

is provided at least 14 days prior to the final expiration of the letter of credit for which the substitute letter of credit is being provided.

(c) Once it is determined by the Department that the average financial condition ranking of a financial institution is less than 35, the Department will notify the financial institution and the applicant/service provider/contractor by registered mail that if a substitute letter of credit is not received within 30 days of notification, the Department shall draw down any remaining balance on the letter of credit if the purpose for which the letter of credit was issued still exists.

(d) The letter of credit must provide for draws to be made on a bank or savings association located in the State of Florida.

(e) Letters of credit provided in lieu of professional liability insurance must remain valid for the time period specified in Section 337.106, Florida Statutes.

Specific Authority 334.044(2) FS. Law Implemented 334.044(30)(28), 334.187, 337.106, 337.175 FS. History—New 3-23-93, Amended 8-24-93, 10-11-94, 10-5-97, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE TITLE: Provider Requirements RULE NO.: 59G-5.020

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the revised Florida Medicaid Provider General Handbook, October 2003. The handbook contains the Medicaid electronic record keeping requirements for providers. The effect will be to incorporate by reference in the rule the revised Florida Medicaid Provider General Handbook.

SUBJECT AREA TO BE ADDRESSED: Provider Requirements

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.905, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

TIME AND DATE: 2:30 p.m., Monday, December 22, 2003

PLACE: Agency for Health Care Administration, Medicaid Contract Management, 2308 Killearn Center Blvd., Building B, Suite 200, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Karen Girard, Medicaid Contract Management, 2308 Killearn Center Blvd., Building B, Suite 200, Tallahassee, Florida 32309, (850)413-8033

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-5.020 Provider Requirements.

All Medicaid providers enrolled in the Medicaid program and billing agents who submit claims to Medicaid on behalf of an enrolled Medicaid provider must comply with the provisions of the Florida Medicaid Provider General Handbook, January 2004 ~~October 2003~~, which is incorporated by reference and available from the fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.902, ~~409.905~~, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 9-22-93, Formerly 10P-5.020, Amended 7-8-97, 1-9-00, 4-24-01, 8-6-01, 10-8-03, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

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

PURPOSE AND EFFECT: The Board proposes the development of rules to make changes to examination and reexamination fees.

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

SPECIFIC AUTHORITY: 455.2171, 476.064(4), 476.192 FS.

LAW IMPLEMENTED: 455.2171, 476.192 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Julie Malone, Executive Director, Barbers’ Board, 1940 North Monroe Street Tallahassee, FL 32399-0783., Tallahassee, Florida 32399-0783

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G3-20.002 Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees.

(1) The application fee for licensure by means of endorsement or examination and reexamination for barbers shall be as follows:

Method of Licensure: Application Fee:

(a) No change.

(b) Examination and Reexamination

1. No Change.

2. Written portion The application fee for both the examination and reexamination for the written portion shall be seventy-five dollars (\$75.00). ~~Sixty-one dollars and fifty cents (\$61.50)~~ ~~Fifty-five dollars and fifty cents (\$55.50)~~ of both the examination and reexamination application fee for the written portion of the examination shall be paid to the Department and ~~thirteen dollars and fifty cents (\$13.50)~~ ~~nineteen dollars and fifty cents (\$19.50)~~ shall be paid to the professional testing service.

(2) The application fee for licensure by means of examination and reexamination for restricted barbers shall be as follows:

Method of Licensure: Application Fee:

(a) Examination and Reexamination

1. No change.

2. Written Portion The application fee for both the examination and reexamination for the written portion shall be seventy-five dollars (\$75.00). ~~Seventy dollars and fifty cents (\$70.50)~~ ~~Sixty-eight dollars and fifty cents (\$68.50)~~ of both the examination and the reexamination application fee for the written portion of the examination shall be paid to the Department and ~~four dollars and fifty cents (4.50)~~ ~~six dollars and fifty cents (\$6.50)~~ shall be paid to the professional testing service.

(3) No change.

Specific Authority 455.2171, 476.064(4), 476.192 FS. Law Implemented 455.2171, 476.192 FS. History—New 7-16-80, Amended 6-30-83, 10-17-85, Formerly 21C-20.02, Amended 12-15-87, 5-11-88, Formerly 21C-20.002, Amended 9-21-94, 11-6-00, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE TITLE: Notice of Noncompliance

RULE NO.: 61J2-24.003

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

SUBJECT AREA TO BE ADDRESSED: The proposed rule change affects rule provisions relating to licensure designations and notices of noncompliance.

SPECIFIC AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 120.695, 455.225(3) FS.

IF REQUESTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

Florida State Boxing Commission

RULE CHAPTER TITLE: General Rules for Boxing

RULE CHAPTER NO.: 61K1-1

PURPOSE AND EFFECT: Pursuant to Section 548.006, Florida Statutes, the Florida State Boxing Commission has exclusive jurisdiction over every match held within the state that involves a professional. In order to conform to amendments made to Chapter 548, Florida Statutes, in Legislative Session 2002, existing boxing rules need to be updated and amended accordingly, along with the promulgation of rules governing professional mixed martial arts.

SUBJECT AREA TO BE DISCUSSED: Amendment of existing boxing rules, including both substantive and technical changes, and the development of regulations, standards, and safety procedures for professional mixed martial art matches.

SPECIFIC AUTHORITY: 548.003(2) FS.

LAW IMPLEMENTED: Chapter 548 FS.

Section II Proposed Rules

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Incorporation by Reference	14-15
RULE TITLE:	RULE NO.:
Toll Facilities Description and Toll Rate Schedule	14-15.0081

PURPOSE AND EFFECT: The purpose of this notice of rulemaking is to allow the public an opportunity to provide input to changes in the Toll Facilities Description and Toll Rate Schedule resulting from a proposed toll rate increase for cash customers. The facilities affected by the proposed toll rate increase include Florida’s Turnpike Mainline (Southern Coin, Ticket, and Northern Coin Systems, the Homestead Extension of Florida’s Turnpike (HEFT), Bee Line West Expressway), Sawgrass Expressway, Southern Connector Extension, Seminole Expressway, and the Veterans Expressway.

SUMMARY: Using a three-stage approach, the last toll rate increases along the Mainline and Bee Line West were completed by 1993, with the HEFT toll rate increase effective in 1995. In addition, the SunPass® Electronic Toll Collection System Frequent User Toll Discount Pilot Project, pursuant to the amendment to Rule 14-15.0081, F.A.C., on July 29, 1998, has been completed, and the toll discount program will be discontinued. The present average passenger rate is approximately 6 cents per mile on the Mainline components and slightly higher on the expansion projects. The proposed increase will bring the average toll rate to approximately 7.5 cents per mile for cash customers on the Mainline components and slightly higher for the expansion projects, and the average toll rate for SunPass customers will not increase. The total additional revenue in Fiscal Year 2003-04 attributable to the proposed toll rate increase and the discontinuance of the toll discount program is estimated to be \$13,539,000. The proposed toll rate increase will have an effective date of March 7, 2004.

The public will benefit from these additional revenues in that under the Florida Turnpike Enterprise Law (Sections 338.22 - 338.241, Florida Statutes), the Department shall use these funds for repairing, maintaining, and operating the Florida Turnpike System and for supporting the issuance of Turnpike Revenue Bonds to pay the cost of other Turnpike projects to the benefit of the motorist.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement has been prepared.

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

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 338.155, 338.222, 338.231 FS.

A PUBLIC HEARING WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

DATE AND TIMES: January 5, 2004, 6:00 p.m. – Informal Open House; Formal Hearing – 6:30 p.m.

PLACE: Florida’s Turnpike Enterprise Headquarters Auditorium, Turnpike Mile Post 263, Building 5315, Ocoee, Florida

DATE AND TIMES: January 6, 2004, 6:00 p.m. – Informal Open House; Formal Hearing – 6:30 p.m.

PLACE: Florida Department of Transportation, District 4 Auditorium, 3400 West Commercial Boulevard, Ft. Lauderdale, Florida

DATE AND TIMES: January 7, 2004, 6:00 p.m. – Informal Open House; Formal Hearing – 6:30 p.m.

PLACE: Wynnebrook Elementary School Cafeteria, 1167 Drexel Road, West Palm Beach, Florida

DATE AND TIMES: January 7, 2004, 6:00 p.m. – Informal Open House; Formal Hearing – 6:30 p.m.

PLACE: Port St. Lucie Community Center, Rooms C & D, 2195 S. E. Airosa Boulevard, Port St. Lucie, FL

DATE AND TIMES: January 8, 2004, 6:00 p.m. – Informal Open House; Formal Hearing – 6:30 p.m.

PLACE: Florida Department of Transportation, District 7 Auditorium 11201 North Malcolm McKinley Drive, Tampa Florida

DATE AND TIMES: January 8, 2004, 6:00 p.m. – Informal Open House; Formal Hearing – 6:30 p.m.

PLACE: South Dade Government Center, 10710 S. W. 211 Street, Miami, Florida

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

THE FULL TEXT OF THE PROPOSED RULE IS:

14-15.0081 Toll Facilities Description and Toll Rate Schedule.

The Toll Facilities Description and Toll Rate Schedule, adopted November 15, 1987, and amended on February 8, 1988, August 1, 1988, February 2, 1989, May 10, 1989, July 1, 1991, August 1, 1991, November 6, 1991, July 11, 1993, November 28, 1993, September 18, 1994, June 6, 1995, July 9, 1995, January 1, 1996, March 31, 1996, April 28, 1996, June 2, 1996, July 28, 1996, September 23, 1997, November 24, 1997, February 12, 1998, June 30, 1998, July 29, 1998, January 6, 1999, February 9, 1999, April 29, 1999, June 21, 1999, September 4, 2001, March 26, 2002, April 10, 2003, October 1, 2003, November 30, 2003, and _____, is hereby incorporated by this rule and made a part of the rules of the Department. Copies of this Department of Transportation Toll Facilities Description and Toll Rate Schedule and any amendments thereto are available at no more than cost.

Specific Authority 334.044(2), 338.155(1) FS. Law Implemented 338.222, 338.231, 338.155 FS. History—New 11-15-87, Amended 2-8-88, 8-1-88, 2-2-89, 5-10-89, 7-1-91, 8-1-91, 11-6-91, 7-11-93, 11-28-93, 9-18-94, 6-6-95, 7-9-95, 1-1-96, 3-31-96, 4-28-96, 6-2-96, 7-28-96, 9-23-97, 11-24-97, 2-12-98, 6-30-98, 7-29-98, 1-6-99, 2-9-99, 4-29-99, 6-21-99, 9-4-01, 3-26-02, 4-10-03, 10-1-03, 11-30-03.

NAME OF PERSON ORIGINATING PROPOSED RULE: James Ely, Executive Director, Florida’s Turnpike Enterprise
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: José Abreu, P.E., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 24, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 14, 2003

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: State Highway System Connection Permits
RULE CHAPTER NO.: 14-96

RULE TITLE: Connection Categories and Fees
RULE NO.: 14-96.004

PURPOSE AND EFFECT: Paragraph 14-96.004(2)(b), F.A.C., is being amended as a further clarification in response to Joint Administrative Procedures Committee review of a recent amendment to Rule Chapter 14-96, F.A.C.

SUMMARY: This amendment to paragraph 14-96.004(2)(b), F.A.C., is a follow up amendment for clarification of changes made in response to the Joint Administrative Procedures Committee review of another amendment to Rule Chapter 14-96, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost has been prepared.

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

SPECIFIC AUTHORITY: 334.044(2), 335.182(2), 335.183, 335.184 FS.

LAW IMPLEMENTED: 334.044(14), 335.18 - 335.187 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: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-96.004 Connection Categories and Fees.

All connections, public or private, shall be determined by the Department to be in one of the following categories:

- (1) No change.
- (2) Special Connection Categories.

(a) “Temporary Connection Category” provides a temporary, time limited connection to the State Highway System for a specific property, use, and estimated traffic volume. Such uses may include forest land clearing and temporary agricultural or construction uses. This category may not be used for permanent construction at a site where it is reasonably expected that the use is the ultimate use of the property. Further, a temporary connection permit does not bind the Department in any way to the future issuance of a permanent connection permit at the temporary connection location. The permittee shall remove, at the permittee’s own cost, the temporary connection at the end of the permit period or shall apply for an extension or a new permit. The fee for this category is \$250 for a six month period. The period will be extended for increments of six months upon written request, payment of a new fee, and a showing of good cause, such as weather delays, natural disasters, governmental entity coordination delays, or other technical problems not within the control of the applicant. However, in no event shall the period extend beyond 24 consecutive months. The Department reserves the right to remove any temporary connection upon expiration of the permit.

(b) A “Government Entity Category” provides for a connection or connection modification for any new or substantially improved public road or connection to a governmental facility. The fee will be waived if the applicant is a governmental entity. ~~If the fee is not waived, then the fee shall be based on the fee schedule in subsection 14-96.004(1), F.A.C., using expected Average Daily Traffic for the Category determination.~~

(c) “Safety Upgrade Category” shall not be used for connections involving significant change. These applications shall be initiated by the applicant and will not require a fee.

- (3) through (4) No change.

Specific Authority 334.044(2), 335.182(2), 335.183, 335.184 FS. Law Implemented 334.044(14), 335.18-187 FS. History—New 4-18-90, Amended 7-16-95, 1-23-03.

NAME OF PERSON ORIGINATING PROPOSED RULES: Gary Sokolow, Senior Transportation Planner, Systems Planning Office

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: José Abreu, P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 24, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 7, 2003

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Individual Environmental
 RESOURCE PERMITS

RULE CHAPTER NO.: 40D-4

RULE TITLES: Definitions 40D-4.021
 Exemptions 40D-4.051
 Conditions for Exemptions 40D-4.053
 Publications and Agreements Incorporated by Reference 40D-4.091
 Additional Conditions for Issuance of Permits 40D-4.302
 General Conditions 40D-4.381

PURPOSE AND EFFECT: The purpose and effect of the proposed amendments is to conform District rule language to certain statutory revisions; to clarify and update exemption language regarding phosphate mining, mining related activities, reclamation and restoration, and the conditions for the exemption; and to address concerns expressed by the staff of the Joint Administrative Procedures Committee (JAPC) regarding environmental resource permitting rules.

SUMMARY: The proposed amendments alphabetize the definitions included in Rule 40D-4.021, F.A.C. The amendments to subsections 40D-4.051(4) and (5), F.A.C., combine phosphate mining and related activities into one exemption and delete unnecessary language. The revisions to paragraph 40D-4.051(9)(c), F.A.C., add structures covered by the exemption in accordance with statutory revisions. The revisions to paragraph 40D-4.051(9)(k) and subparagraph (10)(e)15., F.A.C., delete vague or confusing language in accordance with comments provided by JAPC. The revisions to Rule 40D-4.053, F.A.C., clarify and update the conditions that must be met in order for phosphate mining and related activities to continue to be exempt from the District’s environmental resource permitting rules pursuant to subsection 40D-4.051(4), F.A.C. The amendment to Rule 40D-4.091, F.A.C., will adopt the proposed revisions to the Basis of Review. The revisions to paragraphs 40D-4.302(1)(a) and (b), F.A.C., add pertinent references to the Sections of the Basis of Review that apply when determining whether the conditions for permit issuance have been met. The revisions to Rule 40D-4.381, F.A.C., delete vague or arbitrary language in accordance with comments provided by JAPC, and add pertinent references to other ERP rules and sections of the Basis of Review.

In addition, the District proposed to amend sections of the Basis of Review in response to comments by JAPC. The revisions are intended to clarify requirements and delete vague or arbitrary language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District’s determination that the proposed revisions to Rules 40D-4.021, 40D-4.051, 40D-4.053, 40D-4.091, 40D-4.302 and 40D-4.381, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.016, 373.044, 373.113, 373.118, 373.149, 373.171, 373.414(9) FS.

LAW IMPLEMENTED: 373.016, 373.042, 373.403, 373.406, 373.409, 373.413, 373.414, 373.414(9), 373.416, 373.416(2), 373.419, 373.426, 403.805 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: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 40D-4.021 follows. See Florida Administrative Code for present text.)

40D-4.021 Definitions.

When used in this Chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) “Alteration” means any activity resulting in substantial expansion or change of a surface water management system that will increase or decrease the design discharge of the system, increase pollutant loading, change the point or points of discharge, or intrude into or otherwise adversely impact wetlands by rim ditching, draining, filling or excavation. Routine custodial maintenance and repairs shall not constitute alterations.

(2) “Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District,” or “Basis of Review” is the document incorporated by reference in Rule 40D-4.091, F.A.C., which provides threshold design, administrative and technical criteria for permit applicants.

(3) “Conceptual Permit” means an environmental resource permit issued by the District which approves the concepts of a phased development master plan for a surface water

management system or for a mitigation bank which is binding upon the District and the permittee based upon the rules in effect at the time of filing of the conceptual application and constitutes final District action so that construction and operation permits for each phase will be reviewed under the permitting criteria in effect when the application for the conceptual permit was filed.

(4) “Construction” means any on site activity which will result in the creation of a new surface water management system, or the abandonment or alteration of an existing surface water management system, including the building, assembling, expansion or recontouring of the property; the erection of buildings or other structures, or any part thereof; or land clearing.

(5) “Construction permit” means an environmental resource permit issued by the District authorizing construction, alteration or abandonment of a surface water management system in accordance with the terms and conditions of the permit.

(6) “Embedment” is the placement of transmission or distribution lines, pipes or cables into the bottoms of waters of the state by minimal displacement of bottom material and without the creation of a trench, or trough, through the use of techniques such as plowing-in, weighing-in, or non-trenching jets.

(7) “Entrenchment” is the placement of transmission or distribution lines, pipes or cables into the bottoms of waters of the state by the creation of a defined trench, or trough, through the use of such devices as clamshells, dredges, trenching jets, or other devices which produce similar results.

(8) “Environmental Resource Permit” means a conceptual, individual or general permit for a surface water management system issued pursuant to Part IV, Chapter 373, F.S.

(9) “General Permit” means an Environmental Resource Permit issued or denied by District staff. General Permits are issued as either Noticed General or Standard General permits.

(10) “Individual Permit” means an Environmental Resource Permit issued by the District Governing Board.

(11) “New surface water management system” means any surface water management system which is not in existence on October 1, 1984, or not authorized to be constructed on October 1, 1984.

(12) “Noticed General Permit” Means an Environmental Resource Permit issued or denied by staff.

(13) “Operation permit” means a phase of an environmental resource permit issued by the District authorizing the operation and maintenance of a surface water management system in accordance with the terms and conditions of the permit.

(14) “Project Area” means the area within the total land area, as defined in subsection 40D-4.021(11), F.A.C., which is or will be served by a surface water management system to be permitted.

(15) “Prospecting” – means activities considered normal and reasonably necessary to retrieve samples of subsurface geologic sediments for the specific purpose of locating, mapping, and determining the quality and quantity of sedimentary strata or natural deposits.

(16) “Site Conditions Assessment Permit” means an environmental resource permit issued by the District as the first phase of construction permitting which identifies and documents the boundaries of certain existing topographic and environmental site conditions within the applicant’s project area that are measurably associated with waters.

(17) “Surface waters” are defined in subsection 373.019(10), F.S.

(18) “Surface water management system” or “system” means any stormwater management system, dam, impoundment, reservoir, appurtenant work, or works or any combination thereof. The terms “surface water management system” or “system” include areas created by filling or by dredging as those terms are defined in subsections 373.403(13) and 373.403(14), F.S.

(19) “Surface waters of the state” means those surface waters regulated pursuant to subsection 403.031(13), F.S.

(20) “Total land area” means land holdings under common ownership or control which are contiguous, or land holdings which are served by a common surface water management system.

(21) “Wetlands” means those areas that are inundated or saturated by surface water or ground water at a frequency and a duration sufficient to support, and under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce, or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps and other similar areas. Florida wetlands generally do not include longleaf or slash pine flatwoods with an understory dominated by saw palmetto.

(22) The definitions listed in Chapter 40D-400, F.A.C. are also applicable to this Chapter and Chapter 40D-40, F.A.C.

Specific Authority 373.044, 373.113, 373.118, 373.149, 373.171 FS. Law Implemented 373.403, 373.419 FS. History—Readopted 10-5-74, Formerly 16J-4.02, Amended 10-1-84, 3-1-88, 9-11-88, 10-3-95, 7-23-96, 2-27-02.

40D-4.051 Exemptions.

(1) through (3) No change.

(4) ~~Phosphate mining, phosphate and mining related surface water management systems, and reclamation and restoration conducted in accordance with Chapter 62C-16, F.A.C., are exempt from the requirements of this chapter, provided that all conditions for exemption in subsection 40D-4.053, F.A.C., are met. However, nothing in this section is intended to exempt phosphate mining from the Department of Environmental Protection's authority.~~

~~(5) Phosphate mine reclamation and restoration conducted in accordance with Chapter 62C-16, the Mine Reclamation rules of the Florida Department of Environmental Protection, is exempt from the requirements of this chapter provided that all conditions for exemption in subsection 40D-4.053(2) are met.~~

(6) through (9)(b) renumbered (5) through (8)(b) No change.

(c) The installation and repair of private docks, piers and recreational docking facilities, or piers and recreational docking facilities of local government entities when the local governmental entity's activities will not take place in any manatee habitat, which structures have ~~of~~ 1000 square feet or less of surface area over wetlands or other surface waters or 500 square feet or less of surface area over wetlands or other surface waters ~~for docks which are located in~~ Outstanding Florida Waters. This exemption shall include the construction of structures above the dock area, such as gazebos and boat shelters, provided such structures are not enclosed with walls and doors, are not used for living, commercial purposes, or storage of materials other than those associated with recreational use and provided the structures do not exceed, together with the docking facility, the total area limitations above. To qualify for this exemption, any such ~~dock and associated~~ structure:

1. through 3. No change.

4. Shall be the sole dock constructed pursuant to this exemption as measured along the shoreline for a minimum distance of 65 feet, unless the parcel of land or individual lot as platted is less than 65 feet in length along the shoreline, in which case there may be one exempt dock allowed per parcel or lot. For the purposes of this rule, multi-family living complexes and other types of complexes or facilities associated with the proposed private dock shall be treated as one parcel of property regardless of the legal division of ownership or control of the associated property. Construction of a ~~private~~ dock under this exemption does not obligate the District to issue a subsequent permit to construct a channel to provide navigational access to the dock. Activities associated with a ~~private~~ dock shall include the construction of the structures attached to the dock pier which are only suitable for the mooring or storage of boats (i.e., boatlifts). Nothing in this paragraph shall prohibit the Department from taking

appropriate enforcement action pursuant to Chapter 403, F.S., to abate or prohibit any activity otherwise exempt from permitting pursuant to this paragraph if the Department can demonstrate that the exempted activity has caused water pollution in violation of Chapter 403, F.S.

(d) through (j) No change.

(k) The restoration of less than 100 feet in length of existing insect control impoundment dikes and the connection of such impoundments to tidally influenced waters. Such impoundments shall be connected to tidally influenced waters for at least 6 months each year, beginning September 1, and ending February 28, ~~if feasible, or operated in accordance with an impoundment management plan approved by the District.~~ The connection shall be of sufficient cross-sectional area to allow beneficial tidal influence. Restoration shall involve no more dredging than needed to restore the dike to original design specifications, and such that the final elevation of the dredge area shall be within 2 feet of immediately adjacent bottom elevations. For the purposes of this paragraph, restoration shall not include maintenance of impoundment dikes of insect control impoundments.

(l) through (o) No change.

(9)(a) through (e)13. No change.

14. This exemption shall apply only to a maximum of 2 crossings on any a given total land area of property with a minimum distance of 500 feet between crossings.

15. This exemption shall not apply to activities involving relocation or other alteration of all or part of the artificial waterway, or construction for other than the proposed culvert crossing, ~~except as exempted by Chapter 373, F.S., or this section.~~

(f) through (13) No change.

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.414(9) FS. Law Implemented 373.406, 373.413, 373.414(9) FS. History-Readopted 10-5-74, Formerly 16J-4.05, Amended 10-1-84, 10-1-86, 3-1-88, 1-24-90, 10-3-95, 4-18-01, 5-17-01, 4-9-02, _____

40D-4.053 Conditions for Exemptions.

~~(4)~~ The exemption for phosphate mining and related activities provided in subsection Rule 40D-4.051(4), F.A.C., is subject to the following conditions:

(1) Activities associated with mining operations as defined by and subject to Sections 378.201-378.212, F.S., and included in a conceptual reclamation plan or modification application submitted prior to July 1, 1996, shall continue to be exempt under subsection 40D-4.051(4), F.A.C.

~~(2)(a)~~ No change.

~~(3)(b)~~ The operator shall submit to the District a copy of each Annual Report submitted to the Department of Environmental Protection Natural Resources (DNR) in accordance with Rule 62C-16.0091, F.A.C.

~~(4)(e)~~ For mines that have already received a permit under the rules of the Department of Environmental Protection adopted pursuant to Sections 403.91-403.929, 1984

~~Supplement to the Florida Statutes 1983, the~~ The operator shall provide documentation of such permit to the District. For mines that qualify under the provision of subsection 373.414(15), F.S., the operator shall submit to the District a copy of ~~the~~ each application for a permit required under subsection 373.414(15) and Sections 403.91-403.929, 1984 Supplement to the Florida Statutes 1983, ~~to the DER for a dredge and fill permit concurrent with the~~ its submittal of any such application made to the Department of Environmental Protection in accordance with the “operating Agreement concerning Regulation Under Part IV, Chapter 373, F.S., and Aquaculture General Permits Under Section 403.814, F.S., Between Southwest Florida Water Management District and Department of Environmental Protection”, dated October 27, 1998, ~~DER,~~ and shall fulfill the requirements of subsection Rule 40D-4.053(2)(1)(a), F.A.C., that apply to such application specific to the dredge and fill project prior to issuance by the Department of Environmental Protection ~~DER~~ of its proposed agency action.

~~(5)(d)~~ The location of any ~~An~~ existing permitted point of discharge authorized in a previous permit issued by the Department of Environmental Regulation, the Department of Environmental Protection, or the District shall not be changed, and the volume and frequency of such discharge shall not be exceeded. ~~The volume and frequency designated by its DER discharge permit unless a lesser discharge is calculated in accordance with Rule 40D-4.301(2) and submitted to the District to be the maximum allowable discharge.~~

~~(e)~~ A new point of discharge shall be designed to the standards of Rule 40D-4.301(2) so that the volume and frequency of discharge specified in its DEP discharge permit is equivalent to maximum allowable discharge, which is not to be exceeded.

~~(6)(f)~~ Natural drainage from off-site up gradient areas shall not be interrupted so as to cause damage to off-site property or the public, and natural drainage patterns on undisturbed lands shall be maintained to the maximum extent achievable without adversely altering the time, stage, volume and point or manner of discharge or dispersion.

~~(2)~~ The exemption for phosphate mine reclamation and restoration provided in subsection 40D-4.051(9) is subject to the following conditions:

~~(a)~~ The operator shall certify to the District, beginning with the first annual or biannual Department of Natural Resources (DNR) reclamation plan required to be filed after January 1, 1987, and provide sufficient information to demonstrate that each reclamation and restoration program is designed, and will be constructed and operated to avoid damage to off-site property or the public caused by:

- ~~1.~~ floodplain development, encroachment or other alteration;
- ~~2.~~ retardance, acceleration or diversion of flowing water;
- ~~3.~~ reduction of natural water storage areas;

- ~~4.~~ excessive discharge or facility failure, or
- ~~5.~~ other actions adversely impacting off site water flows or levels.

~~(b)~~ The operator shall submit to the District a copy of its approved or pending Conceptual Reclamation Plans or any amendments thereto, under Rule 62C-16.0041, F.A.C.

~~(c)~~ The operator shall submit to the District a copy of its annual or biannual application to the DNR for approval of a reclamation and restoration program required by Rule 62C-16.0032, and fulfill the requirements of paragraph 40D-4.053(2)(a), F.A.C. specific to the program under consideration prior to issuance by the DNR of its proposed agency action.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.406, 373.413 FS. History—New 10-1-86, Amended _____.

40D-4.091 Publications and Agreements Incorporated by Reference.

The following documents are hereby incorporated into this chapter and Chapters 40D-40 and 40D-400, F.A.C.:

(1) “Basis of Review for Environmental Resource Permit Applications with the Southwest Florida Water Management District, _____ August 3, 2003”. This document is available from the District upon request.

(2) through (4) No change.

Specific Authority 373.044, 373.046, 373.113, 373.171, 373.414 FS. Law Implemented 373.0361, 373.114, 373.171, 373.403, 373.413, 373.414, 373.416, 373.429, 373.441 FS. History—New 4-2-87, Amended 3-1-88, 9-11-88, 10-1-99, 4-1-91, 11-16-92, 1-30-94, 10-3-95, 12-26-95, 5-26-96, 7-23-96, 4-17-97, 4-12-98, 7-2-98, 12-3-98, 7-28-99, 8-3-00, 9-20-00, 6-12-01, 10-11-01, 2-27-02, 7-29-02, 3-26-03, 7-23-03, 8-3-03, _____.

40D-4.302 Additional Conditions for Issuance of Permits.

(1) In addition to the conditions set forth in Rule 40D-4.301, F.A.C., in order to obtain a general, individual, or conceptual permit under this chapter an applicant must provide reasonable assurance that the construction, alteration, operation, maintenance, removal and abandonment of a system:

(a) Located in, on, or over wetlands or other surface waters as delineated pursuant to the methodology authorized by subsection 373.421(1), F.S., will not be contrary to the public interest, or if such an activity significantly degrades or is within an Outstanding Florida Water, that the activity will be clearly in the public interest, as determined by balancing the following criteria as set forth in subsections 3.2.3 through 3.2.37 of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District adopted by reference in Rule 40D-4.091, F.A.C.:

1. through 7. No change.

(b) Will not cause unacceptable cumulative impacts upon wetlands and other surface waters, as set forth in subsections 3.2.8 through 3.2.8.2 of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida

Water Management District adopted by reference in Rule 40D-4.091, F.A.C. as delineated pursuant to the methodology authorized by subsection 373.421(1), F.S.

(c) through (2) No change.

Specific Authority 373.016, 373.044, 373.113, 373.171 FS. Law Implemented 373.016, 373.042, 373.409, 373.413, 373.414, 373.416, 373.426 FS. History—New 10-3-95, Amended 9-26-02, _____.

40D-4.381 General Conditions.

(1) The following general conditions shall be a part of all permits issued pursuant to this chapter and Chapter 40D-40, F.A.C., ~~unless waived or modified by the Board upon a determination that the conditions are inapplicable to the activity authorized by the permit.~~

(a) through (b) No change.

(c) Activities approved by this permit shall be conducted in a manner which does not cause violations of state water quality standards. The permittee shall implement best management practices for erosion and a pollution control to prevent violation of state water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.

(d) through (f) No change.

(g) Off site discharges during construction and development shall be made only through the facilities authorized by this permit. Water discharged from the project shall be through structures having a mechanism suitable for regulating upstream stages. ~~Stages may be subject to operating schedules satisfactory to the District.~~

(h) No change.

(i) The following shall be ~~properly abandoned and/or removed in accordance with the applicable regulations:~~

(j) through (l) No change.

(m) Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual as authorized by law, utilizing the required Statement of Completion and Request for Transfer to Operation Entity form ~~adopted by reference in Rule 40D-1.659 identified Chapter 40D-1, F.A.C.~~ Additionally, if deviation from the approved drawings are discovered during the certification process the certification must be accompanied by a copy of the approved permit drawings with deviations noted.

(n) This permit is valid only for the specific processes, operations and designs indicated on the approved drawings or exhibits submitted in support of the permit application. Any substantial deviation from the approved drawings, exhibits, specifications or permit conditions, including construction within the total land area but outside the approved project area(s), may constitute grounds for revocation or enforcement action by the District, unless a modification has been applied for and approved pursuant to Rule 40D-4.331, F.A.C. Examples of substantial deviations include excavation of ponds, ditches or sump areas deeper than shown on the approved plans.

(o) The operation phase of this permit shall not become effective until the permittee has complied with the requirements of the conditions in subsection (1) above herein, the District in accordance with subsections 2.6 through 2.6.3 of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District adopted by reference in Rule 40D-4.091, F.A.C., determines the system to be in compliance with the permitted plans, and the entity approved by the District accepts responsibility for operation and maintenance of the system. The permit may not be transferred to the operation and maintenance entity approved by the District until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall request transfer of the permit to the responsible operation and maintenance entity approved by the District, if different from the permittee. Until the permit is transferred pursuant to subsection 2.6.1 of the Basis of Review for Environmental Resource Permit Applications within the Southwest Florida Water Management District adopted by reference in Rule 40D-4.091, F.A.C., a transfer is approved by the District, the permittee shall be liable for compliance with the terms of the permit.

(p) Should any other regulatory agency require changes to the permitted system, the District shall be notified in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.

(q) through (s) No change.

(t) Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding unless a specific condition of this permit or a formal determination under Rule 40D-4.042, F.A.C. and subsections 3.4 through 3.4.6 of the Basis of Review for the Environmental Resource Permit Applications within the Southwest Florida Water Management District adopted by reference in Rule 40D-4.091, F.A.C. 373.421(2), F.S., provides otherwise.

(u) through (x) No change.

(2) In addition to those general conditions set forth in subsection (1), the Governing Board, ~~the Executive Director or delegated district staff shall~~ may impose on any permit granted under this chapter and Chapter 40D-40, F.A.C., such reasonable project-specific conditions as are necessary to assure that the permitted system will be consistent with the overall objectives of the District and will not be harmful to the water resources of the District.

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented 373.042, 373.403, 373.409, 373.413, 373.414, 373.416, 373.426 FS. History—Readopted 10-5-74, Amended 12-31-74, 6-7-78, Formerly 16J-4.06(7), 16J-4.11, 16J-4.10(3), Amended 10-1-84, 3-1-88, 10-3-95, 10-16-96, 10-11-01, _____.

ENVIRONMENTAL RESOURCE PERMITTING
INFORMATION MANUAL
BASIS OF REVIEW

CHAPTER TWO – ADMINISTRATIVE CRITERIA

2.6.3 Future Operation and Maintenance – The operation and maintenance entity is required to provide for the inspection of the surface water management system by a Florida registered Professional Engineer to ensure that the system is properly operated and maintained. Inspection schedules will be specifically stated in the permit. For those systems utilizing effluent filtration or exfiltration, the inspections shall be performed 18 months after operation is authorized and every 18 months thereafter. A written report of the findings of the inspection shall be filed with the District within 30 days of the date of the inspection, utilizing the Statement of Inspection for Proper Operation and Maintenance form identified and adopted by reference in Rule 40D-1.659, F.A.C. The permit shall be subject to additional reasonable conditions as are necessary, including performance bonds, to ensure future operation and maintenance of the surface water management system. ~~The District shall supply the form necessary for this. The District may impose additional permit requirements to insure future operation and maintenance including, but not limited to, performance bonds or the development of operation and maintenance plans and schedules.~~

2.7 Statement of Completion – When a system permitted by the District is constructed, a Florida registered Professional Engineer or person under their responsible supervision, direction or control must be on the construction site as needed to certify that the system was constructed as permitted. The owner, authorized agent or engineer must certify that the system was constructed as permitted and, if applicable, in compliance with Rule 40D-40.301, F.A.C., prior to issuance of the operation authorization or any transfer of operation and maintenance responsibility utilizing the Statement of Completion and Request for Transfer to Operation Entity form identified and adopted by reference in Rule 40D-1.659, F.A.C. ~~The District will supply the form necessary for this.~~

CHAPTER THREE – ENVIRONMENTAL

3.2.2.1 Compliance with subsections 3.2.2 through 3.2.3.7 and 3.2.5 through 3.3.8 will not be required for regulated activities in isolated wetlands less than one half acre in size, unless:

- (a) The wetland is used by threatened or endangered species, or
- (b) The wetland is located in an area of critical state concern designated pursuant to Chapter 380, F.S., or
- (c) The wetland is connected by standing or flowing surface water at seasonal high water level to one or more wetlands, and the combined wetland acreage so connected is greater than one half acre, or
- (d) The District establishes that the wetland to be impacted is, or several such wetlands to be impacted are cumulatively, of more than minimal value to fish and wildlife based on the factors in subsection 3.2.2.3.

3.2.5 Class II Waters; Waters approved for shellfish harvesting

(c) Deny a permit for a regulated activity that is located directly in Class II or Class III waters which are classified ~~by the Department~~ as approved, restricted, conditionally approved or conditionally restricted for shellfish harvesting. This provision shall not apply to ~~However, the District may issue permits or certifications for~~ maintenance dredging of navigational channels, the construction of shoreline protection structures, the installation of transmission and distribution lines for carrying potable water, electricity or communication cables in rights-of-way previously used for such lines, for clam and oyster culture, and for private, single family boat docks that meet the following criteria for installation in such waters:

3.3.1.8 Innovative mitigation proposals which deviate from the standard practices described in subsections 3.3 through 3.3.6 may be proposed by an applicant; however to receive District approval they must offset the adverse impacts to the functions identified in subsections 4.2 through 4.2.8.2. ~~shall be considered on a case-by-case basis.~~ The donation of money is not considered to be an acceptable method of mitigation, unless cash payments are specified for use in a District or Department of Environmental Protection endorsed environmental, preservation enhancement or restoration project, and the payments initiate a project or supplement an ongoing project. The project or portion of the project funded by the donation of money must offset the impacts of the proposed system.

3.3.2.2 Preservation

(a) Preservation of important ecosystems can provide an improved level of protection over ~~the~~ current regulatory programs. ~~The District may consider as mitigation the~~ Preservation shall be, by donation, conservation easement or other comparable land use restriction, of wetlands, other surface waters, or uplands. Conservation easements or restrictions must be consistent with the requirements of

subsection 3.3.8. In many cases it is not expected that preservation alone will be sufficient to offset adverse impacts. Preservation will most frequently be approved in combination with other mitigation measures.

3.3.6 Mitigation Success

Mitigation success will be measured in terms of whether the objectives of the mitigation can be realized. The success criteria to be included in permit conditions will specify the minimum requirements necessary to attain a determination of success. The mitigation shall be deemed successful by the District when all applicable water quality standards are met, the mitigation area has achieved viable and sustainable ecological and hydrological functions and the specific success criteria contained in the permit are met. If success is not achieved within ~~the a~~ time frame specified within the permit, remedial measures shall be required. Monitoring and maintenance requirements shall remain in effect until success is achieved.

3.3.7.4 General Terms for Financial Responsibility Mechanisms.

In addition to the specific provisions regarding financial responsibility mechanisms set forth in subsection 3.3.7.6 below, the following, as they relate to the specific mechanism proposed, shall be complied with:

(a) The form and content of all financial responsibility mechanisms shall be approved by the District if they satisfy the requirements specified in subsections 3.3.7 through 3.3.7.9.

(b) through (c) No change.

(d) Prior written consent from the District shall be obtained before withdrawing or transferring any portion of the funds therein pursuant to subsections 3.3.7.7.1 and 3.3.7.7.2.

(e) No change.

(f) The financial responsibility mechanisms shall provide that they cannot be revoked, terminated or canceled without first providing an alternative financial responsibility mechanism which meets the requirements of subsections 3.3.7 through 3.3.7.9. Within 90 days of receipt by the permittee of actual or constructive notice of revocation, termination or cancellation of a financial responsibility mechanism or other actual or constructive notice of cancellation, the permittee shall provide an alternate financial responsibility mechanism which meets the requirements of subsections 3.3.7 through 3.3.7.9.

3.3.8 Real property conveyances.

(a) All conservation easements shall be granted in perpetuity without encumbrances, unless such encumbrances do not adversely affect the ecological viability of the mitigation. All liens against the conservation easement site shall release, be subordinated to, or joined with the conservation easement. All conservation easements shall, be consistent with ~~the~~ Section 704.06, F.S., and; however, the District shall contain require further restrictions that in the conservation easement if necessary to ensure the ecological viability of the site.

(b) All real property conveyances shall be in fee simple and by statutory warranty deed, special warranty deed, or other deed, without encumbrances that adversely affect the integrity of the preservation. The District may also accept a quit claim deed for the purpose of clearing minor title defects or otherwise resolving boundary questions.

3.4.4 Duration

The formal determination shall be binding for five years provided physical conditions on the property do not change so as to alter the boundaries of wetlands and other surface waters during that period. ~~The Governing Board may revoke a formal determination upon a finding that the petitioner has submitted inaccurate information to the District.~~

3.4.6 Nonbinding Determinations

The District may issue informal nonbinding pre-application determinations or otherwise initiate nonbinding determinations on its own initiative ~~as provided by law.~~

CHAPTER FOUR – WATER QUANTITY

4.5 Minimum drainage

Commercial and industrial projects to be subdivided for sale are required to install a minimum drainage system as described in a. and b. below. Projects permitted in such a manner shall may require deed restrictions which notify lot or tract purchasers of the amount of additional on-site storm water management system necessary to provide flood attenuation and any additional retention/detention required for water quality purposes.

a. The required water quality system must have treatment capacity for one inch of runoff if wet detention is used, or one-half inch of runoff if retention, effluent filtration or exfiltration is used, from the total developed site and contributing offsite area.

b. A storm water collection and conveyance system must be provided to interconnect the retention/detention system with the project outfall, including access points to the system available to each individual lot or tract. The system shall be sized to limit discharge under full build-out design conditions to the allowable discharge.

~~c. Exceptions to the requirements of a. and b. above can be made, provided a conceptual permit is obtained for the total project area.~~

4.8 Offsite Lands – The application shall include provisions ~~Adequate provisions shall be made~~ to allow drainage from off-site upgradient areas to downgradient areas without adversely altering the time, stage, volume, point or manner of discharge or dispersion and without degrading water quality.

CHAPTER FIVE – WATER QUALITY

5.1 Projects shall be designed so that discharges will meet applicable state water quality standards.

The following design and performance standards are established for the purpose of determining compliance with storm water discharge requirements. ~~However, in certain~~

~~instances a design meeting those standards may not result in compliance with the state water quality standards referenced above. Unless an applicant has provided reasonable assurance that a design will not cause or contribute to a violation of state water quality standards, the District may apply more stringent design and performance standards than are otherwise required by this chapter.~~

Projects designed to the criteria found in this section shall be presumed to provide reasonable assurance of compliance with the state water quality standards referenced above. ~~The applicant may propose~~ The District will consider other methods that utilize a combination of treatment practices that will provide equivalent treatment as compared to the systems listed in this section. If the applicant chooses to propose a design that does not address the specific criteria listed herein, the applicant must provide the District with reasonable assurance based on plans, test results and other information specific to the design proposed that the construction, alteration or operation of the system will not discharge, emit, or cause pollution in contravention of the standards referenced above.

5.2 Retention, detention criteria – The volume of runoff to be treated from a site shall be determined by the type of treatment system, i.e., wet detention, detention with effluent filtration, on-line treatment system, or off-line treatment system. If off-site run-off is not prevented from combining with on-site runoff prior to treatment, then treatment must be provided for the combined off-site/project runoff.

3. a. 1., 2. and 3.(a) No change.

(b) The treatment volume cannot adversely impact the wetland so that it fluctuates beyond the range of natural water levels. The available volume is determined based on site-specific conditions and an a-ease-by-ease-basis through analysis of the isolated wetland to be used.

3.(c) through a. 5. No change.

b. through f. No change.

5.4 Sewage treatment percolation ponds – Above ground pond dikes shall not be located within 200 feet of water bodies or 100 feet of dry retention areas. The applicant may propose specific alternative measures that are equivalent to these criteria in their effectiveness to protect the water resources and adjacent property. The applicant shall provide the District with reasonable assurance based on the plans, calculations and other information specific to the design proposed. Additional calculations by the applicant may be necessary in unusual cases requiring deviations from these dimensions.

5.10 General conditions related to water quality monitoring by permittees.

a. If the applicant utilizes design criteria found in this chapter, monitoring ~~normally~~ will not be required.

b. Monitoring ~~shall~~ may be required when the applicant proposes design criteria not found in this chapter, and does not have specific test data or other data to support that state water quality standards will be met.

c. No change.

5.11 The reason for the monitoring requirement ~~normally~~ will be stated in the staff report for each permit, along with the monitoring schedule and the parameters of interest. ~~Although specifics may vary from project to project, S~~ samples will normally be collected at discharge locations unless other locations are identified in the monitoring schedule. Monitoring A typical sampling ~~schedules~~ will require the collection of samples once per month during the wet season, ~~however this may vary among projects. Some P~~ permittees will also ~~may~~ be required to collect samples during storm events in addition to monthly sampling, provide the r ~~Rate of discharge at the time of sample collection,~~ and provide the total monthly discharge each month for the duration of the permit, if necessary to ensure that state water quality standards will be met ~~may also be required.~~

5.12 ~~As a general rule, M~~ monitoring required of permittees will be confined to points within the project ~~their~~ boundaries. If additional sampling is needed to assess off-site impacts of the projects, such sampling ~~normally~~ will be conducted by the District.

5.13 Staff reports and permits for projects not requiring monitoring at the time of permit issuance will include a statement that water quality monitoring will ~~may~~ be required in the future if necessary to ensure that state water quality standards are being met. This should not be construed as an indication that the District is contemplating the implementation of a program of intensive water quality monitoring by all permittees. ~~If water quality problems develop in specific areas, however, permittees are hereby put on notice that they may have to determine the quality of the water which they are discharging.~~

CHAPTER SIX – CONSTRUCTION

6.1 Discharge structures

a. The construction design for all surface water systems shall be adequate to meet all design criteria and performance standards referred to in this rule ~~and any applicable standards or criteria required by local governments.~~ Provision shall ~~should~~ be made for the controlled release of water volumes in excess of that caused by the design storm event to ensure ~~insure~~ adequate performance of the system and its continued safe operation. Construction designs shall ~~should~~ include adequate provisions to allow ~~permit~~ operation and maintenance activities and to prevent unauthorized operation of operable structures.

b. All design discharges shall be made through structural discharge facilities. Discharge structures shall be fixed so that discharge cannot be made below the control elevation, except that emergency operation devices may be designed and installed with secure locking mechanisms ~~devices.~~ ~~Exceptions to this requirement may be made for some agricultural systems and mining reclamation activities.~~

c. through e. No change.

f. Direct discharges, such as through culverts, stormdrains, weir structures, etc., will normally be allowed to receiving waters which by virtue of their large capacity, configuration, etc. are easily able to absorb concentrated discharges. Examples of sSuch receiving waters might include existing storm sewer systems and man-made ditches, canals and lakes.

6.4.1 Dimensional Criteria (as measured at or from the control elevation).

a. Width – Wet detention water quality treatment systems normally shall be designed with a 100 foot minimum width for linear areas in excess of 200 feet in length. Area and width requirements will ~~can~~ be waived for projects to be operated by single owner entities, or entities with full time maintenance staffs with a particular interest in maintaining the area, e.g., golf courses. ~~Further consideration will be given to T~~ treatment areas not meeting the above width to length ratio will be approved if the permittee can demonstrate it can be shown that the design of the system will maximize circulation by location of inflow and outflow points.

6.7 Stagnant water conditions – configurations which create stagnant water conditions such as dead end canals are prohibited to be avoided, regardless of the type of development.

CHAPTER SEVEN – DESIGN INFORMATION

7.6 Runoff – the usual methods of computation are as follows:

d. Other alternative methods and criteria proposed by the applicant that are functionally equivalent to the criteria in District rules. The applicant shall provide the District with reasonable assurance of such equivalency based on the submitted plans, calculations and other information. Others as approved by the District.

7.8.1 Allowable Discharges – peak discharge, for purposes of meeting maximum allowable discharges, ~~is may normally be~~ computed as the maximum average discharge over a time period equal to the time of concentration of the contributory area.

APPENDIX 4

BASIS OF REVIEW FOR THE ESTABLISHMENT AND USE OF MITIGATION BANKS

5.(h) Any additional information which may be necessary to evaluate whether the proposed Mitigation Bank meets the criteria of Section 373.4136, F.S. and Appendix 4 this chapter.

NAME OF PERSON ORIGINATING PROPOSED RULE: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2002 and July 29, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE: Rule Chapter No.:
General Environmental 40D-40

Resource Permits 40D-40
RULE TITLES: Rule Nos.:

Content of Application for General Permits 40D-40.112

Conditions for Issuance of General Permits 40D-40.302

General Conditions 40D-40.381

PURPOSE AND EFFECT: The purpose and effect of the proposed amendments is to conform District rule language to certain statutory revisions and to address concerns expressed by the staff of the Joint Administrative Procedures Committee (JAPC) regarding environmental resource permitting rules.

SUMMARY: The proposed amendments will provide a pertinent rule reference in subsection 40D-40.112(1), F.A.C.; clarify language in the introductory paragraph of Rule 40D-40.302, F.A.C.; and delete arbitrary language from subsection 40D-40.381(3), F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District’s determination that the proposed revisions to Rules 40D-40.112, 40D-40.302 and 40D-40.381, F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.016, 373.044, 373.113, 373.118, 373.149, 373.171, 373.414(9) FS.

LAW IMPLEMENTED: 373.016, 373.042, 373.403, 373.406, 373.409, 373.413, 373.414, 373.414(9), 373.416, 373.416(2), 373.419, 373.426, 403.805 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: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

40D-40.112 Content of Application for General Permits.

(1) To ~~a~~Apply for a general permit, including an application for a general permit for minor surface water management systems, the applicant shall file with the District the ~~a~~Application form identified and adopted by reference in Rule 40D-1.659, Chapter 40D-1, F.A.C. and other required documents, information and fees.

(2) through (5) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History—New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 10-16-96, 9-26-02, _____.

40D-40.302 Conditions for Issuance of General Permits.

In order to qualify for a general permit for construction and operation under this chapter, the applicant must give reasonable assurances that the surface water management system meets all conditions of subsection 40D-40.302(1), F.A.C., all thresholds ~~in~~ of subsection 40D-40.302(2), F.A.C., and the additional conditions of at least one other subsection of this rule. To obtain a general site conditions assessment permit under this chapter, the applicant must provide reasonable assurances that all conditions of subsection 40D-40.302(5), F.A.C., are met. To obtain a permit for construction of incidental site activities under this chapter, the applicant must provide reasonable assurance that all conditions of subsections 40D-40.302(1) and 40D-40.302(6), F.A.C., are met.

(1) through (6) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History—New 10-1-84, Amended 3-1-88, 5-10-88, 9-13-88, 10-3-95, 7-23-96, 7-16-02, 9-26-02, 8-3-03, _____.

40D-40.381 General Conditions.

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

(4) All general permits shall be subject to other reasonable conditions as are necessary to ensure assure that the permitted system will meet the conditions for issuance in Rules 40D-4.301 and 40D-4.302, F.A.C. not be inconsistent with the overall objectives of the District and will not be harmful to the water resources of the District.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.117, 373.413, 373.414, 373.416, 373.419 FS. History—New 10-1-84, Amended 3-1-88, 10-3-95, 7-23-96, 9-26-02, 8-3-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Environmental Resource Permits	40D-400
RULE TITLES:	RULE NOS.:
Definitions	40D-400.021
General Permit for the Installation of Fences	40D-400.437
General Permit for the Construction or Maintenance of Culverted Driveway or Roadway Crossings and Bridges of Artificial Waterways	40D-400.439
General Permit to the Florida Department of Transportation, Counties, and Municipalities For Minor Bridge Alteration, Replacement, Maintenance and Operation	40D-400.443
General Permit for Minor Activities	40D-400.475

PURPOSE AND EFFECT: The purpose and effect of the proposed amendments is to conform District rule language to certain statutory revisions and to address concerns expressed by the staff of the Joint Administrative Procedures Committee (JAPC) regarding environmental resource permitting rules.

SUMMARY: The proposed amendments will alphabetize the definitions in Rule 40D-400.021, F.A.C.; and make minor clarifications to language in subsection 40D-400.437(2), paragraph 40D-400.439(1)(b), 40D-400.443(2)(k) and subsection 40D-400.475(5), F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A Statement of Estimated Regulatory Cost is not being prepared based on the District's determination that the proposed revisions to Rule 40D-400.021, subsection 40D-400.437(2), paragraph 40D-400.439(1)(b), 40D-400.443(2)(k) and subsection 40D-400.475(5), F.A.C., will not result in a substantial increase in the costs to affected parties and there will not be significant adverse effects on competition, employment, investment or productivity.

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

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.413, 373.414, 373.416, 373.419 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: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 40D-400.021 follows. See Florida Administrative Code for present text.)

40D-400.021 Definitions.

The definitions set forth in section 40D-4.021, F.A.C., shall apply to this chapter. Additionally, as used in this chapter:

(1) “Aquatic Preserves” means those areas designated in Part II, Chapter 258, F.S.

(2) “Canal” means a trench, the bottom of which is normally covered by water, with the upper edges of its two sides normally above water.

(3) “Channel” means a trench, the bottom of which is normally covered entirely by water, with the upper edges of one or both of its sides normally below water.

(4) “Coral” means living stoney coral and soft coral.

(5) “Department” means the Florida Department of Environmental Protection.

(6) “Drainage ditch” or “irrigation ditch” means a man-made trench which is dug for the purpose of draining water from the land or for transporting water for use on the land and which is not built for navigational purposes.

(7) “Dredging” means the excavation, by any means, in surface waters or wetlands. It also means the excavation, or creation, of a water body which is, or is to be, connected to any surface waters or wetlands directly or via an excavated water body or series of excavated water bodies.

(8) “Endangered species” means those animal species which are listed in Rule 68A-27.003, F.A.C., and those plant species which are listed in 50 Code of Federal Regulations 17.12.

(9) “Estuary” means a semi-enclosed, naturally existing coastal body of water which has a free connection with the open sea and within which seawater is measurably diluted with fresh water derived from riverine systems.

(10) “Filling” means the deposition, by any means, of materials in surface waters or wetlands.

(11) “Forested wetlands” means those wetlands where the canopy coverage by trees with a diameter at breast height of greater than 4 inches is greater than 10 percent, as well as those areas required to be planted with tree species to establish or reestablish forested wetlands pursuant to a permit issued or enforcement action taken, under rules adopted under Part IV of Chapter 373, F.S., or Sections 403.91-403.929, F.S. (1984 Supp.) as amended, and those areas where the canopy has been temporarily removed but are expected to revegetate to a forested wetland if use of the area would remain unchanged.

(12) “Herbaceous wetlands” means those wetlands dominated by non-woody vegetation that have less than a 10 percent canopy coverage of trees with a diameter at breast height of greater than 4 inches.

(13) “Insect control impoundment dikes” means artificial structures, including earthen berms, constructed and used to impound wetlands or other surface waters for the purpose of insect control.

(14) “Lagoon” means a naturally existing coastal zone depression which is below mean high water and which has permanent or ephemeral communications with the sea, but which is protected from the sea by some type of naturally existing barrier.

(15) “Materials” mean matter of any kind, including, but not limited to, sand, clay, silt, rock, dredged material, construction debris, solid waste, pilings or other structures, ash, and residue from industrial and domestic processes. The term shall not include the temporary use and placement of lobster pots, crab traps, or similar devices or the placement of oyster culch pursuant to Section 370.16, F.S., or Chapters 62R-6 and 62N-5, F.A.C.

(16) “Riprap” is a sloping retaining or stabilizing structure made to reduce the force of waves and to protect the shore from erosion, and consists of unconsolidated boulders, rocks, or clean concrete rubble with no exposed reinforcing rods or similar protrusions.

(17) “Seawall” means a man-made wall or encroachment, except riprap, which is made to break the force of waves and to protect the shore from erosion.

(18) “Species of Special Concern” means those species listed in Rule 68A-27.005, F.A.C.

(19) “Submerged grassbeds” means any native, herbaceous, submerged vascular plant community that is growing on the bottoms of surface waters waterward of the mean high water line or ordinary high water line.

(20) “Swale” means a man-made trench which:

(a) Has a top width-to-depth ratio of the cross-section equal to or greater than 6:1, or side slopes equal to or greater than 3 feet horizontal to 1 foot vertical;

(b) Contains contiguous areas of standing or flowing water only following a rainfall event;

(c) Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and

(d) Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge.

(21) “Threatened species” means those animal species listed in Rule 68A-27.004, F.A.C.

(22) “Vertical seawall” is a seawall the waterward face of which is at a slope greater than 75 degrees to the horizontal. A seawall with sloping riprap covering the waterward face to the mean high water line shall not be considered a vertical seawall.

(23) “Water Management District” or “District” means a water management district created pursuant to Section 373.069, F.S.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History--New 10-3-95, Amended.

40D-400.437 General Permit for the Installation of Fences.

(1) No change.

(2) No fence shall be installed ~~in the~~ ~~into~~ open waters (areas of water bodies not supporting emergent vegetation) of any navigable river, stream, canal, or tributary ~~thereof~~ ~~thereto~~, a distance of more than 25 feet, or more than twenty percent of the width of the open water, whichever is less, and ~~no fence in any lake shall not~~ extend more than 15 feet waterward of the landward extent of ~~any~~ ~~the~~ lake, including contiguous wetlands;

(3) through (5) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History--New 10-3-95, Amended.

40D-400.439 General Permit for the Construction or Maintenance of Culverted Driveway or Roadway Crossings and Bridges of Artificial Waterways.

(1)(a) No change.

(b) A culvert or culverts shall be ~~are~~ placed under the roadway or driveway;

(c) through (5) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History--New 10-3-95, Amended.

40D-400.443 General Permit to the Florida Department of Transportation, Counties and Municipalities for Minor Bridge Alteration, Replacement, Maintenance and Operation.

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

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

(k) The permittee shall use erosion and sediment control best management practices, including turbidity curtains or similar devices, in strict adherence to these practices as described in Chapter 6, the Florida Land Development Manual: A Guide to Sound Land and Water Management (Florida Department of Environmental Regulation, 1988), incorporated herein by reference, to prevent violations of state water quality standards;

(l) through (m) No change.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.416, 373.426 FS. History--New 10-3-95, Amended.

40D-400.475 General Permit for Minor Activities.

(1) through (4) No change.

(5) A determination that an activity qualifies for a General Permit for a minor activity applies only to ~~the actual~~ ~~circumstances involving~~ the site specific activity, location, method of construction or operation of the specific activity and the other design and operation features of the specific activity.

Specific Authority 373.044, 373.113, 373.118 FS. Law Implemented 373.413, 373.414, 373.416, 373.419 FS. History--New 10-3-95, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4651

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the Southwest Florida Water Management District

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLE: Operation of the Association

RULE NO.: 61B-23.002

PURPOSE AND EFFECT: To develop a procedure and form for condominium associations to report fire safety retrofitting information to the Division of Florida Land Sales, Condominiums and Mobile Homes, establish a date for reporting this information to the Division of State Fire Marshal of the Department of Financial Services, and clarify voting procedures regarding the waiver of fire safety retrofitting, pursuant to Chapter 2003-14, Laws of Florida.

SUMMARY: To provide guidance to condominium associations regarding voting and reporting of fire safety retrofitting.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 718.501(1)(f) FS.

LAW IMPLEMENTED: 718.112(2)(l) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m., December 29, 2003

PLACE: Warren Building, Meeting Room #B03, 202 Blount Street, Tallahassee

Those persons who cannot attend in person may submit their comments in writing to: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, within 21 days of this notice. Written comments received after the hearing may not be considered.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting: Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-23.002 Operation of the Association.

(1) through (2) No change.

(3) Each association that votes to forego retrofitting of the common elements or units of a residential condominium with a fire sprinkler system or other engineered life safety system by the affirmative vote of two-thirds of all voting interests in the affected condominium, shall report the voting results and certification information for each affected condominium to the division on DBPR Form CO 6000-8, FIRE SAFETY RETROFITTING REPORT FOR CONDOMINIUMS, incorporated herein by reference and effective _____ . The form may be obtained by writing the division at 1940 North Monroe Street, Tallahassee, Florida 32399-1030. If retrofitting has been undertaken by a residential condominium, the association shall report the per-unit cost of such work to the division using DBPR Form CO 6000-8, FIRE SAFETY RETROFITTING REPORT FOR CONDOMINIUMS. The division shall prepare a report of information obtained from associations and deliver the report to the Division of State Fire Marshal of the Department of Financial Services no later than August 1 of each year. DBPR Form CO 6000-8, FIRE SAFETY RETROFITTING REPORT FOR CONDOMINIUMS must be filed with the division within 60 days of recordation of the retrofitting waiver certificate in the public records where the condominium is located or upon commencement of the retrofitting project.

(4)(a) As provided for by Section 718.112(2)(l), Florida Statutes, any vote to waive a fire safety retrofitting requirement shall be held at a duly called meeting of the membership, with members voting live and in person, or may be conducted without a membership meeting by written consents, or may be conducted by a combination of the two with the association counting written consents received along with votes cast live and in person at a duly called meeting of the membership.

(b) The written consent form utilized by the association must contain a space for the authorized voter to sign and must identify the unit owned. Voting by written consents or written

agreements may be utilized by an association regardless of whether the bylaws or the declaration specifically permit voting by written consents or written agreements.

(c) There is no limitation on the number of times an association may conduct a vote to waive a fire safety retrofitting requirement. However, in order to be effective, the affirmative vote of not less than two-thirds of the total voting interests must be obtained, and a certificate attesting to such vote must be recorded in the public records, not later than December 31, 2014.

(d) In the case of an association that operates more than one condominium, in order for a waiver to be effective as to a particular condominium and the buildings located within that condominium, two-thirds of the total voting interests of that condominium must affirmatively vote in favor of waiving the retrofitting requirements.

Specific Authority 718.112(2)(d)3., 718.501(1)(f) FS. Law Implemented 718.111(12), 718.112(2)(b)2.,(c),(d)3.,4., 718.117, 718.501(2)(a), 718.504 FS. History—New 7-22-80, Amended 8-31-83, 10-1-85, Formerly 7D-23.02, Amended 1-27-87, 7-10-88, 3-21-89, 2-18-92, Formerly 7D-23.002, Amended 11-23-93, 2-20-97, 4-14-99, 12-23-02,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ross Fleetwood, Director, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Diane Carr, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 10, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Land Sales, Condominiums and Mobile Homes

RULE TITLE: RULE NO.:

Association Fee; Mailing Address;

Fire Safety Retrofitting

61B-78.001

PURPOSE AND EFFECT: To develop a procedure and form for cooperative associations to report fire safety retrofitting information to the Division of Florida Land Sales, Condominiums and Mobile Homes, establish a date for reporting this information to the Division of State Fire Marshal of the Department of Financial Services, and clarify voting procedures regarding the waiver of fire safety retrofitting, pursuant to Chapter 2003-14, Laws of Florida.

SUMMARY: To provide guidance to cooperative associations regarding voting and reporting of fire safety retrofitting.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 719.501(1)(f) FS.

LAW IMPLEMENTED: 710.1055(5) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW. IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.

TIME AND DATE: 10:00 a.m., December 29, 2003

PLACE: Warren Building, Meeting Room #B03, 202 Blount Street, Tallahassee, FL

Those persons who cannot attend in person may submit their comments in writing: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030, within 21 days of this notice. Written comments received after the hearing may not be considered.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting: Sharon A. Elzie, Senior Management Analyst II, (850)488-1631. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sharon A. Elzie, Senior Management Analyst II, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32311-1030, (850)488-1631

THE FULL TEXT OF THE PROPOSED RULE IS:

61B-78.001 Association Fee; Mailing Address: Fire Safety Retrofitting.

(1) through (2) No change.

(3) Each association that votes to forego retrofitting of the common areas or units of a residential cooperative with a fire sprinkler system or other engineered life safety system by the affirmative vote of two-thirds of all voting interests in the affected cooperative, shall report the voting results and certification information for each affected cooperative to the division on DBPR Form CP 6000-1, FIRE SAFETY RETROFITTING REPORT FOR COOPERATIVES, incorporated herein by reference and effective _____. The form may be obtained by writing the division at 1940 North Monroe Street, Tallahassee, Florida 32399-1030. If retrofitting has been undertaken by a residential cooperative, the association shall report the per-unit cost of such work to the division using DBPR Form CP 6000-1, FIRE SAFETY RETROFITTING REPORT FOR COOPERATIVES. The

division shall prepare a report of information obtained from associations and deliver the report to the Division of State Fire Marshal of the Department of Financial Services no later than August 1 of each year. DBPR Form CP 6000-1, FIRE SAFETY RETROFITTING REPORT FOR COOPERATIVES must be filed with the division within 60 days of recordation of the retrofitting waiver certificate in the public records where the cooperative is located or upon commencement of the retrofitting project.

(4)(a) As provided for by Section 719.1055, Florida Statutes, any vote to waive a fire safety retrofitting requirement shall be held at a duly called meeting of the membership, with members voting live and in person, or may be conducted without a membership meeting by written consents, or may be conducted by a combination of the two with the association counting written consents received along with votes cast live and in person at a duly called meeting of the membership.

(b) The written consent form utilized by the association must contain a space for the authorized voter to sign and must identify the unit owned. Voting by written consent may be utilized by an association regardless of whether the cooperative documents specifically permit voting by written consent.

(c) There is no limitation on the number of times an association may conduct a vote to waive a fire safety retrofitting requirement. However, in order to be effective, the affirmative vote of not less than two-thirds of the total voting interests must be obtained, and a certificate attesting to such vote must be recorded in the public records, not later than December 31, 2014.

(d) In the case of an association that operates more than one cooperative, in order for a waiver to be effective as to a particular cooperative and the buildings located within that cooperative, two-thirds of the total voting interests of that cooperative must affirmatively vote in favor of waiving the retrofitting requirements.

Specific Authority 719.501(1)(f) FS. Law Implemented 719.1055(5), 719.501(1),(2) FS. History--New 2-17-98, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ross Fleetwood, Director, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-1030

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Diane Carr, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 10, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Certification and Registration of Business Organizations
 RULE NO.: 61G4-15.0021

PURPOSE AND EFFECT: The Board proposes to amend the language relating to certification and registration of business organizations.

SUMMARY: Certification and Registration of Business Organizations.

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

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

SPECIFIC AUTHORITY: 489.108 FS.

LAW IMPLEMENTED: 489.105, 489.107, 489.115, 489.119, 489.1195, 489.143 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: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 N. Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.0021 Certification and Registration of Business Organizations.

(1)(a) A licensee may have his license(s) issued in his name as an individual or may be the qualifying agent for a partnership, corporation, d/b/a (unless operating only as an individual) or other business organization.

(b) No change.

(c) A certificate or registration issued to a business organization authorizes the business organization to contract only in the name of the business on the certificate of authority (license) and only within the scope of work of the qualifying contractor's certificate or registration.

(d) For purposes of compliance with Section 489.119(5), F.S., all advertising must bear either the qualifying contractor's individual license number or the business organization's license number, and must be in the name of the business as it appears on the business organization's license.

(e) No change.

(2) No change.

(3) The Board shall comply with its responsibility to determine the financial responsibility, credit worthiness and business reputation of applicants by examining the information submitted for the qualifying contractor or financially responsible officer, the business entity presently qualified (if any), any additional business entity to be qualified, and business owners will be examined. The existence of an unfavorable credit report or history, bankruptcy, history of late payments, unsatisfied liens, lawsuits (particularly those arising from contracting) and criminal history which evidences dishonesty, are among the items which may result in an unfavorable determination based upon unacceptable financial responsibility. This list is provided for information only, it is not intended to preclude consideration of other factors.

(a) A qualifying contractor shall complete the Financial Responsibility Acknowledgment Statement, contained in DPR/CILB/017 or DPR/CILB/025, as applicable as set forth in Rule 61G4-12.006, F.A.C. The Board has determined that in order to protect the public and to be adequately responsible for more than one business entities' financial obligation, a qualifying contractor must be invested in the success of the additional business. The Board has determined that the same dollars used to qualify the first business are insufficient to protect the public from business difficulties of more than one entity. To that end, the qualifying contractor shall demonstrate a personal ownership interest in the additional business of at least 25%, to be evidenced by a partnership, stock certificate, corporate minutes and/or other legal document to be provided to the board with the additional business entity application. In addition, the additional business entity shall meet the net worth requirements set forth in Rule 61G4-15.005, F.A.C., regardless of the category of contractor's license held by any other qualifier for the business organization. In lieu of the above, the additional business entity must apply for a financially responsible officer.

(b) through (d) No change.

(4) through (7) No change.

Specific Authority 489.108 FS. Law Implemented 489.105, 489.107, 489.115, 489.119, 489.1195, 489.143 FS. History--New 12-6-83, Formerly 21E-15.021, Amended 3-29-88, 8-8-88, 9-24-92, 12-28-92, Formerly 21E-15.0021, Amended 7-18-94, 7-5-95, 11-12-95, 2-6-96, 7-1-96, 9-3-96, 11-27-96, 11-13-97, 9-15-98.

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE TITLE: RULE NO.:
Fees 61H1-31.001

PURPOSE AND EFFECT: The rule sets forth fees for computer-based testing of Applicants sitting for the Uniform CPA Examination as first-time candidates or candidates transferring partial credit from another state.

SUMMARY: This rule sets forth fees to be charged for examination, re-examination, and renewal of licensure.

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

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

SPECIFIC AUTHORITY: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS.

LAW IMPLEMENTED: 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE OF HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: John W. Johnson, Executive Director, Board of Accountancy, 240 N. W. 76 Drive, Suite A, Gainesville, Florida 32607

THE FULL TEXT OF THE PROPOSED RULE IS:

61H1-31.001 Fees.

(1) ~~For the Applicants to sit for the Uniform CPA Examination, as a first time candidate or for candidates transferring partial credits from another state, a fifty dollar (\$50.00) application fee will be owed prior to processing the application. Once the applicant has been approved to sit for the exam as a Florida candidate; the following initial examination fee will be charged to take each section of the exam: Auditing \$134.50, Accounting \$126.00, Regulation \$109.00, and Business E & C \$100.50, thirty five dollars (\$35.00) and sixty dollars (\$60.00) per part; sixty dollars (\$60.00) per part for extended/conditioned candidates. The Department will defer the fee until the next examination if the applicant is unable to sit for the examination due to illness, death in the immediate family, military service, or jury duty provided the applicant's illness is supported by a notarized statement of a physician, or absence, by reason of military service is supported by a copy of military order or a letter from the Commanding Officer or death in immediate family is supported by a notarized statement by the applicant and a copy of the death certificate or~~

~~obituary, or jury duty is supported by evidence from the appropriate court. Such request must be made in writing within sixty (60) days from the last day of the examination.~~

(2) ~~In addition to the examination fee charged to take each section of the exam set forth in subsection (1), re-examination candidates will be charged a re-examination administration fee covering the costs of administration of the re-examination, which will vary depending on the number of examination sections the candidate applies to take per application. For initial licensure the fee shall be Twenty-five Dollars (\$25.00). However, in no event will an initial license be issued if the initial licensure fee and all required documents are not received within 12 months of the date of certification by the Board. In such a case, the certification expires and the individual affected must reapply and requalify for licensure based on the laws and rules in effect at the time of the new application.~~

- (a) Four sections of the examination – \$105.00.
- (b) Three sections of the examination – \$90.00.
- (c) Two sections of the examination – \$75.00, or
- (d) One section of the examination – \$60.00.

(3) For individual active and inactive status licenses, biennial renewal fee provided in Section 473.305, F.S., ninety-five dollars (\$95.00).

(4) For change of status other than during the renewal period, fifty dollars (\$50.00); for reactivation of an inactive status license to active status, fifty dollars (\$50.00); for reactivation of a delinquent status license to active or changing a delinquent status license to inactive status fifty dollars (\$50.00).

In all cases completion of the requirements of Rule 61H1-33.006, F.A.C., and passage of the examination on Chapters 455 and 473, F.S., and related rules shall be required for reactivation.

(5) The biennial renewal fee provided in Section 473.305, F.S., for partnerships, corporations, and limited liability companies licensed in Section 473.3101, F.S., one hundred fifty dollars (\$150.00). The penalty for late renewal for partnerships, corporations, and limited liability companies shall be fifty dollars (\$50.00). The biennial renewal fee provided in Section 473.305, F.S., for sole proprietor firms and other legal entities owned by a sole proprietor licensed in Section 473.3101, F.S., twenty-five (\$25.00). The penalty for late renewal for sole proprietor firms and other legal entities owned by a sole proprietor shall be twenty-five dollars (\$25.00).

(6) Persons, partnerships and corporations licensed in the first year of the biennial period, as established by the Department, shall pay the fees established above. Those persons, partnerships and corporations licensed in the second year of the biennial period, as established by the Department, shall pay one half of the fees established above.

(7) For application for license by endorsement provided in Section 473.308, F.S., One Hundred Fifty Dollars (\$150.00) per person. If such application is withdrawn or denied, no portion of the fee will be refunded by the Department.

(8) The fee for the examination is refundable in the amount of fifty dollars per part if the applicant is found to be ineligible to sit for the examination.

(9) For fees relating to the Foreign Language Examination refer to Section 455.11, F.S.

(10) The scan sheet for the Laws and Rules Examination must be postmarked by or on July 15. No Laws and Rules Examination scan sheet will be accepted if it is postmarked after December 1.

(11) The CPE reporting form must be postmarked by or on July 15. If it is postmarked after July 15 but by or on December 1, a \$50 delinquency fee will be imposed by the Board. No CPE reporting form will be accepted if it is postmarked after December 1.

(12) Duplicate licensee fee – If a licensee requests a duplicate license, the Board will issue the duplicate if the request is made in writing and is accompanied by a payment of \$25.

Specific Authority 455.213(2), 455.219(4), 455.271, 473.305, 473.312 FS. Law Implemented 119.07, 455.219(4), 455.271, 473.305, 473.312, 473.313 FS. History—New 12-4-79, Amended 2-3-81, 3-4-82, 11-6-83, 3-29-84, Formerly 21A-31.01, Amended 6-4-86, 9-16-87, 2-1-88, 8-30-88, 2-6-89, 12-18-89, 12-28-89, 8-16-90, 4-8-92, 12-2-92, Formerly 21A-31.001, Amended 11-4-93, 2-14-95, 11-3-97, 6-22-98, 10-28-98, 7-15-99, 4-3-02,

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Accountancy
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Accountancy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 20, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 7, 2003

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.:	RULE TITLE:
19B-4.001	Application
	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. 29, No. 44, October 31, 2003, issue of the Florida Administrative Weekly:

19B-4.001 Application.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB ~~2003-1~~ ~~2002-1~~, is hereby incorporated by reference and may be obtained by calling 1-800-552-GRAD (4723) (prompt 1). ~~The effective date of the form is October 21, 2002.~~ The Florida Prepaid College Plan Program Master Covenant, Form No. FPCB ~~2003-2~~ ~~2002-2~~ is hereby incorporated by reference ~~with an effective date of October 21, 2002.~~

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.98 FS. History—New 3-29-89, Amended 2-6-90, 3-19-92, Formerly 4G-4.001, Amended 12-5-93, 5-31-95, 6-20-96, 10-20-96, 12-16-97, 2-18-99, 6-6-99, 2-8-00, 5-21-00, 1-7-01, 10-9-01, 11-27-02, 10-1-03, _____.

STATE BOARD OF ADMINISTRATION

Florida Prepaid College Board

RULE NO.:	RULE TITLE:
19B-16.002	Application for Participation in the Program
	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. 29, No. 44, October 31, 2003, issue of the Florida Administrative Weekly:

19B-16.002 Application for Participation in the Program.

(1) No change.

(2) The Florida Prepaid College Plan and Florida College Investment Plan New Account Application, Form No. FPCB 2003 2002-1, is hereby incorporated by reference. The effective date of the form is October 21, 2002. The form may be obtained from the Board.

(3) No change.

Specific Authority 1009.971(1),(4),(6) FS. Law Implemented 1009.981 FS. History--New 11-27-02, Amended _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:
61J2-24.003 Notice of Noncompliance

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as notice in Vol. 29, No. 45, November 7, 2003, has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE CHAPTER NO.: RULE CHAPTER TITLE:
69A-21 Fire Extinguishers and Preengineered Systems
RULE NO.: RULE TITLE:
69A-21.115 "Appropriate Training" for Servicing Fire Extinguishers and Preengineered Systems Defined; Limitations

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 37, September 12, 2003, of the Florida Administrative Weekly.

Due to comments received at the hearing the rule has been changed to read as follows:

69A-21.115 "Appropriate Training" for Servicing Fire Extinguishers and Preengineered Systems Defined; Limitations.

(1) Subject to subsection (2) of this rule, "appropriate training" as used in subsection (1) of Section 633.061, Florida Statutes, for the purpose of servicing fire extinguishers and preengineered systems means:

(a) Any training of a fire equipment dealer provided by the manufacturer of the fire extinguisher or preengineered system; or

(b) Any training of a fire equipment dealer which provides proficiency in the servicing of a fire extinguisher and a preengineered system in accordance with the manufacturer's maintenance procedures and specifications and with the applicable National Fire Protection Association standards, as required by Section 633.065(2), Florida Statutes; provided that any servicing must comply fully with Section 633.065, Florida Statutes.

(2)(a) The servicing of any fire extinguisher or preengineered system which negatively affects any warranty required by Section 633.065(1)(d), Florida Statutes, or which negatively affects the listing by Underwriters Laboratories, Inc., or other nationally recognized listing company required by Section 633.065(1)(f), Florida Statutes, is prohibited.

(b) The use of any part or extinguishing agent not specifically identified on the extinguisher, or nameplate, or preengineered system, or in the manufacturer's manuals, or the use of any extinguishing agent that is not specifically listed by UL or other recognized national listing service for use in recharging the specific manufacturer and model of a fire extinguisher or preengineered system violates the provisions of the UL or other recognized national listing service listing for that fire extinguisher or preengineered system, and constitutes a violation of Section 633.065, Florida Statutes.

Specific Authority 633.01 FS. Law Implemented 633.061, 633.065 FS. History--New _____.

**Section IV
Emergency Rules**

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF LAW ENFORCEMENT

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action on a petition for waiver received from Scott Pascarella, on September 4, 2003. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 29, No. 39, dated September 26, 2003. No public comment was received.

The petition requested a waiver of Rule 11B-20.0017, F.A.C., pursuant to Section 120.542, F.S. Rule 11B-20.0017, F.A.C., lists certain requirements for certified instructors to retain their certification. On November 6, 2003, the Criminal Justice Standards and Training Commission granted a variance or waiver to Scott Pascarella in a final order, OGC File No.: VAR 2003-05.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action on a petition for waiver received from Al Wesenick, on September 17, 2003. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 29, No. 40, dated October 3, 2003. No public comment was received.

The petition requested a waiver of Rule 11B-20.0017, F.A.C., pursuant to Section 120.542, F.S. On November 6, 2003, the Criminal Justice Standards and Training Commission granted a variance or waiver to Al Wesenick in a final order, OGC File No.: VAR 2003-7.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

The Department of Law Enforcement, Criminal Justice Standards and Training has taken action on a petition for waiver received from Robert Mooney, on September 17, 2003. Notice of receipt of this petition was published in the Florida Administrative Weekly, Vol. 29, No. 40, dated October 3, 2003. No public comment was received.

The petition requested a waiver of Rule 11B-20.0017, F.A.C., pursuant to Section 120.542, F.S. On November 6, 2003, the Criminal Justice Standards and Training Commission granted a variance or waiver to Robert Mooney in a final order, OGC File No.: VAR 2003-8.

For a copy of the final order write or call: Grace A. Jaye, Florida Department of Law Enforcement, Box 1489, Tallahassee, FL 32302-1489, (850)410-7687.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on October 31, 2003, South Florida Water Management District (District) received a petition for waiver from Paradise Villas Condominium Association, Inc., Application No. 03-0312-2M for utilization of Works or Lands of the District known as the C-17 Canal, Palm Beach County for the unauthorized mooring of vessels extending into the canal and, an existing satellite dish located on an existing finger pier all within the north right of way of C-17, located approximately 300 feet east of U.S. Highway No. 1 at the rear of Paradise Villas Condominium located in North Palm Beach, Palm Beach County, Section 16 Township 42 South, Range 43 East. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which prohibits the mooring of vessels that exceed 25% of the total width of the canal within Works or Lands of the District, and also prohibits the placement of satellite dishes within Works or Lands of the District.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail: jsluth@sffwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

NOTICE IS HEREBY GIVEN that on November 20, 2003, South Florida Water Management District (District) received a petition for waiver from Steven A. Smilack, Application No. 03-1110-6M, for utilization of Works or Lands of the District known as the C-15 canal, Broward County, for a proposed cross fence with gate within the north right of way of the C-15 canal approximately 800' feet downstream of US Highway One, Section 33, Township 46 South, Range 43 East.

The petition seeks relief from subsections 40E-6.011(4),(6) Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet of top of canal bank within Works or Lands of the District.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

NOTICE IS HEREBY GIVEN that on November 21, 2003, South Florida Water Management District (District) received a petition for waiver from the Florida Department of Transportation, Application No. 03-1028-7M, for utilization of Works or Lands of the District known as the C-11 canal, Broward County, for proposed streetlights within the south right of way of the C-11 at S. W. 100th Avenue (Knob Hill Road) Section 29/30, Township 50 South, Range 41 East.

The petition seeks relief from subsections 40E-6.011(4),(5),(6) Fla. Admin. Code, which governs the placement of above-ground permanent and/or semi-permanent encroachments within 40 feet of top of canal bank within Works or Lands of the District.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail: jsluth@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Bureau of Elevator Safety hereby gives notice that it has received a Petition for Emergency Variance filed by Matthew J. Meyer, Legal Council for KONE Inc. on behalf of Billie Maxwell, General Contractor (case VW 2003-115). The petition requests for variance from Rules 100.3a, and 101.6 of A.S.M.E. 17.1, 1996 edition, and Rule 2.29.2, A.S.M.E. 17.2 as adopted by Rule 61C-5.001, Florida Administrative Code. Specifically, the Petitioner requests to not have a machine room, not have hands-on access to the governor and not have direct line-of-sight visual contact with the machine drive sheave from the machine space.

A copy of the notice can be obtained from: Mark J. Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-0013

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF LEGAL AFFAIRS

The Ad Hoc Committee to Review State Commissions on the Status of Women of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited to attend.

DATE AND TIME: Tuesday, December 9, 2003, 10:00 a.m.

PLACE: Call (850)414-3300 for information on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

The Legislative Advocacy Committee of the Florida **Commission on the Status of Women** will hold a telephone conference to which all interested persons are invited.

DATE AND TIME: December 11, 2003, 3:00 p.m.

PLACE: Call (850)414-3300 for information on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

Note: If a quorum of members does not attend, items on this agenda will be discussed as a workshop by those present, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Forestry Arson Alert Association**, Inc. announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, January 23, 2004, 1:00 p.m.

PLACE: Prime Osborne Convention Center/Fire Rescue East Conference/Jacksonville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider the following agenda items: 1) Arson rewards; 2) Budget; 3) Prevention Items; 4) New Business.

A copy of the agenda may be obtained by writing: Mr. Mike Long, Division of Forestry, 3125 Conner Blvd, Tallahassee, Florida 32399-1650, (850)488-6111

DEPARTMENT OF EDUCATION

The public is invited to a meeting of the **Department of Education Advisory Council on Educational Facilities**.

DATE AND TIME: Wednesday, December 17, 2003, 9:00 a.m. – 5:00 p.m.

PLACE: Shultz Center for Teaching and Leadership, 4019 Boulevard Center Drive, Room Gentry A, Jacksonville, FL 32207

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the fifth convening of the Council charged with making recommendations relating to educational facilities in the K-20 education system in Florida. Sub-committees will meet to review and evaluate facilities planning and budgeting processes; needs for existing and proposed facilities; forming alliances with non-public educational institutions and/or community organizations; alternatives to minimize construction of additional facilities; available sources to meet funding requirements; methods of distribution of funds; and alternatives to minimize funding needs.

A copy of the agenda may be obtained from: Advisory Council on Educational Facilities website, <http://www.myfloridaeducation.com/council>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The public is invited to a workshop of the State **Board of Education**.

DATE AND TIME: December 16, 2003, 9:00 a.m.

PLACE: Nova Southeastern University, The Alfred Minaci Performing Arts Center, 3301 College Avenue, Fort Lauderdale, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: Federal Programs.

A copy of the agenda may be obtained from the Commissioner of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so their needs can be accommodated.

The public is invited to a meeting of the State **Board of Education**.

DATE AND TIME: December 16, 2003, 1:00 p.m.

PLACE: Nova Southeastern University, The Alfred Minaci Performing Arts Center, 3301 College Avenue, Fort Lauderdale, FL 33314

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of Minutes of meeting held November 18, 2003, updates on various reports, and status on education initiatives by the Commissioner and the Chairman. Action items will include: Legislative Agenda for 2004 (part 2), Proposed Amendment to Rule 6D-3.008, F.A.C., Discrimination Complaint Procedures for Student Access, Proposed Amendment to Rule 6D-6.020, F.A.C., Discrimination Complaint Procedures for Employment, Proposed Amendment to Rule 6D-12.002, F.A.C., Campus Security/Police Department, Proposed Amendment to Rule 6D-16.002, F.A.C., Human Resources, Management and Development, Proposed Amendment to Rule 6D-17.002, F.A.C., Purchasing Department, and College Reach-Out Program Evaluation Report, 2000-01 Cohort.

A copy of the agenda may be obtained from the Commissioner of Education's website at <http://www.fldoe.org>.

Persons with disabilities who require assistance to participate in the meeting are requested to notify the Office of Access and Equity, (850)245-9531 (Voice), at least 7 days in advance, so that their needs can be accommodated.

The **State University Presidents Association** announces a telephone conference meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 9, 2003, 10:05 a.m. – 11:55 a.m.

PLACE: Telephone Numbers (850)487-8587, 277-8587 (Suncom)

GENERAL SUBJECT MATTER TO BE CONSIDERED: State University System issues.

Contact person: Sandra Cherepow, (407)823-2484

DEPARTMENT OF COMMUNITY AFFAIRS

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: Wednesday, December 17, 2003, 2:30 p.m.

PLACE: Flagler County Courthouse, 200 East Moody Boulevard, Bunnell, Florida 32110

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and related programs (Low Income Emergency Home Repair Program (LEHRP), Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in the County of Flagler. Entities interested in contracting with DCA to provide all of these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entities' experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and their capacity to undertake a timely and effective weatherization program. Preferences will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements. If no more than one entity is funded, that entity must be capable and willing to provide services to all eligible low-income citizens in the geographic area.

ACTIONS TO BE TAKEN: The DCA will review all comments received at the public hearing and the submitted applications, and make a decision regarding each entity's eligibility to provide Weatherization Assistance Program services to Flagler County. Recommendations will then be prepared by the Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary. Although this hearing is for seeking a provider for Flagler County, applications will also be considered for providing programs services to the tri-county area of Clay, Flagler, and Putnam Counties.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to Norm Gempel, Manager, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488. Applications must be received at the Department of Community Affairs by 4:30 p.m., January 5, 2004.

APEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a formal record of the proceeding, and for such purposes

he or she may 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.

Anyone who wants a copy of the agenda or additional information on this hearing may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Department of Community Affairs, (850)488-7541, at least five (5) calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: Thursday, December 18, 2003, 12:00 Noon

PLACE: Putnam County Public Library, 601 College Road, Palatka, Florida 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and related programs (Low Income Emergency Home Repair Program (LEHRP), Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in the County of Putnam. Entities interested in contracting with DCA to provide all of these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entities' experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and their capacity to undertake a timely and effective weatherization program. Preferences will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements. If no more than one entity is funded, that entity must be capable and willing to provide services to all eligible low-income citizens in the geographic area.

ACTIONS TO BE TAKEN: The DCA will review all comments received at the public hearing and the submitted applications, and make a decision regarding each entity's eligibility to provide Weatherization Assistance Program services to Putnam County. Recommendations will then be prepared by the Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary. Although this hearing is for seeking a provider for Putnam County, applications will also be considered for providing programs services to the tri-county area of Clay, Flagler, and Putnam Counties.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to: Norm Gempel, Manager, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541 or Fax (850)488-2488. Applications must be received at the Department of Community Affairs by 4:30 p.m., January 5, 2004.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a formal record of the proceeding, and for such purposes he or she may 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.

Anyone who wants a copy of the agenda or additional information on this hearing may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541 or Fax (850)488-2488.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Department of Community Affairs, (850)488-7541, at least five (5) calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** announces a public hearing to which all interested parties are invited.

DATE AND TIME: Thursday, December 18, 2003, 3:00 p.m.

PLACE: Clay County Administration Building, 477 Houston Street, Conference Room B, Fourth Floor, Green Cove Springs, Florida 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking public or nonprofit entities to administer the Weatherization Assistance Program (WAP) and related programs (Low Income Emergency Home Repair Program (LEHRP), Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in the County of Clay. Entities

interested in contracting with DCA to provide all of these services should be present at this public hearing in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entities' experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and their capacity to undertake a timely and effective weatherization program. Preferences will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded Weatherization Assistance Program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving weatherization goals in a timely fashion; (2) the quality of work performed by the entity; (3) the number, qualifications, and experience of the staff members of the entity; (4) the ability of the entity to secure volunteers, train participants and public service employment workers; and (5) maintain compliance with administration and financial management requirements. If no more than one entity is funded, that entity must be capable and willing to provide services to all eligible low-income citizens in the geographic area.

ACTIONS TO BE TAKEN: The DCA will review all comments received at the public hearing and the submitted applications, and make a decision regarding each entity's eligibility to provide Weatherization Assistance Program services to Clay County. Recommendations will then be prepared by the Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary. Although this hearing is for seeking a provider for Clay County, applications will also be considered for providing programs services to the tri-county area of Clay, Flagler, and Putnam Counties.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to: Norm Gempel, Manager, Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541 or Fax (850)488-2488. Applications must be received at the Department of Community Affairs by 4:30 p.m., January 5, 2004.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered at this public hearing, he or she will need a formal record of the proceeding, and for such purposes he or she may 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.

Anyone who wants a copy of the agenda or additional information on this hearing may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs,

Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541 or Fax (850)488-2488.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Department of Community Affairs, (850)488-7541, at least five (5) calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public hearing to which all persons are invited:

DATE AND TIME: December 16, 2003, during a regular meeting of the Governor and Cabinet which begins at 9:00 a.m.
PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of adoption of proposed new Rules 12D-8.0068 and 12D-8.0082, Florida Administrative Code, the Florida Uniform Market Area Guidelines and amendments to Rules 12D-13.045, 12D-13.060, 12D-13.062, 12D-13.064 and 12D-13.065, F.A.C. Notices of these proposed adoptions were published in the Florida Administrative Weekly on October 10, 2003 (Vol. 29, No. 41, pp. 4009 through 4012) and October 31, 2003 (Vol. 29, No. 44, pp. 4324 through 4326). Subsequently, a Notice of Change for Rule 12D-8.0068, F.A.C., was published in the Florida Administrative Weekly of November 14, 2003 (Vol. 29, No. 46, pp. 4568-4569).

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person requiring special accommodations to participate in this hearing is asked to advise the Department at least 48 hours before the hearing by contacting: Larry Green, (850)922-4830. If you are hearing-impaired or speech-impaired, please contact the Department by using the Florida Relay Service, 1(800)955-8770 (voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation** (FDOT) District One, and the Turnpike District announce their public hearings to which all interested persons are invited. Specific notice is provided to the Polk, Lee, Sarasota/Manatee, Charlotte and Collier Metropolitan Planning Organizations (MPOs) and the County Commission Chairpersons for Polk, Manatee, Sarasota, Charlotte, Lee, Collier, Hendry, Glades, Okeechobee, Highlands, Hardee and DeSoto Counties.

DATE AND TIME: December 10, 2003, 10:00 a.m.

PLACE: Central Florida Regional Planning Council, Bob Crawford Agricultural Center, 605 East Main Street, Bartow, Florida.

DATE AND TIME: December 18, 2003, 9:30 a.m.

PLACE: Regional Service Center, 2295 Victoria Avenue, Suite 165D, Fort Myers, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The hearings will consist of presentations by the Department on the FDOT Tentative Five Year Work Program for fiscal years 2004/2005-2008/2009, followed by a public testimony period. These public hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, as amended. At each hearing, the public is invited to review the District One Tentative Five Year Work Program. Department staff will be available prior to and immediately following for informal discussion and assistance. A court reporter will be available to accept public comments, if desired, for entry into the public record.

The proposed projects have been developed in accordance with the Civil Rights Act of 1964 and the Civil Rights Act of 1968. Under Title VI and Title VIII of the United States Civil Rights Act any person(s) or beneficiary who believes he or she has been subjected to discrimination because of race, color, religion, sex, age, national origin, disability, or familial status may file a written complaint to the Florida Department of Transportation Minority Programs Office in Tallahassee or contact the District's Title VI and Title VIII Coordinator as shown below:

CENTRAL OFFICE: Florida Department of Transportation, Minority Programs Office, 605 Suwannee Street, Tallahassee, Florida 32399-0450

DISTRICT 1: Florida Department of Transportation, District 1, 801 North Broadway, Bartow, Florida 33830

If requested and in compliance with the Americans with Disabilities Act, the Department will provide special assistance at the public hearings for those persons who are disabled. Those persons requiring special assistance must send written notification to the Department at least 10 days prior to the public hearing to: Maryemma Bachelder, Florida Department of Transportation, 801 North Broadway, Bartow, Florida 33830.

A copy of the agenda may be obtained from Maryemma Bachelder at the same address, or by calling (863)519-2362.

Written comments from all interested parties will be accepted by the Department at the public hearing and within ten days after the public hearing. Comments should be mailed to: Ricky A. Langley, P.E., District Secretary, Florida Department of Transportation, Post Office Box 1249, Bartow, Florida 33831.

This is a second notice. The first notice was published in Vol. 29, No. 48, November 26, 2003, Florida Administrative Weekly.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the **Board of Trustees of the Internal Improvement Trust Fund** are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

Notice is hereby given that the **Board of Trustees of the Internal Improvement Trust Fund** of the State of Florida, or designee, is proposing the establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes, and will hold a Public Meeting on:

DATE AND TIME: December 11, 2003, 7:00 p.m.
 PLACE: Destin City Hall Council Chambers, 4200 Two Trees Road, Destin, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For the purpose of considering evidence bearing on the location of a proposed Erosion Control Line for the beach erosion control project known as the Destin Beach Restoration Project.

The location of the proposed Erosion Control Line is as follows:

The proposed Erosion Control Line lies along the City of Destin from FDEP Monument Marker R-39 Okaloosa to FDEP Monument Marker R-1 Walton fronting the Gulf of Mexico at the line of mean high water. The Erosion Control Line lies in Sections 25, 26 and 27, Township 2 South, Range 22 West.

Written objections to, or inquiries regarding, the proposed Erosion Control Line should be submitted to the Bureau of Beaches and Wetland Resources, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 300, Tallahassee, Florida 32399-3000, prior to the date mentioned above. The Board of Trustees of the Internal Improvement Trust Fund of the State of Florida reserves the right to deny establishment of the Erosion Control Line.

BY ORDER OF THE BOARD OF TRUSTEES
 OF THE INTERNAL IMPROVEMENT TRUST FUND
 OF THE STATE OF FLORIDA
 JEB BUSH, GOVERNOR

STATE BOARD OF ADMINISTRATION

The Investment Committee of the **Florida Prepaid College Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, December 16, 2003, 12:00 Noon or soon thereafter
 PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board Investment Committee, to which all persons are invited. A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd, Suite 210, Tallahassee, Florida 32308, or (850)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

The **Florida Prepaid College Program Board** announces a public hearing to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, December 16, 2003, 1:30 p.m. or soon thereafter

PLACE: The Hermitage Centre, Hermitage Room, 1801 Hermitage Boulevard, Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Florida Prepaid College Board to which all persons are invited.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, 1801 Hermitage Blvd, Suite 210, Tallahassee, Florida 32308, or (904)488-8514.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces an emergency meeting via telephone conference of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: Monday, December 1, 2003, 9:00 a.m.
 PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for consideration of the Water Cannon contract #03-38 with Lord & Others, Inc., and an amendment to Public Relations contract #02-07 with Golin Harris.

Please note members of the Florida Citrus Commission will attend by telephone. To assure the public has access to this meeting, the Florida Department of Citrus will have a speakerphone available at the Department of Citrus. Additionally, if there is a member of the public that cannot attend the meeting at the Florida Department of Citrus, but wishes to appear by telephone, they may make arrangements to do so by contacting: Office of the General Counsel, (863)499-2530.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 17, 2003, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blairstone Road, Bldg. C., Third Floor, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made, Chapter 80-150, Laws of Florida (1980). A copy of the agenda may be obtained by writing: Florida Parole Commission, 2601 Blairstone Road, Building C, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)488-3417.

REGIONAL PLANNING COUNCILS

The **Southwest Florida Regional Planning Council** announces a public hearing to which all persons are invited:

DATE AND TIME: December 10, 2003, 11:00 a.m.

PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative and Transportation Subcommittee Meeting of the Southwest Florida Regional Planning Council.

This meeting replaces the canceled meeting of December 3, 2003.

For further information, please contact the Council's offices in writing: Southwest Florida Regional Planning Council, P. O. Box 3455, North Fort Myers, Florida 33918-3455.

The **Southwest Florida Regional Planning Council** announces that its regular meeting has been cancelled:

DATE AND TIME: December 18, 2003, 9:30 a.m.

PLACE: Southwest Florida Regional Planning Council Conference Room, 4980 Bayline Drive, 4th Floor, North Fort Myers, Florida 33917

The next regular meeting is scheduled for January 15, 2004, 9:30 a.m.

The District XI, **Local Emergency Planning Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 17, 2003, 1:00 p.m.

PLACE: Fire Fighters Memorial Hall, Fire Tower Building, 8000 N. W. 21st Street, Miami, Florida 33122-1605

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the LEPC's ongoing regional hazardous materials training and planning activities for FY 2002/03.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, 3440 Hollywood Blvd., Suite 140, Hollywood, FL 33021, or by calling (954)985-4416 in Broward, Suncom 473-4416 or 1(800)985-4416, toll-free statewide.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District**, Alternative Water Supply Construction Cost Sharing Advisory Committee announces a meeting to which all interested persons are invited to participate.

DATE AND TIME: Thursday, December 4, 2003, 9:30 a.m. – 12:00 Noon

PLACE: SJRWMD, Altamonte Springs Service Center, 975 Keller Rd., Altamonte Springs, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: To determine the final application ranking and formulate a recommendation to the SJRWMD Governing Board for which projects to fund and how much money to allocate to each of them.

Applicants may not provide any new information to the Committee at this meeting unless requested by the Committee.

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

ENVIRONMENTAL ADVISORY COMMITTEE

DATE AND TIME: Wednesday, December 10, 2003, 4:00 p.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community and Legislative Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disability Act (ADA) should call: 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

The **Southwest Florida Water Management District** announces the following meetings to which all interested parties are invited.

JOINT MEETING OF THE GREEN INDUSTRY, INDUSTRIAL AND PUBLIC SUPPLY ADVISORY COMMITTEES

DATE AND TIME: Friday, December 12, 2003, 9:30 a.m.

PLACE: Tampa Service Office, 7601 Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Committee Business.

Some members of the District's Governing and Basin Boards may attend the meetings.

Copies of the agendas may be obtained by writing: Community and Legislative Affairs Department, Southwest Florida Water Management District, 7601 Highway 301, North, Tampa, Florida 33637.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the American's with Disability Act (ADA) should call 1(800)836-0797 (Florida) or (813)985-7481, Extension 2036, Fax (813)987-6726, TTD ONLY 1(800)231-6103 (Florida).

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water** announces the following Regular Board Meeting to which all persons are invited:

DATE AND TIME: Monday, December 15, 2003, 9:00 a.m.

PLACE: Tampa Bay Water, 2535 Landmark Drive, Suite 211-A, Clearwater, Florida 33761

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Meeting of the Board of Directors.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceedings, and for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

A copy of the regular meeting agenda may be obtained by writing: Tampa Bay Water or accessed on the Web: www.tampabaywater.org.

If an accommodation is needed for a disability, in order to participate in this activity, please notify Holly Wells, (727)796-2355, at least 3 business days prior to the meeting.

DEPARTMENT OF ELDER AFFAIRS

The State of Florida, **Long Term-Care Ombudsman Program** via its Executive and Policy and Procedure Committees, announces their scheduled conference calls to which interested persons are invited.

The Policy and Procedure Committee

DATE AND TIME: December 9, 2003, 9:00 a.m. – 10:00 a.m.

PLACE: Call Number – (850)921-6433 or Suncom 291-6433

The Executive Committee

DATE AND TIME: December 10, 2003, 10:00 a.m. – 11:00 a.m.

PLACE: Call Number – (850)921-6513 or Suncom 291-6513

The Policy and Procedure Committee

DATE AND TIME: January 13, 2004, 9:00 a.m. – 10:00 a.m.

PLACE: Call Number – (850)921-6433 or Suncom 291-6433

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues relating to the Long Term Care Ombudsman Program.

For additional information, please call: Office of the Long Term-Care Ombudsman, (850)414-2323.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday December 9, 2003, 4:30 p.m. – 6:30 p.m.

PLACE: Health Council of South Florida, Flex Space Conference Center, 1200 N. W. 78 Avenue, Suite 109, Miami, Florida 33126, (305)590-1111 (Free parking available)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on Hospital Quality Indicators or hospital report cards, and their use by the public in hospital choice.

The information gathered at the series of three public meetings scheduled across Florida in December 2003 is to identifying what information is most understandable and useful to assist the public in comparing state-licensed hospitals on certain inpatient quality indicators.

A copy of the agenda for this meeting may be obtained by calling Brendaly Rodríguez, (305)585-8364 or via e-mail: 4safety@med.miami.edu. Topics/Questions to explore will include: Should Agency for Health Care Quality (AHRQ)'s Patient Quality Indicators be made available? What information should be disseminated? What information will be helpful to consumers? What information formats are desirable? What types of educational efforts are necessary to make these "report cards" helpful?

Public comment is encouraged. Interested parties may make verbal comments at the above meeting. Written comments can be submitted via email: 4safety@med.miami.edu or Jeffrey N. Gregg, Agency for Health Care Administration, 2727 Mahan Drive, MS #28A, Tallahassee, Florida 32308, through December 19, 2003.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850)922-0791.

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday December 18, 2003, 1:00 p.m. – 3:00 p.m.

PLACE: Alachua County Health Department, 224 S. E. 24th Street, Conference Room A, Gainesville, Florida 32641 (Free parking available)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion on Hospital Quality Indicators or hospital report cards, and their use by the public in hospital choice.

The information gathered at the series of three public meetings scheduled across Florida in December 2003 is to identifying what information is most understandable and useful to assist the public in comparing state-licensed hospitals on certain inpatient quality indicators.

A copy of the agenda for this meeting may be obtained by calling: Brendaly Rodríguez, (305)585-8364 or via e-mail: 4safety@med.miami.edu. Topics/Questions to explore will include: Should Agency for Health Care Quality (AHRQ)'s Patient Quality Indicators be made available? What information should be disseminated? What information will be helpful to consumers? What information formats are desirable? What types of educational efforts are necessary to make these "report cards" helpful?

Public comment is encouraged. Interested parties may make verbal comments at the above meeting. Written comments can be submitted via email: 4safety@med.miami.edu or Jeffrey N. Gregg, Agency for Health Care Administration, 2727 Mahan Drive, MS #28A, Tallahassee, Florida 32308, through December 19, 2003.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice. Telephone: (850) 922-0791.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Technology Office** announces a workshop and public meeting of the Board of Directors of the Joint Task Force on State Agency Law Enforcement Communications to which all persons are invited.

DATE AND TIME: December 10, 2003, 9:30 a.m.

PLACE: Shared Resource Center (SRC), 2585 Shumard Oak Blvd., Room 124, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and take action on the items included in the meeting agenda.

A copy of the agenda may be obtained by writing: Linda Fuchs, State Technology Office, 4030 Esplanade Way, Suite 235, Tallahassee, Florida 32399-0950 or linda.fuchs@myflorida.com.

If a person decided to appeal any decision made by the Board with respect to any matter considered at the meeting, he/she will need a record of the proceedings and may need to ensure a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring some accommodation at this hearing because of a physical impairment should call the State Technology Office, (850)922-7435, at least five calendar days prior to the meeting. If you are hearing- or speech-impaired, please contact the State Technology Office by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). The conference call number is (850)921-6433 or Suncom 291-6433.

The **Florida Black Business Investment Board**, Inc. (FBBIB) announces a meeting of its board of directors to which all interested persons are invited.

DATE AND TIME: Thursday, December 18, 2003, 10:00 a.m.
PLACE: Executive Office of the Governor, Large Conference Room, The Capitol – Plaza Level, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To further discuss the Board's operations, to identify areas for future Board priorities, loan, audit, and development committees, discussion/review/approval of related issues, and approve actions taken by the Chairman and/or President under delegated authority.

A copy of the agenda may be obtained by contacting: The Florida Black Business Investment Board, 1711 South Gadsden Street, Tallahassee, FL 32301, (850)487-4850.

If a person decides to take an appeal with respect to any matter considered at these meetings, he/she will need a record of the proceedings and, for such purpose, he/she may need to ensure that verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

If an accommodation is needed for a disability in order to attend this meeting, please notify the FBBIB office, (850)487-4850, at least seven (7) days prior to the meeting.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Regulatory Council of Community Association Managers** announces the following general business meeting to which all persons are invited.

DATE AND TIME: January 23, 2004, 10:30 a.m. (EST)
PLACE: DBPR, 1940 North Monroe Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Council.

A copy of the agenda may be obtained by writing: The Regulatory Council of Community Association Managers, 1940 North Monroe Street, Tallahassee, Florida 32399 or (850)922-6096.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting (850)922-6096. If you are hearing and speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is to be based.

The Florida **Board of Architecture and Interior Design** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: December 18, 2003, 8:30 a.m.
PLACE: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting, portions may be closed to the public.

The following cases are open to the public:

Dixon Alvarino, Case No. 2003-050476
Aventura Home D'ecor, Case No. 2003-084830
Jorge Antonio Balboa, Case No. 2003-042530
Blue, A Design Company, Inc., Case No. 2003-081891
Darci Bock, Case No. 2002-014038
Wendy Brown, Case No. 2003-083571
Cabot House, Inc., Case No. 2003-077640
Brett Carter, Case No. 2003-047146
Robert Casale, Case No. 2003-014032
Connie Davis, Case No. 2003-074983
The Design Standard, Inc., Case No. 2003-042530
David B. Frank, Case No. 2003-050705
Gables Interiors, Inc., Case No. 2003-073250
Charles Greenwood, Case No. 2003-073219
Gulf Coast Architectural and Building, Case No. 2003-042587
Felix Gurruchaga, Case No. 2002-007486
Ruben Hidalgo, Case No. 2002-013378
T.J. McIntosh, Case No. 2003-083495
Marta Cecilia Design Group, Inc., Case No. 2003-081842
Marta Cecilia Rodriguez, Case No. 2003-081833
Hugo Mijares, Case No. 2003-084866
Bertram Oce, Case No. 2003-001563
Real Estate Engineering, LLC, Case No. 2003-084879
Carrie Riley, Case No. 2003-077417
Francisco Rivas, Case No. 2003-077412
Juan A. Rodriguez-Tellaheche, Case No. 2002-007631
George Rosello, Case No. 2003-004763
Yadhya M. Schlegel, Case No. 2003-064800
Mel Steves, Case No. 2003-081936
Sandra Suarez, Case No. 2003-070575
John C. Sykes, Case No. 2003-082843
Carole A. Taliaferro, Case No. 2003-083483
Jim Weinberg, Case No. 2003-064193
Jim Weinberg Design, Case No. 2003-064195
Saied Zamiri, Case No. 2003-083568

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing to: Smith, Thompson, Shaw & Manausa, P.A., 2075 Centre Pointe Boulevard, Tallahassee, FL 32308-4893.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Smith, Thompson, Shaw & Manausa, P.A., (850)402-1570 at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting.

DATE AND TIMES: December 9, 2003, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Dept. of Business and Professional Regulation, 201 West Bloxham Street, Tallahassee, Florida 32301, (850)488-0062

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Patrick Creehan, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, (850)488-0062.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Construction Prosecution Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required. The Construction Prosecution Section may be contacted at the address and phone number listed above.

The **Construction Industry Licensing Board** will hold the following meetings to which all interested parties are invited.

DATES AND TIMES: Wednesday, January 14, 2004, 2:00 p.m.; Thursday, January 15, 2004, 8:00 a.m.; Friday, January 16, 2004, 8:00 a.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee, Disciplinary Actions, and General Session meetings of the Board.

Any person who decides to appeal any decision made by the board with respect to any matter considered at these meetings may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Additional information and a final agenda may be obtained by writing: Construction Industry Licensing Board, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact Stacey Merchant, (850)922-2701, at least seven calendar days prior to the meeting. Hearing or speech impaired please use Florida Relay 1(800)955-8771 (TDD) 04 1(800)955-8770 (Voice).

The Florida **Board of Pilot Commissioners** announces the following meetings, to which all persons are invited to attend.

DATE AND TIME: January 8, 2004, 1:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance Committee Meeting and Rules Committee Meeting immediately followed by Probable Cause Panel meeting, which portions may be closed to the public.

DATE AND TIME: January 9, 2004, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board and Business meeting.

PLACE: Don Vicenete de Ybor Historic Inn, 1915 Republica de Cuba, Tampa, FL 33605

To obtain a copy of the agenda, further information, or submit written or other physical evidence, contact in writing: Board of Pilot Commissioners, 1940 N. Monroe St. Tallahassee, Florida 32399.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board office, (850)922-5012, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Professional Surveyors and Mappers** announces a meeting of the Board to which all persons are invited.

DATE AND TIME: December 11, 2003, 10:00 a.m. or soon thereafter

PLACE: Telephone number (850)410-8045 or Suncom 210-8045

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Board to conduct regular Board business.

A copy of the agenda may be obtained by writing: Board of Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida or by calling John Knap, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least forty-eight (48) hours before the meeting by contacting John Knap, (850)487-1395. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by the Board with respect to any matter considered at this meeting, will need a record of the proceedings, which record shall include all testimony and evidence upon which the appeal is based; and, for such purpose may need to ensure that a verbatim record of the proceedings is made.

The Probable Cause Panel of the **Florida Real Estate Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: December 16, 2003, 10:00 a.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

PLACE: Zora Neale Hurston Building, North Tower, Suite 901N, 400 West Robinson Street, Orlando, Florida 32801

Any person who desires a special accommodation at this meeting because of a disability or physical impairment should contact the Division of Real Estate, (407)245-0800 (between the hours of 8:30 a.m. – 4:00 p.m.), at least five calendar days prior to the meeting. If you are hearing or speech impaired, please call the Real Estate Division using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** (FREC) announces a public meeting to which all persons are invited.

DATES AND TIMES: Tuesday, December 16, 2003, 1:00 p.m.; reconvening Wednesday, December 17, 2003, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Chapter 61J2, Florida Administrative Code, rule amendments, budget discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

If a person decides to appeal a decision made by the Commission, with respect to any matter considered at this meeting or hearing, a record of the proceedings for such purpose, upon which the appeal is based, may be required.

A copy of the agenda may be obtained by writing: Deputy Clerk of the Florida Real Estate Commission, 400 W. Robinson Street, Suite 801, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)245-0800, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Florida Real Estate Commission** (FREC) announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2003, 8:30 a.m. or as soonest thereafter

PLACE: Division of Real Estate; Commission Room, Suite N-901, North Tower, 400 West Robinson Street, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Real Estate Commission is conducting a hearing to address objections it received from the Joint Administrative Procedures Committee regarding the following rules:

61J2-3.010, F.A.C. – License Reactivation Education for Brokers and Salespersons

61J2-3.020, F.A.C. – Post-licensing Education for Active and Inactive Broker and Salesperson Licensees

A copy of the proposed rules and objections may be obtained by writing: Lori Crawford, Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite 802, Orlando, Florida 32801-1772.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Business and Professional Regulation, (407)481-5632, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please call the Division of Real Estate using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the **Department of Environmental Protection** are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

The **Department of Health, Board of Dentistry** announces meetings of the Rules Committee and Full Board to be held via telephone conference call. All interested parties are invited to participate in the telephone conference calls, which are open to the public.

DATE AND TIME: December 16, 2003, 6:30 p.m.

PLACE: Call the Board office, (850)245-4474, to obtain the phone number

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss proposed language concerning the administration of nitrous oxide with medication and other committee matters.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be made.

Those who are hearing impaired, using TDD equipment can call the Florida Telephone Relay System, 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster.

NAVIGATION DISTRICTS

The **West Coast Inland Navigation District** announces the following Board of Commissioners meeting to which all interested parties are invited:

DATE AND TIME: Friday, December 12, 2003, 3:30 p.m.

PLACE: Venice City Hall, 401 West Venice Avenue, Venice, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Navigation District.

A copy of the agenda for this meeting may be obtained by writing: WCIND, P. O. Box 1845, Venice, FL 34284.

No verbatim record will be made of this meeting. Any person wishing to appeal decisions made at this meeting may need to ensure that a verbatim record is made.

FLORIDA AEROSPACE FINANCE CORPORATION

The **Florida Aerospace Finance Corporation (FAFC)** announces a Board of Director's meeting and teleconference in which the public is invited.

DATE AND TIME: December 10, 2003, 1:00 p.m. – 3:00 p.m.

PLACE: Office of Florida Department of Transportation, Room 479, 605 Suwannee Street, Tallahassee, FL 32399 (To attend via telephone, 1(866)249-5325, participant code 393255)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will meet to review general board business, ratifications of agreements, financings, budgets, procedures and to consider other proposed matters related to the business of the Corporation.

For more information, contact: Ms. Judy Blanchard, (321)690-3397.

To obtain a copy of the agenda write: The Florida Commercial Space Financing Corporation, 403 Brevard Avenue, Suite 1, Cocoa, Florida 32922.

Any person requiring special accommodations at this meeting because of disability or physical impairment should contact the Florida Aerospace Finance Corporation.

Please note that if a person decides to appeal any decision made by the Board with respect to any matter considered at the above cited meeting, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceeding, which record includes the testimony and evidence upon which the appeal is to be based.

JUSTICE ADMINISTRATIVE COMMISSION

The **Justice Administrative Commission** announces a meeting to which all interested persons are invited.

DATE AND TIME: December 11, 2003, 1:00 p.m.

PLACE: Justice Administrative Commission Conference Room, 117 West College Avenue, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

In conjunction with the Americans with Disabilities Act, please contact June Hart, (850)488-2415, if special accommodations are needed. For TDD service, please use Dual Party Relay System 1(800)955-8771.

VOLUNTEER FLORIDA

The Governor's Commission on Volunteerism and Community Service, Volunteer Florida, is pleased to announce a conference call to which all persons are invited.

DATE AND TIME: Thursday, December 11, 2003, 2:00 p.m.

PLACE: For call in number – (850)921-5172

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Commission Business.

Please contact Gwen Erwin, (850)921-5172, for a meeting agenda.

If you require a reasonable accommodation to participate, please contact Gwen Erwin, (850)921-5172, Voice/TTY, 72 hours in advance with your request.

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a final order In Re: Petition for Declaratory Statement, Shore Drive Apartments, John T. Nagle, Unit Owner. 2003081881.

The agency denied the Petition for Declaratory Statement In re: John T. Nagle, Shore Drive Apartments, Inc., Case No. 2003081881, because the division is without authority under Chapter 120, F.S. and Chapter 28-105, F.A.C., to void a settlement agreement entered in circuit court litigation and because a declaratory statement is not a means of approving or disapproving conduct that has already occurred.

NOTICE IS HEREBY GIVEN that the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has issued a response In Re: Petition for Declaratory Statement, B.D. Fischer, Unit Owner, River Run of Sebastian Condominium Association, Inc, Petitioner; Docket Number 2003072402.

River Run of Sebastian Condominium Association, Inc, operates a multicondominium as that term is defined by Section 718.103(20), Florida Statutes.

A copy of the final order may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

NOTICE IS HEREBY given that the Department of Health has entered a Final Order in the Petition for Declaratory Statement filed on behalf of P.R. and T.L.H. The Department's Final Order filed on November 17, 2003 denied the Petition on the grounds that the facts alleged had occurred in the past; Petitioners were not substantially affected; Section 154.011, Florida Statutes and Rules 64F-10.002 and 64F-10.005, F.A.C., did not apply to the facts alleged; and the Department did not have authority to issue a statement on Sections 395.002 and 395.1041, Florida Statutes.

A copy of the Petition and Final Order may be obtained by contacting: Janine B. Myrick, Esquire, Senior Attorney, 4052 Bald Cypress Way, Bin #A02, Tallahassee, FL 31399-1703.

NOTICE IS HEREBY given that the Board of Orthotists and Prosthetists issued a Final Order on November 13, 2003 granting a petition for declaratory statement received from Angela Mitchem and M*A*S*H, Inc.

Petitioner requested a declaratory statement concerning Chapter 468, Florida Statutes, in regards to the scope of practice of orthotic fitter assistants. The Board held that: fitting for a custom molded apex diabetic shoe is not within the scope of practice for a licensed orthotic fitter assistant; fitting for a "cock up wrist splint" is within the scope of practice for a licensed orthotic fitter assistant; and a licensed orthotic fitter assistant can practice independently without an orthotic fitter on staff under specific circumstances as mentioned in the final order.

A copy of the Petition for Declaratory Statement and Final Order may be obtained by writing: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399.

**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

Request for Qualifications (RFQ)
Professional Services

**INDUSTRIAL HYGIENE AND
ENVIRONMENTAL CONSULTING SERVICES
ON AN ANNUAL CONTRACT BASIS**

The Office of Facilities Planning and Construction announces that professional services are required for an annual contract for Industrial Hygiene and Environmental Consulting Services for Duval County Public Schools. The firm selected will be responsible for assigned projects having estimated construction cost and study fees not exceeding the threshold amounts of \$1,000,000 (construction) and \$50,000 (study fees) respectively, provided for in §287.055 Florida Statutes. This

will be a multiple award contract for an initial period of one year with an option to renew for two additional one-year periods.

Applications are to be sent to:

Duval County Public Schools
Facilities Planning and Construction
1701 Prudential Drive – 5th Floor
Jacksonville, FL 32207-8182

PROJECT MANAGER: Bruce Ackerman

PHONE NO.: (904)390-2220

RESPONSE DUE DATE:

RFQ'S ARE DUE ON OR BEFORE JANUARY 6, 2004

AND WILL BE ACCEPTED UNTIL 4:30 P.M.

MBE GOALS: 15% participation overall

Information on the selection process can be found at www.educationcentral.org/facilities under Forms and Standards, General Documents, Selection of Architect/Engineer.

Applicants are advised that all plans, drawings and specifications for this project may be reused by the Owner as a prototype for future projects in the District.

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

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

WATER MANAGEMENT DISTRICTS

REQUEST FOR QUALIFICATIONS NO. 03/04-011WR
VERTICAL CONTROL SURVEYING

The Suwannee River Water Management District (District) invites interested parties to submit sealed qualifications for horizontal and vertical control surveying of monitoring wells, surfacewater gages, and profiles of river cross sections at defined intervals within the District.

Responses to this request are due at the District office by 3:00 p.m., December 23, 2003.

The RFQ document will be available on the District's website at www.mysuwanneeriver.com under "Services/Bids" on December 5, 2003. This bid will also be posted on DemandStar's website at www.demandstar.com. Or requests for the RFQ 03/04-011WR document should be directed to Suzanne Richardson, (386)362-1001 or 1(800)226-1066 (Florida only).

If you have questions regarding the project, please direct them to David Hornsby at: (386)362-1001 or toll free (Florida only) 1(800)226-1066, Fax (386)362-1056.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

FISH AND WILDLIFE CONSERVATION COMMISSION**ADVERTISEMENT FOR BIDS**

BIDS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

PROJECT NO: FWC 03/04-42
 PROJECT NAME: LAKE JESUP AQUATIC
 ENHANCEMENT/ IN-LAKE
 DREDGING

PROJECT LOCATION: SEMINOLE COUNTY, FLORIDA
 FOR: Work on this proposed Contract comprises hydraulically dredge, pump, and dispose unconsolidated lake-bottom sediment from Lake Jesup into the Confined Disposal Facility (CDF), Operate, manage, monitor, and inspect the CDF as shown on the Drawings and specified in the specifications

PREQUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489 and 633, Florida Statutes, for licensure or certification must submit prequalification data of their eligibility to submit proposals, at least five (5) calendar days prior to the bid opening date if not previously qualified by the Commission. Call (850)488-5531 for information on prequalification with the Florida Fish and Wildlife Conservation Commission.

PRE-BID CONFERENCE: A non-mandatory pre-bid conference has been scheduled for 1:00 p.m. (EST) on December 17, 2003 at the Cameron/Little Ranch property.

REQUIRED BONDS: Bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

After award of Contract, a 100% Performance Bond and a 100% Labor and Material Payment Bond Will be required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: January 9, 2004, 2:00 p.m. (EST)

PLACE: Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3428

PROPOSAL: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the above mentioned Purchasing Office, upon payment of \$100.00, non-refundable, for one set. The payment envelope MUST be plainly marked on the outside with the bid number. The bid package will be sent overnight upon receiving payment by the Purchasing Office.

DEVELOPMENTAL DISABILITIES COUNCIL**Request for Proposal (ITN)**

The Florida Developmental Disabilities Council (FDDC) announces the availability of an Invitation to Negotiate (ITN). Copies of the ITN can be downloaded from the FDDC website (www.fddc.org) or copies may be requested by writing or calling FDDC, 124 Marriott Drive, Suite 203, Tallahassee, Florida 32301, (850)488-4180 or Toll Free 1(800)580-7801 or TDD toll free 1(888)488-8633. Register for electronic (email) notice of future FDDC ITNs or RFPs by going to the website (www.fddc.org) and click on the "RFPs" button near the top of the page. Then, click on the "Sign up" line and follow the instructions. The Florida Developmental Disabilities Council, Inc. (FDDC), is pleased to announce this Invitation to Negotiate (ITN-2003-HC-1200). Telehealth and Telemedicine activities, utilizing advanced telecommunications technology, can make a major contribution to the provision of comprehensive and effective health care for children and adults with developmental disabilities. Telehealth technology may provide a cost effective way to enhance critically needed services, including but not limited to, access to necessary specialty care, case consultation, multiple provider collaboration networks, professional education, enhanced communication, patient and family education and other additional ongoing supports. The effective use of Telehealth technology has multiple benefits, which include increased availability and access to care, more efficient utilization of provider time, resulting in increased productivity and services to children and adults with developmental disabilities.

This ITN is for the purpose of tapping this technology to increase access, while cost-effectively providing services to this population. Innovative approaches to developing a demonstration model and increasing access are sought, and new approaches to this issue are welcomed. At the completion of this project a detail report will be required. Public/Private partnerships are encouraged. Please see our website for details. FDDC has set aside federal formula grant funds for a period of twelve months. See ITN document for funding amounts.

The deadline for submitting written questions and letters of intent for this Telehealth Consortium project is 4:00 p.m., (EST) on Monday, January 12, 2004. In order for a proposal to be considered, a letter of intent must have been received by the above referenced deadline (See attachment VI for required form). The answers to the written questions will be posted on FDDC website on or before Monday, January 26, 2004. The deadline for submitting proposals is 4:00 p.m. (EST) on Monday, February 23, 2004.

CITY OF FORT LAUDERDALE

NOTICE TO CONTRACTORS

Sealed proposals will be received until 9:00 a.m. on Wednesday December 31, 2003 in the Office of the City Engineer, Public Services Department (Engineering and Architectural Services), City Hall, 100 North Andrews Avenue, 4th Floor, City of Fort Lauderdale, Florida and opened immediately thereafter in the Conference Room, for:

**PROJECT 10541-C – G. T. LOHMEYER
WWTP IMPROVEMENTS – SCREENINGS
SYSTEM AND CONVEYOR**

This project consists of Drawing File No. WS-03-01 consisting of 14 sheets.

The Work intended for the Contractor will be to furnish, install, and test three AugerMonsters, one shaftless screw conveyor, shorten an existing belt conveyor, replace side seals and brush on one fine bar screen, repair influent channel concrete and polymer line concrete channels.

Proposal blanks may be obtained at the Office of the City Engineer. Plans and specifications are on file in the Office of the City Engineer.

A pre-bid meeting will be held at 10:00 a.m. on Tuesday December 9, 2003 at the Program Management Team office at 200 North Andrews Avenue, Suite 300 (Third Floor), Fort Lauderdale, Florida. The pre-bid meeting is recommended, but not mandatory.

It will be the sole responsibility of the bidder to clearly mark proposal as such, and ensure that his proposal reaches the City prior to the bid opening date and time listed.

A certified check, cashier's check, bank officer's check or bid bond for five percent (5%), made payable to the City of Fort Lauderdale, Florida, shall accompany each proposal.

This project is funded in whole or in part by the Florida Department of Environmental Protection, State Revolving Fund. Bidders are encouraged to become familiar with the provisions of the Supplement Conditions contained in these documents and in particular the requirements of Article 20, Equal Employment Opportunity.

The City of Fort Lauderdale reserves the right to waive any informality in any bid and to reject any or all proposals.

Information on bid results and projects currently out to bid can be obtained by calling the pre-recorded City of Fort Lauderdale Bid Information Line, (954)828-5688. For general inquiries – please call (954)828-5772.

Section XII Miscellaneous

DEPARTMENT OF COMMUNITY AFFAIRS

**NOTICE OF INTENT TO FIND PUBLIC SCHOOLS
INTERLOCAL AGREEMENT CONSISTENT WITH
SECTION 163.31777(2) AND (3), FLORIDA STATUTES
DCA DOCKET NO. 67-01**

The Department gives notice of its intent to find the Public Schools Interlocal Agreement (“Agreement”) entered into by Washington County, Caryville, Chipley, Ebro, Vernon, Wausau and the Washington County School Board, pursuant to Section 163.31777, F.S., to be consistent with the minimum requirements of Sections 163.31777(2) and (3), F.S.

The Agreement is available for public inspection Monday through Friday, except for legal holidays, during normal business hours, at the Washington County Board of County Commission Office, 1331 South Boulevard, Chipley, Florida 32428-0647.

Any affected person, as defined in Section 163.31777(3)(b), F.S., has a right to petition for an administrative hearing to challenge the proposed agency determination that the Agreement is consistent with the minimum requirements of Section 163.31777(2) and (3), F.S. The petition must be filed within twenty-one (21) days after publication of this notice in the Florida Administrative Weekly, and must include all of the information and contents described in Uniform Rule 28-106.201, F.A.C. The petition must be filed with the Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 and a copy mailed or delivered to Washington County, Caryville, Chipley, Ebro, Vernon, Wausau and the Washington County School Board. Failure to timely file a petition shall constitute a waiver of any right to request an administrative proceeding as a petitioner under Sections 120.569 and 120.57, F.S. If a petition is filed, the purpose of the administrative hearing will be to present evidence and testimony and forward a recommended order to the Department. If no petition is filed, this Notice of Intent shall become final agency action.

If a petition is filed, other affected persons may petition for leave to intervene in the proceeding. A petition for intervention must be filed at least twenty (20) days before the final hearing and must include all of the information and contents described in Uniform Rule 28-106.205, F.A.C. A petition for leave to intervene shall be filed at the Division of Administrative Hearings, Department of Management Services, 1230 Apalachee Parkway, Tallahassee, Florida 32399-3060. Failure

to petition to intervene within the allowed time frame constitutes a waiver of any right such a person has to request a hearing under Sections 120.569 and 120.57, F.S., or to participate in the administrative hearing.

If a formal or informal proceeding is commenced as described above, any party to that proceeding may suggest mediation under Section 120.573, F.S. Mediation is not available as of right, and will not occur unless all parties agree to participate in the mediation. Choosing mediation does not affect the right to an administrative hearing.

Charles Gauthier, AICP
Chief of Comprehensive Planning
Department of Community Affairs
Division of Community Planning
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

DEPARTMENT OF TRANSPORTATION

The Florida Department of Transportation intends to issue an "Airport Site Approval Order", in accordance with Chapter 330, Florida Statutes, "Regulation of Aircraft, Pilots, and Airports" and Chapter 14-60, Florida Administrative Code, "Airport Licensing, Registration, and Airspace Protection" for the following site:

Grass Roots Airpark, a private airport, in Lake County, at Latitude 28-38-30N and Longitude 81-53-06W, to be owned and operated by Mr. David C. Gay, 808 W. New Hampshire St., Orlando, Florida 32804

A copy of the Airport Site Approval Order, the Airport's application, the applicable rules and other pertinent information may be obtained by contacting: Mr. William J. Ashbaker, P.E., State Aviation Manager, Florida Department of Transportation, Aviation Office, 605 Suwannee Street, Mail Station 46, Tallahassee, Florida 32399-0450, (850)414-4500, e-mail: aviation.fdot@dot.state.fl.us, Website: <http://www.dot.state.fl.us/aviation>.

ADMINISTRATIVE HEARING RIGHTS: Any person whose substantial interests will be determined or affected by this Airport Site Approval Order has the right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative hearing. The petition for an administrative hearing must conform to the requirements of Rule Chapter 28-106, Florida Administrative Code, and must be filed, in writing, within twenty-one days of the publication of this notice, with the Clerk of Agency Proceedings, Office of General Counsel, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Room 550, Tallahassee, Florida 32399-0450.

Failure to file a petition within the allowed time constitutes a waiver of any right such person has to request a hearing under Chapter 120, Florida Statutes.

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, Bourget's Bike Works, Inc., intends to allow the establishment of Bottom Line Operations, Inc. d/b/a Indian Motorcycle of Sarasota, as a dealership for the sale of Bourget's motorcycles, at 6051 N. Washington Blvd. (301), Sarasota (Sarasota County), Florida 34243, on or after November 11, 2003.

The name and address of the dealer operator(s) and principal investor(s) of Bottom Line Operations, Inc. d/b/a Indian Motorcycle of Sarasota are dealer operator(s) and principal investor(s): Donald Smith, 517 Albee Rd. West, Nokomis, FL 34275.

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: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Brigitte M. Bourget, Vice President, Bourget's Bike Works, Inc., 21407 N. Central Avenue, Phoenix, AZ 85024-5100.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

LAND AND WATER ADJUDICATORY COMMISSION**NOTICE OF RECEIPT OF PETITION****PINE ISLAND COMMUNITY DEVELOPMENT DISTRICT**

On September 25, 2003, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a petition to establish the Pine Island Community Development District (the "District"). The Commission will follow the requirements of Rule Chapter 42-1, Florida Administrative Code (F.A.C.), as amended, and Chapter 190, Florida Statutes (F.S.), as amended, in ruling on this petition.

SUMMARY OF CONTENTS OF PETITION: The petition filed by Ginn-La Pine Island Ltd., LLLP, requests the Commission establish a community development district located in Lake County, Florida. The Pine Island Community Development District will consist of approximately 1,805 acres. The petitioner anticipates development of multiple phases of single family residential subdivision(s), with an anticipated total of 785 single family residences. Pine Island I will be approximately 496 single family lots bordered on the west by County Road 455, on the east and south by Lake Apopka and on the north by Ridgewood Avenue. The property lies within unincorporated Lake County. Pine Island II will be approximately 289 single family lots and an 18 hole golf course with golf course facilities. Pine Island II is bordered on the east by County Road 455, on the west by Black Still Road and on the north by Fosgate Road. The south will be bordered by existing development. Pine Island I and II will be joined by a tunnel under County Road 455. There is no real property within the external boundaries of the District that is excluded from the District. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements.

SUMMARY OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 6 to the petition to establish the District. The scope of the SERC is limited to evaluating the regulatory costs consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number and types of individuals likely to be required to comply with the rule or who will be affected; (b) a good faith estimate of the costs to any state and local government entities of implementing and enforcing the proposed rule, and any anticipated effect on state and local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principle entities that are likely to be required to comply with the rules include the State of Florida and its residents, Lake County and its residents, current property owners and future property owners. Under section (b), the FLWAC and State of Florida will incur minimal administrative costs. Lake County will also incur one-time administrative costs which are offset by the required filing fee paid to Lake County by the Petitioner. Adoption of the proposed rule to approve the establishment of the District will not have adverse impact on State and local revenues.

Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future landowners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operations and maintenance of the District. Under section (d), approval of the petition to establish the District will have only incidental or a

positive impact on a small business and will not have any impact on small counties and cities. Lake County is not a small county as such is defined. Under section (e), certain data utilized in the SERC was provided by the developer/petitioner and represents the best information available. Other data was based on observations, analysis and experience with private development and other community development districts.

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

DATE AND TIME: Monday, December 8, 2003, 1:00 p.m.

PLACE: City Hall Council Chamber, 201 East Main Street, Tavares, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Thomas Lang or Jan Albanese Carpenter, (407)422-8250, at least 5 business days in advance to make appropriate arrangements.

Copies of the petition may be obtained by contacting: Thomas Lang or Jan Albanese Carpenter, Allen, Lang, Carpenter & Peed, P.A., Post Office Box 3628, Orlando, Florida 32802 or Barbara Leighty, Florida Land and Water Adjudicatory Commission, Office of Policy and Budget, Executive Office of the Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884.

AGENCY FOR HEALTH CARE ADMINISTRATION

**CERTIFICATE OF NEED
EXEMPTIONS**

The Agency For Health Care Administration authorized the following exemptions pursuant to Section 408.036(3), Florida Statutes:

County: Highlands District: 6

ID #: 0300011 Decision: A Issue Date: 11/18/2003

Facility/Project: Florida Hospital Heartland Medical Center

Applicant: Adventist Health System/Sunbelt, Inc.

Project Description: Establish an inpatient adult diagnostic cardiac catheterization program

Proposed Project Cost: \$0

County: Jackson District: 2

ID #: 0300012 Decision: A Issue Date: 11/18/2003

Facility/Project: Campbellton-Graceville Hospital

Applicant: Campbellton-Graceville Hospital Corporation.

Project Description: Establish a 12-bed hospital-based skilled nursing unit through the conversion of 12 acute care beds

Proposed Project Cost: \$1,500

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., December 26, 2003):
Name and Address of Applicant: Florida D.O.T. District 3 Credit Union, Post Office Box 623, Chipley, Florida 32428
Expansion Includes: Geographic.
Received: November 17, 2003

DEPARTMENT OF FINANCIAL SERVICES

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation has received a request by a credit union to expand its field of membership. Specific information regarding the expansion can be found at http://www.dbf.state.fl.us/banking/cu_expansion.html.

Comments may be submitted to the Deputy Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379, pursuant to provisions specified in Rule

**INTEREST RATE SET PURSUANT TO SECTION 55.03,
FLORIDA STATUTES**

Subsection 3A-25.003(3), F.A.C., requires the Department of Financial Services, at least once between December 1 and January 1, to provide notice of the interest rate set by the Chief Financial Officer pursuant to Section 55.03, F.S. The interest for the year 2004 has been set at 7% per annum or .0001918 per day.

For additional information contact: Vendor Ombudsman Section, Bureau of Auditing, (850)410-9724, Suncom 210-9724 or internet: www.dfs.state.fl.us/interest.html.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN November 17, 2003
 and November 21, 2003

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF STATE

Division of Elections

1S-2.010	11/19/03	12/9/03	29/41	
1S-2.028	11/19/03	12/9/03	29/41	

DEPARTMENT OF LEGAL AFFAIRS

2-39.010	11/20/03	12/10/03	29/42	
2-39.020	11/20/03	12/10/03	29/42	
2-39.030	11/20/03	12/10/03	29/42	

Division of Victim Services and Criminal Justice P

2A-8.001	11/20/03	12/10/03	29/42	
2A-8.002	11/20/03	12/10/03	29/42	
2A-8.003	11/20/03	12/10/03	29/42	
2A-8.004	11/20/03	12/10/03	29/42	
2A-8.005	11/20/03	12/10/03	29/42	

DEPARTMENT OF BANKING AND FINANCE

Division of Banking

3C-560.102	11/21/03	12/11/03	29/38	
3C-560.201	11/21/03	12/11/03	29/38	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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Division of Finance

3D-40.031	11/21/03	12/11/03	29/38	
3D-40.051	11/21/03	12/11/03	29/38	
3D-40.100	11/21/03	12/11/03	29/38	
3D-40.200	11/21/03	12/11/03	29/38	
3D-40.220	11/21/03	12/11/03	29/38	

Division of Securities and Finance

3E-600.002	11/21/03	12/11/03	29/38	
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DEPARTMENT OF EDUCATION

University of Central Florida

6C7-6.007	11/18/03	12/8/03		Newspaper
6C7-9.001	11/18/03	12/8/03		Newspaper

University of North Florida

6C9-5.1001	11/17/03	12/7/03		Newspaper
6C9-5.1002	11/17/03	12/7/03		Newspaper
6C9-5.1003	11/17/03	12/7/03		Newspaper
6C9-5.1004	11/17/03	12/7/03		Newspaper
6C9-5.1005	11/17/03	12/7/03		Newspaper
6C9-5.1006	11/17/03	12/7/03		Newspaper
6C9-5.1007	11/17/03	12/7/03		Newspaper
6C9-5.1008	11/17/03	12/7/03		Newspaper
6C9-5.1009	11/17/03	12/7/03		Newspaper
6C9-5.1010	11/17/03	12/7/03		Newspaper
6C9-5.1011	11/17/03	12/7/03		Newspaper
6C9-5.1012	11/17/03	12/7/03		Newspaper

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF COMMUNITY AFFAIRS
Florida Communities Trust

9K-8.011	11/19/03	12/9/03	29/41	
9K-8.013	11/19/03	12/9/03	29/41	

DEPARTMENT OF TRANSPORTATION

14-15.0081	11/21/03	12/11/03	29/36	
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PUBLIC SERVICE COMMISSION

25-7.014	11/18/03	12/8/03	29/36	
25-7.015	11/18/03	12/8/03	29/36	
25-7.135	11/18/03	12/8/03	29/36	
25-7.1351	11/18/03	12/8/03	29/36	
25-7.1352	11/18/03	12/8/03	29/36	
25-7.1353	11/18/03	12/8/03	29/36	
25-30.420	11/21/03	12/11/03	29/42	

AGENCY FOR HEALTH CARE ADMINISTRATION

Office of Licensure and Certification

59A-12.0073	11/19/03	12/9/03	29/28	29/42
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Health Care Responsibility Program

59H-1.0065	11/19/03	12/9/03	29/38	
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-302.700	11/21/03	12/11/03	29/29	29/42
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DEPARTMENT OF HEALTH

School Psychology

64B21-500.011	11/17/03	12/7/03	29/41	
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FLORIDA HOUSING FINANCE CORPORATION

67-45.001	11/17/03	12/7/03	29/37	29/43
67-45.003	11/17/03	12/7/03	29/37	
67-45.004	11/17/03	12/7/03	29/37	
67-45.005	11/17/03	12/7/03	29/37	29/43
67-45.006	11/17/03	12/7/03	29/37	29/43
67-45.007	11/17/03	12/7/03	29/37	29/43
67-51.001	11/17/03	12/7/03	29/37	29/43
67-51.002	11/17/03	12/7/03	29/37	
67-51.003	11/17/03	12/7/03	29/37	
67-51.004	11/17/03	12/7/03	29/37	29/43
67-51.005	11/17/03	12/7/03	29/37	29/43
67-51.006	11/17/03	12/7/03	29/37	
67-51.007	11/17/03	12/7/03	29/37	29/43

DEPARTMENT OF FINANCIAL SERVICES

Funeral and Cemetery Services

69K-7.006	11/20/03	12/10/03	29/39	29/45
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Section XIV
List of Rules Affected

BANKING AND FINANCE

This "List of Rules Affected" is a cumulative list of all rules which have been proposed but not filed for adoption. Beginning with the February 2, 1996 issue, the list will be published monthly for the period covering the last eight weeks.

- w - Signifies Withdrawal of Proposed Rule(s)
- c - Rule Challenge Filed
- v - Rule Declared Valid
- x - Rule Declared Invalid
- d - Rule Challenge Dismissed
- dw - Dismissed Upon Withdrawal

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
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STATE

1A-35.005	28/18		29/46w
1A-35.007	28/18		29/46w
1B-2.011	29/32	29/45	
1B-24.002	26/43		
1S-2.002	26/27	26/35	29/43
	29/34		29/43
1S-2.0091	29/41		
1S-2.010	29/41		29/49
1S-2.020	29/34		29/43
1S-2.021	29/34		29/43
1S-2.028	29/41		29/49
1S-2.030	28/7	28/13	29/47
	29/34		29/47
1S-2.031	29/45		
1S-2.034	29/42		29/48w
	29/45		
1T-1.001	29/18	29/36	29/46
		29/37	29/46

LEGAL AFFAIRS

2-39.010	29/42		29/49
2-39.020	29/42		29/49
2-39.030	29/42		29/49
2A-8.001	29/42		29/49
2A-8.002	29/42		29/49
2A-8.003	29/42		29/49
2A-8.004	29/42		29/49
2A-8.005	29/42		29/49
2B-1.0025	29/42	29/48	

3C-560.102	29/38		29/49
3C-560.201	29/38		29/49
3D-40.0271	29/31		
3D-40.031	29/38		29/49
3D-40.043	29/31		
Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
3D-40.051	29/38		29/49
3D-40.100	29/38		29/49
3D-40.200	29/38		29/49
3D-40.220	29/38		29/49
3E-48.005	28/42		
3E-200.001	29/33		29/43
3E-300.002	29/33		29/43
3E-600.002	29/38		29/49
3E-600.005	29/33		29/43
3E-600.012	29/33		29/43
3E-600.013	29/33		29/43
3E-600.0131	29/33		29/43
3E-600.0132	28/40		29/42w
3E-600.014	29/33		29/43
3E-600.015	29/33		29/43
3E-600.020	29/33		29/43
3F-5.0015	29/39	29/45	
3F-5.0035	29/39	29/45	
3F-5.004	29/39	29/45	
3F-5.006	29/39	29/45	
3F-5.008	29/39	29/45	
3F-7.006	29/39	29/45	29/49

INSURANCE

4-1	29/33c		
4-138.047	28/41		
4-141.0016	21/2c		
4-149	24/3c		
	24/3c		
4-149.101	24/3c		
	24/3c		
4-149.102	24/3c		
	24/3c		
4-149.103	24/3c		
	24/3c		
4-149.104	24/3c		
	24/3c		
4-149.105	24/3c		
	24/3c		
4-149.106	24/3c		
	24/3c		

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
4-149.107	24/3c			4-154.203	29/37	29/46	
	24/3c			4-154.204	29/37		
4-149.108	24/3c			4-154.210	29/37		
	24/3c			4-154.525	29/16	29/25	
4-149.109	24/3c			4-164.010	29/34		
	24/3c			4-164.020	29/34	29/39	
4-149.110	24/3c			4-176.013	29/36		
	24/3c			4-189.0055	29/18	29/37	
4-149.1105	24/3c			4-193.065	29/18	29/39	
4-149.111	24/3c			4-200.007	29/44		
	24/3c			4-202.008	29/37		
4-149.112	24/3c			4-202.012	29/37		
	24/3c			4-202.015	29/37		
4-149.113	24/3c			4-211.031	27/44		
	24/3c			4-211.042(8)	29/35c		
4-149.114	24/3c			4-228.055	26/35		
4-149.115	24/3c			4A-3.002	27/12		
4-149.116	24/3c			4A-21.115	29/37	29/46	
4-149.117	24/3c			4A-41.108	29/25		
4-149.118	24/3c			4A-62.0001	29/44	29/46	
4-149.119	24/3c			4A-62.001	29/44	29/46	
4-149.120	24/3c			4A-62.002	29/44	29/46	
	24/3c			4A-62.003	29/44	29/46	
4-149.121	24/3c			4A-62.006	29/44	29/46	
	24/3c			4A-62.007	29/44	29/46	
4-149.122	24/3c			4A-62.020	29/44	29/46	
	24/3c			4A-62.021	29/44	29/46	
4-149.123	24/3c			4A-62.022	29/44	29/46	
	24/3c			4A-62.023	29/44	29/46	
4-149.124	24/3c			4A-62.030	29/44	29/46	
4-149.125	24/3c			4A-62.031	29/44	29/46	
4-149.126	24/3c			4A-62.032	29/44	29/46	
4-149.127	24/3c			4A-62.033	29/44	29/46	
4-149.128	24/3c			4A-62.034	29/44	29/46	
4-149.129	24/3c			4A-62.035	29/44	29/46	
4-149.130	24/3c			4A-62.036	29/44	29/46	
	24/3c			4A-62.040	29/44	29/46	
4-149.131	24/3c			4A-62.041	29/44	29/46	
	24/3c			4A-62.042	29/44	29/46	
4-149.132	24/3c			4A-62.043	29/44	29/46	
	24/3c			4A-62.044	29/44	29/46	
4-149.133	24/3c			4A-62.045	29/44	29/46	
	24/3c			4C-6.003	29/38		
4-149.190	24/3c			4C-40.0055	28/47		
4-149.203	29/36		29/44w	4L-7.020	29/38	29/46	29/48
4-149.203(5),(6), (8),(9),(10)	29/44c		29/47d	4L-24.0221	29/34		29/42
4-149.204	29/36		29/44w	4L-24.0231	29/39	29/46	
4-149.207	29/36		29/44w				
4-154.201	29/37						
4-154.202	28/40		29/42w				
	29/37	29/42					

Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.	Rule No.	Proposed Vol./No.	Amended Vol./No.	Adopted Vol./No.
AGRICULTURE AND CONSUMER SERVICES				6C8-6.014	Newspaper		29/46
5B-58.001	27/29			6C8-11.007	Newspaper		29/42
	27/42	27/49		6C9-5.1001	Newspaper		29/49
5B-58.001(16)	27/50c			6C9-5.1002	Newspaper		29/49
5E-2.011	29/32			6C9-5.1003	Newspaper		29/49
5E-2.0311	29/42			6C9-5.1004	Newspaper		29/49
5E-2.033	29/35c		29/44d	6C9-5.1005	Newspaper		29/49
5I-4.002	29/34			6C9-5.1006	Newspaper		29/49
5I-4.003	29/34			6C9-5.1007	Newspaper		29/49
5I-4.005	29/34			6C9-5.1008	Newspaper		29/49
5I-4.006	29/34			6C9-5.1009	Newspaper		29/49
5I-4.007	29/34			6C9-5.1010	Newspaper		29/49
5I-4.008	29/34			6C9-5.1011	Newspaper		29/49
5I-4.011	29/34			6C9-5.1012	Newspaper		29/49
5J-9.002	28/41	29/35	29/42	6C10-1.002	Newspaper		29/44
5J-9.006	28/41	29/35	29/42	6D-3.002	29/45		
5J-10.002	28/41	29/35	29/42	6D-3.0021	29/45		
5J-12.002	29/37		29/44	6D-3.007	29/45		
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5K-4.026	29/42			6D-6.020	29/40		
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5M-3.003	29/27	29/34	29/42	6D-17.002	29/40		
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5M-3.005	29/27		29/42	6E-1.0032	29/29		
5M-3.006	29/27	29/34	29/42		29/47		
5M-3.007	29/27		29/42	6E-2.001	29/47		
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6C1-1.006	Newspaper		29/47	6L-1.009	28/12		
6C1-3.009	Newspaper		29/47	6L-1.010	28/12		
6C1-3.0372	Newspaper		29/47	6L-1.011	28/12		
6C3-3.017	Newspaper		29/47	6L-1.012	28/12		
6C4-13.002	Newspaper		29/46	6L-1.013	28/12		
6C6-2.028	Newspaper		29/42				
6C6-4.002	Newspaper		29/44	COMMUNITY AFFAIRS			
6C6-4.003	Newspaper		29/44	9G-19.008	29/34		29/47
6C6-4.0031	Newspaper		29/44	9G-19.009	29/34		29/47
6C6-4.0032	Newspaper		29/44	9G-19.010	29/34	29/41	29/47
6C6-4.004	Newspaper		29/44	9J-5.0055	18/40		
6C6-4.009	Newspaper		29/44	9K-8.011	28/13		
6C7-6.007	Newspaper		29/49		29/41		29/49
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11N-1.0031	29/36		29/48		29/43		
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15A-9.003	29/36	29/41		19B-15.009	28/8		
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15A-9.005	29/36	29/41		19B-15.011	28/8		
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17-660.300	15/50	16/8		20-114.002	29/33		29/42
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18-21.004	25/48	25/50		21M-50.007	19/6c		
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33-3.018	17/14			33-601.102	29/39		29/46
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40C-2.321	29/28		29/45	40D-8.021	29/45		
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40C-4.031	20/18	21/39	29/45	40D-400.021	29/49		
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40C-4.461	29/28		29/45	40E-1.5095	29/47c		
40C-4.471	29/28		29/45	40E-1.510	20/18	21/36	
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40C-4.751	29/28		29/45	40E-1.603	19/4c		
40C-8.031	29/38		29/45	40E-1.606	19/4c		
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40C-44.031	29/28		29/45	40E-7.639	22/23	22/37	
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42MM-1.002	29/31		29/44	58A-6.003	29/46		
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42NN-1.001	29/31		29/44	58A-6.015	29/45		
42NN-1.002	29/31		29/44	58A-6.016	29/45		
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				58A-14.008	29/45		
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46-37.001	20/18				29/35c		
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59G-4.100	29/32		29/46				
59G-4.130	26/8	26/15	29/47	60-1	28/42c		29/43d
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59G-4.190	29/32		29/43	60-8.002	28/34		
59G-4.197	29/48			60-8.003	28/34		
59G-4.200	29/44			60-8.004	28/34		
59G-4.240	29/48			60-8.005	28/34		
59G-4.250	28/8	28/31	29/44d	60-8.006	28/34		
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59G-6.010	29/33		29/48	60L-39.005	29/47		
59G-6.020	29/48			60L-39.006	29/47		
59G-6.080	29/32	29/44		60L-39.007	29/47		
59G-8.200	29/30	29/42		60T-25.001	18/41	18/44	
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59G-8.201	29/30			60Y-2.001	29/35		
59G-8.202	29/30			60Y-2.003	29/35		
59G-8.203	29/30			60Y-2.004	29/35	29/45	
59G-8.204	29/30			60Y-2.005	29/35	29/45	
59G-8.205	29/30				29/39		29/45w
59G-8.206	29/30			60Y-2.006	29/35		
59G-8.207	29/30			60Y-2.007	29/35	29/45	
59G-8.208	29/30			60Y-2.009	29/35		
59G-8.209	29/30			60Y-2.011	29/35		
59G-8.210	29/30			60Y-2.012	29/35		
59G-8.211	29/30			60Y-3.001	29/35	29/45	
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59G-12.002	29/41	29/48		60Y-4.003	29/35		
59G-12.003	29/41			60Y-4.004	29/35		
59G-12.004	29/41			60Y-4.005	29/35		
59G-12.005	29/41	29/48		60Y-4.006	29/35		
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59H-1.0065	29/38		29/49	60Y-4.009	29/35		
59M-3.005	21/25			60Y-4.010	29/35		
59O-2.002	22/34	24/49		60Y-4.011	29/35		
59O-2.003	22/34	24/49		60Y-4.012	29/35		
59O-3.002	22/34	24/49		60Y-4.013	29/35		
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60Y-4.024	29/35			61B-31.002	23/2		
60Y-4.025	29/35			61B-32.001	21/30		
60Y-4.026	29/35			61B-36.001	29/17	29/46	
60Y-4.027	29/35			61B-36.002	29/17	29/46	
60Y-5.001	29/35			61B-36.003	29/17	29/46	
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61A-7.004	29/41						
61A-7.005	29/41						
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61A-7.008	29/41						
61A-7.009	29/41						
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61G3-20.0105	29/43			61J1-2.007	29/44		
61G3-21.001	29/45			61J1-3.001	28/41	28/43	
61G3-21.014	29/45				29/44		
61G3-30.001	28/2			61J1-3.002	28/41	28/43	
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61G4-15.005	29/36		29/43	61J1-4.005	28/41	28/43	
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61G4-18.004	29/38		29/45	61J1-4.010	29/44		
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61G6-10.007	29/42			61J1-5.001	29/44		
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61G14-15.001	27/43				29/44		
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61G15-20.005	29/31		29/46	61J2-2.027	28/22	29/40	29/47
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61G15-21.0004(2)	29/46c			61J2-2.032	29/44		
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61G15-21.004	29/41			61J2-3.009	29/11	29/39	
61G15-21.005	29/41					29/45	
61G15-22.006	29/35			61J2-3.010	29/11	29/39	
61G15-22.011	29/35			61J2-3.011	29/44		
61G15-23.001	29/48			61J2-3.012	29/44		
61G15-23.002	29/48			61J2-3.020	29/11	29/39	
61G15-24.001	29/41					29/45	
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61G16-2.001	23/12			61J2-4.010	29/44		
61G16-5.003	21/43	21/50		61J2-5.016	28/22	29/40	
61G17-1.006	21/6			61J2-5.018	29/44		
61G17-1.010	29/4			61J2-5.019	29/44		
61G17-2.006	29/39			61J2-5.020	29/44		
61G17-9.007	29/39			61J2-6.006	29/44		
61G18-12.005	29/43			61J2-10.022	29/44		
61G18-12.006	29/43			61J2-10.029	29/44		
61G18-12.009	29/43			61J2-14.009	29/44		
61G18-16.002	26/29			61J2-14.010	29/45		
61G18-16.003	26/29			61J2-14.011	29/44		
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61J2-24.002	29/45				29/35c		
61J2-24.003	29/45		29/49w		29/35c		
61J2-24.005	29/45				29/35c		
61J8-4.022	29/10				29/35c		
61M-1.001	29/17	29/46			29/35c		
61M-1.002	29/17	29/46		62-302.700	29/29	29/42	29/49
61M-1.003	29/17	29/46		62-304.405	29/36		29/48
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				62-304.500	29/36		29/48
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62-4.050	20/21	21/22		62-304.700	29/43c		
62-17.151	24/45	24/45		62-312.122	24/18		
62-17.161	24/45	24/45		62-330.2001	26/9		
62-33.0051	27/11			62-341.602	21/22	21/22	
62-33.008(4)(d)	29/46c			62-343.010	21/22		
62-40	29/7c			62-343.020	21/22		
	29/9c			62-343.030	21/22		
	29/13c			62-343.040	21/22		
	29/13c			62-343.050	21/22		
	29/13c			62-343.060	21/22		
	29/13c			62-343.070	21/22		
	29/18c		29/44d	62-343.080	21/22		
	29/19c		29/44d	62-343.090	21/22		
62-40.110	28/51			62-343.100	21/22		
62-40.120	28/51			62-343.110	21/22		
62-40.210	28/51			62-343.120	21/22		
62-40.310	28/51			62-343.130	21/22		
62-40.410	28/51			62-343.140	21/22		
62-40.411	28/51			62-343.900	21/22		
62-40.412	28/51			62-524.400	20/45		
62-40.416	28/51			62-550.310	20/47		
62-40.422	28/51			62-550.730	20/19		
62-40.425	28/51			62-561.100	24/52		
62-40.430	28/51			62-604.100	29/36		29/44
62-40.431	28/51			62-604.120	29/36		29/44
62-40.432	28/51			62-604.130	29/36		29/44
62-40.450	28/51			62-604.200	29/36		29/44
62-40.458	28/51			62-604.300	29/36		29/44
62-40.470	28/51			62-604.400	29/36		29/44
62-40.473	28/51			62-604.500	29/36		29/44
62-40.474	28/51			62-604.550	29/36		29/44
62-40.475	28/51			62-604.600	29/36		29/44
62-40.510	28/51			62-604.700	29/36		29/44
62-40.520	28/51			62-610.814	24/52		
62-40.531	28/51			62-621.200	21/52		
62-40.540	28/51			62-624.810	29/9	29/12	
62-40.610	28/51			62-660.400	29/40		29/48
62-210.990	20/36			62-701	22/42c		
62-213.430	20/52	21/7		62-707.500	22/30		
62-296.401	22/32	22/38		62-712.100	21/34		
62-302.530	29/12			62-712.200	21/34		
	29/35c			62-712.300	21/34		
	29/35c			62-712.400	21/34		

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62-712.420	21/34			64B1-6.002	29/36c		
62-712.430	21/34			64B1-6.005	29/36c		
62-712.440	21/34			64B1-6.006	29/36c		
62-712.450	21/34			64B1-6.007	29/36c		
62-712.460	21/34			64B1-6.008	29/36c		
62-712.500	21/34			64B1-6.009	29/36c		
62-712.800	21/34			64B1-6.010	29/36c		
62-712.810	21/34			64B1-31.001	27/51	28/6	
62-712.900	21/34			64B2-13.004	29/29	29/41	29/48
62-730.050	23/7			64B2-13.0049	29/47		
62-730.220	28/24			64B2-15.001(2)(e),(3)	29/35c		
62-761.891	24/14			64B2-16.0075	29/34	29/41	29/48
62-771.300	21/52			64B2-17.0025(4)	29/3c		29/43d
62-775.500	21/52	22/15		64B3-2.001	23/51		
62-788.400	25/5			64B3-2.002	22/34	24/49	
62B-2	28/8			64B3-2.003	22/34	24/49	
62D-2.014	21/52	22/13		64B3-3.004	23/51		
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62D-2.014(17)	29/18c			64B4-3.001	25/22		
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62D-5.031	29/38		29/45	64B4-4.018	25/32		
62D-5.032	29/38		29/45	64B4-5.007	25/32		
62D-5.033	29/38		29/45	64B4-5.008	29/33		29/45w
62D-5.034	29/38		29/45	64B4-6.0013	25/32		
62D-5.035	29/38		29/45	64B4-6.0045	25/32		
62D-5.036	29/38		29/45	64B5-2.0135	29/42		
62D-5.038	29/38		29/45	64B5-7.0035	29/42		
62D-5.039	29/38		29/45	64B5-7.005	29/42		
62N-3.002	21/43			64B5-12.019	29/42		
62N-36.004	21/43			64B5-14.001	29/26		29/44
62R-7.002	21/17			64B5-14.002	29/26		29/44
62R-7.010	23/34			64B5-14.003	29/26		29/44
62R-7.020	21/17			64B5-14.004	29/26		29/44
62R-7.022	21/17			64B5-14.005	29/26		29/44
62R-7.025	21/17			64B5-14.006	29/26		29/44
62R-7.026	21/17			64B5-14.007	29/26		29/44
62R-7.028	21/17			64B5-14.009	29/26		29/44
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62R-7.032	21/17			64B5-16.005	29/42		
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				64B7ER03-2			29/33
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64-1	29/7c		29/44d	64B7-30.006	29/34		29/44
64B-1.009	25/39	26/1		64B7-32.001	26/6		
64B-3.004	29/46			64B8-1	29/30c		29/44d
64B-21.0015	27/39			64B8-1.007	28/3	28/26	29/46
64B-21.004	27/39				29/38		29/46
64B-21.006	27/39				29/48		
64B1-2.006	29/42			64B8-3.002	29/30	29/42	29/48
64B1-2.008	29/36c				29/34		29/42
64B1-3.004	29/42				29/48		
64B1-3.007	29/42						

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64B8-4.022	29/36		29/43		29/43c		
64B8-5.001	29/26			64B16-28.904	29/30		29/42
64B8-9.003(2)	29/43c			64B17-3.003	29/35c		
64B8-9.008	27/49c				29/35c		
64B8-9.013	29/34		29/42		29/35c		
64B8-9.014	29/43c		29/44d		29/35c		
64B8-13.0045	27/48	28/16			29/35c		
64B8-13.005	29/48			64B18-16.005	29/33		29/48
64B8-30.003	29/21		29/42	64B19-18.0025	28/33	29/39	
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64B8-30.012	24/3	24/35	29/46		29/47c		
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	29/23c			64B20-3.003	29/37		29/44
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64B8-30.014	29/38		29/46	64B20-4.003	29/42		
64B8-51.001	29/43			64B21-500.011	29/41		29/49
64B8-52.004	29/16	29/18		64B21-502.006	29/46		
64B8-52.005	29/43			64B24-4.001	29/16		
64B8-54.004	27/41			64B24-4.002	29/16		
64B8-304.700	29/43c			64B24-4.004	29/16		
64B9-3.007	25/9			64B24-4.006	29/16		
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64B12-11.015	29/46			64B24-4.010	29/16		
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