioned rules to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Podiatric Medicine hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on February 21, 2012, by Sheri Rosenthal, D.P.M. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 9, of the March 2, 2012, Florida Administrative Weekly. The Petitioner sought a waiver or variance of subsection 64B18-13.008(3), F.A.C., entitled "Procedure for Reactivation of Inactive Status to Active Status" which requires that no inactive license may be reactivated unless and until the licensee demonstrates the completion of forty (40) hours of approved continuing education for each biennium or part thereof of inactive status, and reports either the details of any disciplinary action that has been taken since the licensee's most recent renewal of active license or that no disciplinary action has been taken since the licensee's most recent renewal of active licensure. The Board considered the instant Petition at a duly-noticed public meeting, held March 23, 2012, in Tampa, Florida.

The Board's Order, filed April 11, 2012, granted the petition finding that Petitioner established that the purpose of the underlying statute, Section 461.008, Florida Statutes, would be met by granting a variance or waiver from subsection 64B18-13.008(3), F.A.C. The Board further found that

Petitioner established that applying the requirements of the aforementioned rules to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Bruce Deterding, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

The Board of Psychology hereby gives notice that on May 17, 2012, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Rosamari Pena, Psy.D., on February 28, 2012, seeking a waiver or variance from Rule 64B19-11.005, F.A.C., with regard to the requirements of the rule regarding appropriate supervised experience. The Notice was published in Vol. 38, No. 11, of the Florida Administrative Weekly, on March 16, 2012. The Board, at its meeting held on April 20, 2012, voted to grant the Petition for Waiver or Variance finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that she has met the purpose of the underlying statute.

A copy of the Order or additional information may be obtained by contacting: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on February 20, 2012, the Department of Children and Families, received a petition for waiver of Rule 65C-13.030, Florida Administrative Code, from Children’s Home Society and Marcia Richardson and Erica Harris. Rule 65C-13.030, F.A.C., states there should be no more than five children in a licensed home, including the family’s own children. There shall be no more than two children under the age of two years in home, including the licensed out-of-home caregiver’s children.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Building 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The Department of Economic Opportunity hereby gives notice:

NAME OF PETITIONER: City of Wildwood
 DATE PETITION WAS FILED: March 30, 2012. It was assigned the number DEO-12-036.

RULE NUMBER AND NATURE OF RULE FROM WHICH VARIANCE OR WAIVER IS SOUGHT: Paragraph 9B-43.0041(1)(c), F.A.C., which was transferred to paragraph 73C-23.0041(1)(c), F.A.C. Requesting a waiver of the

\$700,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A REFERENCE TO THE PLACE AND DATE OF PUBLICATION OF THE NOTICE OF THE PETITION: Vol. 38, No. 15, April 13, 2012, issue of the Florida Administrative Weekly.

THE DATE OF THE ORDER APPROVING THE VARIANCE OR WAIVER: May 18, 2012.

THE GENERAL BASIS FOR THE AGENCY DECISION: Because the statutory basis for the cap was repealed, there was no authority to enforce the rule. Waiving the limit to allow greater grant amounts encourages economic development and the underlying purpose of the statute.

A copy of the Order or additional information may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, Tallahassee, FL 32399-4128, e-mail: miriam.snipes@deo.myflorida.com.

**Section VI
 Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF STATE

The Board of Directors, Executive Committee of the **Friends of the State Library and Archives** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 25, 2012, 8:15 a.m.
 PLACE: R.A. Gray Building, Third Floor, Room 306B, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors/Executive Committee of the Friends will review and discuss the Friends’ budget and resolutions to support the mission of the Friends.

A copy of the agenda may be obtained by contacting: Judith A. Ring, (850)245-6600.

Pursuant to the provisions of 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: Judith A. Ring, (850)245-6600. If you are 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: Judith A. Ring, Division Director, (850)245-6600.

DEPARTMENT OF LEGAL AFFAIRS

The Florida **Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, June 14, 2012, 11:00 a.m.

PLACE: Please call: (850)414-3300, for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Executive Committee.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call: (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

Pursuant to the provisions of 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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

The Florida **Commission on the Status of Women** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 19, 2012, 1:30 p.m.

PLACE: Please Call: (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force.

NOTE: In the absence of quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call: (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

Pursuant to the provisions of 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: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050, (850)414-3300, Fax: (850)921-4131. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Commission on the Status of Women, Office of the Attorney General, The Capitol, Tallahassee, Florida 32399-1050, (850)414-3300, Fax: (850)921-4131.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Agriculture Center and Horse Park Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 19, 2012, 4:00 p.m.

PLACE: Florida Agriculture Center and Horse Park Authority, 11008 South Highway 475, Ocala, Florida 34480

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Executive Committee to discuss general board business.

A copy of the agenda may be obtained by contacting: C.J. Marcello, Jr., (352)307-6699, ext. 5 or email: execdir@flhorsepark.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: C.J. Marcello, Jr., (352)307-6699, ext. 5 or email: execdir@flhorsepark.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Animal Industry Technical Council**, Subcommittee for Animal Disease Traceability announces a public meeting to which all persons are invited.

DATE AND TIME: June 20, 2012, 4:00 p.m. – 5:00 p.m.

PLACE: Marriott Hotel, 400 South Collier Blvd., Marco Island, FL 34145

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Animal Industry Technical Council Subcommittee for Animal Disease Traceability to discuss issues relevant to increasing the traceability of Florida livestock. The meeting is open to the public.

A copy of the agenda may be obtained by contacting: Stephen Monroe, (850)410-0944.

Pursuant to the provisions of 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: Stephen Monroe, (850)410-0944. If you are 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: Stephen Monroe, (850)410-0944.

The Florida **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 13, 2012, 10:00 a.m. – 2:00 p.m.

PLACE: Orange County Bar Association, 880 North Orange Avenue, Orlando, Florida 32801, (407)422-4551

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Florida Consumers' Council.

A copy of the agenda may be obtained by contacting: Tom Steckler, Director, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, (850)922-2966.

Pursuant to the provisions of 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: Tom Steckler, (850)922-2966. If you are 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 **Aquaculture Review Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 11, 2012, 12:00 Noon – 4:00 p.m.

PLACE: University of Florida, Tropical Aquaculture Laboratory, 1408 24th Street Southeast, Ruskin, FL 33570; Meeting also accessible through Conference Call: 1(888)808-6959, enter Code: 4884033

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida. Note: This meeting is in lieu of the meeting that was originally scheduled for May 11, 2012.

A copy of the agenda may be obtained by contacting: Paul Zajicek, 1203 Governor's Square Boulevard, Suite 501, Tallahassee, FL 32301-2961, (850)488-5471.

Pursuant to the provisions of 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: Paul Zajicek, (850)488-5471. If you are 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 EDUCATION

The Florida **Department of Education**, Charter School Appeal Commission announces a hearing to which all persons are invited.

DATE AND TIME: June 12, 2012, 9:30 a.m. – completion

PLACE: 325 W. Gaines Street, Conference Room 1721-25, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Charter School Appeal Commission will hear the Application denials of the following schools:

Threefold Charter School vs. School Board of Sarasota County
Somerset Virtual Academy Middle/High vs. School Board of Dade County

Mater Virtual School vs. School Board of Dade County

Mater Virtual Academy Charter Middle/High vs. School Board of Dade County

A copy of the agenda may be obtained by contacting: Florida Department of Education, 325 W. Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400, (850)245-0502.

Pursuant to the provisions of 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: Florida Department of Education, 325 W. Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400, (850)245-0502. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Department of Education, 325 W. Gaines Street, Suite 1044, Tallahassee, Florida 32399-0400, (850)245-0502.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, June 15, 2012, 8:30 a.m. or as soon thereafter as can be heard

PLACE: Embassy Suites International Drive, 8250 Jamaican Court, Orlando, Florida 32819, (407)345-8250

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Kathleen M. Richards, (850)245-0455.

Pursuant to the provisions of 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: Kathleen M. Richards, (850)245-0455. If you are 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: Lisa Forbess or Kathleen M. Richards, (850)245-0455.

The **Gulf Coast State College District**, Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: June 21, 2012, 10:00 a.m.

PLACE: William C. Cramer Jr. Seminar Room, Room 306, SUW, Gulf Coast State College, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Gulf Coast State College District Board of Trustees will hold a meeting. Contact person for the meeting: Dr. Jim Kerley, President, Gulf Coast State College, Panama City, FL.

A copy of the agenda may be obtained by contacting: Dr. Steve Nettles, District Board of Trustees Liaison, Director of Institutional Effectiveness, Gulf Coast State College, Panama City, FL.

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Criminal Justice Executive Institute Police Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday May 2, 2012, 1:00 p.m.

PLACE: Sheraton Sand Key Resort, 1160 Gulf Blvd., Clearwater Beach, Florida 33767

GENERAL SUBJECT MATTER TO BE CONSIDERED: An emergency meeting was held by the FDLE Criminal Justice Professionalism Program's Florida Criminal Justice Executive Institute (FCJEI) Policy Board to discuss tuition increases for FCJEI courses, to aid in increasing the revenue for the diminishing funds (due to the economy) in the Criminal Justice Standards and Training Trust Fund, which is the major funding source for the Criminal Justice Professionalism Program. In addition, the FCJEI held election of a new chairperson of the

policy board, provided updates to FCJEI Policy Board members on all FCJEI courses, discussed creating a consistent instructor fee structure to include online training initiatives, and provided an update on the status of the Criminal Justice Standards and Training Trust Fund.

The FCJEI agreed to increase the tuition fees for the FCJEI leadership courses; however, the policy board decided to discuss the tuition increases with Florida Sheriff's Association and Florida Police Chief's Association prior to moving forward with the fee increases. The FCJEI Policy Board advised that further assessment of instructor fees would be conducted prior to making a final decision. The FCJEI Policy Board elected Punta Gorda, Chief of Police Albert "Butch" Arenal, Chairperson of the Police Board and approved the meeting minutes from June 10, 2010, FCJEI Policy Board Meeting.

A copy of the agenda may be obtained by contacting: Kristi Gordon, Bureau Chief, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-7373, email: kristigordon@fdle.state.fl.us.

For more information, you may contact: Kristi Gordon, Bureau Chief, Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-7373 or email: kristigordon@fdle.state.fl.us.

DEPARTMENT OF REVENUE

The **Communications Services Tax Working Group** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 11, 2012, 9:00 a.m. – 5:00 p.m.

PLACE: 2450 Shumard Oak Boulevard, Building One, Room 1820, Tallahassee, Florida. The public can also participate in this meeting through a simultaneous electronic broadcast of this event by the Department of Revenue using WebEx, and conference calling technology. The requirements to participate are access to the Internet and a telephone. The public can participate in this electronic workshop by accessing the broadcast from their home or office. Specific information about how to participate in this electronic meeting from your home or office will be included in the Agenda for this meeting posted on the Department of Revenue's website at: http://dor.myflorida.com/dor/cst_workgroup/

GENERAL SUBJECT MATTER TO BE CONSIDERED: Section 12 of Chapter 2012-70, Laws of Florida, creates a Communications Services Tax Working Group. The purpose of the working group is to study and report on tax issues related to the sale of communications services. A report of the working group is due to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2013. The working group will be meeting over the next several months to gather information to provide to policymakers for use in making important tax law decisions. The working group is tasked with the responsibility to: a)

Review national and state tax policies relating to the communications industry; b) Review the historical amount of tax revenue that has been generated by the communications services taxes imposed or administered under Chapter 202, Florida Statutes, for the purposes of determining the effect that laws passed in the past 5 years have had on declining revenues; c) Review the extent to which this revenue has been relied on to secure bonded indebtedness; d) Review the fairness of the state's communications tax laws and the administrative burdens it contains, including whether the applicability of the tax laws is reasonably clear to communications services providers, retailers, customers, local government entities and state administrators; e) Identify options for streamlining the administrative system; and f) Identify options that remove competitive advantages within the industry as it relates to the state's tax structure without unduly reducing revenue to local governments.

A copy of the agenda may be obtained by contacting: Andrea Moreland, Director of Legislative and Cabinet Services, (850)617-8324 or morelana@dor.state.fl.us. A copy of the agenda will be published on the Department of Revenue's website at: http://dor.myflorida.com/dor/cst_workgroup/.

Pursuant to the provisions of 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: Tammy Miller, (850)617-8347. If you are 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, Director of Legislative and Cabinet Services, (850)617-8324, morelana@dor.state.fl.us.

DEPARTMENT OF TRANSPORTATION

NOTICE OF CORRECTION – The Florida Transportation Commission announces a public meeting to which all persons are invited.

DATES AND TIME: CANCELLATION NOTICE: May 25, 29, 30, 2012, 10:00 a.m. (EST) – Until Conclusion of Business

PLACE: See Details Below

GENERAL SUBJECT MATTER TO BE CONSIDERED: CANCELLATION NOTICE for meetings listed below. See Revised Schedule in Issue 38/22.

The **Florida Transportation Commission** announces a public meeting to which all persons are invited.

Replies to Advertisement Publicly Opened

DATE AND TIME: May 25, 2012, 10:00 a.m. (EST) – until conclusion of business

PLACE: FTC, Conference Room, 605 Suwannee Street, Room 176, Tallahassee, FL 32399

Technical Review Committee Summarizes Evaluations of the Replies

DATE AND TIME: May 29, 2012, 10:00 a.m. (EST) – until conclusion of business

PLACE: Executive Conference Room, 605 Suwannee Street, 5th Floor, Tallahassee, FL 32399

Selection Committee Make Recommendation

DATE AND TIME: May 30, 2012, 10:00 a.m. (EST) – until conclusion of business

PLACE: Executive Conference Room, 605 Suwannee Street, 5th Floor, Tallahassee, FL 32399

A copy of the agenda may be obtained by contacting: Lisa O. Stone, (850)414-4316.

Pursuant to the provisions of 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: Lisa O. Stone, (850)414-4316. If you are 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 Transportation Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: June 8, 12 and 13, 2012, 10:00 a.m. (EST) – Until Conclusion of Business

PLACE: See Details Below

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission: Invitation to Negotiate (ITN) Procurement of the Cost Savings Study of the Expressway Authorities.

DATE AND TIME: June 8, 2012, 10:00 a.m. (EST) – until conclusion of business

PLACE: FTC, Conference Room, 605 Suwannee Street, Room 176, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Replies to advertisement publicly opened.

DATE AND TIME: June 12, 2012, 10:00 a.m. (EST) – until conclusion of business

PLACE: Executive Conference Room, 605 Suwannee Street, 5th Floor, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Technical review committee summarizes evaluations of the replies.

DATE AND TIME: June 13, 2012, 10:00 a.m. (EST) – until conclusion of business

PLACE: Executive Conference Room, 605 Suwannee Street, 5th Floor, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Selection committee makes recommendation.

A copy of the agenda may be obtained by contacting: Lisa O. Stone, (850)414-4316.

Pursuant to the provisions of 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: Lisa O. Stone, (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS #9, Tallahassee, FL 32399, (850)414-4105.

The Florida **Department of Transportation**, District 2 announces a public meeting to which all persons are invited.

DATE AND TIME: June 19, 2012, 4:30 p.m. – 6:30 p.m.

PLACE: Grace Baptist Church of East Springfield, 1553 E. 21st Street, Jacksonville, Florida 32206

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 209545-5, otherwise known as SR 115 (MLK Parkway) / 21st Street Interchange Improvements. The project will realign MLK Parkway to improve the curve currently located just east of Phoenix Avenue. The interchange will include five (5) new bridges: two (2) over Talleyrand Terminal Railroad, one (1) over Phoenix Avenue and two (2) additional MLK Parkway bridges over the eastbound ramp to 21st Street. The construction will include multiple retaining walls, new drainage for the roadway and new fenced ponds to collect the storm water. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874.

Pursuant to the provisions of 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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Transportation**, District 2 announces a workshop to which all persons are invited.

DATE AND TIME: June 21, 2012, 5:00 p.m. – 6:30 p.m.

PLACE: Wingate by Wyndham, 4791 Windsor Commons Ct., Jacksonville, Florida 32224

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, social, economic and environmental effects of Financial Project ID: 428783-1, otherwise known as SR 202 (Butler Blvd) at Hodges Boulevard, Eastbound & Westbound Off Ramps. The proposed improvements will consist of adding an additional left turn lane to the eastbound off ramp of SR 202 (Butler Blvd.) to northbound Hodges Boulevard, and an additional continuous right turn lane will be added to the westbound off ramp, which exits SR 202 (Butler Blvd.) to northbound Hodges Boulevard and terminates at Sutton Park Drive. Both of these improvements are being made to reduce the impacts of traffic backing up onto the SR 202 (Butler Blvd.) travel lanes. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874.

Pursuant to the provisions of 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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Transportation**, District 2 announces a workshop to which all persons are invited.

DATE AND TIME: June 25, 2012, 5:00 p.m. – 6:30 p.m.

PLACE: St. Johns County Administration Building, 500 San Sebastian View, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design and social, economic and environmental effects of Financial Project ID Number 210420-9, otherwise known as the CR 210 at US 1 Interchange project in St. Johns County. The proposed project will provide a new CR 210 connection from the existing curve on CR 210 west of US 1, to the tie-in at CR 210/Palm Valley Road east of US 1 at Nocatee. Improvements will also include the construction of a two-lane bridge over the FEC railroad and US 1, signalized intersections, drainage/stormwater ponds and the construction of an Old Dixie Highway Connector. Public participation is solicited without regard to race, color, religion, sex, age, national origin, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874.

Pursuant to the provisions of 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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874, (386)961-7873 or 1(800)749-2967, extension 7873. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Florida **Department of Transportation**, District 2 announces a hearing to which all persons are invited.

DATE AND TIME: June 26, 2012, 5:00 p.m. – 6:30 p.m.

PLACE: Hampton Inn & Suites, 13551 Airport Court, Jacksonville, FL 32218

GENERAL SUBJECT MATTER TO BE CONSIDERED: This hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design and social, economic and environmental effects of Financial Project ID Number 209399-6, otherwise known as SR 243 (JIA North Access Road) in Duval County. The Department is proposing the construction of a new connecting roadway between SR 102 (Airport Road) and Pecan Park Road. The roadway will connect to SR 102 (Airport Road) at the South Access Road Interchange and will ultimately include widening Pecan Park Road to I-95 North. This project will provide another connection from I-95 to Jacksonville International Airport. Additional right of way may be required for the proposed improvements. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874.

Pursuant to the provisions of 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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 S. Marion Avenue, MS #2007, Lake City, Florida 32025-5874, (386)961-7873 or

1(800)749-2967, extension 7873. If you are 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 Seaport & Transportation Economic Development Council (FSTED)** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 22, 2012, 10:30 a.m. – 1:00 p.m.

PLACE: Westin Tampa Harbour Island Hotel, Ballroom 2, 725 South Harbour Island Boulevard, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Toy Keller, Florida Ports Council Office, (850)222-8028.

Pursuant to the provisions of 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: Toy Keller, Florida Ports Council Office, (850)222-8028. If you are 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: Toy Keller, Florida Ports Council Office, (850)222-8028.

DEPARTMENT OF CITRUS

The Florida **Department of Citrus** announces a public meeting to which all persons are invited.

DATE AND TIME: June 13, 2012, 9:00 a.m.

PLACE: Hyatt Regency Coconut Point Resort & Spa, Meeting Room "Calusa ABC", 5001 Coconut Road, Bonita Springs, Florida 34134

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene in conjunction with the Florida Citrus Industry Annual Conference for the purpose of standing committee meetings and the regularly scheduled meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, rulemaking, and other matters addressed during regular meetings of the Commission.

A copy of the agenda may be obtained by contacting: Heather Facey, email: hfacey@citrus.state.fl.us or (863)537-3951.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 5 days before the workshop/meeting by contacting: Dianne Screws, (863)537-3984. If you are 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: Heather Facey, email: hfacey@citrus.state.fl.us or (863)537-3951.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: Wednesday, June 6, 2012; June 27, 2012 8:30 a.m.

PLACE: Florida Parole Commission, 4070 Esplanade Way, Tallahassee, FL 32399-2450

DATES AND TIME: Wednesday-Thursday, June 13-14, 2012, 8:30 a.m.

PLACE: Ft. Lauderdale City Hall Commission Chambers, 100 North Andrews Avenue, Ft. Lauderdale, FL 33301

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, (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. If you are 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.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: June 19, 2012, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

Internal Affairs Agendas may be obtained from the Commission's Web site: www.floridapsc.com or by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at the address or telephone number above, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website.

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: June 19, 2012, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 148, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The agenda, recommendations, vote sheet, transcript, and minutes may be obtained from the Commission's Web site: www.floridapsc.com or by contacting: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, (850)413-6770.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at the address or telephone number above, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission’s Web site.

The Florida **Public Service Commission** announces a hearing to which all persons are invited.

PREHEARING:

DATE AND TIME: Wednesday, June 20, 2012, 9:30 a.m.

HEARING:

DOCKET NO. AND TITLE: 110234-TP – Complaint and petition for relief against Halo Wireless, Inc. for breaching the terms of the wireless interconnection agreement, by BellSouth Telecommunications, LLC d/b/a AT&T Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this prehearing conference is to: (1) simplify the issues; (2) identify the positions of the parties on the issues; (3) consider the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof; (4) identify exhibits; (5) establish an order of witnesses; and (6) consider such other matters as may aid in the disposition of the action.

DATES AND TIME: Thursday July 12-13, 2012, 9:30 a.m.

PLACE: Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the hearing is to permit parties to present testimony and exhibits relating to the Compliant filed by BellSouth Telecommunications, Inc. d/b/a AT&T Florida against Halo Wireless, LLC for breech of the parties’ wireless interconnection agreement and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference.

Pursuant to the provisions of 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: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Larry Harris, (850)413-6856.

The Florida **Public Service Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 28, 2012, 6:00 p.m.

PLACE: Aurburndale Recreation Hall, 119 West Park Street, Aurburndale, Florida 33823

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 110238-WU – Application for staff-assisted rate case in Polk County by Sunrise Utilities, LLC.

The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting.

Pursuant to the provisions of 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: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. If you are 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: Charlie Murphy, (850)413-6191.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Governor’s Commission on Jobs for Floridians with Disabilities** announces a public meeting to which all persons are invited.

DATE AND TIME: June 8, 2012, 9:00 a.m.

PLACE: University of Central Florida, Fairwinds Alumni Center, Building 126, North Gemini Boulevard, Orlando, FL 32816 (room number to be determined) Contact: David Darm for more information, (850)717-9433 or email: David.Darm@laspbs.state.fl.us

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss business of the Governor’s Commission on Jobs for Floridians with Disabilities pursuant to Executive Order 11-161.

A copy of the agenda may be obtained by contacting: David Darm, (850)717-9433 or David.Darm@laspbs.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: David Darm, (850)717-9433 or email: David.Darm@laspbs.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: David Darm, (850)717-9433 or email: David.Darm@laspbs.state.fl.us.

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Monday, June 18, 2012, 4:00 p.m., Executive Committee; Meeting, 3:00 p.m.; Planning Consultant Selection Committee, 2:00 p.m.

PLACE: Crestview City Hall, 198 North Wilson Street, Crestview, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General matters of the West Florida Regional Planning Council and the above mentioned Committees.

A copy of the agenda may be obtained by contacting: WFRPC, (850)332-7976 or www.wfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: WFRPC, (850)332-7976 or www.wfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Terry Joseph, WFRPC, Executive Director, (850)332-7976, ext 201 or email: terry.joseph@wfrpc.org.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2012, 1:00 p.m.

PLACE: Suwannee River Economic Council, Meeting Room, 114 Southwest Community Circle, Mayo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Lafayette County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th 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.

NOTICE OF CANCELLATION – The **Southwest Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 21, 2012, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's monthly board meeting has been cancelled.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett, ngwinnett@swfrpc.org or (239)338-2550, ext. 232.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 25, 2012, 3:00 p.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021, (954)985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the Revolving Loan Fund loan applications. A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: (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 contact: Cheryl Cook, (954)985-4416 or email: cherylc@sfrpc.com.

The **South Florida Regional Planning Council** announces a public meeting of The State Road 7/US 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, June 28, 2012, 2:00 p.m. – 4:00 p.m.

PLACE: City of Miramar's Civic Center, 2300 Civic Center Place, Miramar, FL 33025, (954)602-3126

GENERAL SUBJECT MATTER TO BE CONSIDERED: To continue deliberations regarding economic development, aesthetic improvement and increased intergovernmental cooperation along the corridor. A copy of the agenda may be obtained online: www.sfrpc.com/sr7/htm or by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: South Florida Regional Planning Council, (954)985-4416. If you are hearing or speech impaired, please contact the agency at (954)967-4152, ext. 40 (TDD).

If any person decides to appeal any decision made by the State Road 7/US 441 Collaborative Steering Committee 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: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 29, 2012, 10:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, Florida 33021, (954)985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To support the reduction of our nation's dependence on imported oil by discussing and promoting the region's use of alternative fuels and alternative fuel vehicles through the Florida Gold Coast Clean Cities Coalition.

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: (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 contact: Christine Heshmati, (954)985-4416 or cheshmati@sfrpc.com.

COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 15, 2012, 8:30 a.m.

PLACE: Senate Office Building, Room 37, 404 South Monroe Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Commission on Ethics, www.ethics.state.fl.us, (850)488-7864.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Commission on Ethics, (850)488-7864. If you are 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.

METROPOLITAN PLANNING COUNCILS

The **Metropolitan Planning Organization Advisory Council**, Policy & Technical Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 15, 2012, 9:30 a.m. – 12:00 Noon

PLACE: Hillsborough County MPO, 26th Floor, Meeting Room B, 601 E. Kennedy Blvd., Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Activities related to transportation planning with and adjacent to metropolitan areas in Florida.

A copy of the agenda may be obtained by contacting: Brigitte Messina, 605 Suwannee St., MS #28B, Tallahassee, Florida 32399-0450, by email: 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, 605 Suwannee St., MS #28B, Tallahassee, Florida 32399-0450, by email: brigitte.messina@mpoac.org.

The **Florida Transportation Planning Working Group** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 15, 2012, 12:30 p.m. – 3:00 p.m.

PLACE: Hillsborough County MPO, 26th Floor, Meeting Room B, 601 E. Kennedy Blvd., Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on implementation of the 2060 Florida Transportation Plan.

A copy of the agenda may be obtained by contacting: Brigitte Messina, 605 Suwannee St., MS #28B, Tallahassee, FL 32399-0450 or by email: 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 2 days before the workshop/meeting by contacting: Brigitte Messina, 605 Suwannee St., MS #28B, Tallahassee, Florida 32399-0450, by email: 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, 605 Suwannee St., MS #28B, Tallahassee, FL 32399-0450 or by email: brigitte.messina@mpoac.org.

The **Miami-Dade County Transportation Disadvantaged Local Coordinating Board (LCB)** announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2012, 1:30 p.m.

PLACE: Stephen P. Clark Center, CITT Conference Room, 10th Floor, 111 N.W. 1st Street, Miami, FL 33128

GENERAL SUBJECT MATTER TO BE CONSIDERED:

- A. MEMBERSHIP UPDATE.
 - B. ELECTION OF VICE CHAIR.
- INFORMATION ITEMS
- A. CTC EVALUATION RESULTS.
 - B. TRANSPORTATION DISADVANTAGED PROGRAM UPDATE.
 - C. PRIORITIZE STS TRIPS BASED ON TYPE OF TRIP FINDINGS.
 - D. MEDICAID NON-EMERGENCY TRANSPORTATION (MNET) UPDATE.

A Public Hearing will take place after the regular meeting ends.

A copy of the agenda may be obtained by contacting: Elizabeth Rockwell, (305)375-4507 or email: erock@miamidade.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Elizabeth Rockwell, (305)375-4507 or email: erock@miamidade.gov. If you are 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: Elizabeth Rockwell, (305)375-4507 or email: erock@miamidade.gov.

The **Central Florida MPO Alliance (CFMPOA)**, whose membership is comprised of **Metropolitan Planning Organizations** including the Lake-Sumter MPO, MetroPlan Orlando, Ocala/Marion TPO, Polk TPO, the Space Coast TPO and the Volusia TPO announces a public meeting to which all persons are invited.

DATE AND TIMES: June 8, 2012, 10:00 a.m. and 11:30 a.m. respectively

PLACE: Polk County Sheriff's Operations Center, 1891 Jim Keene Blvd., Winter Haven, Florida 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regularly scheduled CFMPOA meeting which will be followed by a joint meeting with the West Central Florida Chairs Coordinating Committee.

A copy of the agenda may be obtained by contacting: Ms. Virginia L. Whittington, Director of Regional Partnerships, MetroPlan Orlando, 315 East Robinson Street, Suite 355, Orlando, FL 32801, (407)481-5672 extension 314.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least three days before the workshop/meeting by contacting: Ms. Cathy Goldfarb, Board Services Coordinator, MetroPlan Orlando, 315 East Robinson Street, Suite 355, Orlando, FL 32801, (407)481-5672, extension 315. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

WATER MANAGEMENT DISTRICTS

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: June 12, 2012, 9:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board meeting to consider District business and conduct public hearings on regulatory, real estate, and other various matters. A workshop will follow the Board meeting.

A copy of the agenda may be obtained by contacting: Linda Welch, (386)362-1001 or 1(800)226-1066 (Florida Only) or on the District's website: www.mysuwanneeriver.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Linda Welch, (386)362-1001 or 1(800)226-1066 (Florida Only). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: DATE AND TIME: Monday, June 25, 2012, 6:00 p.m.

PLACE: City Commission Chambers, City of Gainesville, 200 E. University Ave., Gainesville, FL 32601

DATE AND TIME: Wednesday, June 27, 2012, 6:00 p.m.

PLACE: County Auditorium, St. Johns County, 500 San Sebastian View, St. Augustine, FL 32084

DATE AND TIME: Monday, July 2, 2012, 6:30 p.m.

PLACE: City Council Chambers, City of Palm Bay, 120 Malabar Road S.E., Palm Bay, FL 32907

DATE AND TIME: Thursday, July 5, 2012, 6:00 p.m.

PLACE: City Commission Chambers, City of Winter Garden, 300 West Plant Street, Winter Garden, FL 34787

GENERAL SUBJECT MATTER TO BE CONSIDERED: The St. Johns River Water Management District will hold a series of public meetings to discuss a land assessment process currently under way to evaluate District-owned property to examine the need for conservation purposes. The evaluation will determine if any properties, or portions of these tracts, should be identified as surplus lands, or if portions of any properties should be considered for alternative uses. An evaluation matrix will be used to rank properties on their resource values, such as floodplains, strategic habitat, corridors and natural communities. The properties also are being examined for their use as project sites, for recreation/public use and for their manageability. Public input on the land assessment process will be welcomed at the meetings. All interested persons are invited to attend. NOTE: One or more District Governing Board members may attend the meetings and participate in the discussions.

A copy of the agenda may be obtained by contacting: Marji Hightower, 4049 Reid Street, Palatka, Florida 32177, (386)329-4435 or mhightower@sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by

contacting: Marji Hightower, (386)329-4435. If you are 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: Marji Hightower, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4435 or mhightower@sjrwmd.com.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 14, 2012, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agricultural and Green Industry Joint Advisory Committee meeting: To discuss committee business. SWFWMD Governing Board Members may attend.

A copy of the agenda may be obtained by contacting: 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 Bureau Chief, 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4702, TDD (FL Only) 1(800)231-6103 or email: ADACoordinator@swfwmd.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: Debby.Weeks@watermatters.org; 1(800)423-1476 (FL Only) or (352)796-7211, ext. 4606 (Ad Order EXE0216).

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Governing Board Regular Business Meeting

DATE AND TIME: June 13, 2012, 9:00 a.m.

PLACE: Okeechobee County Chambers, 304 N.W. 2nd Street, 2nd Floor, Okeechobee, FL 34972

Governing Board Regular Business Meeting

DATE AND TIME: June 14, 2012, 9:00 a.m.

PLACE: Okeechobee County Chambers, 304 N.W. 2nd Street, 2nd Floor, Okeechobee, FL 34972

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. If agenda items are not heard on 6/13, the items may be heard on 6/14.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087 or website: www.sfwmd.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Jacki McGorty, (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: Jacki McGorty, (561)682-2087 or email: jmcgorty@sfwmd.gov.

The **Water Resources Advisory Commission (WRAC)** announces a workshop to which all persons are invited.

DATE AND TIME: June 18, 2012, 5:00 p.m.

PLACE: Storch Conference Room B1, 3rd Floor, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC), Recreation Issues Workshop. A Public Meeting of the Water Resources Advisory Commission (WRAC) regarding recreation issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Paul Millar, (561)682-6335 or 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 7 days before the workshop/meeting by contacting: District Clerk, (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 **Water Resources Advisory Commission (WRAC)** announces a workshop to which all persons are invited.

2012 Lower East Coast Regional Water Supply Plan Update

DATE AND TIME: June 19, 2012, 10:00 a.m.

PLACE: Anne Kolb Nature Center, Mangrove Hall, 751 Sheridan St., Hollywood, FL 33019. For Directions phone: (954)357-5161

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Public Meeting sponsored by the Water Resources Advisory Commission (WRAC) regarding the 2012 Lower East Coast Regional Water Supply Plan. 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: Paul Millar, (561)682-6335 or at our website: <http://my.sfwmd.gov/wrac> or Lower East Coast Water Supply Plan.

Pursuant to the provisions of 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: District Clerk's Office, (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).

For more information, you may contact: Brenda Mills, (561)682-6536.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 20, 2012, 10:00 a.m.

PLACE: South Florida Water Management District, B-1 Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406; The meeting will also be webcast

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to Discuss Regulatory Matters. All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers: Lower West Coast Service Center, 2301 McGregor Blvd., Fort Myers, FL 33901; and the Orlando Service Center, 1707 Orlando Central Parkway Suite 200, Orlando, FL 32809.

Agenda's are available 7 days prior to the meeting date.

A copy of the agenda may be obtained by contacting: our website at: www.sfwmd.gov, •Hold mouse over the "Topics" tab, scroll down to "Permits" and click • Under "Upcoming

Events” on the right hand column, click the “Monthly Regulatory Meetings” link. Or by subscribing to ePermitting/eNoticing: www.sfwmd.gov/epermitting.

Pursuant to the provisions of 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: District Clerk, (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).

For more information, you may contact: District Clerk, (561)682-2087.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces a public meeting to which all persons are invited.

DATE AND TIME: June 18, 2012, 9:00 a.m.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing and Final Adoption of the Tampa Bay Water FY 2012/2013 Proposed Budget, followed by a Regular Board Meeting, and a private Attorney/Client briefing session between the Tampa Bay Water Board of Directors and legal counsel pursuant to Section 286.011(8), Florida Statutes, to discuss strategy sessions related to litigation expenditures in Tampa Bay Water v. HDR Engineering, Inc., et al.

Attorney/Client Briefing Attendees: Board of Directors of Tampa Bay Water; General Manager Gerald Seeber; General Counsel Barrie Buenaventura; Deputy General Counsel Peter Dunbar; Deputy General Counsel Donald D. Conn; Special Counsel Richard Harrison, Esquire; and a certified court reporter.

A copy of the agenda may be obtained by contacting: Records Department, (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department, (727)796-2355. 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).

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: Records Department, (727)796-2355.

The **Withlacoochee Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 8, 2012, 10:00 a.m.

PLACE: Lecanto Government Building, 3600 W. Sovereign Path, Room 229, Lecanto, FL 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Negotiation of contract with the #1 ranked candidate for the position of Consulting Executive Director to the Withlacoochee Regional Water Supply Authority.

A copy of the agenda may be obtained by contacting: Nancy H. Smith, WRWSA Administrative Assistant, (352)527-5795.

Pursuant to the provisions of 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: Nancy H. Smith, WRWSA Administrative Assistant, (352)527-5795. If you are 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: Nancy H. Smith, WRWSA Administrative Assistant, (352)527-5795.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: June 28, 2012, 1:00 p.m. – 5:00 p.m.

PLACE: Agency for Health Care Administration, Building 3, Conference Room B, 2727 Mahan Drive, Tallahassee, Florida Call-In number 1(888)670-3525, Code: 7873061052. This line will be muted. Individuals wishing to speak at this meeting must call the Agency no later than 5:00 p.m., June 5, 2012 and obtain a non-muted call-in line

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency will hear public comment concerning the laboratory kickback requirements and amendments to Section 483.245, Florida Statutes, that become effective July 1, 2012.

A copy of the agenda may be obtained by contacting: Karen Rivera, AHCA, Laboratory Unit, 2727 Mahan Drive, MS #32, Tallahassee, Florida 32308, (850)412-4500.

Pursuant to the provisions of 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: Karen Rivera, AHCA, Laboratory Unit, 2727

Mahan Drive, MS #32, Tallahassee, Florida 32308, (850)412-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE OF CHANGE – The **Department of Management Services**, Division of Telecommunications, E911 Board announces the following notice of change meeting schedule information:

DATE AND TIME: June 20, 2012, 2:45 p.m. – until conclusion of business

PLACE: Homewood Suites Hotel – Governor’s Room, 2987 Apalachee Parkway, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative Task Force Committee scheduled to meet to discuss legislative issues regarding prepaid wireless E911 fee collection and other remittances where 2 or more Board members will participate.

If accommodation due to disability is needed in order to participate, please notify the Department of Management Services, Division of Telecommunications Office, E911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 18, 2012, 10:00 a.m.

PLACE: Conference Room #101, 4050 Esplanade Way, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525 Florida Statutes, a Pre-Bid Vendor Conference (non mandatory) is hereby noticed within the timeline for the Invitation to Negotiate (Number: 16-360-240-F) for Carpet and Flooring Materials. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. Notice of any changes or additional meetings 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 (FAW). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Brenda Wells, (850) 488-6904, Brenda.Wells@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: Brenda Wells, (850)488-6904. email: Brenda.Wells@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: Brenda Wells, (850)488-6904, email: Brenda.Wells@dms.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE OF CORRECTION – The **Division of Condominiums, Timeshares, and Mobile Homes** announces a hearing to which all persons are invited.

DATE AND TIME: June 19, 2012, 9:00 a.m.

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399-1016

Workshop to be conducted in person and using communication media technology, specifically conference call: Conference Call: 1(888)808-6959, Code: 1812382

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold a rule workshop considering Rule 61B-45.0365, F.A.C., articulating the Arbitrators’ ability to issue orders necessary to effectuate discovery, to prevent delay, and otherwise to promote the just, speedy, and inexpensive determination of all aspects of pending cases under Chapter 718, Florida Statutes.

A copy of the agenda may be obtained by contacting: R. Kathleen Brown-Blake, Assistant General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)717-1244.

Pursuant to the provisions of 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: R. Kathleen Brown-Blake, (850)717-1244. If you are 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 Auctioneers** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 15, 2012, 9:00 a.m.

PLACE: Imperial Swan Hotel & Suites, 4141 South Florida Avenue, Lakeland, Florida 33813, (863)647-3000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762, (850)717-1982.

Pursuant to the provisions of 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 Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762, (850)717-1982. If you are 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 Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399-0762, (850)717-1982.

The Florida **Barbers' Board** announces a public meeting to which all persons are invited.

DATE AND TIME: August 13, 2012, 9:00 a.m. (CST)

PLACE: Wyndham Bay Point Resort, 4114 Jan Cooley Drive, Panama City Beach, Florida 32408, (850)236-6000

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General board business.

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Florida Barbers' Board, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

The **Construction Industry Licensing Board** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, June 12, 2012, 10:00 a.m. or soon thereafter

PLACE: Conference Call: 1(888)670.3525, Conference Code: 2938723619

GENERAL SUBJECT MATTER TO BE CONSIDERED:
CE/Exams/Public Awareness committee meeting of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

The **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, June 13, 2012, 12:00 Noon; Thursday, June 14, 2012, 8:00 a.m.; Friday, June 15, 2012, 8:00a.m., or soon thereafter

PLACE: Four Seasons Palm Beach, 2800 South Ocean Blvd., Palm Beach, FL 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General business, disciplinary and committee meetings of the board.

A copy of the agenda may be obtained by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Amanda Wynn, Senior Management Analyst Supervisor, 1940 North Monroe Street, Tallahassee, FL 32399-1039, (850)487-1395.

NOTICE OF CHANGE – The **Board of Veterinary Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 13, 2012, 9:00 a.m.

PLACE: Conference Call: 1(888)670-3525, Conference Code: 2938723619 (Note phone number has changed from previous notice)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause panel meeting, portions which are closed to the public.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850) 717-1399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1399.

The **Florida Building Commission**, “The Commission” announces a public meeting to which all persons are invited.

DATES AND TIMES: June 11, 2012, 2:00 p.m. – completion; June 12, 2012, 8:30 a.m. – completion

PLACE: Hilton Daytona Beach, 100 North Atlantic Avenue, Daytona Beach, FL 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monday, June 11, 2012

2:00 p.m. Plenary Session

Agenda Review and Approval

Review and Approval of April 3, 2012 Meeting Minutes and Facilitators Summary Report of meetings on April 3; May 4 and May 18, 2012

Chair’s Discussion Issues and Recommendations:

- (a) Code Update Cycle.
- (b) Committee/Workgroup Appointments.
 - i. Structural TAC.
 - ii. Swimming Pool TAC.
 - iii. Accessibility TAC.
 - iv. Building Code System Uniform Implementation Workgroup Commission Workplan Update

Accessibility Waiver Applications:

- (a) Alan Waserstein, 1225 Collins Avenue, Miami Beach, FL
- (b) Lotus Gun Range, 3556 N. W. Federal Highway, Stuart, FL
- (c) Camillus House Center Campus, 1603 N. W. 7th Avenue, Miami, FL
- (d) Indian River Networking, 200 Ocean Avenue, Suite 201, Melbourne Beach, FL
- (e) Restaurant Renovation, 1215 Thomasville Road, Tallahassee, FL
- (f) Phi Mu Sorority House, 823 West Jefferson, Tallahassee, FL
- (g) A1A Burrito, 608 S. Ocean Boulevard Drive, Flagler Beach, FL
- (h) Medical Offices for Prevecare, 123 North Krome Avenue, Homestead, FL
- (i) The Upside Down Fun House, 1455 NW 107th Ave., Doral, FL 33175

Applications for Product and Entity Approval

Applications for Accreditor and Course Approval

Consideration of Legal and Legislative Issues:

Petitions for Declaratory Statements:

- (a) Second Hearings:
 - (i) DS 2011-096 by Jeffery Cooper of EPOX-Z Corporation (Request for Withdrawal received 4-19)
 - (ii) DS 2011-097 by Jeffery Cooper of EPOX-Z Corporation (Request for Withdrawal received 4-19)
 - (iii) DS 2012 – 019 by Lorraine Ross (Amended)
 - (iv) DS 2012 – 020 by Lorraine Ross (Amended)
- (b) First Hearings:
 - (i) DS 2012 – 017 by Andrew Finlayson
 - (ii) DS 2012 – 035 Broward County
 - (iii) DS 2012 – 038 Pinch-a-Penny
 - (iv) DS 2012 – 034 by Arnolito Artiles, P.E.
 - (v) DS 2012 – 037 by Rymond Manucy of RM Enterprises Inc.
 - (vi) DS 2012 – 039 by the Florida Solar Center
 - (vii) DS 2012 – 042 by Rick’s A/C, Inc.

Committee Reports and Recommendations:

- (a) Accessibility TAC
- (b) Code Administration TAC
- (c) Education POC
- (d) Energy TAC
- (e) Fire TAC
- (f) Hinged Door Wind Performance Workgroup
- (g) Mechanical TAC
- (h) Plumbing TAC
- (i) Product Approval POC
- (j) Screen Enclosures Workgroup
- (k) Structural TAC

Consider Approval of Energy Code Compliance Software (If Any) General Public Comment

Recess Plenary Session

Tuesday, June 12, 2012

8:30 a.m. Reconvene Plenary Session

Rule Development Workshop, Rule 61G20-4.002, F.A.C., Accessibility Code

Rule Development Workshop, Florida Building Code, subsection 61G20-1.001(1), Florida Administrative Code

Declaratory Statement, First Reading – DS 2012-021 by Joe Belcher of JDB Code Services, Inc.

General Public Comment

Commissioner Comments and Issues

Adjourn Plenary Session

A copy of the agenda may be obtained by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Florida Building Commission, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-0772, call: (850)487-1824, Fax: (850)414-8436 or see the Commission's website at: www.floridabuilding.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Florida Building Commission, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-0772, (850)487-1824, Fax: (850)414-8436 or see the Commission's website: www.floridabuilding.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. Barbara Bryant, Building Codes and Standards Office, Florida Building Commission, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-0772, (850)487-1824, Fax: (850)414-8436 or see the Commission's website: www.floridabuilding.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection**, Bureau of Assessment and Restoration Support announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, June 13, 2012, 1:00 p.m. – 5:00 p.m.; Thursday, June 14, 2012, 8:30 a.m. – 12:00 Noon

PLACE: Guana Tolomato Matanzas Research Reserve, Environmental Education Center, 505 Guana River Road, Ponte Vedra Beach, FL 32082; The meeting can also be accessed via GoToWebinar: <https://www2.gotomeeting.com/register/728846898> (5/13/2012 session); <https://www2.gotomeeting.com/register/822106586> (5/14/2012 session)

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Statewide Florida Water Resources Monitoring Council (FWRMC) to discuss the workgroups' tasks: coordinate a groundwater salinity network, gather information for the monitoring catalog effort, develop a coastal monitoring network, coordinate and assemble statewide trend monitoring stations from all agencies, and coordinate Regional Councils to increase opportunities for local monitoring entities to participate in the FWRMC.

A copy of the agenda may be obtained by contacting: Ms. Stephanie Sunderman, Watershed Monitoring Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS #3525, Tallahassee, Florida 32399, e-mail: Stephanie.Sunderman@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: Ms. Stephanie Sunderman, (850)245-8478, email: Stephanie.Sunderman@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).

NOTICE OF CHANGE – The **Acquisition and Restoration Council** (ARC) announces a public meeting to which all persons are invited.

DATES AND TIME: Friday, June 15, 2012; August 17, 2012, 9:00 a.m. (Only); Thursday, June 14, 2012; August 16, 2012 have been CANCELLED

PLACE: Marjory Stoneman Douglas Building, Conference Rooms A&B, 3900 Commonwealth Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The previously noticed meetings of the Acquisition and Restoration Council (ARC) for the purpose of conducting business will proceed as scheduled, and public testimony will be heard on the above dates. The public hearings for Thursday, June 14, 2012 and August 16, 2012 have been CANCELLED.

A copy of the agenda may be obtained by contacting: Teresia Whalen, Office of Environmental Services, (850)245-2784 or on the web: www.floridaforever.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: Teresia Whalen, Office of Environmental Services,

(850)245-2784 or teresia.whalen@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).

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: Teresia Whalen, Office of Environmental Services, (850)245-2784 or teresia.whalen@dep.state.fl.us.

The **Department of Environmental Protection**, Bureau of Beaches and Coastal Systems announces a public meeting to which all persons are invited.

DATE AND TIME: June 14, 2012, 9:00 a.m.

PLACE: John E. Rovensky Administrative Building, Main Room, First Floor, 2 Four Arts Plaza, Palm Beach, Florida 33480

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department will hold the second of six Stakeholder Meetings to discuss the Proposed Palm Beach Island Beach Management Agreement (BMA). The BMA is intended to coordinate and facilitate flexible permitting for beach sand management projects and to achieve a net environmental benefit and related public objectives for Palm Beach Island. The agenda will include a working sessions where participants will break out into three focus groups: Biological, Physical/Engineering, and Administrative/Policy, to initiate discussions on specific subject matters that will be included in the BMA. The participants will join together to listen to the findings from each of the three focus groups and discuss the next steps. More information about the Palm Beach Island BMA can be found at: <http://www.dep.state.fl.us/beaches/pb-bma/index.htm>.

A copy of the agenda may be obtained by contacting: Tori Deal, tori.deal@dep.state.fl.us, (850)488-7808.

Pursuant to the provisions of 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: Tori Deal, tori.deal@dep.state.fl.us, (850)488-7808. If you are 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 Greenways and Trails Council** announces a public meeting to which all persons are invited.

DATE AND TIME: June 20, 2012, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, Marjorie Stoneman Douglas Building, Conference Rooms A & B, First Floor, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council will conduct general business and discuss the 2012 Florida Greenways and Trails System Plan that is currently being developed by the Office of Greenways and Trails. This will include a discussion of the Trail Opportunity Map updates and the development of the Priority Trail Network Map.

A copy of the agenda may be obtained by contacting: Cindy Radford, Office of Greenways and Trails, Division of Recreation and Parks, State of Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #795, Tallahassee, Florida 32399-3000. Ms. Radford may also be reached by telephone: (850)245-2052 or by email: Cynthia.Radford@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: Cindy Radford, (850)245-2052. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The Florida **Department of Health**, Infant, Maternal and Reproductive Health Unit announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 5, 2012, 3:00 p.m.

PLACE: Meeting Number: 628 390 931, Meeting Password: journey; Go to <https://rcg.webex.com/rcg/j.php?ED=185935102&UID=498365452&PW=NYzM3NmEwNDlh&RT=MIMxMg%3D%3D>; Conference Call (US/Canada): +1(408)600-3600, Access Code: 628 390 931

GENERAL SUBJECT MATTER TO BE CONSIDERED: Healthy Start Redesign Project Steering Committee Meeting.

A copy of the agenda may be obtained by contacting: Javier_Vazquez@doh.state.fl.us or by visiting the Florida Healthy Start website: <http://www.doh.state.fl.us/family/mch/hs/hs.html>.

The Florida **Department of Health, Division of Medical Quality Assurance** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 12, 2012, 9:00 a.m. – 4:00 p.m.

PLACE: Betty Easley Conference Center, 2075 Esplanade Way, Room 152, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to review with the board/council chairs as required by Section 456.005, F.S., the long-range policy planning and monitoring process to include recommendations specific to each profession.

A copy of the agenda may be obtained by contacting: Bill Parizek, Strategic Planning Services Unit, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

The Florida **Department of Health, Division of Medical Quality Assurance** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, September 18, 2012, 1:00 p.m. – 5:00 p.m.

PLACE: Betty Easley Conference Center, 2075 Esplanade Way, Room 152, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to review with the healthcare associations the long-range policy planning and monitoring process to include recommendations specific to each profession.

A copy of the agenda may be obtained by contacting: Bill Parizek, Strategic Planning Services Unit, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

The **Board of Chiropractic Medicine** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, June 21, 2012, 4:00 p.m.; Friday, June 22, 2012, 8:30 a.m.

PLACE: The Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, Florida 32809, (407)859-1500

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or access the board's web site at: www.doh.state.fl.us/mqa/chiro/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: Sherra W. Causey. If you are 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 Dentistry** announces a public meeting to which all persons are invited.

DATE AND TIME: July 13, 2012, 9:00 a.m.

PLACE: Department of Health, 4042 Bald Cypress Way, Room #301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review reconsideration cases.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact: Sue Foster, (850)245-4474.

The **Genetics and Newborn Screening Program Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: July 13, 2012, 10:00 a.m. – 3:00 p.m. (EST)

PLACE: Department of Health, Children's Medical Services, 4025 Esplanade Way, 3rd Floor, Room 301, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Genetics and Newborn Screening Program Advisory Council is meeting to discuss Florida's Newborn Screening Program. For more information, or if you plan to attend, please contact: Stefanie Higgins, (850)245-4672.

*Adjournment time is approximate, depending on completion of the advisory council business.

A copy of the agenda may be obtained by contacting: Stefanie Higgins, (850)245-4672.

Pursuant to the provisions of 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: Stefanie Higgins, (850)245-4672. If you are 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 CHILDREN AND FAMILY SERVICES

The Florida **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: June 7, 2012, 9:00 a.m. – 5:00 p.m.; Public Comments, 4:00 p.m. – 5:00 p.m.

PLACE: Wyndham Tampa Westshore; 700 N. Westshore Boulevard, Tampa, FL 33609; This meeting is accessible by Communication Access Realtime (CART) via the internet:

<http://www.streamtext.net/text.aspx?event=DCFHHS>; Conference Call: 1(888)808-6959, Conference Code: 1791331539, Sign Language Interpreters will be provided free of charge

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Committee to the Florida Department of Children and Families for the deaf or hard-of-hearing will meet to commence its responsibilities as outlined the Settlement Agreement between the Florida Department of Children and Families and the U.S. Department of Health and Human Services.

A copy of the agenda may be obtained by contacting: yasmine_gilmore@dcf.state.fl.us or (850)922-6829.

Pursuant to the provisions of 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: yasmine_gilmore@dcf.state.fl.us or (850)922-6829. If you are 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: yasmine_gilmore@dcf.state.fl.us or (850)922-6829.

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

Solicitation Conference:

DATE AND TIME: June 8, 2012, 3:00 p.m.

Reply Opening and Review of Mandatory Requirements:

DATE AND TIME: July 3, 2012, 3:00 p.m.

Meeting for Validation of Evaluator Scoring:

DATE AND TIME: July 19, 2012, 10:00 a.m.

Meeting of Negotiation Team to Discuss Moving Forward:

DATE AND TIME: To Be Determined

Meeting of Negotiation Team to Develop Recommendations for Award:

DATE AND TIME: September 10, 2012, 10:00 a.m.

PLACE: 1317 Winewood Blvd., Building TBD, Room TBD, Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meetings for Invitation to Negotiate #01F12GC1, Mail Scanning and Document Imaging.

Notice of any change will be posted on the Department of Management Services Vendor Bid System (VBS) under Invitation to Negotiate #01F12GC1, Mail Scanning and Document Imaging in accordance with Section 287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Weekly.

It is anticipated that Invitation to Negotiate #01F12GC1, Mail Scanning and Document Imaging will be advertised on the Vendor Bid System on or after May 24, 2012.

The agenda for each meeting will be posted on the Florida Department of Children and Families web site as well as the VBS.

Pursuant to the provisions of 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: Jane_Wise@dcf.stte.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: See ITN on VBS.

The **Child Protection Transformation Advisory Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, June 15, 2012, 1:00 p.m. – 3:00 p.m.

PLACE: Suncoast Regional Office, 9393 N. Florida Avenue, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Children and Families has embarked upon a major reengineering project that will change the culture of the organization and redesign the way the Department and its community providers and stakeholders operate under a shared and common vision of integration and collaboration. Secretary David Wilkins has formed the Child Protection Transformation Board, made up of skilled experts in the Florida child welfare community to help advise and guide the Department throughout this transformation process. The end result will be to enhance child safety, well-being and permanency, by fostering positive assets in Florida children and building a collaborative bridge to strong families and communities.

A copy of the agenda may be obtained by contacting: Margie France, Department of Children and Families, PMO, 1317 Winewood Boulevard, Building 2, Room 310, Tallahassee, FL 32399-0700, (850)717-4505.

Pursuant to the provisions of 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: Steven Rodrigues, (850)717-4505. If you are 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 **Tallahassee Area Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 12, 2012, 10:30 a.m. – 12:30 p.m.

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Tallahassee Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Theresa Leslie, (850)921-7944 or Taddese Fessehaye, (407)317-7335.

Pursuant to the provisions of 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: Theresa Leslie, (850)921-7944 or Taddese Fessehaye, (407)317-7335. If you are 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: Theresa Leslie, (850)921-7944 or Taddese Fessehaye, (407)317-7335.

The **Orlando Area Refugee Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 13, 2012, 10:00 a.m. – 12:00 Noon

PLACE: TBD

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Orlando Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Pedro Padua, (407)317-7336 or Taddese Fessehaye, (407)317-7335.

Pursuant to the provisions of 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: Pedro Padua, (407)317-7336 or Taddese Fessehaye, (407)317-7335. If you are 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: Pedro Padua, (407)317-7336 or Taddese Fessehaye, (407)317-7335.

DEPARTMENT OF ECONOMIC OPPORTUNITY

The **Department of Economic Opportunity** (f/k/a 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: Wednesday, June 13, 2012, 10:30 a.m. – 12:00 Noon

PLACE: Caldwell Building, Conference Room B49, 107 E. Madison Street, Tallahassee, Florida 32399 or by Conference Call: dial in number will be posted at <http://www.floridajobs.org/calendar>

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/calendar>.

Pursuant to the provisions of 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: Dawn Spath, (850)617-0833. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

NORTH FLORIDA TRANSPORTATION PLANNING ORGANIZATION

The **North Florida Transportation Planning Organization** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 7, 2012, 9:00 a.m.

PLACE: North Florida TPO, Board Room, 1022 Prudential Drive, Jacksonville, Florida 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Duval County Transportation Disadvantaged Local Coordinating Board will hear concerns regarding the coordinated transportation system in conjunction with the Board's bi-monthly meeting.

A copy of the agenda may be obtained by contacting: Ginny Montgomery, (904)306-7500.

For more information, you may contact: Elizabeth De Jesus, (904)306-7505.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, June 11, 2012, 1:30 p.m. – 4:00 p.m. or until Board business is concluded

PLACE: Turlington Building, Room 1706, 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, (850)488-9895 or email: 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, (850)488-9895 or email: 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, (850)488-9895 or email: rick.mitchell@ssrc.myflorida.com.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation**, Market Accountability Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 6, 2012, 9:00 a.m.

PLACE: Citizens' Jacksonville Offices, 8301 Cypress Plaza Drive, Suite 108, Jacksonville, Florida; Conference Call: 1(866)361-7525, Code: 7849939192#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Items of discussion include, but are not limited to, business before the committee.

A copy of the agenda may be obtained by contacting: Sara Golding, 1(800)807-7647, extension 3874.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sara Golding, 1(800)807-7647, extension 3874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sara Golding, 1(800)807-7647, extension 3874.

The **Citizens Property Insurance Corporation**, Consumer Services Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 6, 2012, 11:00 a.m.

PLACE: Citizens' Jacksonville Offices, 8301 Cypress Plaza Drive, Suite 108, Jacksonville, Florida; Conference Call: 1(866)361-7525, Code: 6487811620#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Items of discussion include, but are not limited to, business before the committee.

A copy of the agenda may be obtained by contacting: Sara Golding, 1(800)807-7647, extension 3874.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sara Golding, 1(800)807-7647, extension 3874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sara Golding at 1(800)807-7647, extension 3874.

The **Citizens Property Insurance Corporation**, Depopulation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 6, 2012, 2:30 p.m.

PLACE: Citizens' Jacksonville Offices, 8301 Cypress Plaza Drive, Suite 108, Jacksonville, Florida; Conference Call: 1(855)312-8651, Code: 4458606638#

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Items of discussion include, but are not limited to, business before the committee.

A copy of the agenda may be obtained by contacting: Sara Golding, 1(800)807-7647, extension 3874.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sara Golding, 1(800)807-7647, extension 3874. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sara Golding, 1(800)807-7647, extension 3874.

The **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: June 6, 2012, 4:00 p.m.

PLACE: Jacksonville Cypress Center, Suite 108, Jacksonville FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Finance and Investment Committee Meeting.

Item of discussion include, Overview of Investment Performance/Compliance.

For additional information, please call: Jill Stafford, 1(800)807-7647 or visit our website: www.citizensfla.com.

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 Stafford at least five days prior to the meeting.

A copy of the agenda may be obtained by contacting: Jill Stafford, 1(800)807-7647.

ABLE TRUST

The **Able Trust** (Florida Endowment Foundation for Vocational Rehabilitation) announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, June 14, 2012, 12:00 Noon – 5:00 p.m. (EST); Friday, June 15, 2012, 9:00 a.m. – 11:30 a.m. (EST)

PLACE: Golden Eagle Golf & Country Club, 3700 Golden Eagle Drive, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation) will hold its quarterly Board meeting, annual planning meeting and annual meeting. The agenda will include review of financial reports, quarterly grant recommendations, Committee reports, and discussion related to long range planning; and other business that may come before the organization.

A copy of the agenda may be obtained by contacting: The Able Trust, (850)224-4493 or email: info@abletrust.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: The Able Trust, (850)224-4493 or email: info@abletrust.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: The Able Trust, (850)224-4493 or email: info@abletrust.org.

MARION COUNTY SHERIFF’S OFFICE

The **Florida Model Jail Standards Review Subcommittee** announces a workshop to which all persons are invited.

DATES AND TIME: Tuesday, June 5, 2012; Wednesday, June 6, 2012, 9:00 a.m. – 3:00 p.m.

PLACE: Marion County Sheriff’s Office, Jail Information and Visitation Center, N.W. 10th Street, Ocala, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Proposed changes, issues and concerns involving the minimum standards and operation of Florida’s County and municipal jails.

A copy of the agenda may be obtained by contacting: Lydia E. Hightower, (352)369-6831 or lhightower@marionso.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: Lydia E. Hightower, (352)369-6831 or email:

lhightower@marionso.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: Lydia E. Hightower, (352)369-6831 or email: lhightower@marionso.com.

ENTERPRISE FLORIDA, INC.

The **Enterprise Florida, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, June 13, 2012, 1:30 p.m.

PLACE: Enterprise Florida Office – Orlando, 800 North Magnolia Ave., Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Opportunity Fund, Inc. Board of Directors. This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Jay Robinson, (407)956-5607.

Pursuant to the provisions of 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: Jay Robinson, (407)956-5607. If you are 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

The Audit Committee of the **Florida Workers’ Compensation Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: June 19, 2012, 8:30 a.m.

PLACE: Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet regarding general business of the Association. The agenda will include but not limited to: Minutes, Conflict of Interest Policy, The Network and Allocation of Expenses.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of 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: Cathy Irvin, (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Board of Directors of the **Florida Workers' Compensation Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 19, 2012, 10:00 a.m.

PLACE: Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will meet regarding the general business of the Association. The agenda will include but not limited to: Minutes, Receiver's Report, Legal Report, Committee, Operations, Financial and Claims Reports.

A copy of the agenda may be obtained by contacting: Cathy Irvin, (850)386-9200.

Pursuant to the provisions of 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: Cathy Irvin, (850)386-9200. If you are 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 ASSOCIATION OF COMMUNITY COLLEGES

The **Florida College System Council of Presidents** announces a public meeting to which all persons are invited.

DATE AND TIME: June 8, 2012, 8:00 a.m.

PLACE: Sawgrass Marriott, 1000 PGA Tour Blvd., Ponte Verda Beach, FL 32082

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to the Florida College System.

A copy of the agenda may be obtained by contacting: Tina Ingramm, (850)222-3222.

SOUTH BROWARD HOSPITAL DISTRICT

The Board of Commissioners (the "Board") of the **South Broward Hospital District** announces a public meeting to which all persons are invited.

DATE AND TIME: June 20, 2012, 5:30 p.m.

PLACE: Memorial Regional Hospital, Main Auditorium, 3501 Johnson Street, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will discuss general matters, including reports, and receive public comments regarding the implementation of Section 155.40, Florida Statutes, as amended by Chapter 2012-66, Laws of Florida.

A copy of the agenda may be obtained by contacting: Betty Hiraga, email: bhiraga@mhs.net.

Pursuant to the provisions of 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: Tonya Shaw, tshaw@mhs.net or (954)276-5293. If you are 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: Kimarie R. Stratos, Senior Vice President and General Counsel, Legal Department, South Broward Hospital District, 3329 Johnson Street, Hollywood, Florida 33021.

AMERICAN CONSULTING PROFESSIONS

The Florida **Department of Transportation**, District One announces a hearing to which all persons are invited.

DATE AND TIMES: Tuesday, June 26, 2012, Open House, 5:00 p.m.; Formal Presentation: 6:00 p.m.; followed by a public comment period

PLACE: First Baptist Church, Fellowship Hall, 401 S.W. 4th Street, Okeechobee, FL 34972

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Public Hearing is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed State Road 70 at US 441 Intersection from NW/SW 4th Avenue to NE/SE 3rd Avenue (SR 70) & from SE/SW 3rd Street to NE/NW 3rd Street (US 441), Okeechobee County, Florida. Public participation is solicited without regard to race, color, national origin, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Kevin Ingle, Project Manager, 801 North Broadway Avenue, Bartow, FL 33830, (863)519-2740 or Kevin.Ingle@dot.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 7 days before the workshop/meeting by contacting: Kevin Ingle, Project Manager, 801 North Broadway Avenue, Bartow, Florida 33830 or (863)519-2740, email: Kevin.Ingle@dot.state.fl.us.

Any persons who require translation services (Free of Charge) should also contact Mr. Kevin Ingle seven (7) days before the hearing. If you are 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: Kevin Ingle, Project Manager at information listed above.

METRIC ENGINEERING, INC.

The Florida **Department of Transportation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, June 19, 2012, 5:00 p.m. – 6:00 p.m.

PLACE: West Florida Regional Planning Council, 4081 E. Olive Road, Suite A, Pensacola, FL

DATE AND TIME: Thursday, June 21, 2012, 5:00 p.m. – 6:00 p.m.

PLACE: Santa Rosa County Auditorium, 4530 Old Bagdad Highway, Milton, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend the public information meetings. Each meeting will begin with a formal presentation at 5:00 p.m. (CDT) followed by an Open House. These meetings are being held to gain public comments on the development of concepts that will ensure the I-10 corridor will accommodate the travel demands in Escambia and Santa Rosa Counties through 2040.

A copy of the agenda may be obtained by contacting: Quinton Williams, FDOT, Project Manager, 1(888)638-0250, extension 426.

Pursuant to the provisions of 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: Quinton Williams at the number listed above or by email: quinton.williams@dot.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: Quinton Williams at the number listed above or by email: quinton.williams@dot.myflorida.com.

The Florida **Department of Transportation** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, June 28, 2012, 5:00 p.m. – 6:00 p.m.

PLACE: Warrington Presbyterian Church Community Hall, 406 South Navy Boulevard, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend a public hearing concerning proposed improvements to Gulf Beach Highway and Navy Boulevard. Improvements will consist of milling and resurfacing the intersection and widening at the intersection to encompass a westbound through lane on Gulf Beach Highway and a southbound through lane on Navy Boulevard. Also included as part of this project are

the addition of bicycle lanes, streetscaping, pedestrian facilities, new mast arm signals and placement of new signs and pavement markings.

A copy of the agenda may be obtained by contacting: William Barber, P.E., FDOT, Project Manager, Toll-Free: 1(888)638-0250, extension 612.

Pursuant to the provisions of 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: William Barber at the number listed above or by email: william.barber@dot.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).

COMVIA CORPORATION

The Florida **Department of Transportation** announces a workshop to which all persons are invited.

DATE AND TIME: Tuesday, June 19, 2012, 4:00 p.m. – 6:30 p.m.

PLACE: NorthRidge Church, 2250 State Road 17 S., Haines City, FL 33844

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public information workshop will outline planned improvements to State Road 17 / S. 10th Street between State Road 544 and US Highway 17/92 in Haines City, Polk County, Florida.

A copy of the agenda may be obtained by contacting: Janet Cook, Project Public Information Officer, (863)712-6020.

Pursuant to the provisions of 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: Robin Parrish, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, Florida 33830-3809, (813)519-2675 or email: robin.parrish@dot.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: Janet Cook, Project Public Information Officer, (863)712-6020 or JanetCook@ComViaCorporation.com.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

NONE

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 Florida International University Board of Trustees announces that Professional Services in the discipline of MECHANICAL/ELECTRICAL ENGINEERING will be required for Continuing Services projects at FIU.

Project Location: Modesto A. Maidique Campus (MMC), Biscayne Bay Campus (BBC), Engineering Center (EC), and Wolfsonian Museum & Annex.

Project Description: Continuing Services Contracts are specific projects for Mechanical, Electrical and Plumbing for renovations, alterations, and additions that have a basic construction budget estimated to be \$2,000,000 or less, or studies for which the fee for professional services is \$200,000 or less. One contract will be awarded to one firm.

Term of Contract: Any contract resulting from the selection of a professional consultant (or consultants) to provide these services shall require the consultant to be available on an as-needed basis for the Fiscal Year, July 1 – June 30. One (1) contract will be awarded. This contract will be awarded for an initial period of one-year with Owner’s option to renew the contract, at its sole discretion, for additional one-year periods, however, in no event to exceed a total of five successive years.

Instructions:

Firms desiring to apply for consideration shall submit a letter of application. The letter of application should have attached:

1. A completed “Florida International University Professional Qualifications Supplement (FIUPQS).” The official FIUPQS forms must be downloaded from the project web site: http://facilities.fiu.edu/projects/FIUMEP_Consultant.htm. Applications on any other form will not be considered.
2. A copy of the applicant’s current Professional Registration Certificate from the appropriate Governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit seven (7) bound copies of the required proposal data and one CD copy in Adobe Acrobat PDF format of the requested qualifications to: Selection Committee, Florida International University, Facilities Planning, Campus Support Complex, 11555 S.W. 17th St., Room CSC142, Modesto A. Maidique Campus, Miami, Florida 33199.

Applications that do not comply with the above instructions will not be considered. Application material will not be returned. The University reserves the right to suspend or discontinue the selection process at any time and to return or reject any or all submissions of qualifications without obligation to the respondent.

GENERAL REQUIREMENTS: The plans and specifications prepared by the Design Professional are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

FIU HAS CREATED STANDARD CONTRACT FORMS AND STANDARD INSURANCE REQUIREMENTS APPLICABLE TO A/E'S FOR A/E SERVICES TO PROVIDE FOR AN EFFICIENT AND EFFECTIVE PROCESS. THESE FORMS ARE AVAILABLE FOR REVIEW AND CAN BE FOUND AT: <http://facilities.fiu.edu/projects/FIUMEPConsultant.htm>.

ALL APPLICANTS SHOULD REVIEW THE APPLICABLE FIU CONTRACT FORM AND STANDARD INSURANCE REQUIREMENTS CAREFULLY PRIOR TO MAKING A DECISION AS TO WHETHER OR NOT TO RESPOND TO THIS ADVERTISEMENT.

The Project Fact Sheet, describes the selection process schedule for this Project and additional information regarding the Project scope, and may be obtained from the project web site: <http://facilities.fiu.edu/projects/FIUMEPConsultant.htm>.

In order to minimize the possibility of unethical pressures or influences on the recommendations of the Selection Committee, direct contact with the committee members is not permitted. Requests for meetings by individual firms will not be granted. Committee members and selection schedule milestone dates can be found in the Project Fact Sheet.

Any question or explanation desired by an applicant regarding the project or any part of the process must be requested in writing: griffith@fiu.edu. Responses to questions and requests for information will be posted on the project web site. An effort will be made to respond to all applicant questions; however, the University is not obligated to and may choose not to answer every question. The last day questions or inquiries will be considered prior to final interviews for this project is: Friday, August, 3, 2012, 12:00 Noon.

Should a change in schedule become necessary, updated information will be posted on the project web site: <http://facilities.fiu.edu/projects/FIUMEPConsultant.htm>. All future notices will be posted on the web site. Applicants should check the web site daily.

Submittals must be received between 8:30 a.m. – 12:30 p.m. or 1:30 p.m. – 4:00 p.m. (Local Time), Tuesday, July 3, 2012. Submittals will not be accepted before or after the times and dates stated above. Facsimile (FAX) submittals are not acceptable and will not be considered.

ITB No. B127062GN
SNACK PRODUCTS

Sealed bids for Snack Products will be received from eligible bidders at the School District of Lee County (hereinafter the District), Department of Procurement Services, 2855 Colonial Blvd., Fort Myers, FL 33966, until Thursday, June 14, 2012, 2:00 p.m. (Local Time). The purpose and intent of this invitation to bid is to secure firm prices for purchase and delivery of snack products for all District schools on an as needed basis.

Interested parties must register with the Department of Procurement Services by contacting: Procurement Agent, Ginny Nierop, VirginiaDN@leeschool.net and provide the responding bidder's name, primary point of contact for this Bid, phone number, and e-mail address.

All bids submitted shall be on Attachment A, Bid Response Form included in the bid specifications, a copy of which may be reviewed or obtained at the Department of the Procurement Services or by downloading from Lee County School District, Procurement Services' website: <http://procurement.leeschools.net/bids.htm>.

Questions: Questions regarding specifications shall be submitted in writing: Department of Procurement Services, Ginny Nierop, VirginiaDN@leeschools.net. Questions are due no later than Tuesday, June 5, 2012, 2:00 p.m.

The District does not discriminate based on age, race, color, gender, religion, national origin, disability or marital status.

The School District of Lee County
Department of Procurement Services
2855 Colonial Blvd.

Fort Myers, FL 33966-1012

BY: /s/ Ginny Nierop

Ginny Nierop
Procurement Agent

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

REQUEST FOR PROPOSALS (FDDC # 2012-HC-9900)

ORAL HEALTH CARE TRAINING FOR CAREGIVERS

The Florida Developmental Disabilities Council, Inc. (FDDC) is pleased to announce that this request for proposals (RFP #2012-HC-9900) is released to provide training to caregivers of individuals with developmental disabilities on how to perform daily oral hygiene in a home setting using training materials previously developed for the Council. A DVD of the training materials may be requested by writing: FDDC, Attn.:

Carolyn Williams, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301 or by calling: (850)488-4180 or Toll Free: 1(800)580-7801 or TDD Toll Free: 1(888)488-8633.

Individuals, not-for-profit, and for-profit agencies may submit proposals in response to this RFP. FDDC has set aside a maximum of \$70,000 of federal funds for a period not to exceed one (1) year for fiscal support of this RFP. The exact amount of this contract will be developed during contract negotiations.

Copies of this RFP can be downloaded from the FDDC website: www.fddc.org or copies may be requested by writing: FDDC, 124 Marriott Drive, Suite 203, Tallahassee, FL 32301 or calling: (850)488-4180 or Toll Free: 1(800)580-7801 or TDD Toll Free: 1(888)488-8633.

The deadline for submitting written questions and letters of intent for this RFP is June 18, 2012, by 4:00 p.m. (EDT). Letters of intent are encouraged but not mandatory. Letters of Intent will only be accepted by fax, mail or hand delivery. Letters of Intent by email will not be accepted. All answers to written questions will be posted on the FDDC website during the week of July 2, 2012. The deadline for submitting proposals for this RFP to FDDC is July 23, 2012, by 2:00 p.m. (EDT).

PLEASE FORWARD ALL REQUESTS FOR COPIES OF THIS RFP TO CAROLYN WILLIAMS.

QUESTIONS ARE TO BE SUBMITTED IN WRITTEN FORMAT ONLY. THIS IS A LEGAL PROCESS AND WE CANNOT ANSWER QUESTIONS VERBALLY.

SARASOTA MEMORIAL HOSPITAL

REQUEST FOR STATEMENTS OF QUALIFICATIONS
for Architectural and Engineering Services for the
Pedestrian Walkway Bridge 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 Architectural/Engineering Consulting Firms under the provisions of the Consultants' Competitive Negotiation Act, Section 287.055, Florida Statutes. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, civil, site work, mechanical, electrical, plumbing, fire protection, and structural design work for the Pedestrian Walkway Bridge to span, at the third level elevation, between the South Parking garage located at 1850 S. Tamiami Trail, Sarasota, FL 34239 and the Medical Arts building located at 1950 Arlington Street, Sarasota, FL 34239.

Firms to submit include Architectural/Engineering firms or an association of firms under the direction of the Architect. Services required may include architectural, civil, mechanical, electrical, plumbing, fire protection, and structural design and construction administration. 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 Professional and Corporate Registration certificates.
2. Proof of General and Professional Liability Insurability.
3. Whether the firm or any of the associations are a Minority Business Enterprise. If your firm claims WMBE, MBE status, a copy of the current valid certificate is required as part of the submission package.
4. Proposed design team with resumes
5. At least five client references to include all contact information and the name of the project(s).
6. Past design experience on elevated pedestrian walkway systems, conventional or prefabricated.
7. A list of similar AHCA reviewed / inspected projects. No others are applicable.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals and to discontinue the selection process at any time
2. The Hospital reserves the right to request information or the submittal of documentation in addition to that set forth above.
3. The basis for selecting candidates includes, but is not limited to, consideration of related project experience, qualifications of proposed team, AHCA experience, ability to respond, and project approach.
4. Questions regarding submissions shall be directed to: Thomas Perigo, (941)917-1804.

Submissions shall be titled
Architectural and Engineering Services
for the
Pedestrian Walkway Bridge
at Sarasota Memorial Hospital

5. Submittals must be received by the hospital no later than 3:30 p.m., Thursday, June 21, 2012. Submit statements to Thomas Perigo, Director of Architecture and Construction at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.

6. Only the person listed as the contact person shall be contacted. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Architecture and Construction.
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 Thursday, July 12, 2012, 1:00 p.m. – 4:00 p.m., 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.

REQUEST FOR STATEMENTS OF QUALIFICATIONS
for
GENERAL CONTRACTING WORK
for the
Pedestrian Walkway Bridge 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 construction of a Pedestrian Walkway Bridge to span, at the third level elevation, between the South Parking garage located at 1850 S. Tamiami Trail, Sarasota, FL 34239 and the Medical Arts building located at 1950 Arlington Street, Sarasota, FL 34239. 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 Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.
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. Past experience with the construction of elevated pedestrian walkway systems, conventional and/or prefabricated.
8. A list of AHCA reviewed and / or inspected projects. No others are considered applicable.
9. 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 at any time during this process.
2. The basis for selecting candidates includes, but is not limited to, consideration of related project experience, qualifications of proposed team, AHCA experience, ability to respond, and project approach. 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.

Submissions shall be titled
GENERAL CONTRACTING WORK
for the
Sarasota Memorial Hospital
Pedestrian Walkway Project
SARASOTA, FLORIDA

4. Submittals shall not contain pricing information.
5. Submittals must be received by the Hospital no later than 3:30 p.m., Thursday June 21, 2012 and submitted to: Thomas Perigo, Director of Architecture and Construction located at 1515 S. Osprey Avenue, Building A, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. The selection committee will meet in a public meeting at Waldemere Auditorium located at 1700 S. Tamiami Tr., Sarasota, FL 34239, Level One, on Thursday July 12, 2012, 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.
7. Interested persons should contact: Thomas Perigo, (941)917-1804, with any project related questions.
8. No attempts shall be made to contact Administrators, Board Members or any SMH staff other than the contact name listed, under the potential penalty of disqualification

from the process at the discretion of the Director of Architecture and Construction. All interested parties are invited to attend.

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

**Section XII
Miscellaneous**

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Bad Boy MTV, Inc., intends to allow the establishment of Sarasota Fun Machines, Inc., as a dealership for the sale of low-speed vehicles manufactured by Bad Boy MTV, Inc. (line-make BDBY) at 4583 Clark Road, Sarasota (Sarasota County), Florida 34233, on or after July 2, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Sarasota Fun Machines, Inc., are dealer operator(s): Francis Vespa, 13260 North Branch Road, Sarasota, Florida 34240; principal investor(s): Edward A. Gurry, Jr., 5310 Hidden Harbor Road, Sarasota, Florida 34242 and Virginia B. Gurry, 5310 Hidden Harbor Road, Sarasota, Florida 34242.

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: Ryland Kieffer, Bad Boy MTV, Inc., 102 Industrial Drive, Batesville, Arkansas 72501.

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

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE OF BATCHED APPLICATION RECEIPT
AND TENTATIVE PUBLIC HEARINGS

The Agency for Health Care Administration has received and accepted the following Certificate of Need applications for review in the batched Other Beds and Programs review cycle with an application due date of May 16, 2012.

County: Lake District: 3
CON # 10140 Application Receipt Date: 5/16/2012
Facility/Project: Compassionate Care Hospice of Lake and Sumter, Inc.

Applicant: Compassionate Care Hospice of Lake and Sumter, Inc.

Project Description: Establish a new hospice program
County: Lake District: 3
CON # 10141 Application Receipt Date: 5/14/2012
Facility/Project: Harbor Light Hospice of Florida, Inc.

Applicant: Harbor Light Hospice of Florida, Inc.

Project Description: Establish a new hospice program
County: Lake District: 3
CON # 10142 Application Receipt Date: 5/15/2012
Facility/Project: Hospice of Marion County, Inc.

Applicant: Hospice of Marion County, Inc.

Project Description: Establish a new hospice program
County: Lake District: 3
CON # 10143 Application Receipt Date: 5/15/2012
Facility/Project: Passages Hospice of Central Florida, Inc.

Applicant: Passages Hospice of Central Florida, Inc.

Project Description: Establish a new hospice program
County: Lake District: 3
CON # 10144 Application Receipt Date: 5/11/2012
Facility/Project: VITAS Healthcare Corporation of Florida

Applicant: VITAS Healthcare Corporation of Florida

Project Description: Establish a new hospice program
County: Palm Beach District: 9
CON # 10145 Application Receipt Date: 5/14/2012
Facility/Project: Sara's Hospice

Applicant: Sara's Hospice, Inc.

Project Description: Establish a new hospice program
County: Palm Beach District: 9
CON # 10146 Application Receipt Date: 5/16/2012

Facility/Project: Joseph L. Morse Geriatric Center, Inc.
 Applicant: The Joseph L. Morse Geriatric Center, Inc.
 Project Description: Add up to 30 community nursing home beds through the delicensure of up 30 beds from ACTS Retirement Life Communities, Inc. d/b/a Willowbrooke Court at St. Andrews
 County: Miami-Dade District: 11
 CON # 10147 Application Receipt Date: 5/16/2012
 Facility/Project: University of Miami Hospital
 Applicant: University of Miami
 Project Description: Establish an adult lung transplantation program
 County: Broward District: 10
 CON # 10148 Application Receipt Date: 5/16/2012
 Facility/Project: Cleveland Clinic Hospital
 Applicant: Cleveland Clinic Florida Health System Nonprofit Corporation
 Project Description: Establish an adult heart transplantation program
 County: Broward District: 10
 CON # 10149 Application Receipt Date: 5/16/2012
 Facility/Project: Memorial Regional Hospital
 Applicant: South Broward Hospital District
 Project Description: Establish an adult heart transplantation program
 County: Miami-Dade District: 11
 CON # 10150 Application Receipt Date: 5/16/2012
 Facility/Project: University of Miami Hospital
 Applicant: University of Miami
 Project Description: Establish an adult heart transplantation program
 County: Broward District: 10
 CON # 10151 Application Receipt Date: 5/16/2012
 Facility/Project: Cleveland Clinic Hospital
 Applicant: Cleveland Clinic Florida Health System Nonprofit Corporation
 Project Description: Establish an adult kidney transplantation program
 County: Broward District: 10
 CON # 10152 Application Receipt Date: 5/16/2012
 Facility/Project: Broward Health Broward General Medical Center
 Applicant: North Broward Hospital District
 Project Description: Establish an adult kidney transplantation program
 County: Miami-Dade District: 11

CON # 10153 Application Receipt Date: 5/16/2012
 Facility/Project: University of Miami Hospital
 Applicant: University of Miami
 Project Description: Establish an adult kidney transplantation program
 County: Broward District: 10
 CON # 10154 Application Receipt Date: 5/16/2012
 Facility/Project: Cleveland Clinic Hospital
 Applicant: Cleveland Clinic Florida Health System Nonprofit Corporation
 Project Description: Establish an adult liver transplantation program
 County: Miami-Dade District: 11
 CON # 10155 Application Receipt Date: 5/16/2012
 Facility/Project: University of Miami Hospital
 Applicant: University of Miami
 Project Description: Establish an adult liver transplantation program
 Also, IF REQUESTED, tentative public hearings have been scheduled as follows:
 PROPOSALS: District 3
 DATE/TIME: Wednesday, June 27, 2012, 9:00 a.m. – 2:00 p.m.
 PLACE: WellFlorida Council
 1785 N.W. 80th Blvd.
 Gainesville, FL 32606
 PROPOSALS: District 9
 DATE/TIME: Monday, June 25, 2012
 CON #10145, 9:00 a.m. – 12:00 Noon
 CON #10146, 1:00 p.m. – 4:00 p.m.
 PLACE: Quantum Foundation
 Community Meeting Room
 2701 North Australian Avenue
 West Palm Beach, FL 33407-4504
 PROPOSALS: District 10
 DATE/TIME: Wednesday, June 27, 2012
 CONs 10148 – 10150, 10:00 a.m. – 12:00 Noon
 CONs 10151 – 10153, 1:00 p.m. – 3:00 p.m.
 CONs 10154 – 10155, 3:00 p.m. – 5:00 p.m.
 PLACE: Broward Regional Health Planning Council, Inc.
 200 Oakwood Lane, Suite 100
 Conference Rooms B & D
 Hollywood, FL 33020
 PROPOSALS: District 11

DATE/TIME: Monday, June 25, 2012
 CON 10147, 9:00 a.m. – 10:00 a.m.
 CONs 10148 – 10150, 10:30 a.m. – 1:00 p.m.
 CONs 10154 – 10155, 1:30 p.m. – 3:00 p.m.
 Tuesday, June 26, 2012
 CONs 10151 – 10153, 9:00 a.m. – 11:30 a.m.

PLACE: Health Council of South Florida, Inc.
 8095 N.W. 12th Street, Suite 300
 Doral, FL 33126

Public hearing requests must be in writing and be received at the Agency for Health Care Administration, CON Office, 2727 Mahan Drive, Mail Stop #28, Tallahassee, Florida 32308, Attention: James B. McLemore, by 5:00 p.m., June 15, 2012. In lieu of requesting and attending a public hearing, written comments submitted to the department relative to the merits of these applications will become part of the official project application file. Pursuant to subsection 59C-1.010(3), F.A.C., written comments must be received by June 20, 2012.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION

City of Everglades City

The Florida Department of Environmental Protection has determined that the City of Everglades City’s project involving potable water well replacement and installation of GAC filtration system at the existing treatment plant will not adversely affect the environment. The total cost of the project is estimated to be \$1,770,000. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Categorical Exclusion Notification can be obtained by writing: Brian Moody, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400, (850)245-7546.

Notice of Receipt of Applications for

Permit Coverage under the State’s Generic Permit for MS4’s
 The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from City of Port St. Lucie and City of Oak Hill. The applications are being processed and are available for public inspection during normal business hours,

8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address:

Ms. Kathleen Downey, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, M.S. #2500, Tallahassee, FL 32399-2400

NOTICE OF INTENT TO GRANT

GROUND WATER QUALITY CRITERIA EXEMPTION

The Department of Environmental Protection gives notice of its intent to grant an exemption from the Class G-II ground water standard for sodium pursuant to Rule 62-520.500, Florida Administrative Code (F.A.C.), as part of industrial wastewater Permit Number FLA016778 to the Progress Energy, Inc., (PE), Anclote Power Plant located in Pasco County at 1729 Baillies Bluff Road, Holiday, Florida 34691. The exemption is for the permitted discharge of treated industrial wastewater to Class G-II ground water. The maximum contaminant level for sodium is 160 mg/L. An alternative ground water concentration for sodium was not requested in the petition and is not being proposed because the sodium levels in the receiving brackish and Class III marine surface waters are as much as 10 times greater than the sodium levels in the discharge to ground water. The exemption is granted for the duration of the current Anclote Power Plant industrial wastewater Permit Number FLA016778, which expires on March 23, 2016. The applicant, in conjunction with any renewal of industrial wastewater Permit Number FLA016778, must petition for any future exemptions.

A person whose substantial interests are affected by the Department’s proposed exemption decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes (F.S). The petition must contain the information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, within 21 days of publication of this notice. The petitioner must mail a copy of the petition to the applicant Mr. William Luke, Plant Manager-Anclote, Progress Energy Florida, Inc., 1729 Baillies Bluff Road, Holiday, Florida 34691, at the time of filing.

The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person’s right to request an administrative determination

(hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will only be at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information, as required by Rule 28-106.201, F.A.C.

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the 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 specific facts the petitioner contends warrant reversal or modification of the Department action;
- (f) A statement of the specific rules and statutes the petitioner contends requires 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 wants the Department 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 contain the same information as set forth above, as required by Rule 28-106.201, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the petition have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

The application is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department's Tallahassee Office, 2600 Blair Stone Road, Room 232B, Tallahassee, Florida 32399-2400, Mr. David James, P.G., (850)245-8648.

Notice of Intent to Issue Variance Under Section 403.201, F.S.

The Department of Environmental Protection (Department) gives notice of its intent to issue a variance (File No. 0237608-005-EV-VE, OGC No. 12-0798) to Cemex Construction Materials Florida, LLC, 100 Lem Carnes Road, Davenport, Florida 33837, under Section 403.201(1)(a), Florida Statutes (F.S.), from the provisions of subsection 62-302.530(30), Florida Administrative Code (F.A.C.), which provides minimum standards for dissolved oxygen levels in the surface waters of the state. This variance will authorize the dissolved oxygen levels in the deeper portions of a manmade lake to fall below the minimum levels set by Rule 62-302.530, F.A.C. The existing manmade lake is proposed to be expanded at an existing sand mine in Polk County. The proposed expansion will require an environmental resource permit which has been assigned a different file number, File No. 0237608-004, and is not the subject of this intent to issue a variance.

The mine is located in Sections 33 and 34, Township 29 South, Range 28 East, as well as Sections 3, 9, 10, and 11, Township 30 South, Range 28 East, approximately 3 miles east of Lake Wales, Polk County, on the north and south sides of State Road 60. The manmade lake will be constructed across property lines such that the lake will have more than one property owner. The manmade lake will be subject to the water quality standards provided in Rule 62-302.530, F.A.C.

On February 9, 2012, Cemex Construction Materials Florida, LLC, applied to the Department for a variance from the minimum standards for dissolved oxygen authorized by subsection 62-302.530(30), F.A.C., which requires a minimum level of 5.0 mg/L dissolved oxygen in the surface waters of the state.

Most of the surface waters in the proposed manmade lake will meet the minimum standards for dissolved oxygen authorized by Rule 62-302.530, F.A.C. However, the deepest layer of water in the lake, the hypolimnion layer, may not meet the minimum standards for dissolved oxygen as authorized by Rule 62-302.530, F.A.C.; and there is no practicable means known or available to achieve the required dissolved oxygen levels within the hypolimnion layer of water in the manmade lake. Stratification and the associated reduction of dissolved

oxygen in the hypolimnion are natural phenomena in deep-water bodies, especially during warmer parts of the year. As a result, a variance from the minimum standards of dissolved oxygen provided in Rule 62-302.530, F.A.C., is necessary for the hypolimnion layer of water in the manmade lake. This was anticipated by the Florida Legislature in Section 373.414(6)(a), F.S., which states that "Where such mining activities otherwise meet the permitting criteria contained in this section, such activities may be eligible for a variance from the established water quality standard for dissolved oxygen within the lower layers of the reclaimed pit." The low dissolved oxygen levels in the hypolimnion of the deep-water pockets are not expected to result in any on-site or off-site impacts. Oxygen levels in the upper layers of the lake are expected to meet the requirements of Rule 62-302.530, F.A.C., and be adequate to support healthy fish populations.

A variance of the minimum standards of dissolved oxygen provided in Rule 62-302.530, F.A.C., is not expected to result in any on-site or off-site impacts. Therefore, the Department intends to issue a variance pursuant to Section 403.201(1)(a), F.S., for the dissolved oxygen levels in the hypolimnion layer of the proposed manmade lake to fall below the minimum levels authorized by Rule 62-302.530, F.A.C.

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Mining and Minerals Regulation, 2051 East Paul Dirac Drive, Tallahassee, Florida 32310, (850)488-8217.

Mediation under Section 120.573, F.S., is not available.

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, F.S. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Under subsection 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

If a 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. Intervention will be permitted 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 Section 403.201, F.S., 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; (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 intent to issue a variance constitutes an order of the Department. Subject to the provisions of Section 120.68(7)(a), F.S., which may require a remand for an administrative hearing, the applicant has the right to seek judicial review of the order under Section 120.68, F.S., by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the order is filed with the Clerk of the Department.

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

Notice of Emergency Action

On May 16, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Darrin Lyle Frye, M.D., License #ME 70655. 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 (2011). 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.

Notice of Emergency Action

On May 22, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Brittany L. Horner, C.N.A., License #CNA 193339. 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 (2011). 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.

Notice of Emergency Action

On May 16, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Michelle C. Jackson, C.N.A., License #CNA 80334. 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 (2011). 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.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P. O. Box 8050		General Counsel's Office
Tallahassee, Florida		The Fletcher Building
32314-8050		Suite 118
Phone: (850)410-9800		101 East Gaines Street
Fax: (850)410-9548		Tallahassee, Florida
		32399-0379
		Phone: (850)410-9889

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., June 22, 2012):

APPLICATION TO MERGE

Constituent Institutions: MIDFLORIDA Credit Union, Lakeland, Florida, and Indian River Federal Credit Union, Vero Beach, Florida
Resulting Institution: MIDFLORIDA Credit Union
Received: May 23, 2012

APPLICATION TO MERGE

Constituent Institutions: MIDFLORIDA Credit Union, Lakeland, Florida, and Bay Pines Federal Credit Union, Bay Pines, Florida
Resulting Institution: MIDFLORIDA Credit Union
Received: May 23, 2012

DEPARTMENT OF ECONOMIC OPPORTUNITY

Final Order No. DEO-12-058

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY
ORDINANCE NO. 005-2012

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2011), approving a land development regulation adopted by Monroe County Ordinance No. 005-2012 (the "Ordinance").

FINDINGS OF FACT

- 1. The Florida Keys Area is designated by § 380.0552, Fla. Stat., as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the County on March 21, 2012. The Department received the Ordinance for review on April 17, 2012.
3. The Ordinance amends Section 114-20, "Fences," of the County's land development regulations, to allow owners of single family residences on Stock Island and Key Haven to build entry features taller than six feet if specific design guidelines are met, adds the County's Mixed Use zoning district to the list of districts subject to the six-foot height limit for fences, and allows higher fences for utility security in certain circumstances.

CONCLUSIONS OF LAW

- 4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6), (11) and 380.0552(9), Florida Statutes.
5. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Section 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Sections 380.0552(7), Florida Statutes.
7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles:
(a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
(f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
8. The Ordinance is consistent with Goal 102, Objective 102.3 and Policy 102.3.2 of the Monroe County Comprehensive Plan.
WHEREFORE, IT IS ORDERED that Monroe County Ordinance No. 005-2012 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/ J. Thomas Beck, AICP
Director, Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE

DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 107 EAST MADISON STREET, MSC 110, TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 22nd day of May, 2012.

 / s/
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By U.S. Mail:
Honorable David Rice, Mayor
Monroe County
2798 Overseas Highway, Suite 400
Marathon, FL 33050

Christine Hurley
Growth Management Director
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Danny L. Kolhage
Clerk to the Board of County Commissioners
Monroe County
500 Whitehead Street
Key West, FL 33040

Derek Howard, Assistant County Attorney
1111 Twelfth Street, Suite 408
Key West, FL 33040

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DCA Tallahassee, FL
David L. Jordan, Assistant General Counsel, DCA Tallahassee, FL

Final Order No. DEO-12-057

In re: A LAND DEVELOPMENT REGULATION
ADOPTED
BY ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 12-04

FINAL ORDER

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to Sections 380.05(6) and 380.0552(9), Florida Statutes (2011), approving a land development regulation adopted by Islamorada, Village of Islands Ordinance No. 12-04 (the "Ordinance").

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Fla. Stat., as an area of critical state concern. Islamorada is a local government within the Florida Keys Area.
2. The Ordinance was adopted by the City on April 12, 2012. The Department received the Ordinance for review on April 26, 2012.
3. The Ordinance amends Section 30-474(a), part of the building permit allocation system of the Village's land development regulations, to provide for an additional 16,486 square feet of nonresidential floor area in 2012.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. Sections 380.05(6), (11) and 380.0552(9), Florida Statutes.
5. "Land development regulations" include local zoning, subdivision, building, and other regulations controlling the development of land. Sections 380.031(8), Florida Statutes. The regulations adopted by the Ordinance are land development regulations.
6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. Sections 380.05(6) and 380.0552(9), Florida Statutes. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in Section 380.0552(7), Florida Statutes.
7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principles:
 - (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.
8. The Ordinance is consistent with Policy 1-3.1.1 of the Village of Islamorada Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Islamorada, Village of Islands Ordinance No. 12-04 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Weekly unless a petition is filed as described below.

DONE AND ORDERED in Tallahassee, Florida.

/s/
J. Thomas Beck, AICP
Director, Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569,

FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN

PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 107 EAST MADISON STREET, MSC 110, TALLAHASSEE, FLORIDA 32399-4128.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 22nd day of May, 2012.

/s/ _____
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128

By U.S. Mail:
Honorable Michael Reckwerdt, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

Nina Boniske, Esq.
James White, Esq.
Weiss Serota Helfman Pastoriza
Guedes Cole & Boniske, P.A.
2525 Ponce De Leon Blvd., Suite 700
Coral Gables, Florida 33134-6045

Debra Eastman, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DCA Tallahassee, FL
David L. Jordan, Assistant General Counsel, DCA Tallahassee, FL

NOTICE OF EXTENSION OF COMMENT PERIOD FOR
STATE OF FLORIDA ANNUAL ACTION PLAN, REVISED
CITIZEN PARTICIPATION PLAN, AND SUBSTANTIAL
AMENDMENT FOR THE EMERGENCY SOLUTIONS
GRANT FOR FEDERAL FISCAL YEAR 2012

The Department of Economic Opportunity (DEO) announces an extension of the comment period for the State of Florida Annual Action Plan for Federal Fiscal Year 2012, and the Substantial Amendment to the Emergency Solutions Grant (ESG). Also, the State has revised the Citizen Participation Plan and the draft is available for review. All parties are invited to comment on these three documents.

PURPOSE: To comment on the Annual Action Plan for Federal Fiscal Year 2012, Substantial Amendment to the Emergency Solutions Grant, and to review the draft of the revised Citizen Participation Plan.

SUMMARY: The State of Florida is required to submit an Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD) in order to receive federal funding from that agency. The Plan must cover the grant programs funded by HUD. Grant programs included in the Plan are the Florida Small Cities Community Development Block Grant (CDBG), Emergency Solutions Grant, Home Investment Partnership (HOME) and Housing Opportunities for Persons with AIDS (HOPWA). The Plan must specify the manner in which the funds will be distributed to eligible applicants. Both

the Plan and Substantial Amendment require a 30-day comment period to be undertaken, per 24 CFR 91.115(b)(4) and (c)(2); the extension is an addendum to the original comment period provided from April 24, 2012 through May 14, 2012. The State has also revised the Citizen Participation Plan to include a 30-day comment period for the Action Plan.

ACTION TO BE TAKEN: Drafts of the Action Plan and Citizen Participation Plan are currently available for review and comment on the Department's website: <http://www.florida.jobs.org/community-planning-and-development/assistance-for-governments-and-organizations/community-development-block-grant-program/state-of-florida-consolidated-plan>. A draft of the Substantial Amendment is currently available for review and comment on the Florida Department of Children and Families' website: <http://www.dcf.state.fl.us/programs/homelessness>. Comments on the Plans and Substantial Amendment will be accepted through June 18, 2012, with final submission to HUD on June 22, 2012.

A copy of the documents may be obtained by appearing in person at the agency headquarters, by email or calling:

Florida Small Cities CDBG Program
Department of Economic Opportunity
Caldwell Building
107 East Madison Street
Tallahassee, Florida 32399
Telephone: (850)717-8405
Email: Stacie.Roldan-Toci@deo.myflorida.com

Written comments on the draft of the Annual Action Plan and Citizen Participation Plan are encouraged. They may be made via email: Bob.Dennis@deo.myflorida.com or mailed to the address listed. Written comments on the Emergency Solutions Grant Substantial Amendment may be made via email: Tom_Pierce@dcf.state.fl.us.

AREA AGENCY ON AGING OF PASCO-PINELLAS, INC.

Notice of Intent to Award

The Area Agency on Aging of Pasco-Pinellas, Inc. (AAAPP) for Planning and Area Service Area 5 will award the contract for Case Management/Lead Agency Designation for Pinellas County beginning July 1, 2012, under the Community Care for the Elderly Program, Florida Statutes, 430 to Gulf Coast Jewish Family and Community Services, Inc. Substantially

affected parties will have an opportunity to request a hearing challenging the proposed action and instruction on how to request a hearing. Failure to file a notice of protest as described in subsection (4) of Rule 58C-1.0031, Florida Administrative Code (F.A.C.), shall constitute a waiver of proceedings under Rule 58C-1.0031, F.A.C. If you have any questions, please call: Tawnya Martino, (727)570-9696, ext. 246.

HILLSBOROUGH COUNTY AVIATION AUTHORITY

Request for Qualifications
Solicitation Number 12-411-039
Project Number 8610 13

Sealed qualifications for Airside F Boarding Bridges, PCA AHU and GPU Replacements will be received from firms by the Authority at Tampa International Airport Offices located at 4100 George J. Bean Parkway, Suite 3311, Main Terminal, 3rd Floor, Blue Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampaairport.com, Quick Links, Airport Business, Notice of Solicitations on Wednesday, May 30, 2012.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN May 14, 2012
 and May 18, 2012

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF STATE
Division of Cultural Affairs

1T-1.039	5/16/12	6/5/12	38/14	
----------	---------	--------	-------	--

DEPARTMENT OF TRANSPORTATION

14-15.002	5/15/12	6/4/12	38/10	
-----------	---------	--------	-------	--

DEPARTMENT OF CORRECTIONS

33-203.601	5/18/12	6/7/12	38/16	
------------	---------	--------	-------	--

AGENCY FOR HEALTH CARE ADMINISTRATION
Medicaid Program Office

59G-4.071	5/15/12	6/4/12	38/8	
59G-13.032	5/18/12	6/7/12	38/8	
59G-13.052	5/18/12	6/7/12	38/8	
59G-13.102	5/18/12	6/7/12	38/8	
59G-13.112	5/18/12	6/7/12	38/8	
59G-13.132	5/18/12	6/7/12	38/8	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverage and Tobacco

61A-4.063	5/18/12	6/7/12	38/8	
61A-7.005	5/14/12	6/3/12	38/8	
61A-10.012	5/18/12	6/7/12	38/8	
61A-10.053	5/18/12	6/7/12	38/8	

Barbers' Board

61G3-16.009	5/16/12	6/5/12	38/14	
61G3-16.0091	5/16/12	6/5/12	38/14	

Board of Cosmetology

61G5-29.001	5/16/12	6/5/12	38/14	
-------------	---------	--------	-------	--

Board of Professional Engineers

61G15-19.008	5/16/12	6/5/12	38/15	
--------------	---------	--------	-------	--

Board of Professional Geologists

61G16-4.004	5/16/12	6/5/12	38/13	
-------------	---------	--------	-------	--

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF HEALTH

Board of Nursing

64B9-15.005	5/16/12	6/5/12	38/10	
-------------	---------	--------	-------	--

Board of Optometry

64B13-4.001	5/16/12	6/5/12	38/9	
-------------	---------	--------	------	--

Board of Psychology

64B19-11.001	5/18/12	6/7/12	38/8	
--------------	---------	--------	------	--

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-1.204	5/15/12	6/4/12	38/14	
65A-1.707	5/15/12	6/4/12	38/14	
65A-2.023	5/15/12	6/4/12	38/14	

Family Safety and Preservation Program

65C-14.010	5/14/12	6/3/12	36/45	38/15
------------	---------	--------	-------	-------

DEPARTMENT OF FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

68B-33.003	5/17/12	7/1/12	38/14	
68B-33.004	5/17/12	7/1/12	38/14	

LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO (CHAPTER 2010-279, LAWS OF FLORIDA)

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-304.300	3/2/11	*****	38/3	
------------	--------	-------	------	--

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	10/24/11	*****	37/24	37/3
-----------	----------	-------	-------	------