

## Section I

### Notices of Development of Proposed Rules and Negotiated Rulemaking

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Agricultural Environmental Services**

RULE NOS.:	RULE TITLES:
5E-14.106	Use of Pesticides – Labels, Limitations, Precautions
5E-14.117	Application for Examination for Pest Control Operator’s Certificate and Special Identification Card
5E-14.149	Enforcement and Penalties

**PURPOSE AND EFFECT:** The purpose and effect of the proposed rules are to add amendments to the rule allowing secondary treatments for preventive treatment for subterranean termite protection for new construction that do not have to be to all areas specified on the label of the pesticide, provided that a primary treatment is applied to all areas specified on the label, implement statutory changes to the requirements for limited certification for commercial landscape maintenance, and establish failure to obtain pest control identification cards as a major violation of department rules.

**SUBJECT AREA TO BE ADDRESSED:** Use of Pesticides for Preventive Treatment for New Construction, Limited Certification for Commercial Landscape Maintenance, and Enforcement and Penalties.

**SPECIFIC AUTHORITY:** 482.051 FS.

**LAW IMPLEMENTED:** 482.051, 482.156, 482.161 FS.

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

**DATE AND TIME:** March 9, 2007, 10:00 a.m.

**PLACE:** George Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS:** Mr. Steve Dwinell, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399, telephone: (850)488-7447

**THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:**

5E-14.106 Use of Pesticides – Labels, Limitations, Precautions.

(1) through (5) No change.

(6) Pesticides used ~~as the primary~~ for treatment for the prevention of subterranean termites for new construction shall be applied in the specific amounts, concentration, and treatment areas designated by the label.

(7) through (8) No change.

(9) When a pesticide registered as a preventive treatment for new construction has been applied as the primary a preventive treatment for a structure in accordance with subsection 5E-14.106(6), F.A.C., or will be applied prior to completion of construction, a secondary treatment using a second pesticide registered for preventive treatment for new construction may be applied in ~~the amounts, concentration, and treatment area in~~ accordance with label directions.

Specific Authority 482.051 FS. Law Implemented 482.051(1) FS., P.L. 92-516, Section 1, Chapter 92-203, Laws of Florida, 482.051(5), as amended July 1, 2006, Ch. 2006-289, Laws of Florida. History–New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.106, Amended 7-5-95, 4-17-03, 6-30-05,\_\_\_\_\_.

5E-14.117 Application for Examination for Pest Control Operator’s Certificate and Special Identification Card.

(1) through (10) No change.

(11) Applicants for limited certification in Commercial Landscape Maintenance shall submit an examination fee of \$150, ~~and be required to show evidence of having been in the landscape maintenance business for at least three years by submission of the following:~~

~~(a) A signed statement by the applicant which recites:~~

- ~~1. The dates during which the applicant participated in the landscape maintenance business.~~
- ~~2. The address or addresses at which the applicant performed landscape maintenance business activities.~~
- ~~3. The name or names of the employer(s) for whom applicant performed landscape maintenance business activities.~~

~~(b) Independent proof of participation in the lawn maintenance business for three (3) years including any one of the following:~~

- ~~1. W-2 employment records.~~
- ~~2. Federal tax returns.~~
- ~~3. Occupational licenses.~~
- ~~4. Executed employment contracts or any other business or operational documentation which is regularly maintained as a business or operational record by any governmental agency, organization, business or person.~~

~~5. The annual recertification fee shall be \$75.~~

(12) through (17) No change.

Specific Authority 482.051 FS. Law Implemented, 482.156 FS., as amended July 1, 2006, Ch. 2006-289, Laws of Florida. History–New 1-1-77, Amended 6-27-79, 6-22-83, 10-25-90, Formerly 10D-55.117, Amended 8-11-93, 7-5-95, 5-28-98, 4-29-02,\_\_\_\_\_.

5E-14.149 Enforcement and Penalties.

(1) through (2) No change.

(3) Category of Violations. Minor violations are all violations other than those classified as major violations. Major violations are violations where:

(a) through (k) No change.

(l) A licensee or certified operator fails to comply with Chapter 482.091(1) or (2), F.S.

(4) through (15) No change.

Specific Authority 482.051, 570.07(23) FS. Law Implemented 482.161, 482.163, 482.165, 570.07(36) FS. History–New 7-13-06, Amended.

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

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE NO.: 59G-6.010  
 RULE TITLE: Payment Methodology for Nursing Home Services

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to incorporate changes to the Florida Title XIX Long-Term Care Reimbursement Plan payment methodology, effective January 1, 2007.

The certified nursing assistant staffing ratio will be modified in accordance with Section 400.23(3), Florida Statutes, and the 2006-07 General Appropriations Act, House Bill 5001, Specific Appropriation 243, effective January 1, 2007.

SUBJECT AREAS TO BE ADDRESSED: Nursing home staffing ratios.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 FS.

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

DATE AND TIME: March 6, 2007, 2:00 p.m. – 3:00 p.m.

PLACE: 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Edwin Stephens, Medicaid Cost Reimbursement, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)414-2759 or by e-mail at [stephene@ahca.myflorida.com](mailto:stephene@ahca.myflorida.com)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE. PLEASE CONTACT THE PERSON LISTED ABOVE FOR A COPY OF THE PROPOSED RULE.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-25.001  
 RULE TITLE: Examination Requirements

PURPOSE AND EFFECT: Approved examinations.

SUBJECT AREA TO BE ADDRESSED: Examination Requirements.

SPECIFIC AUTHORITY: 456.013(7), 456.017(1)(c), 456.034, 480.035(7), 480.041(2), 480.42(1) FS.

LAW IMPLEMENTED: 456.013(7), 456.017(1), 456.034, 480.041, 480.042 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

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

**DEPARTMENT OF HEALTH**

**Board of Massage**

RULE NO.: 64B7-28.010  
 RULE TITLE: Requirements for Board Approval of Continuing Education Programs

PURPOSE AND EFFECT: Approval of continuing education programs.

SUBJECT AREA TO BE ADDRESSED: Requirements for Board Approval of Continuing Education Programs.

SPECIFIC AUTHORITY: 455.213(6), 480.035(7), 480.0415, 480.0425 FS.

LAW IMPLEMENTED: 455.213(6), 480.0415, 480.0425 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Pamela E. King, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399

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

**DEPARTMENT OF HEALTH**

**Board of Osteopathic Medicine**

RULE NO.: 64B15-14.011  
 RULE TITLE: Requirements to be a Qualified Practitioner for Completing Risk Assessments and Treatment of Sexual Offenders

PURPOSE AND EFFECT: The Board proposes the development of a rule to set forth the requirements for osteopathic physicians who provide risk assessments and treatment for sexual offenders.

SUBJECT AREA TO BE ADDRESSED: Requirements for practitioners who complete risk assessments and treatment for sexual offenders.

SPECIFIC AUTHORITY: 947.005(9), 948.001(6), 459.005 FS.

LAW IMPLEMENTED: 947.005, 948.30 FS.

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

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

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NO.: 65A-4.2131  
 RULE TITLE: Learnfare Requirements

PURPOSE AND EFFECT: This rule amendment will remove reference to obsolete forms.

SUBJECT AREA TO BE ADDRESSED: The proposed rule amendment removes reference to obsolete forms as the Learnfare information has been incorporated into the Rights and Responsibilities Form.

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.125 FS.

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

DATE AND TIME: March 7, 2007, 1:30 p.m.

PLACE: 1317 Winewood Blvd., Bldg. 3, Room 455, Tallahassee, Florida 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lonna Cichon, Government Operations Consultant II, Food Stamps/TANF Policy, 1317 Winewood Boulevard, Building 3, Room 406, Tallahassee, Florida 32399-0700. Telephone (850)488-8004

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

RULE NO.: 69J-7.005  
 RULE TITLE: Criminal History Checks and Drug Testing of Inspectors

PURPOSE AND EFFECT: This rule implements Section 215.5586(1)(b)1.b., F.S., by incorporating a pamphlet which contains procedures relating to the mandatory level II criminal history checks and mandatory drug testing.

SUBJECT AREA TO BE ADDRESSED: The Florida Comprehensive Hurricane Damage Mitigation Program – criminal history checks and drug testing of persons providing home inspections in the Program.

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 FS.

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

DATE AND TIME: Monday, March 5, 2007, 10:00 a.m.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Patricia Woerner, (850)413-2815. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Patricia Woerner, 5th Floor Larson Building, 200 E. Gaines St., Tallahassee FL 32399-0333; Email patrica.woerner@FLDFS.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69J-7.005 Criminal History Checks and Drug Testing of Inspectors.

The standards and procedures for criminal history checks and drug testing of inspectors providing home inspection services pursuant to Section 215.5586 F.S., as required by Section 215.5586(1)(b)1.b., F.S., are set forth in Florida Department of Financial Services Florida Comprehensive Hurricane Damage Mitigation Program, Criminal History Check And Drug Test Guide For Inspectors, (Eff. \_\_\_\_\_), which is hereby incorporated by reference into this rule. A copy of the aforementioned publication may be obtained by contacting the Department of Financial Services, Division of Consumer Services, 1(800)342-2762.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History–New \_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Consumer Services**

RULE NO.: 69J-7.006  
 RULE TITLE: Grants Directly from the Department to Homeowners

PURPOSE AND EFFECT: This rule implements Section 215.5586, F.S., by incorporating the pamphlet which contains the procedures and forms by which individual homeowners may apply to the Department for a grant, be awarded a grant, and receive payment of grant funds, under the Florida Comprehensive Hurricane Damage Mitigation Program.

SUBJECT AREA TO BE ADDRESSED: The Florida Comprehensive Hurricane Damage Mitigation Program.

SPECIFIC AUTHORITY: 215.5586(6) FS.

LAW IMPLEMENTED: 215.5586 FS.

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

DATE AND TIME: Monday, March 5, 2007, 11:00 a.m.  
 PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Patricia Woerner, (850)413-2815. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Patricia Woerner, 5th Floor Larson Building, 200 E. Gaines St., Tallahassee FL 32399-0333; Email patrica.woerner@FLDFS.com.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69J-7.006 Grants Directly from the Department to Homeowners.

The procedures and forms by which individual homeowners may apply to the Department for a grant, be awarded a grant, and receive payment of grant funds, under the Florida Comprehensive Hurricane Damage Mitigation Program, pursuant to Section 215.5586 F.S., are set forth in Florida Department of Financial Services, Florida Comprehensive Hurricane Damage Mitigation Program, Homeowner Guide to Grants (Eff. \_\_\_\_\_), which is hereby incorporated by reference into this rule. A copy of the aforementioned publication may be obtained by contacting the Department of Financial Services, Division of Consumer Services, 1(800)342-2762.

Specific Authority 215.5586(6) FS. Law Implemented 215.5586 FS. History–New \_\_\_\_\_.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Worker’s Compensation**

RULE NO.: 69L-6.027  
 RULE TITLE: Penalty Calculation Worksheet

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise the penalty language and penalty calculation process used in Form DFS-F4-1595, Penalty Calculation Worksheet. The effect of the proposed amendment is to harmonize the penalty language to conform to language used in related forms and provide a more equitable means of calculating penalties relating to underreporting violations.

SUBJECT AREA TO BE ADDRESSED: Proposed revisions to Form DFS-F4-1595 (eff. \_\_\_\_\_), Penalty Calculation Worksheet.

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107(7) FS.

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

DATE AND TIME: Monday, March 5, 2007, 2:00 p.m.  
 PLACE: Room 104J, Hartman Building, 2012 Capital Circle, S.E., Tallahassee, FL 32399-4229

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Andrew Sabolic, Division of Workers’ Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4226, phone (850)413-1628 or ANDREW.SABOLIC@fldfs.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-6.027 Penalty Calculation Worksheet.

(1) For purposes of calculating penalties to be assessed against employers pursuant to Section 440.107, F.S., the Division shall use form # DFS-F4-1595 (eff. \_\_\_\_\_) (rev. 9/04) which is incorporated herein by reference.

(2) Copies of this form DFS-F4-1595 (eff. \_\_\_\_\_) (rev. 9/04) are available from the Division of Workers' Compensation, Department of Financial Services, Larson Building, Tallahassee, Florida 32399-4226.

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7) FS. History--New 12-29-04, Amended \_\_\_\_\_.

**FINANCIAL SERVICES COMMISSION**

**OIR – Insurance Regulation**

RULE NO.: 69O-137.012                      RULE TITLE: Hurricane Loss Data

PURPOSE AND EFFECT: To develop a reporting form for the collection of Hurricane Loss Data as authorized by Section 627.713, F.S.

SUBJECT AREA TO BE ADDRESSED: Reporting of Hurricane Loss Data.

SPECIFIC AUTHORITY: 624.308(1) FS.

LAW IMPLEMENTED: 627.713 FS.

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

DATE AND TIME: March 7, 2007, 9:30 a.m.

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Angela Lockwood, Manager, Market Research, Office of Insurance Regulation, E-mail: Angela.Lockwood@fldfs.com

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

**Section II  
Proposed Rules**

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-15	Incorporation by Reference
RULE NO.:	RULE TITLE:
14-15.017	Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems

PURPOSE AND EFFECT: This rule, which incorporates by reference the *Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems*, is being amended to incorporate a revised version of the manual. The proposed amendments are necessary to address findings resulting from a Federal Transit Administration June 2006, audit of the Safety Oversight Program required under 49 C.F.R., Part 659.

SUMMARY: The *Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems*, April 2007, edition, is being incorporated by reference within this rule. This revised edition replaces the February 2006, edition previously incorporated by reference.

SPECIFIC AUTHORITY: 341.061 FS.

LAW IMPLEMENTED: 341.041, 341.061 FS.

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.

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

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:

14-15.017 Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems.

The *Safety and Security Oversight Program Standards Manual for Fixed Guideway Transportation Systems*, April 2007 February 2006, edition, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. Copies of this Department manual and any amendments

thereto are available from the Department of Transportation, Public Transit Office, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450, or on line at <http://www.dot.state.fl.us/transit>.

Specific Authority 341.061 FS. Law Implemented 341.041, 341.061 FS. History—New 3-7-06, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
James Mike Johnson, Administratory, Transit Operations

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lowell Clary, Assistant Secretary for Finance and Administration, for Stephanie Kopelousos, Interim Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 5, 2007

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER NO.: 14-33  
RULE CHAPTER TITLE: Florida Road Numbering Plan

RULE NO.: 14-33.002  
RULE TITLE: Florida Road Numbering Plan

PURPOSE AND EFFECT: The rule for the Florida Road Numbering Plan is being amended for clarification and updating of statutory citations. References have been changed from “Florida Road Numbering System” to “Florida Road Numbering Plan.”

SUMMARY: The rule for the Florida Road Numbering Plan is being amended.

SPECIFIC AUTHORITY: 334.044(2) FS.

LAW IMPLEMENTED: 334.03, 334.044(11), 335.01, 335.01, 335.08 FS.

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.

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

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:

14-33.002 Florida Road Numbering Plan System.

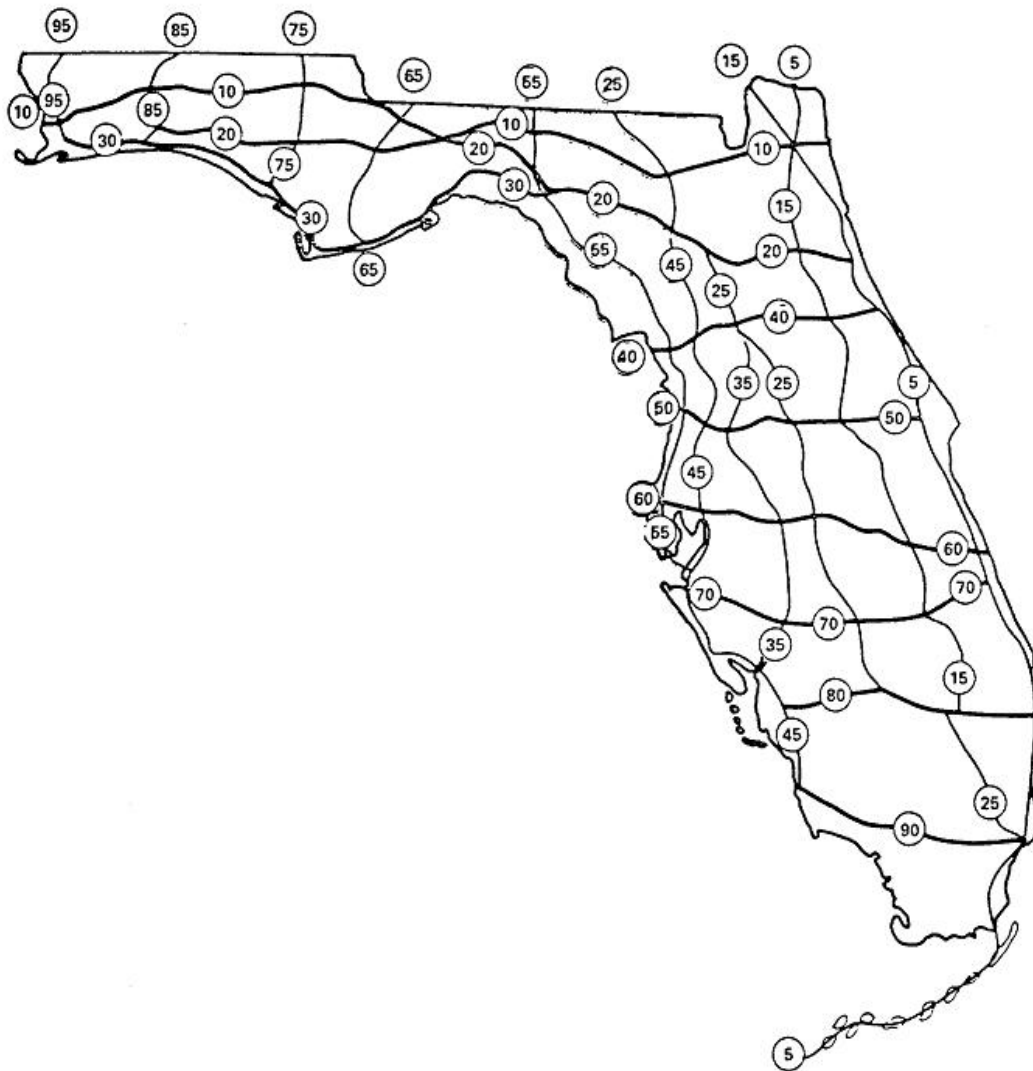
(1) Numbering Plan System. The Florida systematic road numbering plan ~~for Florida~~ will generally prescribe numbers in accordance with road orientation and geographic location within the state. Extended roads of state-wide or inter-regional significance will maintain one-digit or two-digit road numbers. Roads of regional significance will be assigned three-digit road numbers. ~~Short length roads and R~~roads of generally local significance may be assigned four-digit numbers.

(a) All roads leading from north to south bear odd numbers with the number 1 assigned to the extreme easterly road. All roads leading from east to west bear even numbers with the number 2 assigned to the extreme northerly road.

(b) Certain control roads have been selected for the purpose of dividing the state into segments. The north-south control roads are one and two-digit numbers ending in 5; the east-west control roads are two-digit numbers ending in zero. (See figure 1.)

FIGURE 1

FLORIDA STATE HIGHWAY NUMBERING SYSTEM



(c) ~~Major Main~~ connecting roads are assigned two-digit numbers between the control routes. For example, Road 77 is a north-south route located between control routes 75 and 85 and is found near the westernmost portion of the state. Minor connecting routes are assigned three-digit 3 or 4 four-digit numbers between the control routes. For example, Road 510 is an east-west route located between control routes 50 and 60 and would be found near the central portion of the state.

(d) Connecting roads which cross control routes will not be required to change numbers, but will retain the number assigned at the beginning of the route to insure route continuity.

(2) Assignment of Numbers and ~~Signing~~ Responsibility for Signs.

(a) Category I, State Highway System. ~~The Department will assign numbers and erect and maintain corresponding signs. Category I roads will be numbered and signed by the Department.~~

(b) Category II, roads on the county road system and city street system functionally classified as collector roads and arterial roads. ~~The Department will assign numbers for Category II roads; however, the jurisdictions maintaining these roads will have the responsibility for erecting and maintaining corresponding signs.~~

- ~~1. Urban Minor Arterial Roads on the County Road System.~~
- ~~2. Collector Roads on the County Road System.~~
- ~~3. Collector Roads on the City Street System.~~

~~Category II roads will be numbered by the Department; however, signing of the roads will be the responsibility of other jurisdictions.~~

(c) Category III, the state park roads system and county roads or streets not functionally classified as collector or arterial roads. The Department will number a Category III road upon request by the entity having jurisdiction over the road; however that jurisdiction would have responsibility for erecting and maintaining corresponding signs.

- ~~1. State Park Roads.~~
- ~~2. Significant County Roads.~~
- ~~3. Significant City Streets~~
- ~~4. Significant Private or Toll Roads~~

~~Category III roads may be numbered by the Department upon request by other jurisdictions, and will be signed by other jurisdictions.~~

(3) Signs and Symbols. Signs and symbols to be utilized in the uniform state numbering plan will be in accordance with the standards of the American Association of State Highway and Transportation Officials (AASHTO), the Florida Department of Transportation, and the National Association of Counties as referenced in the Manual of Uniform Traffic Control Devices, which is incorporated by reference under

Rule 14-15.010, F.A.C. Appropriate symbols will be employed with the road numbers for usage on the Official State Highway Map and the County General Highway Map series.

(4) Renumbering of Roads. The Florida Road Numbering Plan will generally utilize existing state road numbers. However, changes in existing road numbers will be instituted where such numbers have caused public confusion, e.g., multiple usage of the same road number in a region, or where the road numbering plan in a region might be improved by a general revision of the existing numbering scheme. In such instances, when revisions to the existing state road numbers are proposed, it shall be the policy of the Department to conduct a public hearing in accordance with ~~the intent of~~ Section 335.02, F.S. Florida Statutes.

Specific Authority 334.044(2) FS. Law Implemented 334.03, 334.044(11), 335.01, 335.02, 335.08 FS. History—New 3-18-76, Formerly 14-33.02, Amended 8-5-96, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Gordon Morgan, Transportation Statistics Office  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lowell Clary, Assistant Secretary for Finance and Administration, for Stephanie Kopelousos, Interim Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 5, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 5, 2007

**DEPARTMENT OF TRANSPORTATION**

RULE CHAPTER NO.: RULE CHAPTER TITLE:  
14-66 Relocation Assistance Regulations  
RULE NO.: RULE TITLE:  
14-66.007 Relocation Assistance Program  
PURPOSE AND EFFECT: This rule chapter is being amended to include revised definitions, clarification of language, updating the incorporated regulations regarding relocation assistance, and incorporation of an application form.  
SUMMARY: This is an amendment to Rule 14-66.007, F.A.C.  
SPECIFIC AUTHORITY: 334.044(2) FS.  
LAW IMPLEMENTED: 339.09(2), (3), 421.55 FS.  
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.

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:

14-66.007 Relocation Assistance Program.

Pursuant to Sections 339.09(2) and (3), and 421.55, F.S., the Department may expend transportation tax revenues on federal and non-federal-aid projects which shall include relocation assistance and moving costs to persons displaced by transportation facilities or other related projects.

(1) The purpose of this rule is to ~~govern promulgate regulations governing~~ the provision of relocation services, moving costs, replacement housing costs, and other related expenses and to ensure that each person displaced as a direct result of a transportation projects is treated fairly, consistently, and equitably, so that such person will not suffer disproportionate injury as a result of projects designed for the benefit of the public as a whole, and to ensure that the Department implements these regulations in a manner that is efficient and cost effective. This rule shall apply to all persons displaced by any applicable transportation project on which negotiations for right-of-way acquisition begin after the effective date of this rule. The provisions of 49 C.F.R. Part 24, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs Regulations (effective ~~October 1, 2006~~ March 15, 1999), as modified herein, are incorporated into this rule by reference. The Department shall require, as a condition of financial participation, that the requirements of this rule be met by the administering Agency on transportation projects or project phases:

(a) That are federalized;

(b) For which there is any anticipation or intent to federalize. Anticipation includes discussion by local or state officials regarding the intended or potential use of federal funds in any phase of the project;

(c) That are on the State Highway System; or

(d) ~~That~~ are intended to be on the State Highway System.

(2) This rule does not apply to projects on or intended to be on the State Highway System, ~~which are~~ funded by Department long term loan programs to governmental entities which have independent statutory authority to provide transportation projects on the State Highway System.

(3) Definitions. The following definitions, as well as those stated in 49 C.F.R. Part 24, Subpart A, shall apply as used in the context of this rule:

(a) "Agency" shall mean any state, county, district, authority or municipality office, department (including the Florida Department of Transportation), division, board, bureau,

office, commission, or other separate unit of government created or established by law and any other public or private entity, person, partnership, corporation, or business entity acting on behalf of any Agency.

(b) "Carve Out" shall mean the method used in making a typical homesite determination, whereby, that portion of the parent tract which is typical for residential use in the area is separated from the parent tract for the purpose of the replacement housing payment computation.

(c) "Department" shall mean the Florida Department of Transportation.

(d) "Direct Loss Payment" shall mean a remuneration made to displaced persons for personal property that cannot be moved or which the displaced person chooses not to move, ~~and is in the form of either of the following:~~

1. ~~On Premise Signs remuneration is limited to the lesser of the sign's depreciated reproduction cost minus proceeds from its sale, salvage value, or the costs that would be incurred to move the sign, if it could be moved. If the sign cannot be moved without violating local, state, or federal codes, payment will be limited to the sign's depreciated reproduction cost minus proceeds from its sale or salvage value.~~

2. ~~Tangible Personal Property remuneration is limited to the lesser of the fair market value of the item for continued use at the displacement site, less the proceeds from its sale, or the estimated cost of moving the item; there shall be no allowance for storage. (The Agency may determine the effort to sell an item is not necessary and when payment for property loss is claimed for goods held for sale, the fair market value shall be based on the cost of the goods to the business, not the potential selling price.)~~

(e) "Displaced Person" or "Person" shall mean anyone ~~person~~ who, pursuant to this rule, moves from the real property or moves his or her personal property from the real property as defined in 49 C.F.R. ~~Part~~ 24.2 and is used interchangeably with "displacee" and "Arelocatee." Displaced person shall include an individual, partnership, corporation, association or other entity.

(f) "Displacement Dwelling" shall mean the dwelling from which a displaced person is required to move due to a transportation project.

(g) "Displacement Site" shall mean, for purposes of a non-residential fixed payment, the parent tract on which the business is operating.

(h) "Domicile" shall mean the place where a person has his or her true, fixed, permanent home and principal establishment and to which he or she has, when absent, the intention of returning.

~~(i) "Family" shall mean two or more individuals who are living together and intend to live together at the replacement dwelling.~~

~~(j)~~ "Federalized Project" shall mean any project with federal participation in any project phase.

~~(j)(4)~~ “Gross Household Monthly Income” shall mean total income received for a 12 month period from sources (earned and unearned) including, such as salaries, wages, child support, alimony, unemployment benefits, workers compensation, social security, or the net income from business. It does not include income received or earned by dependent children and full time students under 18 years of age and all other amounts, whether in cash or in kind, paid or given to the displaced person.

~~(k)(4)~~ “Initiation of Negotiations” shall mean the date the initial written offer of just compensation is delivered by the Agency to the owner or representative of the owner to purchase real property for a project.

~~(l)(4)~~ “Major Exterior Attribute” shall mean any major appurtenant structure exterior to a residential dwelling, or an aesthetically valuable view which substantially contributes to the quality or standard of living of the displaced person(s).

~~(m)(4)~~ “Market/Economic Rent” shall mean the Agency’s determination of the reasonable income expectancy of a dwelling or other property if it were available for rent, and the rent justifiably payable for the right of occupancy of land or improvements.

~~(n)~~ “Person” shall mean any individual, family, partnership, corporation, or association.

~~(o)(4)~~ “Personal Property” shall mean, generally, moveable items not permanently affixed to and a part of the real estate, which typically can be removed without serious injury either to the real estate or to the items themselves.

~~(p)(4)~~ “Post-Move Inventory” shall mean a list of personal property actually moved to the replacement site as a part of a relocation. Such list is prepared by the displaced person or the Agency after the move is completed and is confirmed as correct by the Agency’s representative and the displaced person(s).

~~(q)(4)~~ “Pre-Move Inventory” shall mean a list of items to be included in a move. Such list is prepared prior to the move and confirmed by the displaced person(s).

~~(r)(4)~~ “Typical Homesite Determination” shall mean a determination, for replacement housing payment computation purposes, of the portion of a tract of land which is typical for residential use in the area.

(4) Advisory Services. The Agency will provide relocation advisory services in accordance with 49 C.F.R. Part 24.205.

(5) Written Notices. The following written notices will be furnished to each displaced person to provide information regarding the benefits and services available to him or her:

(a) A General Information notice shall be furnished to each displaced person as required in 49 C.F.R. Part 24, Subpart C.

(b) A 90-Day Notice will be furnished to each displaced person as delineated in 49 C.F.R. Part 24, Subpart C.

(c) A Notice of Eligibility shall be furnished to all displaced persons. The Notice of Eligibility shall:

1. Be delivered at the time of initiation of negotiations for owners, and no later than 14 days from the date of initiation of negotiations for tenants; and

2. Provide an explanation of all services and payments to which the occupant is entitled and identify the address of the nearest relocation assistance office where additional information concerning relocation assistance may be obtained.

(d) A Statement of Eligibility shall be furnished to each residential displaced person and shall include:

1. The amount of the maximum payment for which the displaced person is eligible;

2. An identification of the comparable replacement dwelling upon which such amount is based. The comparable replacement dwelling upon which the payment eligibility is based must be available to the displaced person at the time the Statement of Eligibility is delivered; and

3. A statement of the occupancy requirement necessary for obtaining the full amount of the payment.

(6) Relocation Planning. If a transportation project necessitates the relocation of any person, prior to proceeding with right-of-way negotiations, the Agency shall determine the following:

(a) Comparable replacement dwellings shall be available or provided for each displaced person and such determination shall be accompanied by an analysis of all relocation issues involved and a specific plan to resolve such issues; and

(b) The relocation program provides orderly, timely, and efficient relocation of displaced persons, including, when appropriate, Housing of Last Resort as required in 49 C.F.R. Part 24, and these regulations.

(7) Moving and Related Expenses. Any person, family, business, farm operation, or non profit organization which qualifies as a displaced person is entitled to payment of his or her actual moving and related expenses, as the Agency determines to be reasonable and necessary, as outlined in 49 C.F.R. Part 24, subject to the following provisions:

(a) In a residential or non-residential self-move, if the Agency questions the reasonableness of a moving expense, the Agency shall obtain an estimate of customary charges for the appropriate moving activity from a reputable moving firm. If the estimate obtained by the agency is charges submitted by the commercial moving firm are substantially less than the charges submitted by the displaced person, for the same activity, the Agency shall reimburse the lesser amount.

(b) When the cost of moving personal property from a residential or non-residential property is expected to exceed \$10,000, at least two estimates of moving costs shall be obtained by the Agency or the displaced person(s) at the Agency’s discretion. A commercial mover shall not be authorized to begin a move until such estimates have been obtained. Prior to moving personal property for a residential move, performed by a commercial mover, or any non-residential move, when the move is expected to exceed

~~\$10,000, at least two estimates of move costs shall be obtained by the Agency or the displaced person(s).~~ The amount of the payment is limited to the lower of the two estimates. When a move is expected to cost less than \$10,000, a single move estimate prepared by a commercial mover or an qualified Agency employee shall be sufficient at the Agency's discretion.

(c) Moves ~~that which~~ require special handling of items to be moved, or subcontracted labor, will be monitored by the Agency Department. In moves of specialty operations, such as plant nurseries or industrial plants, a specialist may be hired to provide the required monitoring. A detailed monitoring report will include:

1. Date and time of report;
2. Location, such as acquired or replacement site;
3. Number and types, ~~such as general laborer, foreman,~~ of personnel, such as general laborer or foreman, actually involved in the move, including time period each worked;
4. Equipment being used in the move;
5. Quantity of inventory moved during the monitoring period;
6. Special services performed, such as electrical, plumbing, etc., with breakdown as to work done per item, per length of time;
7. Unusual circumstances or special conditions affecting the move during the reporting period; and
8. Advisory services provided during the monitoring period.

(d) When a move is monitored, eligibility for payment shall be contingent on an executed written agreement between the Agency and the displaced person(s) as to:

1. The date and time the move is to begin;
2. The items that are listed as part of the realty in the appraisal report and which are not eligible for moving expense reimbursement; and
3. The displaced person's list of items to be moved.

(e) The displaced person shall provide the Agency with, or allow the Agency to take, pre-move and post-move inventories. ~~The If the pre-move and post-move inventories differ,~~ the Agency will reimburse only costs associated with the actual personal property actually moved.

(f) After the displaced person receives actual direct loss payment for the items, upon request by the Agency, the displaced person shall transfer to the Agency ownership of personal property that has not been moved, sold, or traded. In the event the Agency acquires personal property as part of the real estate transaction, such personal property shall not be included in the calculation of eligible for Relocation Assistance benefits.

(g) If no effort to sell personal property is made by the displaced person(s) and the personal property is abandoned, the displaced person is entitled to neither payment for moving said personal property nor payment for direct loss upon its abandonment.

(h) A business, non-profit organization, or farm operation must provide the Agency with notice of the approximate date of the start of the move at least seven days in advance.

(i) In a non-residential move, the displaced person(s) shall not give permission to a mover to begin the move before receiving authorization from the Agency.

(j) For moves requiring special handling, complete move specifications shall be written by the displaced person(s) or the Agency, or the Agency's designee.

(k) A business may be eligible to choose a fixed payment in-lieu of payment for actual moving and related expenses, and actual reasonable reestablishment expenses, as provided by 49 C.F.R. ~~Parts 24.301, 303 and 24.304.~~ The displaced business is eligible for a fixed payment if the Agency determines that the business meets all qualifying criteria under 49 C.F.R. ~~Part 24.305, 306(a) and (b).~~

(l) All pollutants or contaminants, as defined in Chapters 376 and 403, F.S., which are not hazardous wastes, shall not be abandoned and shall be disposed of or moved to the replacement site by the displaced person owner/operator in accordance with 49 C.F.R. and Chapters 376 and 403, F.S. ~~those Chapters.~~

1. The Department shall pay the lesser of the cost of disposal or the cost to move, except in cases where materials cannot be moved in accordance with governing regulations. In such cases, the Agency will pay the cost of proper disposal. The displaced person shall be responsible for the actual disposal of such material if the displaced person(s) chooses to dispose of the material. If the displaced person(s) is not permitted to move the pollutant or contaminant, the Department shall pay the actual, reasonable cost of disposal.

~~2. If the displaced person(s) chooses to move the material to the replacement site, the Department shall pay the actual, reasonable, and necessary costs associated with the move.~~

~~3. If the applicable law prohibits the displaced person from obtaining the necessary permit to move the hazardous material to the replacement site, the Department shall pay for the cost of disposal and transportation to the disposal site. The displaced person shall be responsible for the disposal of such material.~~

~~2.4.~~ If disposal of hazardous material is a part of the normal operation of the displaced business, the Department shall not pay for the cost of such disposal. If, however, the operation maintains a schedule for the pick-up or transportation of hazardous material to a disposal site and is required to move the material at an unscheduled time, the Department shall pay the actual, reasonable, and necessary extra costs associated with the unscheduled move.

~~(m) All underground or above-ground storage tanks shall be emptied and removed from the site by the displaced owner/operator in accordance with Chapter 376, F.S., and rules of the Department of Environmental Protection, effective December 7, 2000, governing underground or above-ground storage tanks.~~

~~1. If the displaced person(s) chooses to dispose of the tank contents, the Department shall pay the lesser of the cost of disposal or the cost to move.~~

~~2. If the displaced person(s) chooses to move the tank contents to the replacement site, the Department shall pay the actual, reasonable, and necessary costs associated with the move.~~

~~3. In cases where the owner/operator is required by Chapter 376, F.S., and/or rules of the Department of Environmental Protection, effective December 7, 2000, governing underground or above-ground storage tanks, to remove tanks, the Department will not reimburse the costs associated with such removal.~~

~~(n) While transporting any hazardous material or substance to a replacement site or disposal site the Department shall not be considered the owner or shipper of any hazardous material or substance. In no case shall the Department contract with licensed shippers for the disposal of or moving of hazardous materials nor shall the Department be noted or identified on any manifest relating to the disposal of or moving of hazardous material.~~

~~(o) Any individual or business which generates solid waste shall make a hazardous waste determination pursuant to the Resource Conservation and Recovery Act (RCRA), and the Florida Resource and Management Act. All hazardous waste which is required to be disposed of in accordance with Chapter 403, F.S., and Title 40 C.F.R. Part 262, shall be disposed of at the sole cost of the individual or business before the subject site is vacated.~~

(8) Replacement Housing Payments. Persons ~~Individuals and families~~ displaced from a dwelling acquired for a transportation project are eligible for replacement housing payments in accordance with the payments delineated in 49 C.F.R. Part 24, Subpart E.

(b) Typical Homesite Determination.

(a) A displaced person is eligible for the replacement housing payment for a 180-day homeowner-occupant in accordance with ~~if he or she meets the~~ criteria of 49 C.F.R. Part 24, Subpart E.

1. Typical Tract for Area: If the acquired dwelling is located on a tract typical in size for residential use in the area, the maximum purchase additive payment is the probable selling price of a comparable replacement dwelling on another typical tract, less the acquisition price of the acquired dwelling and the tract on which it is situated. If an uneconomic remnant remains after a partial taking and the owner declines to sell that remnant to the Agency, the fair market value of the remainder

will not be added to the acquisition cost of the acquired dwelling for the purposes of computing the replacement housing payment.

2. Large Tract for Area: If the acquired dwelling is located on a tract larger in size than is typical for residential use in the area, the maximum purchase additive payment is the probable selling price of a comparable replacement dwelling on a typical tract, less the sum of the acquisition price of the acquired dwelling (on the portion of land typical in size for residential use in the area), plus any severance damages to the dwelling or typical homesite area.

3. Higher and Better Use Tract: If the acquired dwelling is located on a tract where the fair market value is established as a higher and better use than residential, the maximum replacement housing payment is the probable selling price of a comparable replacement dwelling on a typical tract, less the sum of the acquisition price of the acquired dwelling (on the portion of land typical in size for residential use in the area), plus any severance damages to the dwelling or typical homesite.

4. Joint Residential/Business Use: If the acquired dwelling was part of a property that contained another dwelling unit or space used for non-residential purposes, only that portion of the acquisition payment which is actually attributable to the displacement dwelling shall be considered its acquisition cost when computing the price differential. To determine what constitutes the typical homesite, a tract typical for residential use in the area must be used, even if a portion of that tract is used for other than residential purposes.

5. Carve-Outs of Homesites: When determining the typical homesite portion of the acquisition price, the actual price paid for the portion of the homesite in the taking area plus the value of the residential improvements in the taking area, plus any severance damages to either the remainder of the dwelling or homesite area shall be used. If damages are assigned to the entire remainder without an allocation between the remainder of the homesite and the excess land remaining, the damages shall be prorated between these remainders to establish the acquisition price of the dwelling, including the structure and land. In areas where a typical homesite cannot be determined due to differences in tract sizes within a residential area, the area actually utilized for residential purposes by the displaced person shall be used to compute the replacement housing payment. Consideration shall be given to locations of driveways and fences, outbuildings, gardens, and pools, and to the area maintained for residential usage. If all or part of areas occupied by non-residential structures must be included in order to create a homesite tract typical of the area, the typical homesite shall be figured using whatever portion of those areas are necessary. For replacement dwellings which are on tracts larger than typical for residential use in the area where the excess land is used for nonresidential purposes, the

replacement housing payment shall be calculated using the actual cost of the replacement dwelling plus the prorated portion of the site which is typical for residential use.

~~6. If the site of the comparable replacement dwelling lacks a major exterior attribute of the displacement dwelling site, (e.g., the site is significantly smaller or does not contain a swimming pool), the contributory value of such attribute shall be subtracted from the acquisition cost of the displacement dwelling for purposes of computing the payment.~~

(c) Displaced persons(s) are not required to relocate to the same occupancy status (owner or tenant) as existing prior to acquisition, and may choose payment benefits for an alternate occupancy status, if eligible:

1. At the displaced person's request, a dwelling which changes the occupancy status of the displaced person(s) shall be provided, if such a dwelling is available and can be provided more economically.

2. The total rental assistance payment to a 180-day owner (a person who has occupied the residence for at least 180 days prior to the Agency making an offer to purchase it) is determined by calculating the difference between the market rent and average monthly utilities costs for the acquired dwelling and the actual rent and estimated monthly utilities costs of a comparable rental dwelling available on the market. Under no circumstances would the rental assistance payment exceed the amount that could have been received if the 180-day owner remained under an ownership status, may not exceed \$5,250, unless the calculated purchase additive or mortgage interest differential payment eligibility exceeds \$22,500, in accordance with 49 C.F.R. Part 24, Last Resort Housing.

~~3. The replacement housing payment may not exceed the maximum amount that would have been paid had the displaced person(s) remained in the same occupancy status.~~

(d) Single Household, Multiple Occupancy: If two or more displaced persons occupying eligible occupants of the displacement dwelling move to separate replacement dwellings and the Agency determines only one household existed, payment shall be as follows:

1. If a comparable replacement dwelling is not available and the displaced persons are required to relocate separately, a replacement housing payment will be computed for each person separately, based on housing which is comparable to the quarters privately occupied by each individual plus the full value of the community rooms shared with other occupants.

2. If a comparable replacement dwelling is available, the displaced persons are entitled to a prorated share of the singular relocation payment allowable had they moved together to a single dwelling.

(e) Multiple Household, Multiple Occupancy: If two or more displaced persons occupying eligible occupants of the displacement dwelling move to separate replacement dwellings and the Agency determines that separate households had been

maintained in the displacement dwelling, the replacement housing payment computation shall be based on housing which is comparable to the quarters privately occupied by each individual plus a prorated share of the value of community rooms shared with other occupants. If two or more displaced persons occupying eligible occupants of the displacement dwelling move to a single comparable replacement dwelling, they shall be entitled to only one replacement housing payment under this subsection.

(f) Partial Ownership: When a single-family dwelling is owned by several persons, but not occupied by all of the owners, the replacement housing payment for the displaced owner-occupants is the lesser of the difference between the total acquisition price of the replacement dwelling and the amount determined by the Agency as necessary to purchase a comparable replacement dwelling or the actual cost of the replacement dwelling.

1. The displaced owner-occupants may choose a rent supplement payment instead of a purchase additive. The rent supplement shall be based on the Agency's determination of the fair market/economic rent of the displacement dwelling.

2. To receive the entire replacement housing payment, the owner-occupant must purchase and occupy a replacement dwelling for an amount equal to his or her share of the acquisition payment for the acquired dwelling plus the amount of the replacement housing payment.

(g) A 90-day tenant or owner-occupant (persons who own or rent and occupy a dwelling for at least 90 days prior to the Agency making an offer to purchase it) displaced from a dwelling is entitled to a replacement housing payment as outlined in 49 C.F.R. Part 24, Subpart E.

(h) Any displaced person eligible for a rental assistance payment, except a 180-day owner occupant, may choose to use that payment as a down payment supplement, including incidental expenses, to purchase a replacement dwelling, subject to the following:-

1. The full amount of the replacement housing payment for down-payment assistance must be applied to the purchase price of the replacement dwelling and related incidental expenses. Payment shall be the amount of the down payment or percentage of the purchase price ordinarily required to obtain conventional, rather than VA or FHA, financing for the replacement dwelling in an amount that does not require private mortgage insurance ("required down payment"), not to exceed \$5,250. If the actual down payment required of the displaced person(s) exceeds the amount ordinarily required for a conventional loan, the "required down payment" shall be based upon the amount ordinarily required for a conventional loan.

2. If the actual required down payment, plus incidental expenses, exceeds the amount of rental assistance eligibility calculated and is no more than \$5,250, the payment will be increased to \$5,250. shall be for the amount of the actual

~~required down payment. If the actual required down payment, plus incidental expenses, is less than the amount of the rental assistance calculated, the payment shall be for the amount of the rental assistance calculated.~~

3. If the required down payment on the replacement dwelling exceeds \$5,250 and the rental assistance payment allowable does not exceed \$5,250, the down payment supplement shall be limited to \$5,250. If the rental assistance payment allowable exceeds \$5,250, the full amount of the rental assistance payment shall be used as the down payment supplement under the provisions of Last Resort Housing as outlined in 49 C.F.R. Part 24.

~~4. If other than conventional financing (e.g., VA or FHA) is obtained by the displaced person, he or she shall be advised that, in order to claim the maximum payment benefits, a down payment equal to that required for conventional financing, up to \$5,250, must be paid for the replacement dwelling.~~

~~4.5-~~ The full amount of the down payment assistance payment shall be applied to the purchase price of the replacement dwelling and related incidental expenses and shall be shown on an executed closing statement or similar documentation for the replacement dwelling.

~~5.6-~~ The payment to a 90-day owner-occupant shall not exceed the amount the owner would receive as a purchase additive if he or she met the 180-day occupancy requirement.

(i) 90-day occupants are eligible to ~~may~~ receive rental assistance payments as outlined in 49 C.F.R. Part 24, Subpart E.

(j) Displaced persons who are less than 90-day occupants are entitled to a replacement housing payment as outlined in 49 C.F.R. Part 24, Subpart E. Additionally, to be eligible for a replacement housing payment, displaced persons who are less than 90-day occupants must be

in occupancy at the time the Agency obtains title to the property. The displaced person will ~~can~~ be allowed to relocate prior to the Agency taking title to the property if the Agency determines that continued occupancy would be a danger to the health, safety, and welfare of the displaced person, or if the Agency determines that in situations where replacement housing is scarce ~~as determined by the Agency~~ and may not be available at the time the Agency obtains title to the property.

~~(k) The Agency shall inform a less than 90-day occupant that it is his or her obligation to provide verification of income. No such displaced person shall be determined to be eligible for a replacement housing payment under paragraph 14-66.007(7)(j), F.A.C., unless he or she documents income through a verifiable source, such as pay stubs, signed copies of income tax returns, an employer's statement, or a bank statement.~~

~~(9) Mobile Homes. In addition to the requirements governing the provision of relocation payments to persons displaced from a mobile home or mobile home site as outlined in 49 C.F.R. Part 24, Subpart F, the following provisions also apply:~~

~~(a)~~ Under 49 C.F.R. Part 24, Subpart F, the term "acquired" refers to a mobile home that is either acquired as part of the real property and is included in the Agency's acquisition of the fee parcel or is purchased as personal property and not included in the acquisition of the fee parcel.

~~(a)(b)~~ If the mobile home is considered personal property, the Agency will determine whether or not the mobile home can be relocated.

~~(b)(c)~~ If the mobile home can be relocated, the owner is eligible for reimbursement for the cost to move the mobile home.

~~(c)(d)~~ If the Agency determines that the mobile home cannot be relocated, the mobile home is eligible for purchase and the Agency will make an offer to purchase, based on the fair market value of the mobile home. If the mobile home owner does not agree to sell the mobile home to the Agency and the displaced person is the owner-occupant of the mobile home, the price differential described in 49 C.F.R. Part 24, shall be the ~~1-~~ the lesser of:

~~1.a-~~ The reasonable cost of a comparable replacement dwelling; or

~~2.b-~~ The purchase price of the decent, safe, and sanitary replacement dwelling actually purchased and occupied by the displaced person;

~~3.-~~ Minus the higher of:

- a. The salvage value, or
- b. The trade-in value.

~~(d)(e)~~ If the Agency determines that it is practical to relocate the mobile home, but the owner-occupant elects not to do so, then, for the purposes of calculating a price differential under 49 C.F.R. Part 24, the cost of a comparable replacement dwelling shall be the sum of:

1. The fair market value of the mobile home;

2. The cost of any necessary modifications or repairs. Necessary modifications or repairs shall mean those needed to reestablish the mobile home to its previous state prior to displacement or to make it decent, safe, and sanitary; and

3. The estimated cost to move the mobile home to a replacement site, not to exceed a distance of 50 miles. The mobile home owner-occupant still owns the mobile home and is responsible for moving it from the acquired site. If the mobile home is abandoned, the Agency may remove it from the site.

~~(e)(f)~~ If a mobile home owner-occupant retains and re-occupies a mobile home which is not decent, safe, and sanitary, the costs necessary to bring it up to decent, safe, and sanitary standards may be claimed from the available price differential or down payment supplement. The amount claimed

may not exceed the amount allowed in the replacement housing payment computation. The Agency will not disburse a payment until the mobile home meets decent, safe, and sanitary requirements set forth in 49 C.F.R., Part 24.2(a)(8) or applicable local housing standards.

~~(f)(g)~~ If the Agency acquires or purchases a mobile home as personal property, the mobile home owner shall provide, upon request, a bill of sale and a transfer of the title for the mobile home to the Agency.

(10) Claim Filing and Documentation. Each relocation payment claim shall be accompanied by complete documentation supporting expenses incurred, such as bills, receipts, and appraisals. The Agency shall ensure that each displaced person receives reasonable assistance necessary to complete and file any required claim for payment.

(a) Displaced persons shall provide the Agency with valid copies of the closing statement for the replacement dwelling or other documentation of expenses incurred in order to receive reimbursement for incidental closing expenses. Reimbursable expenses which are incurred by the origination of a new mortgage for the replacement dwelling shall be based upon the lesser of the balance of the mortgage on the acquired dwelling or the balance of the new mortgage on the replacement dwelling. Eligible expenses, except mortgage interest differential payments, are reimbursable regardless of the length of time a mortgage has been in effect on the displacement acquired dwelling.

(b) In order for a displaced person to receive reimbursement for a rent supplement, the displaced person shall provide the Agency with evidence of rent and utility costs at the displacement dwelling, rent and utility costs at the replacement dwelling, and gross monthly household income.

(c) In order to receive reimbursement for a down payment supplement the displaced person(s) shall provide the Agency with a copy of the purchase contract and a copy of the closing statement for the replacement dwelling.

(d) The ~~eligible~~ displaced person(s) shall certify that the displacement dwelling is the domicile of the displaced person(s) and the length of time he or she has occupied the displacement dwelling. The displaced person(s) shall also certify the date that the replacement dwelling was occupied and shall state that to the best of his or her knowledge, the replacement dwelling meets decent, safe, and sanitary requirements.

(e) Payments shall be made after the move is completed unless a hardship exists.

(f) When advance payments due to hardship are made, displaced persons shall demonstrate the need therefor by providing evidence thereof of low funds, and shall certify in writing that the payment satisfies any further claim for reimbursement of items for which that claim is intended, and that the displaced person will comply with applicable provisions in the move of their personal property.

(g) Displaced persons shall provide written authorization in the application if a replacement housing payment is to be made to other parties on their behalf. If an eligible displaced person wishes the payment for moving costs to be made directly to a vendor, such request must be made in writing.

(h) If a condemnation suit has been filed, prior to receiving a replacement housing payment, the displaced person(s) must agree to a condemnation clause that has been incorporated into Department Form 575-040-14, Application and Claim for Replacement Housing Payment, Rev. 08/05, incorporated herein by reference. Copies of Form 575-040-14 are available at [http://www2.dot.state.fl.us/procedural\\_documents/forms/forms.asp](http://www2.dot.state.fl.us/procedural_documents/forms/forms.asp), in the written claim for payment. The condemnation clause requires:

1. Upon final determination of the condemnation proceedings, the replacement housing payment shall be recomputed using the acquisition price established by the court or by stipulated settlement and the lesser of the actual price of the decent, safe, and sanitary replacement dwelling or the cost of a comparable replacement dwelling.

2. If the amount awarded exceeds the actual price of a decent, safe, and sanitary replacement dwelling or comparable replacement dwelling, the displaced person(s) shall refund to the Agency an amount equal to the amount of the excess. The refund will not exceed the full amount of the initial replacement housing payment calculation.

(i) In the event the Department determines that the acquisition of a portion of property will require a displacement, the Department will offer to relocate the affected person.

~~(11) Appeal Rights. Any aggrieved person may file a written appeal with the Agency in any case in which the person believes that the Agency has failed to properly consider the person's claim for assistance under this rule. Such assistance may include those provisions outlined in 49 C.F.R. Part 24, and include the person's eligibility for, or the amount of, a payment required under moving and related expenses, or replacement housing payments. The written appeal shall be filed no later than 60 days after the person receives written notification from the Agency of the claim determination. A person may have legal or other representation in connection with his or her appeal, but solely at his or her expense. The Agency shall consider a written appeal regardless of form. If full relief requested is not granted, a notice of denial shall be issued, providing notice of appeal rights in accordance with Sections 120.569 and 120.57, F.S., and Rule Chapter 28-106, F.A.C. The aggrieved person may file a request for administrative hearing.~~

~~(a) If a request for administrative hearing is not timely filed, the notice of denial shall be conclusive and final Agency action. Requests for administrative hearing must be filed within 21 calendar days of receipt of the notice of the~~

Department's or Agency's denial. A request for administrative hearing is filed when it is received by the Clerk of Agency Proceedings.

(b) All requests for administrative hearings shall conform to the requirements of Rule Chapter 28-106, F.A.C., and be in accordance with Chapter 120, F.S. Requests may be for a formal hearing in accordance with Section 120.57(1), F.S., or an informal hearing pursuant to Section 120.57(2), F.S. Requests for an administrative hearing shall be made in writing and filed with the Clerk of Agency Proceedings, Florida Department of Transportation, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458. Requests for an administrative hearing for all other Agencies shall be made in writing and filed with the Clerk of Agency Proceedings for the Agency issuing the denial.

Specific Authority 334.044(2) FS. Law Implemented 339.09(2), (3), 421.55 FS. History--New 8-9-72, Formerly 14-66.07, Amended 11-24-92, 12-7-00, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Richard Eddleman, Deputy Manager, Relocation Assistance/Property Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lowell Clary, Assistant Secretary for Finance and Administration, for Stephanie Kopelousos, Interim Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 5, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 26, 2007

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NOS.:	RULE TITLES:
61G15-20.001	Definitions
61G15-20.0015	Application for Licensure by Endorsement
61G15-20.007	Demonstration of Substantial Equivalency

PURPOSE AND EFFECT: The purpose of the amendment to these rules is to resolve difficulties in demonstrating substantial equivalence to an EAC/ABET education for non-EAC/ABET engineering degree holders, foreign or domestic.

SUMMARY: Difficulties in demonstrating substantial equivalence to an EAC/ABET education for non-EAC/ABET engineering degree holders, foreign or domestic, are resolved.

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

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

SPECIFIC AUTHORITY: 471.008, 471.013, 471.015 FS.

LAW IMPLEMENTED: 471.013, 471.015 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: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-20.001 Definitions.

As used hereinafter in this chapter the following words or phrases shall be defined as follows:

(1) "Year" shall mean 12 months of full-time employment or a full-time academic year of graduate or undergraduate college education.

(2) "Board approved engineering programs" shall mean:

(a) Engineering programs accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET), ~~programs approved by ABET as substantially equivalent to EAC/ABET accredited programs in the United States approved by the Board of Professional Engineers as substantially equivalent to an EAC/ABET accredited engineering program pursuant to Rule 61G15-20.007, F.A.C., or~~

(b) In the case of an applicant who did not graduate from an approved program as set forth in paragraph (2)(a) above, and who either:

(i) Holds a post-baccalaureate degree from a school or college in the United States which has an EAC/ABET accredited engineering program in a related discipline at the baccalaureate level, or

(ii) Holds a baccalaureate degree from an engineering program that is not accredited by EAC/ABET, provided the applicant can articulate a baccalaureate in engineering by demonstrating substantial equivalency to an EAC/ABET accredited program pursuant to subsection 61G15-20.007(2), F.A.C., or

(c) No change.



Specific Authority 471.013(1)(a) FS. Law Implemented 471.013(1)(a) FS. History—New 1-8-80, Amended 4-15-80, 7-7-83, 9-13-83, Formerly 21H-20.01, Amended 4-20-86, 8-3-86, 5-20-92, 2-2-93, Formerly 21H-20.001, Amended 11-19-03, 3-13-05,\_\_\_\_\_.

61G15-20.0015 Application for Licensure by Endorsement.

(1) through (2) No change.

(3) An applicant for licensure by endorsement who has taken and failed either the fundamentals or the principles and practice examinations more than five (5) times after October 1, 1992, and/or more than three (3) times after July 1, 2004, must document compliance with Rule subsection 61G15-21.007(2), F.A.C., as a condition of eligibility for licensure by endorsement.

(4) An applicant for licensure by endorsement whose only educational deficiency under subsection 61G15-20.007(2), F.A.C., involves humanities and social sciences and who has held a valid license and practiced in another state or territory of the United States for two (2) years or more shall be deemed to have satisfied that requirement.

(5) The Board shall deem that an applicant for licensure by endorsement who has an engineering degree from a foreign institution has demonstrated substantial equivalency to an EAC/ABET accredited engineering program, as required by Rule 61G15-20.007, F.A.C., when such applicant has held a valid professional engineer's license in another state for 15 years and has had 20 years of continuous professional-level engineering experience.

~~(6)(5)~~ An applicant for licensure by endorsement who previously held licensure in the State of Florida and whose license became null and void because of non-renewal must ~~establish that he or she~~ meets all current requirements for initial licensure. Such applicants, if otherwise eligible, shall be subject to disciplinary sanctions as a condition of licensure if it is demonstrated that they practiced engineering during any period their license was delinquent and/or null and void.

Specific Authority 471.008, 471.013, 471.015 FS. Law Implemented 471.013, 471.015 FS. History—New 9-27-01, Amended\_\_\_\_\_.

61G15-20.007 Demonstration of Substantial Equivalency Foreign Degrees.

(1) Applicants having engineering degrees from programs that are not accredited by EAC/ABET foreign institutions shall be required to document “substantial equivalency” to an EAC/ABET accredited engineering program ~~the 2002 ABET Accreditation Yearbook for Accreditation Cycle Ended September 30, 2002 engineering criteria. This document is hereby incorporated by reference.~~

(2) In order to document and prove “substantial equivalency” to an EAC/ABET accredited engineering program, the applicant must demonstrate:

(a) 32 college credit hours of higher mathematics and basic sciences.

1. The hours of mathematics must be beyond algebra and trigonometry and must emphasize mathematical concepts and principles rather than computation. Courses in probability and statistics, differential calculus, integral calculus, and differential equations are required. Additional courses may include linear algebra, numerical analysis, and advanced calculus.

2. ~~As for~~ The hours in basic sciences, must include courses in general chemistry and calculus-based general physics, with at least a two semester (or equivalent) sequence of study in either area. Additional basic sciences courses may include life sciences (biology), earth sciences (geology), and advanced chemistry or physics.

Computer skills and/or programming courses cannot be used to satisfy mathematics or basic science requirements.

(b) 16 college credit hours in humanities and social sciences. Examples of traditional courses in this area are philosophy, religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics, professional ethics, social responsibility and no more than 6 credit hours of languages other than English or other than the applicant's native language. ~~Courses in technology and human affairs, history of technology, professional ethics and social responsibility are also acceptable.~~ Courses such as accounting, industrial management, finance, personnel administration, engineering economics and military training are not acceptable. Courses which instill cultural values are acceptable, while routine exercises of personal craft are not.

(c) 48 college credit hours of engineering science and engineering design. Courses in this area shall have their roots in mathematics and basic sciences but carry knowledge further toward creative application. Examples of approved traditional engineering science courses are mechanics, thermodynamics, electrical and electronic circuits, materials science, transport phenomena, and computer science (other than computer programming skills). Courses in engineering design stress the establishment of objectives and criteria, synthesis, analysis, construction, testing, and evaluation. In order to promote breadth, at least one engineering course outside the major disciplinary area is required.

(d) No change.

(3) No change.

(4) The applicant with an engineering degree from a foreign institution must request an evaluation of substantial equivalency of his or her credentials to EAC/ABET standards through either Engineering Credentials Evaluation International, 111 Market Place, #171, Baltimore, Maryland 21202; Center for Professional Engineering Education Services, P. O. Box 720010, Miami, FL 33172; or Joseph Silny & Associates, Inc., P. O. Box 248233, Coral Gables, Florida 33124. The applicant with an engineering degree from a domestic engineering program not accredited by EAC/ABET

must request such an evaluation from Josef Silny & Associates, Inc., or Center for Professional Engineering Education Services.

(5) Any applicant whose only educational deficiency under subsection (2) involves humanities and social sciences shall be entitled to receive conditional approval to take the Fundamentals examination. Such an applicant shall not become eligible for the Principles and Practice examination until satisfactory completion and documentation of the necessary hours in humanities and social sciences as provided in subsection (2).

Specific Authority 471.008 FS. Law Implemented 471.013, 471.015 FS. History—New 7-20-95, Amended 6-5-96, 4-16-98, 1-17-99, 7-28-99, 1-6-02, 6-13-02, 6-30-02, 10-2-03, 6-16-04, 3-13-05, 5-1-05, 6-11-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 6, 2006  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 26, 2007

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.:                   RULE TITLE:  
61G15-22.0105            Approval of Continuing Education Courses in Laws and Rules

PURPOSE AND EFFECT: Purpose and effect is to set standards for continuing education courses on Florida laws and rules governing the practice of engineering.

SUMMARY: Standards for continuing education courses on Florida laws and rules governing the practice of engineering are established.

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

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

SPECIFIC AUTHORITY: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019 FS.

LAW IMPLEMENTED: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019 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: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-22.0105 Approval of Continuing Education Courses in Laws and Rules.

Each course provider approved by the Board to conduct courses in Florida Laws and rules must meet the requirements of Rule 61G15-22.011, F.A.C., and shall submit an application for approval of a continuing education course in Laws and Rules. The application shall be submitted on the course approval application provided by the Board and shall include the following:

- (1) Course materials, including the course syllabus and a detailed outline of the contents of the course;
- (2) the total number of classroom or interactive distance learning professional development hours; and
- (3) Course content that includes:
  - (a) Rules adopted, amended or repealed during the immediately preceding biennium;
  - (b) Changes to Chapters 455 and 471, F.S. made by the legislature during the preceding biennium;
  - (c) Case law concerning Chapter 471, F.S.;
  - (d) A list of resources used to develop the course content;
  - (e) Application of the provisions of Chapter 471 to individual disciplinary cases and unlicensed practice cases during the immediately preceding biennium.
- (4) Qualifications of the instructor(s), including a curriculum vitae of the instructor(s), which must demonstrate knowledge of the subject matter and one of the following:
  - (a) Licensure as a professional engineer;
  - (b) Licensure as an attorney in the State of Florida.
- (5) A provider making application to offer interactive distance learning must also submit documents indicating the following:
  - (a) The means by which the course will demonstrate the ability to interact between the student and course provider by providing answers to inquiries within two business days. The interaction must promote student involvement, and demonstrate that the course measures learning and addresses comprehension of content at regular intervals;
  - (b) The means by which the course provider is able to monitor student enrollment, participation and course completion;
  - (c) The means by which the course provider will be able to satisfactorily demonstrate that stated course hours are consistent with the actual hours spent by each student to complete the course;

(d) The means by which the provider will assure qualified instructor(s) will be available to answer questions and provide students with necessary support during the duration of the course; and

(e) That the student will be required to complete a statement that indicates that he/she personally completed each module/session of instruction.

(6) Continuing education course approval is valid for two (2) years from date of issue, provided no substantial change is made in the course and the approval status of the provider has not expired or been suspended or revoked. Substantial changes made in any course will require a new approval of that course. A provider must reapply for course approval ninety (90) days prior to the date of expiration of course approval in order to prevent a lapse in course approval.

(7) If a course is approved, the board shall assign the course a number. The course provider shall use the course number in the course syllabus, in all other course materials used in connection with the course and in all written advertising materials used in connection with the course.

Specific Authority 455.2123, 455.213, 455.2179, 471.017(3), 471.019 FS. Law Implemented 455.2123, 455.213, 455.2179, 471.017(3), 471.019 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5, 2006  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 26, 2007

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NO.: 61G15-37.001  
RULE TITLE: Performance Standards and Measurable Outcomes

PURPOSE AND EFFECT: Purpose and effect is to describe additional responsibilities of FEMC administrative staff.

SUMMARY: Additional responsibilities of FEMC administrative staff are described.

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

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

SPECIFIC AUTHORITY: 471.038(3)(m) FS.  
LAW IMPLEMENTED: 471.038(3)(m) 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: Paul Martin, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-37.001 Performance Standards and Measurable Outcomes.

In order to facilitate efficient and cost effective regulation by the Florida Engineers Management Corporation ("FEMC"), the following performance standards and measurable outcomes are adopted:

(1) through (2) No change.

(3) FEMC shall provide status reports to the Board regarding all outstanding disciplinary cases at every other regularly scheduled meeting of the Board. The status report shall include all legally sufficient disciplinary cases until entry of a final order by the Board. Upon entry of a final order, FEMC shall notify the licensee's employer of the action taken by the Board. FEMC shall refer all unlicensed cases to the Department within 15 days.

(4) No change.

(5) FEMC shall periodically notify the person who filed the complaint the status of the investigation every six months, including whether probable cause has been found, when the case is agendaed for consideration by the Board and the status of any administrative proceeding or appeal.

(6) through (10) No change.

(11) FEMC shall maintain the Board's web page and update the web page within 14 days of the date the updates go into effect. Administrative complaints shall be posted no later than 30 days after the recommendation by the probable cause panel. All active disciplinary cases shall be posted on the web page, including the final action taken by the Board until the terms of the final order are completed, or until the licensee becomes inactive, retires, relinquishes the license or permits the license to become null and void.

Specific Authority 471.038(3)(m) FS. Law Implemented 471.038(3)(m) FS. History--New 11-12-02, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 18, 2006  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 26, 2007

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: 62-304.425  
 RULE TITLE: Nassau Basin TMDLs

**PURPOSE AND EFFECT:** The purpose of the proposed rule is to establish a fecal coliform Total Maximum Daily Load (TMDL), and its allocation, for Unnamed Branch, which is located in Nassau County, in northeast Florida, near the Town of Callahan and flows directly into Alligator Creek and then into Mills Creek, which discharges into the Nassau River.

**SUMMARY:** The TMDL addresses the fecal coliform impairment in Unnamed Branch, which was verified as impaired due to elevated fecal coliform levels using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code, and was included on the list of impaired waters adopted by Secretarial Order on May 3, 2006. The TMDL was developed using the "percent reduction" method and provides the percent reduction in in-stream fecal coliform concentrations needed for the branch to meet applicable water quality criteria for fecal coliform.

The proposed TMDL is a "phased" TMDL, as authorized in 403.067(6)(c), Florida Statutes. A phased TMDL, which allows for phased implementation, is appropriate because there are inadequate data available to identify the specific sources of coliform loads.

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

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

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

**SPECIFIC AUTHORITY:** 403.061, 403.067 FS.

**LAW IMPLEMENTED:** 403.061, 403.062, 403.067 FS.

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

**DATE AND TIME:** March 14, 2007, 9:00 a.m.

**PLACE:** Florida Department of Environmental Protection, 2600 Blair Stone Road, Twin Towers Office Building, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Daryll Joyner, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3510, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8431

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

Part IV. TMDLS IN THE NORTHEAST FLORIDA DISTRICT

62-304.425 Nassau Basin TMDLs.

(1) Unnamed Branch Fecal Coliform TMDL. The fecal coliform Total Maximum Daily Load for Unnamed Branch is 400 counts/100 mL, and is allocated as follows:

(a) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2003 to 2004 period, will require a 46% reduction at sources contributing to exceedances of the criteria.

(b) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 2003 to 2004 period, will require a 46% reduction at sources contributing to exceedances of the criteria, and

(c) The Margin of Safety is implicit.

(2) While the Load Allocation and Wasteload Allocation for fecal coliform have been expressed as the percent reduction needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal coliform concentrations. However, it is not the intent of these Total maximum Daily Loads to abate natural background conditions.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.031, 403.061, 403.062, 403.067 FS. History—New \_\_\_\_\_.

**NAME OF PERSON ORIGINATING PROPOSED RULE:** Jerry Brooks, Deputy Director, Division of Water Resource Management

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mimi Drew, Deputy Secretary, Department of Environmental Protection  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 31, 2007  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-304.625  
 RULE TITLE: Peace River Basin TMDLs

PURPOSE AND EFFECT: The purpose of the proposed rule is to establish Total Maximum Daily Loads (TMDLs), and their allocations, for eleven impaired waters within the Peace River Basin (Lake Cannon, Lake Howard, Lake Idylwild, Lake Jessie, Lake Lulu, Lake May, Lake Mirror, Lake Shipp, Wahnetta Farms Drainage Canal, Peace River Above Bowlegs Creek, and the Peace Creek Drainage Canal).

SUMMARY: The TMDLs address the nutrient impairment in Lakes Cannon, Howard, Idylwild, Jessie, Lulu, May, Mirror, and Shipp, all of which are in the Winter Haven Southern Chain of Lakes, and the fecal coliform impairment in the Wahnetta Farms Drainage Canal, the Peace River Above Bowlegs Creek, and the Peace Creek Drainage Canal. All of the subject waters were verified as impaired using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code, and adopted by Secretarial Order on June 17, 2005. The TMDLs for the Winter Haven Southern Chain of Lakes were based on Pollutant Load Reduction Goals (PLRGs) developed by the Southwest Florida Water Management District using the Storm Water Management Model (SWMM), the MODFLOW model (a ground water model developed by the U.S. Geological Survey), and the Water Quality Analysis Simulation Program (WASP) model to determine the Total Phosphorus loading that would meet the narrative water quality criteria for nutrients in each lake. The TMDL for Wahnetta Farms Drainage Canal was developed using the "percent reduction" method, and the TMDLs for the Peace River Above Bowlegs Creek and the Peace Creek Drainage Canal were developed using the "load duration curve" method. The TMDLs provide the percent reduction in in-stream fecal coliform concentrations needed for the each waterbody to meet applicable water quality criteria for fecal coliform.

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

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

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: March 14, 2007, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Twin Towers Office Building, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Daryll Joyner, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3510, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8431

THE FULL TEXT OF THE PROPOSED RULE IS:

#### Part VI. TMDLS IN THE SOUTHWEST FLORIDA DISTRICT

##### 62-304.625 Peace River Basin TMDLs.

(1) Lake Cannon. The Total Maximum Daily Load for Lake Cannon for Total Phosphorus (TP) is 143 kilograms per year (kg/year), and is allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable because there are no permitted point sources authorized to discharge wastewater to the lake.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 54 percent reduction of the average TP loading for the 1990 to 1999 period.

(c) The Load Allocation for nonpoint sources is 129 kg/year of TP, and

(d) The Margin of Safety is 14 kg/year of TP.

(2) Lake Howard. The Total Maximum Daily Load for Lake Howard for Total Phosphorus (TP) is 143 kilograms per year (kg/year), and is allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable because there are no permitted point sources authorized to discharge wastewater to the lake.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 63 percent reduction of the average TP loading for the 1990 to 1999 period.

(c) The Load Allocation for nonpoint sources is 126 kg/year of TP, and

(d) The Margin of Safety is 17 kg/year of TP.

(3) Lake Idylwild. The Total Maximum Daily Load for Lake Idylwild for Total Phosphorus (TP) is 64 kilograms per year (kg/year), and is allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable because there are no permitted point sources authorized to discharge wastewater to the lake.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 43 percent reduction of the average TP loading for the 1990 to 1999 period.

(c) The Load Allocation for nonpoint sources is 59 kg/year of TP, and

(d) The Margin of Safety is 5 kg/year of TP.

(4) Lake Jessie. The Total Maximum Daily Load for Lake Jessie for Total Phosphorus (TP) is 140 kilograms per year (kg/year), and is allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable because there are no permitted point sources authorized to discharge wastewater to the lake.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 50 percent reduction of the average TP loading for the 1990 to 1999 period.

(c) The Load Allocation for nonpoint sources is 127 kg/year of TP, and

(d) The Margin of Safety is 13 kg/year of TP.

(5) Lake Lulu. The Total Maximum Daily Load for Lake Lulu for Total Phosphorus (TP) is 84 kilograms per year (kg/year), and is allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable because there are no permitted point sources authorized to discharge wastewater to the lake.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 55 percent reduction of the average TP loading for the 1990 to 1999 period.

(c) The Load Allocation for nonpoint sources is 75 kg/year of TP, and

(d) The Margin of Safety is 9 kg/year of TP.

(6) Lake May. The Total Maximum Daily Load for Lake May for Total Phosphorus (TP) is 88 kilograms per year (kg/year), and is allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable because there are no permitted point sources authorized to discharge wastewater to the lake.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 58 percent reduction of the average TP loading for the 1990 to 1999 period.

(c) The Load Allocation for nonpoint sources is 79 kg/year of TP, and

(d) The Margin of Safety is 9 kg/year of TP.

(7) Lake Mirror. The Total Maximum Daily Load for Lake Mirror for Total Phosphorus (TP) is 55 kilograms per year (kg/year), and is allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable because there are no permitted point sources authorized to discharge wastewater to the lake.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 28 percent reduction of the average TP loading for the 1990 to 1999 period.

(c) The Load Allocation for nonpoint sources is 51 kg/year of TP, and

(d) The Margin of Safety is 4 kg/year of TP.

(8) Lake Shipp. The Total Maximum Daily Load for Lake Shipp for Total Phosphorus (TP) is 97 kilograms per year (kg/year), and is allocated as follows:

(a) The Wasteload Allocation for wastewater sources is not applicable because there are no permitted point sources authorized to discharge wastewater to the lake.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is a 65 percent reduction of the average TP loading for the 1990 to 1999 period.

(c) The Load Allocation for nonpoint sources is 84 kg/year of TP, and

(d) The Margin of Safety is 13 kg/year of TP.

(9) Wahnetta Farms Drainage Canal. The fecal coliform Total Maximum Daily Load for Wahnetta Farms Drainage Canal Creek is 400 counts/100 mL, and is allocated as follows:

(a) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 1999 to 2004 period, will require a 39% reduction at sources contributing to exceedances of the criteria.

(b) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1999 to 2004 period, will require a 39% reduction at sources contributing to exceedances of the criteria, and

(c) The Margin of Safety is implicit.

(10) Peace River Above Bowlegs Creek. The fecal coliform Total Maximum Daily Load for the Peace River Above Bowlegs Creek is a median of  $2.29 \times 10^{12}$  colonies/day under "moist conditions," which are defined as flows ranging from 99 to 665 cubic feet per second (cfs), and a median of  $1.66 \times 10^{11}$  colonies/day under "dry conditions," which are defined as flows ranging from 6.4 to 35 cfs, and is allocated as follows:

(a) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1993 to 2003 period, will require a 23% reduction at sources contributing to exceedances of the criteria during moist conditions and a 52% reduction at sources contributing to exceedances of the criteria during dry conditions.

(b) The Load Allocations for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1993 to 2003 period, will require a 23% reduction at sources contributing to exceedances of the criteria during moist conditions and a 52% reduction at sources contributing to exceedances of the criteria during dry conditions, and

(c) The Margin of Safety is implicit.

(11) Peace Creek Drainage Canal. The fecal coliform Total Maximum Daily Load for Peace Creek Drainage Canal is a median of  $3.62 \times 10^{11}$  colonies/day, and is allocated as follows:

(a) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Wastewater Permitting Program is to meet applicable water quality criteria for fecal coliform.

(b) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1992 to 2004 period, will require a 62% reduction at sources contributing to exceedances of the criteria.

(c) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1992 to 2004 period, will require a 62% reduction at sources contributing to exceedances of the criteria, and

(d) The Margin of Safety is implicit.

(12) While the Load Allocation and Wasteload Allocation for fecal coliform as set forth in subsections (9), (10) and (11) above have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal coliform concentrations. However, it is not the intent of these Total Maximum Daily Loads to abate natural background conditions.

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

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Jerry Brooks, Division of Water Resource Management  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Mimi Drew, Deputy Secretary,  
Department of Environmental Protection  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: January 31, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: July 8, 2005

#### **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: 62-304.725  
RULE TITLE: Southeast Coast Basin TMDLs  
PURPOSE AND EFFECT: The purpose of the proposed rule is to establish a Total Maximum Daily Load (TMDL) for fecal coliforms, and its allocation, for Wagner Creek.  
SUMMARY: The TMDL addresses the fecal coliform impairment in The TMDL addresses the fecal coliform impairment in Wagner Creek, which was verified as impaired due to elevated fecal coliform levels using the methodology established in Chapter 62-303, Identification of Impaired Surface Waters, Florida Administrative Code, and was included on the list of impaired waters adopted by Secretarial Order on May 3, 2006. The TMDL was developed using the "percent reduction" method and provides the percent reduction in in-stream fecal coliform concentrations needed for the creek to meet applicable water quality criteria for fecal coliform. The proposed TMDL is a "phased" TMDL, as authorized in Section 403.067(6)(c), Florida Statutes. A phased TMDL, which allows for phased implementation, is appropriate because there is inadequate data available to identify the specific sources of coliform loads.

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

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

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

SPECIFIC AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.062, 403.067 FS.

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

DATE AND TIME: March 14, 2007, 9:00 a.m.

PLACE: Florida Department of Environmental Protection, 2600 Blair Stone Road, Twin Towers Office Building, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Pat Waters at (850)245-8449. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Daryll Joyner, Division of Water Resource Management, Bureau of Watershed Management, Mail Station 3510, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8431

THE FULL TEXT OF THE PROPOSED RULE IS:

Part VII. TMDLS IN THE SOUTHEAST FLORIDA DISTRICT

62-304.725 Southeast Coast Basin TMDLs.

(1) Wagner Creek Fecal Coliform TMDL. The fecal coliform Total Maximum Daily Load for Wagner Creek is 400 counts/100 mL, and is allocated as follows:

(a) The Wasteload Allocation for discharges subject to the Department's National Pollutant Discharge Elimination System Municipal Stormwater Permitting Program is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on

the measured concentrations from the 1997 to 2006 period, will require an 86% reduction at sources contributing to exceedances of the criteria.

(b) The Load Allocation for nonpoint sources is to address anthropogenic sources in the basin such that in-stream concentrations meet the fecal coliform criteria which, based on the measured concentrations from the 1997 to 2006 period, will require an 86% reduction at sources contributing to exceedances of the criteria, and

(c) The Margin of Safety is implicit.

(2) While the Load Allocation and Wasteload Allocation for fecal coliform have been expressed as the percent reductions needed to attain the applicable Class III criteria, it is the combined reductions from both anthropogenic point and nonpoint sources that will result in the required reduction of in-stream fecal coliform concentrations. However, it is not the intent of these Total Maximum Daily Loads to abate natural background conditions.

Specific Authority 403.061, 403.067 FS. Law Implemented 403.031, 403.061, 403.062, 403.067 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jerry Brooks, Deputy Director, Division of Water Resource Management

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 31, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 23, 2006

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-730.020	Definitions
62-730.021	References, Variances and Case-by-Case Regulations
62-730.030	Identification of Hazardous Waste
62-730.160	Standards Applicable to Generators of Hazardous Waste
62-730.170	Standards Applicable to Transporters of Hazardous Waste
62-730.180	Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities
62-730.181	Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities
62-730.183	Land Disposal Restrictions
62-730.185	Standards for Universal Waste Management



62-730.200 Introduction, Scope and Procedures for Decision Making

62-730.220 Applications for Permits and Other Authorizations

**PURPOSE, EFFECT AND SUMMARY:** The proposed rule amendments incorporate by reference the changes made by the U.S. Environmental Protection Agency (EPA) between July 1, 2005 and June 30, 2006 to the federal hazardous waste regulations. The Florida Department of Environmental Protection (FDEP) is authorized by EPA to administer the state hazardous waste program in lieu of the federal program. As a result of that authorization, every year FDEP must adopt changes that make state rules equivalent to and consistent with the existing federal regulations. The amendments in this notice serve that purpose.

**SPECIFIC AUTHORITY:** 403.8055 FS.

**LAW IMPLEMENTED:** 403.061, 403.151, 403.704, 403.707, 403.72, 403.721, 403.722, 403.723, 403.724, 403.727 FS.

**THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 403.8055, F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE TO:** Ms. Julie Rainey, Hazardous Waste Regulation Section, Mail Station 4560, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

**SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.**

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

62-730.020 Definitions.

(1) The Department adopts by reference the definitions contained in 40 Code of Federal Regulations (CFR) 260.10 revised as of July 1, 2006, except for the optional addition of "or 267.101" to subsection (2) of the definition of "facility" in the Federal Register dated September 8, 2005 (70 FR 53419) July 1, 2005.

(2) through (5) No change.

Specific Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.72, 403.721 FS. History—New 5-28-81, Amended 9-8-81, 12-6-81, 11-25-82, 5-19-83, 1-5-84, 8-24-84, 7-5-85, Formerly 17-30.02, Amended 9-19-86, 10-31-86, 4-13-88, Formerly 17-30.020, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.020, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, \_\_\_\_\_.

62-730.021 References, Variances and Case-by-Case Regulations.

The Department adopts by reference the following Sections of 40 CFR Part 260 revised as of July 1, 2006 July 1, 2005: 260.11 except for the optional amendments to 260.11(c)(1), 260.11(c)(3)(xxvii) and 260.11(d)(1) in the Federal Register dated September 8, 2005 (70 FR 53419); 260.21; 260.23; 260.30; 260.31; 260.32; 260.33; 260.40 and 260.41. The language of 40 CFR 260.11 in effect on September 8, 2005 remains in effect.

Specific Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.721 FS. History—New 7-5-85, Formerly 17-30.021, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.021, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 4-6-06, \_\_\_\_\_.

62-730.030 Identification of Hazardous Waste.

(1) The Department adopts by reference 40 CFR Part 261 revised as of July 1, 2006 July 1, 2005, and all appendices, with the exceptions described in paragraphs (1)(a) through (d) (e) of this section. ~~The Department adopts by reference the amendments to 40 CFR Part 261 Appendix IX in the Federal Register dated August 1, 2005 (70 FR 44150).~~

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

(d) The optional addition of "267" to 40 CFR 261.7(a)(1) in the Federal Register dated September 8, 2005 (70 FR 53419) and the optional amendments to 40 CFR 261.3(a)(2)(iv)(A), (B), (D), (F) and (G) in the Federal Register dated October 4, 2005 (70 FR 57769).

For the optional amendments in paragraphs (1)(c) and (d) of this section, the language in effect on immediately prior to the effective date of the referenced Federal Registers remains in effect. 40 CFR Part 261 [as adopted in subsection 62-730.030(1), F.A.C.] contains EPA's rules on the identification and listing of hazardous waste. No delisting is effective until it is adopted by the Department.

(2) through (4) No change.

Specific Authority 403.72, 403.721, 403.8055 FS. Law Implemented 403.72, 403.721 FS. History—New 5-28-81, Amended 9-8-81, 12-6-81, 3-4-82, 11-25-82, 5-19-83, 1-5-84, 8-24-84, 12-18-84, 7-5-85, 10-3-85, Formerly 17-30.03, Amended 5-5-86, 8-25-86, 9-19-86, 10-31-86, 3-31-87, 4-13-88, Formerly 17-30.030, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.030, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06, \_\_\_\_\_.

62-730.160 Standards Applicable to Generators of Hazardous Waste.

(1) The Department adopts by reference 40 CFR Part 262 revised as of July 1, 2006 July 1, 2005, including the Appendix with the exception of 40 CFR 262.34(e) and the Project XL site-specific regulations in 262.10(j) and Subparts I and J.

(2) through (7) No change.

Specific Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.72, 403.721 FS. History–New 5-19-82, Amended 5-20-82, 3-31-83, 1-5-84, 2-2-84, 8-24-84, 7-5-85, 10-3-85, Formerly 17-30.16, Amended 9-19-86, 10-31-86, 3-31-87, 5-26-87, 6-28-88, Formerly 17-30.160, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.160, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06,\_\_\_\_\_.

62-730.170 Standards Applicable to Transporters of Hazardous Waste.

(1) The Department adopts by reference 40 CFR Part 263 revised as of July 1, 2006 ~~July 1, 2005~~.

(2) through (3) No change.

Specific Authority 403.704, 403.721, 403.724, 403.8055 FS. Law Implemented 403.704, 403.721, 403.724 FS. History–New 11-8-81, Amended 5-31-84, 9-13-84, Formerly 17-30.17, Amended 9-19-86, 3-31-87, 5-26-87, 6-28-88, Formerly 17-30.170, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.170, Amended 1-5-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06,\_\_\_\_\_.

62-730.180 Standards Applicable to Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities.

(1) The Department adopts by reference 40 CFR Part 264 revised as of July 1, 2006 ~~July 1, 2005~~, including all appendices, with the exceptions described in paragraphs (1)(a) through (c) of this section. ~~The Department adopts by reference the amendments to 40 CFR Part 264 Appendix IX in the Federal Register dated August 1, 2005 (70 FR 44150).~~

(a) through (c) No change.

(2) The Department adopts by reference 40 CFR Part 265 revised as of July 1, 2006 ~~July 1, 2005~~, including all appendices, with the exceptions described in paragraphs (2)(a) through (e) of this section.

(a) through (6) No change.

Specific Authority 403.704, 403.721, 403.724, 403.8055 FS. Law Implemented 403.704, 403.721, 403.724 FS. History–New 5-19-82, Amended 3-4-82, 5-20-82, 7-14-82, 8-30-82, 10-7-82, 11-25-82, 2-3-83, 3-31-83, 5-19-83, 1-5-84, 2-2-84, 11-7-84, 7-5-85, 10-3-85, Formerly 17-30.18, Amended 5-5-86, 9-19-86, 10-31-86, 3-31-87, 4-13-88, 6-28-88, Formerly 17-30.180, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.180, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06,\_\_\_\_\_.

62-730.181 Standards for the Management of Specific Hazardous Wastes and Specific Types of Hazardous Waste Management Facilities.

(1) The Department adopts by reference 40 CFR Part 266 revised as of July 1, 2006 ~~July 1, 2005~~, except for the Project XL site-specific regulations in Subpart O.

(2) No change.

Specific Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.721 FS. History–New 7-5-85, Amended 10-3-85, 5-5-86, 4-13-88, Formerly 17-30.181, Amended 1-25-89, 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.181, Amended 1-5-95, 9-7-95, 2-25-96, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06,\_\_\_\_\_.

62-730.183 Land Disposal Restrictions.

The Department adopts by reference 40 CFR Part 268 revised as of July 1, 2006 ~~July 1, 2005~~, and all appendices, with the exception of subsections (1) and (2) of this section.

(1) through (2) No change.

Specific Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.704, 403.721 FS. History–New 1-25-89, Formerly 17-30.183, Amended 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.183, Amended 1-5-95, 9-7-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 4-6-06,\_\_\_\_\_.

62-730.185 Standards for Universal Waste Management.

(1) The Department adopts by reference 40 CFR Part 273 revised as of July 1, 2006 ~~July 1, 2005~~.

(2) No change.

Specific Authority 403.704, 403.721, 403.8055 FS. Law Implemented 403.061, 403.704, 403.721 FS. History–New 9-7-95, Amended 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06,\_\_\_\_\_.

62-730.200 Introduction, Scope and Procedures for Decision Making.

(1) through (2) No change.

(3) The Department will follow the procedures set forth in these sections of 40 CFR Part 124 revised as of July 1, 2006 ~~July 1, 2005~~: 124.3(a); 124.5(a), (c), and (d), except the optional amendment to 124.5(c)(1) in the Federal Register dated September 8, 2005 (70 FR 53419); 124.6(a), (d), and (e) except (d)(4)(ii) through (v); 124.8(a) and (b) except (b)(3) and (b)(8); 124.10(a) except (a)(1)(i) and (a)(1)(iv) through (a)(3); 124.10(b); 124.10(c) except (c)(1)(iv) through (viii); 124.10(d) except (d)(1)(vii) through (ix) and (d)(2)(iv); 124.11; 124.12(a); and 124.17 except (b); 124.31 except for two sentences in 124.31(a) which include the phrase “over which EPA has permit issuance authority” and the optional amendments to 124.31(a), (b) and (c) in the Federal Register dated September 8, 2005 (70 FR 53419); 124.32 except for two sentences in 124.32(a) which include the phrase “over which EPA has permit issuance authority” and the optional amendment to 124.32(a) in the Federal Register dated September 8, 2005 (70 FR 53419); and 124.33 except for 124.33(a), which are hereby adopted by reference. For the optional amendments excepted in this section, the language in effect on September 8, 2005 remains in effect. Sections 124.31, 124.32, 124.33 apply to all applicants seeking construction or operation permits for hazardous waste management units.

(4) through (5) No change.

Specific Authority 403.704, 403.721, 403.722, 403.8055 FS. Law Implemented 403.704, 403.721, 403.722 FS. History--New 7-1-82, Formerly 17-30.20, Amended 9-23-87, 6-28-88, Formerly 17-30.200, Amended 9-10-91, 10-14-92, Formerly 17-730.200, Amended 1-5-95, 1-29-06, 4-6-06,\_\_\_\_\_.

Editorial Note: Formerly Rule 62-730.184, F.A.C.

62-730.220 Applications for Permits and Other Authorizations.

(1) The Department adopts by reference the following sections of 40 CFR Part 270 revised as of July 1, 2006 ~~July 1, 2005~~: 270.1(c) except for the Project XL site-specific regulations in 270.1(c)(2)(ix); 270.2 except for the optional amendments to the definition of “permit” and “Standardized Permit” in the Federal Register dated September 8, 2005 (70 FR 53419); 270.3; 270.4; 270.6; 270.10 except for the optional amendments to 270.10(a) and (h) in the Federal Register dated September 8, 2005 (70 FR 53419); 270.11; 270.12 through 270.28, 270.30; 270.31; 270.32(b)(2); 270.33; 270.51 except for the optional amendments to 270.51(e) in the Federal Register dated September 8, 2005 (70 FR 53419); 270.61; 270.62; 270.65; 270.66; 270.68; 270.72; 270.79 through 270.230; and 270.235. For the optional amendments excepted in this section, the language in effect on September 8, 2005 remains in effect.

(2) through (11) No change.

Specific Authority 403.061, 403.087, 403.704, 403.721, 403.722 FS. Law Implemented 403.151, 403.704, 403.707, 403.721, 403.722, 403.723, 403.727 FS. History--New 7-9-82, Amended 1-5-84, 8-19-84, 7-22-85, Formerly 17-30.22, Amended 9-23-87, 6-28-88, 12-12-88, Formerly 17-30.220, Amended 8-13-90, 9-10-91, 10-14-92, 10-7-93, Formerly 17-730.220, Amended 1-5-95, 4-30-97, 8-19-98, 2-4-00, 12-20-00, 8-1-02, 10-1-04, 1-29-06, 4-6-06,\_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-12.003  
 RULE TITLE: Reexamination Fee

PURPOSE AND EFFECT: The Board proposes the rule amendment to decrease the fee for the Florida laws and rules examination.

SUMMARY: The fee for the Florida laws and rules examination will be decreased to \$75.00.

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

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

SPECIFIC AUTHORITY: 456.017(2), 490.004(4) FS.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-12.003 Reexamination Fee.

The reexamination fee for only the Florida laws and rules examination is \$75.00 ~~\$200.00~~. Additional fees will be required by the examination vendor.

Specific Authority 456.017(2), 490.004(4) FS. Law Implemented 456.017(1)(c), (2) FS. History--New 2-22-82, Amended 7-11-84, Formerly 21U-12.03, Amended 7-18-88, 8-12-90, 1-16-92, Formerly 21U-12.003, Amended 10-12-93, Formerly 61F13-12.003, Amended 1-7-96, Formerly 59AA-12.003, Amended 12-3-98, 1-10-01, 8-8-01, 2-12-04, 10-31-05,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 2006

**DEPARTMENT OF HEALTH**

**Board of Psychology**

RULE NO.: 64B19-17.004  
 RULE TITLE: Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to add a citation for violation of Section 456.072(1)(t), F.S. and to specify a time period for the licensee to correct a citation.

SUMMARY: The licensee shall have 30 days to correct a citation. The citation for violation of Section 456.072(1)(t), F.S., will be a \$100.00 fine.

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

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

SPECIFIC AUTHORITY: 456.077 FS.

LAW IMPLEMENTED: 456.072(4), 456.077 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: Susan Love, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B19-17.004 Citations.

In lieu of the disciplinary procedures contained in Section 456.073, F.S., the offenses enumerated in this rule may be disciplined by the issuance of a citation. The citation shall include a requirement that the licensee correct the offense, within ~~thirty (30) days a specified period of time~~, impose whatever obligations will correct the offense, and impose the prescribed penalty. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included. In addition to the fine indicated, the licensee shall pay the Department's cost of investigation.

(1) through (10) No change.

(11) Violation of Section 456.072(1)(t), F.S., (for failing to identify type of license): \$100 fine.

Specific Authority 456.077 FS. Law Implemented 456.072(4), 456.077 FS. History--New 1-16-92, Amended 4-26-93, Formerly 21U-18.006,61F13-18.006, Amended 1-9-96, Formerly 59AA-17.004, Amended 11-23-97, 3-25-02, 9-21-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Psychology  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Psychology  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 26, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 2006

**DEPARTMENT OF HEALTH**

**School Psychology**

RULE NO.: 64B21-500.009  
RULE TITLE: Education Requirements for School Psychologists

PURPOSE AND EFFECT: To update the rule.  
SUMMARY: The requirement that each applicant complete a course in medical error prevention is restored to the rule.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.  
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.  
SPECIFIC AUTHORITY: 490.015 FS.  
LAW IMPLEMENTED: 456.013, 490.005(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Love, Executive Director, Office of School Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B21-500.009 Education Requirements for School Psychologists.

(1) through (3) No change.

(4) Each applicant for initial licensure as a school psychologist shall complete a course on the prevention of medical errors as required by Section 456.013(7), F.S.

Specific Authority 490.015 FS. Law Implemented 456.013, 490.005(2) FS. History--New 4-13-82, Amended 2-2-83, Formerly 21U-500.09, Amended 1-2-92, 6-21-92, Formerly 21U-500.009, 61E9-500.009, Amended 11-13-02, 12-26-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Susan Love  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 15, 2006  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 19, 2007

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.: 64E-3.0032  
RULE TITLE: Radiologist Assistant Duties and Supervision

PURPOSE AND EFFECT: The proposed rule establishes Radiologist Assistant duties and supervision requirements.  
SUMMARY: The proposed rule establishes the specific duties and supervision requirements for radiologist assistants, a new type of medical imaging personnel created in Chapter 468, Part IV, F.S. in 2006. Radiologist Assistants assist the supervising radiologist with the performance of various medical imaging procedures and other duties, under one of three different levels of supervision. The duties and levels of supervision are consistent with the guidelines of the national imaging organizations, which are incorporated by reference.  
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.  
Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

SPECIFIC AUTHORITY: 468.302(3)(h), 468.303 FS.

LAW IMPLEMENTED: 468.302(1), (3)(h) 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 Futch, Department of Health, Bureau of Radiation Control, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL, (850)245-4266

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-3.0032 Radiologist Assistant Duties and Supervision.

(1) The duties that a radiologist assistant may perform, and the level of supervision which must be provided by the supervising radiologist, are specified in the "Radiologist Assistant Role Delineation – January 2005," which is herein incorporated by reference, except that:

(a) With regard to Clinical Activity #23, the radiologist assistant shall not administer radiopharmaceuticals unless the assistant is also currently certified by the department as a Nuclear Medicine Technologist.

(b) With regard to Clinical Activity #24, the radiologist assistant shall only administer medications orally while under the direct supervision of the radiologist.

(c) With regard to Clinical Activity #25, the radiologist assistant shall only monitor the patient for side effects or complications of a pharmaceutical while under the direct supervision of the radiologist.

(d) With regard to Clinical Activity #27f, the radiologist assistant shall only perform PICC (peripherally inserted central catheter) placement while under the direct supervision of the radiologist.

(e) With regard to Clinical Activity #28, the radiologist assistant may only perform those additional procedures authorized in compliance with the Radiologist Assistant Role Delineation; however, a radiologist assistant is prohibited from performing the duties specified in subsection 468.302(3)(h)2, Florida Statutes.

(2) Within 30 days of beginning work, a radiologist assistant must submit to the department a written statement from the supervising radiologist indicating the radiologist is supervising the assistant. This written statement must also contain:

(a) The date the supervisory relationship began;

(b) The full name and Florida certification number of the radiologist assistant;

(c) The full name and Florida license number of the supervising radiologist, and;

(d) The signatures of the supervising radiologist and radiologist assistant.

Within 30 days of the termination of the supervisory relationship between the radiologist and the radiologist assistant, the radiologist assistant must submit a written statement to the department indicating the termination date of the supervisory relationship.

Specific Authority 468.302(3)(h), 468.303 FS. Law Implemented 468.302(1), (3)(h) FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
James Futch

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: William Passetti, Chief, Bureau of Radiation Control

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE NO.: 64E-3.011  
RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The rule revises the disciplinary guidelines for radiologic technologists and other radiological personnel subject to Section 468.3101, F.S.

SUMMARY: The proposed rule makes changes to recommended penalties, to mitigating and aggravating factors, and the format of the guidelines. New violations and penalties are also established. The proposed rule is a substantial revision of the discipline guidelines.

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

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

SPECIFIC AUTHORITY: 381.0034, 468.303, 468.3101(4), 468.3101(6) FS.

LAW IMPLEMENTED: 381.0034, 468.303, 468.3101 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 Futch, Department of Health, Bureau of Radiation Control, 4052 Bald Cypress Way, Bin C21, Tallahassee, FL 32399-1741, (850)245-4266

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 64E-3.011 follows. See Florida Administrative Code for present text.)

64E-3.011 Disciplinary Guidelines.

(1) When the Department finds that an applicant, employer, certificateholder or other person has committed any of the acts set forth in Section 468.3101, F.S., or has failed to comply with Section 381.0034, F.S., it shall impose appropriate penalties as recommended within the range of the disciplinary guidelines, considering that the following identification of offenses is descriptive only. Consult the full language contained in the statutes to assure comprehensive understanding of the violation. All violations are sufficient for refusal to certify an applicant. The guidelines shall be interpreted as inclusive of those penalties that fall between the minimum and the maximum authorized for the violation. When a guideline includes a period of probation, the intent is

to require performance under supervision, additional education, treatment, and/or monitoring during the probationary period. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple count violations of a provision, or violations of multiple provisions will be grounds for enhancement of penalties.”PRN” refers to Professional’s Resource Network, the impaired practitioner program for applicants and certificateholders under this part.

(a) Section 468.3101(1)(a), F.S.: Attempting to procure a certificate to practice radiologic technology by bribery, by fraudulent misrepresentation, or through an error of the Department.

Bribery or fraudulent misrepresentation.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$500 fine and one year suspension.</u>	<u>\$1,000 fine and revocation.</u>
<u>SECOND OFFENSE</u>	<u>\$1,000 fine and revocation.</u>	<u>\$1,000 fine and revocation.</u>

Department error.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$250 fine and one year probation with conditions.</u>	<u>\$500 fine and revocation.</u>
<u>SECOND OFFENSE</u>	<u>\$500 fine and one year suspension.</u>	<u>\$1000 fine and revocation.</u>

(b) Section 468.3101(1)(b), F.S.: Having a certificate to practice acted against by another organization or jurisdiction.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>Action consistent with the disciplinary guidelines for the offense had it initially come before the Department prior to the action that was taken elsewhere with strong consideration of the penalty that was actually imposed by the other organization or jurisdiction.</u>	<u>Suspension of the certificate until the discipline by the other organization or jurisdiction is satisfied.</u>
<u>SECOND OFFENSE</u>	<u>Suspension of the certificate until the discipline by the other organization or jurisdiction is satisfied.</u>	<u>\$1,000 fine and revocation.</u>

(c) Section 468.3101(1)(c), F.S.: Being convicted or found guilty of a crime that directly relates to the practice or the ability to practice radiologic technology or the duties of a radiologist assistant.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$200 fine and one year of probation with conditions.</u>	<u>\$1,000 fine and revocation.</u>
<u>SECOND OFFENSE</u>	<u>\$350 fine and one year suspension followed by three years of probation with conditions.</u>	<u>\$1,000 fine and revocation.</u>

(d) Section 468.3101(1)(d), F.S.: Being convicted or found guilty of a crime against a person.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$200 fine and one year of probation with conditions.</u>	<u>\$1,000 fine and revocation.</u>
<u>SECOND OFFENSE</u>	<u>\$350 fine and one year suspension followed by three years of probation with conditions.</u>	<u>\$1,000 fine and revocation.</u>

(e) Section 468.3101(1)(e), F.S.: Knowingly filing a false report or record or negligently failing to file a report required by law, or willfully impeding such filing.

Negligent filing or failure to file report.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$250 fine.</u>	<u>\$500 fine and three years of probation with conditions.</u>
<u>SECOND OFFENSE</u>	<u>\$500 fine and one year of probation with conditions.</u>	<u>\$1,000 fine and one year suspension followed by three years of probation with conditions.</u>

Willful filing or inducing the filing of a false report or obstructing or impeding the filing.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$500 fine and a reprimand.</u>	<u>\$1,000 fine and revocation.</u>
<u>SECOND OFFENSE</u>	<u>\$750 fine and one year suspension followed by two years of probation with conditions.</u>	<u>\$1,000 fine and revocation.</u>

(f) Section 468.3101(1)(f), F.S.: Engaging in unprofessional conduct.

Unprofessional conduct includes, but is not limited to:

1. Administering radiation or otherwise practicing radiologic technology or the duties of a radiologist assistant in a negligent manner, either by omission or commission;
2. Administering radiation without authorization from a licensed practitioner.
3. Misappropriating supplies, equipment or drugs;
4. Leaving a radiologic technology assignment before properly advising appropriate personnel;
5. Violating the confidentiality of information concerning a patient;
6. Discriminating on the basis of race, creed, religion, sex, age or national origin, in the rendering of radiologic technology or radiologist assistant services as it relates to human rights and dignity of the individuals;

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$250 fine and a reprimand.</u>	<u>\$1,000 fine and revocation.</u>
<u>SECOND OFFENSE</u>	<u>\$500 fine and two years of probation with conditions.</u>	<u>\$1,000 fine and revocation.</u>

7. Engaging in fraud, misrepresentation, or deceit in taking the certification examination;

8. Aiding and abetting the practice of radiologic technology or the duties of a radiologist assistant by any person not so certified;

9. Practicing without a clear and active certificate;

10. Impersonating any applicant or acting as proxy for the applicant in any examination required for the issuance of a certificate;

11. Impersonating another certificateholder or permitting another person to use his or her certificate; and

12. Any behavior defined as unprofessional or unethical by a national registry, board, or other jurisdiction which licenses, certifies or registers radiologic technologists or radiologist assistants.

13. Engaging or attempting to engage in sexual misconduct, as defined in Section 456.063(1), F.S.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$250 fine, three years of probation with conditions, evaluation, and appropriate treatment and monitoring.</u>	<u>\$1,000 fine and revocation.</u>
<u>SECOND OFFENSE</u>	<u>\$1,000 fine and revocation.</u>	<u>\$1,000 fine and revocation.</u>

(g) Section 468.3101(1)(g), F.S.: Being unable to practice radiologic technology or the duties of a radiologist assistant with reasonable skill and safety to patients.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$250 fine, three years of probation with conditions, evaluation by PRN, and compliance with PRN recommendations.</u>	<u>\$500 fine, indefinite suspension with periodic review until the subject demonstrates to the Department the ability to resume competent practice, followed by three years of probation with conditions and compliance with PRN recommendations.</u>
<u>SECOND OFFENSE</u>	<u>\$500 fine, indefinite suspension with periodic review until the subject demonstrates to the Department the ability to resume competent practice, followed by three years of probation with conditions and compliance with PRN recommendations.</u>	<u>\$1,000 fine and revocation.</u>

(h) Section 468.3101(1)(h), F.S.: Failing to report any person violating Department laws, rules, or orders.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$200 fine and reprimand.</u>	<u>\$500 fine and three years of probation with conditions.</u>
<u>SECOND OFFENSE</u>	<u>\$300 fine and six months probation with conditions.</u>	<u>\$1,000 fine and one year suspension.</u>

(i) Section 468.3101(1)(i), F.S.: Violating Chapter 468, F.S., or any law, rule, order, or subpoena of the Department. In addition to the penalty listed, the person shall comply with the law, rule, order, or subpoena.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$200 fine and a reprimand.</u>	<u>\$500 fine and two years of suspension followed by two years of probation with conditions.</u>
<u>SECOND OFFENSE</u>	<u>\$300 fine and one year suspension followed by two years probation with conditions.</u>	<u>\$1,000 fine and revocation.</u>



(j) Section 468.3101(1)(j), F.S.: Employing an uncertified person to practice radiologic technology or the duties of a radiologist assistant.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$350 fine and one year of probation with conditions.</u>	<u>\$700 fine and one year suspension followed by two years of probation with conditions.</u>
<u>SECOND OFFENSE</u>	<u>\$700 fine and one year suspension with conditions.</u>	<u>\$1,000 fine and revocation.</u>

(k) Section 468.3101(1)(k), F.S.: Testing positive on a preemployment or employer-required drug screen.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$250 fine, three years probation with conditions, evaluation by PRN, and compliance with PRN recommendations.</u>	<u>\$500 fine, indefinite suspension with periodic review until the subject demonstrates to the Department the ability to resume competent practice, followed by three years of probation with conditions and compliance with PRN recommendations.</u>
<u>SECOND OFFENSE</u>	<u>\$500 fine, indefinite suspension with periodic review until the subject demonstrates to the Department the ability to resume competent practice, followed by three years of probation with conditions and compliance with PRN recommendations.</u>	<u>\$1,000 fine and revocation.</u>

(l) Section 468.3101(1)(l), F.S.: Failing to report to the Department in writing within 30 days after having a certificate to practice acted against, including being denied certification, by a national registry or other jurisdiction.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$150 fine and reprimand.</u>	<u>\$250 fine and one year suspension.</u>
<u>SECOND OFFENSE</u>	<u>\$300 fine and one year suspension followed by one year of probation with conditions.</u>	<u>\$750 fine and two years of suspension.</u>

(m) Section 468.3101(1)(m), F.S.: Having been found guilty or pled guilty or nolo contendere, regardless of adjudication, to any Section 435.03 offense.

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE</u>	<u>\$250 fine and one year suspension followed by two years of probation with conditions.</u>	<u>\$1,000 fine and revocation.</u>
<u>SECOND OFFENSE</u>	<u>\$1,000 fine and revocation.</u>	<u>\$1,000 fine and revocation.</u>

(n) Section 468.3101(1)(n), F.S.: Failing to comply with PRN recommendations.

<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>Evaluation by PRN, compliance with PRN recommendations, and indefinite suspension of license with periodic review until the person demonstrates to the Department the ability to resume competent practice followed by probation for three years with conditions.</u>	<u>MAXIMUM</u> <u>\$1,000 fine and revocation.</u>
<u>SECOND OFFENSE</u>	<u>\$500 fine, evaluation by PRN, compliance with PRN recommendations, and indefinite suspension of license with periodic review until the person demonstrates to the Department the ability to resume competent practice followed by probation for three years with conditions.</u>	<u>\$1,000 fine and revocation.</u>
<u>THIRD OFFENSE</u>	<u>\$1,000 fine and revocation.</u>	<u>\$1,000 fine and revocation.</u>

(o) Section 381.0034, F.S.: Failing to complete an HIV/AIDS course.

<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>\$150 fine and proof of course completion not to be counted for another biennial renewal.</u>	<u>MAXIMUM</u> <u>\$250 fine, proof of course completion, a course on ethics, neither course to be counted for another biennial renewal.</u>
<u>SECOND OFFENSE</u>	<u>\$300 fine and proof of course completion not to be counted for another biennial renewal.</u>	<u>\$500 fine, proof of course completion, a course on ethics, neither course to be counted for another biennial renewal, and six months probation with conditions.</u>

(p) Section 468.3101(6), F.S.: Having a continuing education course revoked or being otherwise acted against as a continuing education provider by a national registry or other jurisdiction.

<u>FIRST OFFENSE</u>	<u>MINIMUM</u> <u>\$250 fine, and the same penalty imposed by the other registry or jurisdiction.</u>	<u>MAXIMUM</u> <u>\$1,000 fine, revocation of the provider, and revocation of all approved continuing education courses.</u>
<u>SECOND OFFENSE</u>	<u>\$500 fine, and the same penalty imposed by the other registry or jurisdiction which at a minimum must include a term of suspension of the provider and his/her approved continuing education courses.</u>	<u>\$1,000 fine, revocation of the provider, and revocation of all approved continuing education courses.</u>

(2) The range of disciplinary action which the Department may impose includes any and all set forth in Section 468.3101, F.S. The Department shall take various mitigating or aggravating factors into consideration in determining the

appropriate disciplinary action to be imposed and shall state in the Final Order any factors used to deviate from the specified guidelines. The factors that may be considered are:

- (a) The danger to the public;
- (b) The number of repetitions of offenses;
- (c) The length of time since the date of the violation;

- (d) The length of time the certificateholder has practiced;
  - (e) The actual damage, physical or otherwise, caused by the violation;
  - (f) The deterrent effect of the penalty imposed;
  - (g) The effect of the penalty upon the certificateholder's livelihood;
  - (h) Previous disciplinary action against the applicant or certificateholder by the department, by a national organization or registry, or by the certification authority of another jurisdiction;
  - (i) Rehabilitation efforts or efforts to correct or stop violations, or the failure to correct or stop violations; and
  - (j) Any other mitigating or aggravating circumstances.
- (3) A certificateholder whose certificate has been suspended, or placed on probation, may file a petition or an application for reinstatement, whichever is appropriate, after the time of suspension, or probation has passed, which petition or application shall include documentation that all terms and conditions established at the time of suspension, or probation have been met.

Specific Authority 381.0034, 468.303, 468.3101(4), ~~468.3101(6)~~, ~~893.11~~, ~~893.13~~ FS. Law Implemented 381.0034, 468.303, 468.3101(4), ~~893.11~~, ~~893.13~~ FS. History—New 4-10-85, Formerly 10D-74.58, Amended 3-21-88, 9-17-92, 5-7-96, Formerly 10D-74.058, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
James Futch  
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: William A. Passetti, Chief, Bureau of Radiation Control  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 11, 2006

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE NO.: 64F-12.011  
RULE TITLE: Wholesale Distribution of Prescription Drugs – Exceptions and Specific Distributions Authorized

PURPOSE AND EFFECT: The Department proposes to add new conditions that qualify as emergency medical reasons within the meaning of Section 499.012 (1)(a)2.b., F.S.

SUMMARY: The proposed rule adds three new emergency medical reasons conditions that qualify as being exempt from the definition of wholesale distribution found at Section 499.012(1)(a)2.b., F.S. The proposed rule clarifies that a state emergency medical response team location is a location that can receive a distribution of prescription drugs as a temporary

storage site during a declared state of emergency, without the distribution being a wholesale distribution within the meaning of section 499.012 (1) F.S.

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

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

SPECIFIC AUTHORITY: 499.012, 499.014, 499.03, 499.05 FS.

LAW IMPLEMENTED: 499.012, 499.014, 499.03, 499.05 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, R.Ph., Director, Drugs Devices and Cosmetics Program, 4052 Bald Cypress Way, Bin C-04, Tallahassee, Florida 32399, (850)245 4292

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-12.011 Wholesale Distribution of Prescription Drugs – Exceptions and Specific Distributions Authorized.

(1) The exemption from the definition of wholesale distribution in Section 499.012(1)(a)2.b., F.S., for “emergency medical reasons” includes:

(a) Transfers of a prescription drug between health care entities or from a health care entity to a retail pharmacy to alleviate a temporary shortage of a prescription drug arising from delays in or interruption of regular distribution schedules, and should not occur between the parties so as to amount to the health care entity regularly and systematically supplying that drug;

(b) Transfers of prescription drugs by a health care entity to an emergency transport vehicle which is under the direction of a medical director of an emergency medical service provider licensed under Chapter 401, F.S., for use in the treatment of persons transported to that health care entity to immediately restock a licensed vehicle or an emergency medical kit for prescription drugs used on that person or to immediately restock prescription drugs on the vehicle which become unsuitable for use. This exception does not extend to the stocking of supply inventory or for warehousing of prescription drugs used by emergency medical service providers;

(c) Emergency transfers of prescription drugs as authorized in Rule Chapter 59A-4, F.A.C., for nursing homes or Rule Chapter 64B16-28, F.A.C., of the Florida Board of Pharmacy; or

(d) Transfers of prescription drugs by a retail pharmacy to another retail pharmacy or to a health care entity to alleviate a temporary shortage, but not for the regular and systematic supplying of that prescription drug;

(e) Transfers of prescription drugs in an emergency declared pursuant to Section 252.36, F.S., until the state of emergency is lifted, under the following conditions:

1. The manufacturer, wholesaler, or other person supplying the prescription drugs is authorized by Florida law to distribute prescription drugs in or into Florida; and

2. The prescription drugs are delivered to a temporary emergency medical station, officially designated by the state emergency operation center as a Disaster Medical Assistance Team or State Medical Response Team site;

(f) Transfers of prescription drugs from a health care entity to a pharmacy or other end-user practitioner for a named patient to treat or prevent a serious medical condition when a shortage of the product is documented by the manufacturer; but does not include regular and systematic sales of prescription drugs to licensed practitioners that will be used for routine office procedures;-

(g) Transfers of prescription drugs by or on behalf of the Department of Health to the medical director of an advanced life support service provider, licensed under Chapter 401 Part III F.S., and for further distribution to an emergency transport vehicle operated by the advanced life support services provider, for use in the treatment of persons in need of emergency medical services;

(h) Transfers of prescription drugs by or on behalf of the Department of Health to a health care entity authorized to purchase prescription drugs, for storage and use in the treatment of persons in need of emergency medical services, including controlling communicable diseases or providing protection from unsafe conditions that pose a threat to public health;

(i) Transfers of prescription drugs by or on behalf of the Department of Health to the licensed medical director of a government agency health care entity, authorized to purchase prescription drugs, for storage and use in the treatment of persons in need of emergency medical services, including controlling communicable diseases or providing protection from unsafe conditions that pose a threat to public health.

(2) The revocation of a sale or the return of a prescription drug purchased by a hospital or other health care entity, or acquired at a reduced price by or donated to a charitable institution to the manufacturer or the wholesale distributor that sold, donated, or supplied the prescription drug, is not a wholesale distribution prohibited by Section 499.005(21), F.S., provided:

(a) The hospital, health care entity or charitable institution forwards a copy of the documentation for the return to the manufacturer of the product. This documentation must at a minimum comply with the requirements of Rule 64F-12.012, F.A.C.; and

(b) The value of any credit, refund, or exchange for the returned product does not exceed the purchase price or, if a donation, the fair market price of the returned product.

(c) Prescription drugs returned or to be returned to a manufacturer or wholesale distributor must be kept under proper conditions for storage, handling, and shipping as set forth in Section 499.0121, F.S.; and written documentation showing that these conditions were or were not maintained must be provided to the manufacturer or wholesale distributor to which the prescription drugs are returned.

(3) A person authorized to possess non-dispensed prescription drugs can donate prescription drugs that are not misbranded or adulterated to a charitable organization that has been granted an exemption under s. 501(c)(3) of the Internal Revenue Code of 1986, as amended, and that is authorized to possess prescription drugs provided the transfer is not for sale or trade and the donor receives no financial benefit (except for tax benefits related to charitable contributions) either directly or indirectly. Records to document the transfer must comply with Section 499.0121(6), F.S., and paragraph 64F-12.008(2)(c), F.A.C.

(4) A person who uses prescription drugs for lawful research, teaching, or testing may obtain a registration number from the department to authorize acquisition of the requisite prescription drugs for this activity. The person must submit correspondence to the department explaining the conditions of the lawful research, teaching, or testing, along with a statement signed by the individual who will be responsible for the prescription drugs that the drugs will be secured, access will be restricted to authorized individuals, and that the prescription drugs are not for resale. If applicable, this correspondence should also identify the name in which purchases will be made, the specific prescription drug(s) required for the activity, the quantity which will ordinarily be purchased, the frequency of the purchases, and the name and state permit or license or permit number of suppliers of the prescription drugs. A letter and registration number will be assigned to the person which authorizes the purchase or other acquisition and possession of prescription drugs. This registration number must be included on invoices as required by Section 499.0121(6)(a), F.S.

Specific Authority 499.012, 499.014, 499.03, 499.05 FS. Law Implemented 499.012, 499.014, 499.03 FS. History—New 7-1-96, Formerly 10D-45.0525, Amended 1-26-99, 4-17-01, 1-1-04,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Rebecca Poston  
NAME OF SUPERVISOR OR PERSON WHO APPROVED  
THE PROPOSED RULE: Rebecca Poston  
DATE PROPOSED RULE APPROVED BY AGENCY  
HEAD: January 30, 2007  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT  
PUBLISHED IN FAW: December 21, 2006

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

<p>RULE NOS.:</p> <p>69A-62.021</p> <p>69A-62.022</p>	<p>RULE TITLES:</p> <p>General Guidelines for Firefighter Employer Comprehensive Safety and Health Programs</p> <p>Firefighter Employer Comprehensive Safety and Health Remediation Plan</p>
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PURPOSE AND EFFECT: All fire departments must have a safety and health program in place. Fire departments identified by the Division of Fire Marshal as having a high frequency or severity of work-related injuries among its employees must also have a remediation plan, in addition to its safety and health program. These rules establish the requirements for both programs.

SUMMARY: The proposed amendments to Rule 69A-62.021, F.A.C., clarify that its provisions apply to all firefighter employers, not just those employers with a high frequency or severity of workers' compensation claims. The proposed amendments also provide a new website where a list of proposed courses can be accessed. The proposed amendment to Rule 69A-022, F.A.C., clarifies that the remediation plan for firefighter employers identified as having a high frequency or severity of workers' compensation claims must submit their remediation programs to the division for approval within one hundred twenty (120) days after receipt of notice.

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

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

SPECIFIC AUTHORITY: 633.803, 633.804, 633.805, 633.808, 633.813, 633.809, 633.821 FS.

LAW IMPLEMENTED: 633.805, 633.807, 633.808, 633.809, 633.821 FS.

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

DATE AND TIME: Monday, March 19, 2007, 1:00 p.m.

PLACE: William C. Clark Assembly Hall, Florida State Fire College, 11655 N.W. Gainesville Rd., Tallahassee, Florida  
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Angie Cain, (352)369-2818. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Walter Malo, Safety Program Manager, Bureau of Fire Standards & Training. Phone (352)369-2800

THE FULL TEXT OF THE PROPOSED RULES IS:

69A-62.021 General Guidelines for Firefighter Employer Comprehensive Safety and Health Programs.

The following are the guidelines for a Firefighter Employer Comprehensive Safety and Health Program. These guidelines shall be used by all firefighter employers ~~that are notified by the division that they have a high frequency or severity of workers' compensation claims to prepare their Firefighter Employer Comprehensive Safety and Health Remediation Plan.~~

(1) through (2) No change.

(3) Safety and Health Training Program. Each firefighter employer shall implement a safety and health training program, which shall address or include:

(a) through (c) No change.

(d) Each Basic Life Support (BLS) and each Advanced Life Support (ALS) provider, as described in Rules 64E-2.002 and 64E-2.003, F.A.C., respectively, shall document that each driver has completed at least a 16-hour course of instruction on driving an authorized emergency vehicle, as defined by Section 316.003(1), F.S., which includes, at a minimum, classroom and behind-the-wheel training as outlined below:

1. No change.

2. Practical.

a. through d. No change.

e. Turn-around-steering technique; fender judgment, road position, controlled braking, controlled acceleration, understeer, oversteer and chassis set. A list of approved courses is posted on the "Firefighter Safety and Health" webpage at <http://www.fldfs.com/sfm> ~~<http://www.fsfe.ufl.edu/SafetyHealth/Notices.htm>~~ or may be obtained from the Safety Program Office of the Bureau of Fire Standards and Training at (352)369-2800. Fire Department or Training Center requests for the approval of other courses must be directed to the same office.

(e) through (m) No change.

(4) through (7) No change.

Specific Authority 633.804, 633.805, 633.808, 633.821 FS. Law Implemented 633.804, 633.805, 633.807, 633.808, 633.821 FS. History--New 9-6-04, Amended.

69A-62.022 Firefighter Employer Comprehensive Safety and Health Remediation Plan.

(1) All firefighter employers identified and notified by the division as having a high frequency or severity of work related injuries and illnesses shall submit their Firefighter Employer Comprehensive Safety and Health Remediation Program to the division for approval within one hundred twenty (120) days after receipt of notice.

(2) through (4) No change.

Specific Authority 633.803, 633.813, 633.809 FS. Law Implemented 633.809 FS. History--New 9-6-04, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Walter Malo, Bureau of Fire Standards and Training, Division of State Fire Marshal, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dave Casey, Chief, Bureau of Fire Standards and Training, Division of State Fire Marshal, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 28, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2005

**FINANCIAL SERVICES COMMISSION**

**Office of Insurance Regulation**

RULE NO.: 690-167.014  
RULE TITLE: Alternative Methods to Handwritten Statements

PURPOSE, EFFECT AND SUMMARY: To adopt a rule providing appropriate alternative methods for policyholders with disabilities to provide statements required by Sections 627.701(4)(d) and 627.712(6), F.S. The rule provides a procedure for an authorized guardian or attorney-in-fact to execute the handwritten statement and allowing for videotaping of a reading of the disclosure and acknowledgement by the policyholder.

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 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: 624.308(1), 627.701(4), 627.712(6) FS.

LAW IMPLEMENTED: 627.701(4), 627.712(6) FS.

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

DATE AND TIME: March 16, 2007, 1:30 p.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: Michael.Milnes@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

690-167.014 Alternative Methods to Handwritten Statements.

The handwritten disclosures required by Section 627.712(2), F.S., and Section 627.701(4)(d)1., F.S., may be obtained by alternative methods by those persons or policyholders who have a handicapping or disabling condition that prevents them from providing a handwritten statement. Any one or more of the following methods may be used:

(1) Obtaining through an authorized guardian or attorney-in-fact a handwritten statement in conformance with Section 627.712(2) or 627.701(4)(d)1., F.S. The insurer shall maintain on file all documentation necessary to verify that the guardian or attorney is so duly authorized to execute such handwritten statement; or

(2) Videotaping the reading of the disclosure to the policyholder and videotaping the policyholder's verbal acknowledgement that the policyholder understands the disclosure and elects not to purchase the coverage described in the disclosure. The insurer must maintain the videotape with the records of the policyholder.

Specific Authority 624.308(1), 627.701, 627.712 FS. Law Implemented 627.701, 627.712 FS. History--New.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Belinda Miller, Deputy Commissioner, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 9, 2007

**FINANCIAL SERVICES COMMISSION**

**Office of Insurance Regulation**

RULE NO.:                      RULE TITLE:

690-170.0155                      Forms

PURPOSE, EFFECT AND SUMMARY: The purpose and effect is to adopt Form OIR-B1-1790, "Certificate of True and Accurate Rate Filing", required to be filed by property insurers on or after March 1, 2007, with a rate filing made pursuant to Section 627.062, F.S. This form shall be signed, under oath, by the Chief Executive Officer or the Chief Financial Officer and the Chief Actuary.

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 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: 624.308(1), 627.711 FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0645, 627.711 FS.

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

DATE AND TIME: March 16, 2007, 9:30 a.m.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation, E-mail: Michael.Milnes@fldfs.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office at least 5 calendar days before the program by contacting the person listed above.

THE FULL TEXT OF THE PROPOSED RULE IS:

690-170.0155 Forms.

The following forms are hereby adopted and incorporated by reference:

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

(k) Form OIR-B1-1790, "Certificate of True and Accurate Rate Filing", (New 03/2007).

(2) No change.

Specific Authority 624.308(1), 627.711 FS. Law Implemented 624.307(1), 624.424, 627.062, 627.0645, 627.711 FS. History--New 6-19-03, Formerly 4-170.0155, Amended 2-23-06, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, Property and Casualty Product Review, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Belinda Miller, Deputy Commissioner, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2007

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 9, 2007

**Section III**  
**Notices of Changes, Corrections and**  
**Withdrawals**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Aquaculture**

RULE CHAPTER NO.:      RULE CHAPTER TITLE:

5L-3                              Aquaculture Best Management Practices

RULE NO.:                      RULE TITLE:

5L-3.004                      Aquaculture Best Management Practices Manual

**NOTICE OF CHANGE**

Notice is hereby given that the following change has been made to the proposed rule reference material in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 32, No. 50, of the December 15, 2006, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee.

A change has been made to the referenced Aquaculture Best Management Practices Manual, January 2007 made available in draft form by contacting Kal Knickerbocker at the Division of Aquaculture or by visiting the Division's website at [www.FloridaAquaculture.com](http://www.FloridaAquaculture.com).

The following change has been made to page 38 of the manual: Chapter VII. Marine Net Pens and Cages, E. Aquaculture Facility Operations and Maintenance, Best Management Practices 5th bulleted paragraph has been rewritten – Nets and moorings must be maintained in a whole and intact condition. No gear may be abandoned. Storage of nets or gear on the bottom is prohibited. Any net or gear accidentally dropped or lost during storm events that is not recovered immediately shall be tagged with a float, positioned using differential Global Positioning System, and reported to the Division of Aquaculture within 24 hours. The lost net or gear shall be recovered within 30 days of the date lost, ~~unless the Division of Aquaculture allows a longer time in an individual case, and~~ The Division of Aquaculture shall be notified on the date the net or gear is recovered.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kal Knickerbocker, Department of Agriculture and Consumer Services, Division of Aquaculture, 1203 Governor's Square Boulevard, 5th Floor, Tallahassee, Florida 32301, Phone: (850)488-4033

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

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facility and Agency Licensing**

<b>RULE NOS.:</b>	<b>RULE TITLES:</b>
59A-4.200	Definitions
59A-4.201	Gold Seal Award
59A-4.202	Quality of Care
59A-4.204	Turnover Ratio
59A-4.205	The State Long Term Care Ombudsman Council Review
59A-4.206	Termination and Frequency of Review

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 33, No. 5, February 2, 2007 issue of the Florida Administrative Weekly.

In replace of the hearing being held on March 28, 2006 a hearing will instead be held on March 13, 2007 at 10:00 a.m., if requested in writing with 21 days from the date of this notice at: Agency for Health Care Administration, 2727 Mahan Drive, Bldg 3, Conference C, Tallahassee, Florida 32308.

THE PERSON TO BE CONTACTED REGARDING THIS CORRECTION IS: Barbara Dombrowski, Bureau of Long Term Care Services, 2727 Mahan Drive, MS51, Tallahassee, FL 32308, (850)414-9707

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**Section IV  
Emergency Rules**

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

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

**DEPARTMENT OF THE LOTTERY**

<b>RULE NO.:</b>	<b>RULE TITLE:</b>
53ER07-5	Instant Game Number 667, BIG MONEY

**SUMMARY OF THE RULE:** This emergency rule describes Instant Game Number 667, "BIG MONEY," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER07-5 Instant Game Number 667, BIG MONEY.

(1) Name of Game. Instant Game Number 667, "BIG MONEY."

(2) Price. BIG MONEY lottery tickets sell for \$5.00 per ticket.

(3) BIG MONEY lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning BIG MONEY lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The "YOUR NUMBERS" play symbols and play symbol captions are as follows:

<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
TWO	THREE	FOUR	FIVE	SIX	SEVEN	EIGHT	NINE	TEN
<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
TWELV	THRTN	FORTN	FIFTN	SIXTN	SVNTN	EGHTN	NINTN	THENTY
<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	
THYTW	THYTHR	THYFOR	THYFIV	THYSIX	THYSVN	THYEGT	THYNIN	

**BIG  
WIN**



(5) The “WINNING NUMBERS” play symbols and play symbol captions are as follows:

<b>1</b> ONE	<b>2</b> TWO	<b>3</b> THREE	<b>4</b> FOUR	<b>5</b> FIVE	<b>6</b> SIX	<b>7</b> SEVEN	<b>8</b> EIGHT	<b>9</b> NINE	<b>10</b> TEN
<b>11</b> ELEVEN	<b>12</b> TWELVE	<b>13</b> THIRTEEN	<b>14</b> FOURTEEN	<b>15</b> FIFTEEN	<b>16</b> SIXTEEN	<b>17</b> SEVENTEEN	<b>18</b> EIGHTEEN	<b>19</b> NINETEEN	<b>20</b> TWENTY
<b>21</b> TWENTYONE	<b>22</b> TWENTYTWO	<b>23</b> TWENTYTHREE	<b>24</b> TWENTYFOUR	<b>25</b> TWENTYFIVE	<b>26</b> TWENTYSIX	<b>27</b> TWENTYSEVEN	<b>28</b> TWENTYEIGHT	<b>29</b> TWENTYNINE	

(6) The prize symbols and prize symbol captions are as follows:

<b>\$1.00</b> ONE	<b>\$2.00</b> TWO	<b>\$4.00</b> FOUR	<b>\$5.00</b> FIVE	<b>\$10.00</b> TEN
<b>\$15.00</b> FIFTEEN	<b>\$25.00</b> TWENTYFIVE	<b>\$50.00</b> FIFTY	<b>\$75.00</b> SEVENTYFIVE	<b>\$100</b> ONE HUNDRED
<b>\$200</b> TWO HUNDRED	<b>\$500</b> FIVE HUNDRED	<b>\$1,000</b> ONE THOUSAND	<b>\$10,000</b> TEN THOUSAND	<b>\$75,000</b> SEVENTYFIVE THOUSAND

(7) The legends are as follows:

<b>WINNING NUMBERS</b>	<b>YOUR NUMBERS</b>
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(8) Determination of Prizewinners.

(a) A ticket having a number in the “YOUR NUMBERS” play area that matches any number in the “WINNING NUMBERS” play area shall entitle the claimant to the corresponding prize shown for that number.

(b) The prize amounts are: \$1.00, \$2.00, \$4.00, \$5.00, \$10.00, \$15.00, \$25.00, \$50.00, \$75.00, \$100, \$200, \$500, \$1,000, \$10,000 and \$75,000.

**BIG**

(c) A ticket having a “<sup>WIN</sup>” symbol in the “YOUR NUMBERS” play area shall entitle the claimant to a prize of \$50.

(9) The estimated odds of winning, value, and number of prizes in Instant Game Number 667 are as follows:

GAME PLAY	WIN	ODDS OF 1 IN	NUMBER OF WINNERS IN 42 POOLS OF 120,000 TICKETS PER POOL
\$1 x 5	\$5	30.00	168,000
(\$1 x 3) + \$2	\$5	30.00	168,000
\$1 + (\$2 x 2)	\$5	30.00	168,000
\$5	\$5	30.00	168,000
\$1 x 10	\$10	60.00	84,000
\$2 + (\$4 x 2)	\$10	60.00	84,000
(\$1 x 4) + (\$2 x 3)	\$10	60.00	84,000
\$1 + (\$2 x 2) + \$5	\$10	120.00	42,000
\$10	\$10	120.00	42,000
\$1 x 15	\$15	60.00	84,000
\$15	\$15	60.00	84,000
\$5 x 5	\$25	300.00	16,800
(\$5 x 3) + \$10	\$25	400.00	12,600
\$5 + (\$10 x 2)	\$25	300.00	16,800
(\$2 x 5) + \$5 + \$10	\$25	300.00	16,800
(\$1 x 5) + (\$2 x 10)	\$25	400.00	12,600
\$25	\$25	600.00	8,400
\$50 (BIG)	\$50	97.56	51,660
\$5 x 15	\$75	24,000.00	210
\$5 + (\$10 x 7)	\$75	24,000.00	210
(\$5 x 5) + \$50	\$75	24,000.00	210
(\$10 x 5) + \$25	\$75	24,000.00	210
\$75	\$75	24,000.00	210
\$10 + (\$15 x 6)	\$100	2,400.00	2,100
(\$5 x 10) + (\$10 x 5)	\$100	600.00	8,400
\$25 x 4	\$100	1,200.00	4,200
(\$25 x 2) + \$50	\$100	1,000.00	5,040
\$100	\$100	857.14	5,880
\$50 x 10	\$500	42,000.00	120
(\$25 x 10) + (\$50 x 5)	\$500	36,000.00	140
\$500	\$500	42,000.00	120
\$100 x 10	\$1,000	252,000.00	20
\$200 x 5	\$1,000	252,000.00	20
(\$50 x 10) + (\$100 x 5)	\$1,000	252,000.00	20
\$500 x 2	\$1,000	252,000.00	20
\$1,000	\$1,000	252,000.00	20
\$1,000 x 10	\$10,000	2,520,000.00	2
(\$500 x 10) + (\$1,000 x 5)	\$10,000	2,520,000.00	2
\$10,000	\$10,000	2,520,000.00	2
\$75,000	\$75,000	2,520,000.00	2

(10) The estimated overall odds of winning some prize in Instant Game Number 667 are 1 in 3.76. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(11) For reorders of Instant Game Number 667, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(12) By purchasing a BIG MONEY lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(13) Payment of prizes for BIG MONEY lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS, Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS, History—New 2-2-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: February 2, 2007

**DEPARTMENT OF THE LOTTERY**

RULE NO.: 53ER07-6                      RULE TITLE: Instant Game Number 679, 7-11-21

SUMMARY OF THE RULE: This emergency rule describes Instant Game Number 679, “7-11-21,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value, and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Faith L. Schneider, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011

THE FULL TEXT OF THE EMERGENCY RULE IS:

- 53ER07-6 Instant Game Number 679, 7-11-21.  
 (1) Name of Game. Instant Game Number 679, “7-11-21.”  
 (2) Price. 7-11-21 lottery tickets sell for \$1.00 per ticket.  
 (3) 7-11-21 lottery tickets shall have a series of numbers in Machine Readable Code (or bar code) on the back of the ticket, along with a Void If Removed Number under the latex area on

the ticket. To be a valid winning 7-11-21 lottery ticket, the ticket must meet the applicable requirements of Rule 53ER06-4, F.A.C.

(4) The play symbols and play symbol captions are as follows:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
ONE	TWO	THREE	FOUR	FIVE
<b>6</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>12</b>
SIX	EIGHT	NINE	TEN	TWELVE

(5) The prize symbols and prize symbol captions are as follows:

<b>TICKET</b>	<b>\$1.00</b>	<b>\$2.00</b>	<b>\$5.00</b>	<b>\$10.00</b>	<b>\$20.00</b>
TICKET	ONE	TWO	FIVE	TEN	TWENTY
<b>\$25.00</b>	<b>\$50.00</b>	<b>\$100</b>	<b>\$250</b>	<b>\$500</b>	<b>\$2,100</b>
THIRTY FIVE	FIFTY	ONE HUNDRED	TWO HUNDRED FIFTY	FIVE HUNDRED	TWO THOUSAND ONE HUNDRED

(6) The legends are as follows:

- HAND 1
  - HAND 2
  - HAND 3
  - HAND 4
  - HAND 5
- +

(7) Determination of Prizewinners.

There are five hands on each 7-11-21 lottery ticket. A ticket having three numbers within a hand, the total of which is 7, 11, or 21, shall entitle the claimant to the corresponding prize shown for that hand. The prizes are: TICKET, \$1.00, \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$250, \$500 and \$2,100. A claimant who is entitled to a prize of a “TICKET” shall be entitled to a prize of a \$1.00 instant ticket, except as follows. A person who submits by mail a 7-11-21 lottery ticket which entitles the claimant to a prize of a \$1.00 instant ticket and whose mailing address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket. address is outside the state of Florida will receive a check for \$1.00 in lieu of an actual ticket.

(8) The estimated odds of winning, value and number of prizes in Instant Game Number 679 are as follows:

<u>GAME PLAY:</u>	<u>WIN:</u>	<u>ODDS OF</u>	<u>NUMBER OF</u> <u>WINNERS IN</u> <u>56 POOLS OF</u>
<u>TICKET</u>	<u>\$1 TICKET</u>	<u>1 IN:</u>	<u>180,000 TICKETS</u> <u>PER POOL:</u>
\$1	\$1	10.00	1,008,000
\$2	\$2	12.00	840,000
\$1 x 5	\$5	30.00	336,000
\$5 x 2	\$10	50.00	201,600
\$5 x 3	\$15	150.00	67,200
\$25	\$25	300.00	33,600
\$10 x 5	\$50	3,600.00	2,800
(\$5 x 2) + (\$20 x 2)	\$50	3,600.00	2,800
\$50	\$50	3,600.00	2,800
\$20 x 5	\$100	15,000.00	672
\$50 x 2	\$100	15,000.00	672
\$100	\$100	15,000.00	672
\$100 x 5	\$500	180,000.00	56
\$250 x 2	\$500	180,000.00	56
\$500	\$500	180,000.00	56
\$2,100	\$2,100	840,000.00	12

(9) The estimated overall odds of winning some prize in Instant Game Number 679 are 1 in 3.98. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sale or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(10) For reorders of Instant Game Number 679, the estimated odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(11) By purchasing a 7-11-21 lottery ticket the player agrees to comply with and abide by all prize payment rules of the Florida Lottery.

(12) Payment of prizes for 7-11-21 lottery tickets shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Specific Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History—New 2-2-07.

THIS EMERGENCY RULE TAKES EFFECT IMMEDIATELY UPON BEING FILED WITH THE DEPARTMENT OF STATE.  
EFFECTIVE DATE: February 2, 2007

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

### Section V Petitions and Dispositions Regarding Rule Variance or Waiver

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

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

**WATER MANAGEMENT DISTRICTS**

NOTICE IS HEREBY GIVEN that on January 16, 2007, the South Florida Water Management District (District), received a petition for waiver from Eduardo Valdez, Artemisa Fence, Application No. 07-0110-2, for utilization of Works or Lands of the District known as C-100A Canal, Miami-Dade County, for placement of proposed fence located 15' from top of bank along the west right of way of C-100A Canal; Section 23, Township 55 South, Range 40 East. The Petition seeks relief from subsection 40E-6.011(4), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above-ground encroachments within 40 feet from top of bank within Works or Lands of the District.

A copy of the Petition for Variance or Waiver may be obtained by contacting Kathie Ruff at (561)682-6320 or e-mail at [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov). The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1413, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

NOTICE IS HEREBY GIVEN that on February 2, 2007 South Florida Water Management District (District) received a petition for waiver from Florida Power & Light Company, Application No. 07-0202-1 for utilization of Works or Lands of the District known as the L-18 Canal (North New River), Palm Beach County, requesting authorization to install 2 aerial powerline crossings with poles, one crossing located approximately 3.5 miles and one 5.9 miles north of L-5, Section 22, Township 47S, Range 38E. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent and/or semi-permanent above ground structures within 40 feet of the top of the canal bank within Works or Lands of the District. A copy of the petition may be obtained from Kathie Ruff at (561)682-6320 or e-mail at kruff@sfwmd.gov. The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1413, West Palm Beach, FL 33406, Attn: Kathie Ruff, Office of Counsel.

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#### **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, F.A.C., by Steve Powell of KONE, Inc. regarding Denning Apartments in Winter Park, FL (VW 2006-270). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202

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The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, F.A.C., by Steve Powell of KONE, Inc. regarding Veranda Park Bld. 4 in Orlando, FL (VW 2006-271). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the

petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, F.A.W., by Steve Powell of KONE, Inc. regarding Palms 32 in Kissimmee, FL (VW 2006-272). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, F.A.W., by Steve Powell of KONE, Inc. regarding Isle of Bali-Building 1400 in Winter Garden, FL (VW 2006-273). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, F.A.W., by Steve Powell of KONE, Inc. regarding Pointe Orlando in Orlando, FL (VW 2006-275). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the

petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on 1/11/07, it Issued an Order Granting Variance Request in response to a petition filed 10/19/2006 and advertised in the issue Vol. 33, No. 1, F.A.W., by Steve Powell of KONE, Inc. regarding Pointe Orlando Towers in Orlando, FL (VW 2006-276). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on 12/4/06, it Issued an Order Granting Variance Request in response to a petition filed 10/24/2006 and advertised in the issue Vol. 32, No. 49, F.A.W., by Steve Powell of KONE, Inc. regarding BCBE Corporate Office Building in Naples, FL (VW 2006-277). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on 1/29/07, it Issued an Order Granting Variance Request in response to a petition filed 10/23/2006 and advertised in the issue Vol. 32, No. 45, F.A.W., by Steve Powell of KONE, Inc. regarding Lee County Justice Center Expansion, Phase VI Tower in Fort Myers, FL (VW 2006-278). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator

System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on 1/29/07, it Issued an Order Granting Variance Request in response to a petition filed 11/16/2006 and advertised in the issue Vol. 32, No. 49, F.A.W., by Steve Powell of KONE, Inc. regarding St. Petersburg College in St. Petersburg, FL (VW 2006-301). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on 1/29/07, it Issued an Order Granting Variance Request in response to a petition filed 11/21/2006 and advertised in the issue Vol. 33, No. 1, F.A.W., by Steve Powell of KONE, Inc. regarding La Serena in Pensacola, FL (VW 2006-302). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

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The Bureau of Elevator Safety hereby gives notice that on 1/5/07, it Issued an Order Granting Emergency Variance Request in response to a petition filed 12/7/2006 and advertised in the issue Vol. 33, No. 1, F.A.W., by Jerauld W. Carron III of Palm Beach Lifts. regarding Quality Fruit Packers, Vero Beach, FL (VW 2006-312). The variance granted a waiver from Rule 2.7.1 of ASME A18.1, 2001 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to have a wheelchair lift travel 14 ft. The petition was granted as the latest code allows travel distances of up to 14 ft.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/29/07, it Issued an Order Granting Variance Request in response to a petition filed 12/1/2006 and advertised in the issue Vol. 33, No. 1, F.A.W., by Steve Powell of KONE, Inc. regarding Breakers Sound in Jupiter, FL (VW 2006-317). The variance granted a waiver from Rules 2.1.3.1.2(b)(1), 2.7.6 and 2.15.9.2, of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a machine room and to install a Monospace© Elevator System in the above project and the petition was granted as the petitioner demonstrated that this new technology provided an equivalent or greater level of safety.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

The Bureau of Elevator Safety hereby gives notice that on 1/16/07, it Issued an Order Denying Emergency Variance Request in response to a petition filed 12/21/2006 and advertised in the issue Vol. 33, No. 1, F.A.W., by Joe Roberson, President, Colony Point Association, regarding Colony Point Condominiums, License Numbers 10485 & 10806 (VW 2006-321). The variance denied a waiver from Rule 2.27.3.2.1 of ASME A17.1, 2000 Edition, as adopted by Chapter 3001.2, Florida Building Code. The petitioner had requested to not have a fire alarm initiating devices in lobbies of each landing. The petition was denied as the petitioner failed to demonstrate why meeting the code would cause a hardship and what alternative means of meeting the intent of the code.

A copy of the Order can be obtained from: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that on January 10, 2007, the Bureau of Elevator Safety received a Petition for Emergency Variance from 2.7.3.2.1, A.S.M.E. 17.1, 2000 Edition, as adopted by Chapter 3001.2, 2004 Florida Building Code, requesting to temporarily access the machine room via a ladder or hatch. The petition was received from T.J. Khan, Owner on behalf of Center for Surgical Excellence located in Venice, Florida (Petition VW 2007-014).

A copy of the Petition can be obtained from: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Bureau of Elevator

Safety will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

NOTICE IS HEREBY GIVEN that on January 9, 2007, the Division of Hotels and Restaurants received a Petition for Emergency Variance for paragraph 61C-1.004(1)(d), Florida Administrative Code, from Haagen Dazs located in Orlando. The above referenced F.A.C. states that sewage shall be disposed of in a public sewerage system or other approved sewerage system in accordance with the provisions of Chapter 64E-6 or 62-601 F.A.C. Petitioner is requesting a variance to not have hard plumbing in their kiosk and use alternative methods for sewage disposal.

This variance request was approved January 30, 2007, and is contingent upon Petitioner using a three (3) gallon or greater potable water tank and utilizing a wastewater holding tank that is at least 15% larger than the potable water holding tank. Water and wastewater holding tanks are to be emptied at least twice a day. Petitioner must adhere strictly to the following operating procedures: supply for potable water tank must be from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours. Petitioner must store the in-use utensils on a clean, sanitized dry surface, and those utensils are to be washed, rinsed, and sanitized. Handwashing procedures are to be strictly adhered to as specified in the Federal Food and Drug Administration 2001 Food Code Section 2-301.14. If the menu changes or expands in any manner, the Petitioner must notify the Division in writing and this variance request will be re-evaluated. All provisos shall be complied with prior to final licensing. Any violation of the variance is the equivalent of a violation of the rule and may result in a recession of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

NOTICE IS HEREBY GIVEN that on January 10, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Jet of Miami located in Miami. The above referenced F.A.C. states...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.....The Petitioner requests to use bathroom facilities located on the other eleven floors of the building and not have their own bathroom facilities.

This variance request was approved January 30, 2007, and is contingent upon the Petitioner notifying guests to the location of the public bathroom facilities by directional signage, ensuring the public bathrooms are functional, has hot and cold running water at all times, provided with soap and an approved method to dry hands, kept in a clean and sanitary manner, and available during all hours of operation. If the petitioner decides

to have seating in the future it shall not exceed ten (10) which includes inside and outside seating. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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NOTICE IS HEREBY GIVEN that on January 16, 2007, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from Manny's Food Service of Orlando. The above referenced F.A.C. addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved January 30, 2007, and MFDV is contingent upon the Petitioner's use of open-air steam table properly covered and air curtain operating properly according to manufacturer's specifications and Section 6-202-15(D) (2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to subsection 61C-4.0161(1)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of the variance and operating procedures are to be present on the MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

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## DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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## DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on February 6, 2007, the Board of Osteopathic Medicine, received a petition for Waiver or Variance filed by Dr. Joann M. Schulte on February 6, 2007. The Petitioner seeks a variance or waiver from subsection 64B15-12.001(3), F.A.C., with regard to successful completion of Part I, II and III of the National Board of Osteopathic Medical Examiners' examination or successful completion of Part I, II of the above referenced examination and the Comprehensive Osteopathic Medical Variable-Purpose Examination (COMVEX).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Pamela King, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256, within 14 days of publication of this notice.

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NOTICE IS HEREBY GIVEN that on February 2, 2007, the Department of Health received a Petition for Variance from subparagraph 64E-16.007(2)(a)2., Florida Administrative Code, from Gary Gilliam, on behalf of ECOLOTEC. That rule prescribes a startup procedure to be conducted on a biomedical waste treatment unit prior to placing the unit into service. The Petitioner requests a variance from the rule to allow the Petitioner to vary from the rule requirement for specific placement of biological indicators in the treatment unit as prescribed in subparagraph 64E-16.007(2)(a)2., Florida Administrative Code. ECOLOTEC proposes to use internal temperature monitoring and an alternative placement of biological indicators to verify the treatment unit provides a satisfactory level of treatment.

Comments on this Petition should be filed with: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703, within 14 days of publication of this notice. A copy of the petition may be obtained from Gina Vallone-Hood, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710 or by calling (850)245-4277, extension 4273.

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NOTICE IS HEREBY GIVEN that on January 12, 2007, the Department of Health has issued an order.

An amended order granting variance with stipulations was issued to petitioner, National Swimming Pool Foundation, for certification of a public pool service technician training course offered with a mix of classroom and internet-based hours. The

original petition received on July 17, 2006 was supplemented with requested information on August 29, 2006, and the variance was granted September 8, 2006. A petition for administrative hearing about this variance was settled on January 12, 2007.

A copy of the Order may be obtained by contacting DOH-Bureau of Water Programs, Tallahassee, telephone (850)245-4240.

NOTICE IS HEREBY GIVEN that on January 30, 2007, the Department of Health, received a petition for Steve Branz, P.E., representing Bord na Mona Environmental Products U.S. Inc., requesting a waiver pursuant to Section 120.542, Florida Statutes. Specifically, the petitioner seeks a waiver from subsections 64E-6.005(4), Location and Installation and 64E-6.014(1), (2), (5)(b), (d), (f), and (j), Construction Standards for Drainfield Systems, Florida Administrative Code, which requires a drainfield absorption bed to have 12 inches of aggregate, an effluent distribution network, no impermeable covering and an absorption surface within 30 inches of finished grade.

Comments on this petition should be filed with: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734. A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1734.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

NOTICE IS HEREBY GIVEN that on February 1, 2007, the Department of Children and Family Services, received a petition for Waiver of Rule 65C-15.017, F.A.C. The Petition was received by the Agency Clerk on February 1, 2007, from Lutheran Social Services and R. Wayne Riley, assigned Case No. 07-002W. Rule 65C-15.017, F.A.C., governs the educational and work experience requirements of Persons operating or employed by a license child-placing agency.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Office of the Agency Clerk, Department of Children and Family Services, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

**Section VI**

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

**DEPARTMENT OF STATE**

The **Friends of Mission San Luis, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 5, 2007, 12:00 Noon  
 PLACE: Mission San Luis, Education Bldg., 2020 W. Mission Road, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business to be discussed will include fundraising and endowment activities and other board business.

If you have questions or would like a copy of the agenda, please feel free to contact Ms. Elyse Cornelison, (850)487-1666.

The **Division of Library and Information Services** announces a meeting of directors of large public libraries in Florida.

DATE AND TIME: February 28, 2007, 10:00 a.m. – 3:00 p.m. (Eastern Time)

PLACE: R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Services and programs common to large public libraries in Florida.

For more information, you may contact: Loretta L. Flowers, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250, lflowers@dos.state.fl.us, (850)245-6622, 205.6622 (Suncom).

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 5 days before the meeting by contacting: Loretta L. Flowers, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, FL 32399-0250, lflowers@dos.state.fl.us, (850)245-6636, 205-6636 (Suncom). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**DEPARTMENT OF LEGAL AFFAIRS**

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2007, 1:00 p.m. – 4:00 p.m.

PLACE: Senate Office Building, Room 110, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the initial meeting of this Council, created by Section 16.615, Florida Statutes. The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting Rick Nuss, Chief, Bureau of Criminal Justice Programs at (850)414-3300.



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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Bureau of Criminal Justice Programs at (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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#### **DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: February 23, 2007, 10:00 a.m.

PLACE: Alachua Regional Service Center, 14101 Northwest Highway 441, Alachua, FL 32024, (386)418-5500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss possible revisions to Chapter 5E-14, F.A.C.

A copy of the agenda may be obtained by contacting: Steve Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399, (850)488-3731.

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The Florida **Department of Agriculture and Consumer Services** announces a public meeting to which all persons are invited.

DATE AND TIME: February 23, 2007, 10:00 a.m.

PLACE: Alachua Regional Service Center, 14101 N. W. Hwy. 441, Box 200, Alachua, Florida 32615, (386)418-5500

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss possible revisions to Chapter 5E-14, F.A.C.

A copy of the agenda may be obtained by contacting: Mr. Steve Dwinell, Assistant Director, Division of Agricultural Environmental Services, 3125 Conner Boulevard, Tallahassee, Florida 32399, (850)488-3731.

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**NOTICE OF CANCELLATION** – The **Florida Tobacco Advisory Council** would like to cancel the meeting scheduled for:

DATE AND TIME: Thursday February 22, 2007, 2:00 p.m.

PLACE: Florida Farm Bureau Suwannee, 407 Dowling Avenue, S. E., Live Oak, FL 32064, (386)362-1274

Please contact Marshall Wiseheart for any additional information at (850)488-4366.

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#### **DEPARTMENT OF EDUCATION**

The public is invited to a public hearing of the **Board of Governors** of the State University System of Florida.

DATE AND TIME: February 27, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Cape Florida Ballroom, Student Union, University of Central Florida, Orlando, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing to receive comments about the Consultant's Report on a Blueprint for Higher Education in Florida; and other matters pertaining to the State University System of Florida.

A copy of the agenda may be obtained from the Board of Governors website at <http://www.flbog.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.

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**NOTICE OF CANCELLATION** – The **Division of Blind Services** yesterday posted a notice of a meeting. That notice, Meeting #14179, was improperly submitted and is now withdrawn. The notice announced the convening of the Division of Blind Services Business Enterprises Grievance Board on February 27, 2007 in Tallahassee. A new notice will be properly posted for this meeting.

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The **Department of Education, Division of Blind Services'** Business Enterprises Program announces a Grievance Board meeting: all persons are invited.

DATE AND TIME: February 27, 2007, 11:00 a.m. – until all business is concluded

PLACE: The Division of Blind Services, Turlington Building, Room 1122F, 325 West Gaines Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review selection decision for the business opportunity at the Department of Environmental Protection Twin Towers and management changes involving the Department of Education Turlington Building cafeteria.

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#### **DEPARTMENT OF COMMUNITY AFFAIRS**

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

DATES AND TIME: March 5-6, 2007, 8:30 a.m.

PLACE: Sadowski Building, Kelly Training Room, 305, 2555 Shumard Oak Boulevard, Tallahassee, Florida, (850)487-1824

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Special Occupancy Technical Advisory Committee will meet to consider proposed code modifications to the 2007 update to the Florida Building Code.

DATES AND TIME: March 11-16, 2007, 8:00 a.m.  
PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, Florida, (904)827-1888

DATES AND TIME: March 11-12, 2007, 8:00 a.m.  
PLACE: Casa Monica Hotel, St. Augustine, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Roofing Technical Advisory Committee will meet to consider proposed code modifications to the 2007 update to the Florida Building Code.

DATE AND TIME: March 13, 2007, 8:00 a.m.  
PLACE: Casa Monica Hotel, St. Augustine, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Code Administration Technical Advisory Committee will meet to consider proposed code modifications to the 2007 update to the Florida Building Code. The Joint Plumbing/Structural TACs will meet following the Code Administration TAC meeting to consider proposed code modifications on termite/sleeving to the 2007 update to the Florida Building Code. The Structural Technical Advisory Committee will meet following the Joint Plumbing/Structural TACs meeting on Tuesday, March 13, 2007 to consider proposed code modifications to the 2007 update to the Florida Building Code and will continue to meet if needed March 14, 2007, 8:00 a.m. The Electrical Technical Advisory Committee will meet March 13, 2007, 8:00 a.m. to consider proposed code modifications to the 2007 update to the Florida Building Code. The Plumbing/Gas Technical Advisory Committee will meet following the Electrical TAC meeting on Tuesday, March 13, 2007 to consider proposed code modifications to the 2007 update to the Florida Building Code.

DATE AND TIME: March 14, 2007, 8:00 a.m.  
PLACE: Casa Monica Hotel, St. Augustine, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Joint Energy/Structural TACs will meet to consider proposed code modifications on attic ventilation to the 2007 update to the Florida Building Code. The Structural TAC will continue to meet if needed following the Joint Energy/Structural TACs. The Joint Mechanical/Structural TACs will meet following the Structural TAC meeting to consider proposed code modifications on mechanical equipment tie downs to the 2007 update to the Florida Building Code. The Energy Technical Advisory Committee will meet following the Joint Energy/Structural TACs meeting to consider proposed code modifications to the 2007 update to the Florida Building Code.

DATE AND TIME: March 15, 2007, 8:00 a.m.  
PLACE: Casa Monica Hotel, St. Augustine, FL  
GENERAL SUBJECT MATTER TO BE CONSIDERED: The Mechanical Technical Advisory Committee will meet to consider proposed code modifications to the 2007 update to the Florida Building Code.

DATE AND TIME: March 16, 2007, 8:00 a.m.  
PLACE: Casa Monica Hotel, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Fire Technical Advisory Committee will meet to consider proposed code modifications to the 2007 update to the Florida Building Code.

A copy of the agenda may be obtained by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax (850)414-8436, or look on the web site at [www.floridabuilding.org](http://www.floridabuilding.org)

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant at the Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, or Fax (850)414-8436, or look on the web site at [www.floridabuilding.org](http://www.floridabuilding.org)

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

DATE AND TIME: February 27, 2007, 1:00 p.m.  
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 a public or nonprofit entity to administer the Weatherization Assistance Program (WAP) and the Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in Putnam County. Entities interested in contracting with DCA to provide these services should be present at this public meeting in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entity's experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and the entity's capacity to undertake a timely and effective weatherization program. Preference will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently

administering an effective DCA funded 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.

**ACTIONS TO BE TAKEN:** The DCA will review all 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.

**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.

**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 meeting, 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 meeting may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488.

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

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

**DATE AND TIME:** February 28, 2007, 9:30 a.m.

**PLACE:** Nassau County Government Complex, 96135 Nassau Place, Commission Chambers, Yulee, Florida 32097

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** The Department of Community Affairs (DCA) is seeking a public or nonprofit entity to administer the Weatherization Assistance

Program (WAP) and the Weatherization-Low Income Home Energy Assistance Program (WAP-LIHEAP) in Nassau County. Entities interested in contracting with DCA to provide these services should be present at this public meeting in order to be informed of the qualifications and application requirements. Selection of an entity will be based on the entity's experience and performance in weatherization or housing renovation activities, and in assisting low-income persons in the area to be served, and the entity's capacity to undertake a timely and effective weatherization program. Preference will be given to any Community Action Agency or other public or nonprofit entity which has, or is currently administering an effective DCA funded 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.

**ACTIONS TO BE TAKEN:** The DCA will review all submitted applications, and make a decision regarding each entity's eligibility to provide Weatherization Assistance Program services to Nassau 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.

**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.

**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 meeting, 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 meeting may write or call: Mr. Norm Gempel, Manager, Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Department of Community Affairs at (850)488-7541, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Department of

Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Department of Community Affairs, Housing and Community Development** announces a hearing to which all persons are invited.

DATE AND TIME: March 6, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Children’s Advocacy Center, 1000 South Highlands Avenue, Sebring, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking a non-profit entity or entities to administer the Community Services Block Grant (CSBG) in Highlands and/or Polk County Florida.

Pursuant to a notice in the December 1, 2006, F.A.W., regarding agencies interested in becoming the CSBG provider for Highlands and Polk County, six letters of interest were received. The purpose of this hearing is to afford these agencies an opportunity to present to all interested parties in the community their qualifications and proposal for providing services if selected. The six agencies are: Polk County Board of County Commissioners, Manatee Opportunity Council, Inc., Luster All Pastoral Care and Cultural Center, Inc., The Agricultural and Labor Program, Inc., Mid Florida Community Services, Inc., and Polk County Workforce Development Board, Inc.

In order to be designated to serve as the eligible entity, an entity must agree to add additional members to its board to ensure adequate representation in compliance with 42 U.S.C. 9909 and 9910 and Rule 9B-22.011, Florida Administrative Code. Special consideration shall be given to an organization with demonstrated effectiveness in providing a broad range of services designed to eliminate poverty and foster self-sufficiency. Priority shall be given to existing CSBG eligible entities in good standing with DCA that are providing related services in the specified county or in areas contiguous to or within reasonable proximity to the specified county.

Selection will be based on the entity’s experience and performance in related federal or state programs in assisting low-income persons in the area to be served, and the entity’s capacity to undertake a timely and effective program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving 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; and (4) the ability to maintain compliance with administrative and financial management requirements.

ACTIONS TO BE TAKEN: After this hearing, DCA will review the applications received and make a decision regarding each entity’s eligibility to provide program services in Highlands and/or Polk County. A recommendation for the

selected entity will then be prepared by DCA staff for subsequent consideration and approval or disapproval by DCA’s Secretary and the Governor.

ADDITIONAL INFORMATION: Requests for additional information or questions may be addressed to: Ms. Hilda Frazier, Planning Manager, Florida Department of Community Affairs, Community Assistance Section, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488 or e-mail at hilda.frazier@dca.state.fl.us

A copy of the agenda may be obtained by contacting Rachel White or Hilda Frazier at (850)488-7541.

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

SPECIAL ACCOMMODATIONS: Any person requiring a special accommodation at this meeting 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 meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For more information, you may contact Hilda Frazier.

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The **Department of Community Affairs, HCD** announces a hearing to which all persons are invited.

DATE AND TIME: March 7, 2007, 9:00 a.m. – 12:00 Noon

PLACE: Cooperative Extension Offices, Valencia Room, 1702 Highway 17, South, Bartow, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking a non-profit entity or entities to administer the Community Services Block Grant (CSBG) in Highlands and/or Polk County Florida.

Pursuant to a notice in the December 1, 2006, F.A.W. regarding agencies interested in becoming the CSBG provider for Highlands and Polk County, six letters of interest were received. The purpose of this hearing is to afford these agencies an opportunity to present to all interested parties in the community their qualifications and proposal for providing services if selected. The six agencies are: Polk County Board of County Commissioners, Manatee Opportunity Council, Inc., Luster All Pastoral Care and Cultural Center, Inc., The Agricultural and Labor Program, Inc., Mid Florida Community Services, Inc., and Polk County Workforce Development Board, Inc.

In order to be designated to serve as the eligible entity, an entity must agree to add additional members to its board to ensure adequate representation in compliance with 42 U.S.C.

9909 and 9910 and Rule 9B-22.011, Florida Administrative Code. Special consideration shall be given to an organization with demonstrated effectiveness in providing a broad range of services designed to eliminate poverty and foster self-sufficiency. Priority shall be given to existing CSBG eligible entities in good standing with DCA that are providing related services in the specified county or in areas contiguous to or within reasonable proximity to the specified county.

Selection will be based on the entity's experience and performance in related federal or state programs in assisting low-income persons in the area to be served, and the entity's capacity to undertake a timely and effective program. The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving 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; and (4) the ability to maintain compliance with administrative and financial management requirements.

**ACTIONS TO BE TAKEN:** After this hearing, DCA will review the applications received and make a decision regarding each entity's eligibility to provide program services in Highlands and/or Polk County. A recommendation for the selected entity will then be prepared by DCA staff for subsequent consideration and approval or disapproval by DCA's Secretary and the Governor.

**ADDITIONAL INFORMATION:** Requests for additional information or questions may be addressed to: Ms. Hilda Frazier, Planning Manager, Florida Department of Community Affairs, Community Assistance Section, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, or Fax (850)488-2488 or e-mail at hilda.frazier@dca.state.fl.us.

A copy of the agenda may be obtained by contacting Rachel White at (850)488-7541.

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

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

**SPECIAL ACCOMMODATIONS:** Any person requiring a special accommodation at this meeting 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 meeting. If you are hearing or speech impaired, please contact the Department of Community Affairs

using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For more information, you may contact Hilda Frazier at (850)488-7541.

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## DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public meeting concerning Rule 12-6.0015, Public Use Forms, F.A.C., to which all persons are invited.

**DATE AND TIME:** February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Approval of the proposed amendments to Rule Chapter 12-6, F.A.C. (Informal Protest and Appeal Procedure), F.A.C. A Notice of Proposed Rulemaking for the proposed rule amendments was published in the F.A.W., on December 29, 2006 (Vol. 32, No. 52, p. 6114).

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

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The **Department of Revenue** announces a public meeting concerning Rule 12-22.007, Registration Information Sharing and Exchange Program, F.A.C., to which all persons are invited.

**DATE AND TIME:** February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Approval of the proposed amendments to Rule Chapter 12-22 (Confidentiality and Disclosure of Tax Information), F.A.C. A Notice of Proposed Rulemaking for the proposed rule amendments was published in the F.A.W., on December 29, 2006 (Vol. 32, No. 52, pp. 6114-6117).

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

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The **Department of Revenue** announces a public meeting concerning Rule 12A-1.097, Public Use Forms, F.A.C., to which all persons are invited.

**DATE AND TIME:** February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Approval of the proposed amendments to Rule Chapter 12A-1 (Sales and Use Tax), F.A.C. A Notice of Proposed Rulemaking for the proposed rule amendments was published in the F.A.W. on December 29, 2006 (Vol. 32, No. 52, pp. 6118-6119).

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

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The **Department of Revenue** announces a public meeting concerning Rules 12A-14.001, Oyster Surcharge, 12A14-002, Reporting and Remitting the Surcharge, 12A-14.003, Records and Auditing Requirements, F.A.C., to which all persons are invited.

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The **Department of Revenue** announces a public meeting concerning Rule 12B-4.003, Conveyances Subject to Tax, F.A.C., to which all persons are invited.

DATE AND TIME: February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

DATE AND TIME: February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed repeal of Rule Chapter 12A-14, F.A.C. (Apalachicola Bay Oyster Surcharge). A Notice of Proposed Rulemaking for the proposed rule repeal was published in the F.A.W. on November 22, 2006 (Vol. 32, No. 47, pp. 5542-5543).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Rule Chapter 12B-4, F.A.C. (Documentary Stamp Tax). A Notice of Proposed Rulemaking for the proposed rule amendments was published in the F.A.W. on November 22, 2006 (Vol. 32, No. 47, pp. 5543-5544).

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

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The **Department of Revenue** announces a public meeting concerning Rule 12A-16.008, Public Use Forms, F.A.C., to which all persons are invited.

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The **Department of Revenue** announces a public meeting concerning Rule 12B-5.150, Forms Used by Public, F.A.C., to which all persons are invited.

DATE AND TIME: February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

DATE AND TIME: February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Rule Chapter 12A-16 (Rental Car Surcharge), F.A.C. A Notice of Proposed Rulemaking for the proposed rule amendments was published in the F.A.W. on December 29, 2006 (Vol. 32, No. 52, pp. 6119-6120).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Rule Chapter 12B-5 (Tax on Motor Fuels, Diesel Fuels, Alternative Fuels, Aviation Fuels, and Pollutants), F.A.C. A Notice of Proposed Rulemaking for the proposed rule amendments was published in the F.A.W. on December 29, 2006 (Vol. 32, No. 52, pp. 6124-6126).

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

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The **Department of Revenue** announces a public meeting concerning Rules 12A-19.030, Communications Services Tax Direct Pay Permits; 12A-19.100, Public Use Forms, F.A.C., to which all persons are invited.

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The **Department of Revenue** announces a public meeting concerning Rule 12B-8.003, Tax Statement; Overpayments, F.A.C., to which all persons are invited.

DATE AND TIME: February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

DATE AND TIME: February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Rule Chapter 12A-19 (Communications Services Tax), F.A.C. A Notice of Proposed Rulemaking for the proposed rule amendments was published in the F.A.W. on December 29, 2006 (Vol. 32, No. 52, pp. 6120-6123).

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Rule Chapter 12B-8 (Insurance Premium Taxes, Fees and Surcharges), F.A.C. A Notice of Proposed Rulemaking for the proposed rule amendments was published in the F.A.W. on December 29, 2006 (Vol. 32, No. 52, pp. 6126-6127).

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

The **Department of Revenue** announces a public meeting concerning Rules 12C-1.0187, Credits for Contributions to Nonprofit Scholarship Funding Organizations, 12C-1.0191, Capital Investment Tax Credit Program, 12C-1.051, Forms, F.A.C., to which all persons are invited.

DATE AND TIME: February 27, 2007, during a regular meeting of the Governor and Cabinet, 9:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval of the proposed amendments to Rule Chapter 12C-1 (Corporate Income Tax), F.A.C. A Notice of Proposed Rulemaking for the proposed rule amendments was published in the F.A.W. on December 29, 2006 (Vol. 32, No. 52, pp. 6127-6131). A Notice of Change was published in the F.A.W. on January 19, 2007 (Vol. 33, No. 3, p. 241).

A copy of the agenda may be obtained by contacting Larry Green at (850)922-4830.

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

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

The **Board of Directors of Babcock Ranch, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: February 23, 2007, 9:00 a.m.

PLACE: Edison College Auditorium, Charlotte Campus, 26300 Airport Rd., Punta Gorda, FL 33950

GENERAL SUBJECT MATTER TO BE CONSIDERED: Vote on corporate officers, discuss state travel rules, set Board's meeting schedule for 2007, hear updates on management and business planning process, discuss corporate purpose, functions and other related topics necessary for the first Board of Directors meeting.

A copy of the agenda may be obtained by contacting: Katherine Goletz, Division of State Lands, Director's Office, 3900 Commonwealth Blvd., MS 100, Tallahassee FL 32399-3000, (850)245-2555, Katherine.Goletz@dep.state.fl.us Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Katherine Goletz at address above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Deborah Poppell, Acting Director, Division of State Lands, 3900 Commonwealth Blvd., MS 100, Tallahassee FL 32399-3000, (850)245-2555, Deborah.Poppell@dep.state.fl.us

The **Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, March 8, 2007, 1:00 p.m.

PLACE: St. Joseph Bay Buffer Preserve Center, 3915 Highway C-30, Port St. Joe, FL 32456

GENERAL SUBJECT MATTER TO BE CONSIDERED: St. Joseph Bay Aquatic Preserve Advisory Committee meeting. The purpose is for members of the Advisory Committee to discuss the St. Joseph Bay Aquatic Preserve management plan. A copy of the agenda may be obtained by contacting Aquatic Preserve Manager, Kim Wren, (850)653-8063.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Aquatic Preserve Manager, Kim Wren, (850)653-8063. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection, Office of Coastal and Aquatic Managed Areas** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 12, 2007, 7:15 p.m.

PLACE: Terra Ceia VIA Hall, 1505 Center Road, Terra Ceia, FL 34250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Terra Ceia Aquatic Preserve Advisory Committee meeting. The purpose is for members of the Advisory Committee to discuss the Terra Ceia Aquatic Preserve management plan.

A copy of the agenda may be obtained by contacting Aquatic Preserve Manager, Randy Runnels, (941)721-2068.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Aquatic Preserve Manager, Randy Runnels, (941)721-2068. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

#### **STATE BOARD OF ADMINISTRATION**

The **State Board of Administration** announces a public meeting of the Audit Committee to which all persons are invited.

DATE AND TIME: Thursday, March 1, 2007, 9:00 a.m. – until conclusion

PLACE: Hermitage Room, Plaza Level, Hermitage Centre, 1801 Hermitage Boulevard, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled quarterly meeting of the Audit Committee.

If you would like to have a copy of the agenda, please contact: Loveleen Verma, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308 or call (850)413-1246.

In compliance with the Americans with Disabilities Act, anyone needing special accommodations to attend the meeting is requested to call James Linn at (850)488-4406, five days prior to the meeting, so that appropriate arrangements can be made.

**FLORIDA PAROLE COMMISSION**

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

DATE AND TIME: Wednesday, February 28, 2007, 9:00 a.m.

PLACE: Florida Parole Commission, 2601 Blair Stone Rd., Bldg. C, Tallahassee, Florida 32399-2450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery and Control Release matters as well as other Commission business.

A copy of the agenda may be obtained by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least Five days before the workshop/meeting by contacting: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450, (850)488-3417. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Parole Commission, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450.

**PUBLIC SERVICE COMMISSION**

The Florida Public Service Commission announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 050958-EI – Petition for approval of new environmental program for cost recovery through Environmental Cost Recovery Clause by Tampa Electric Company.

DATE AND TIME: March 5, 2007, 9:30 a.m.

PLACE: Commission Hearing Room 148, The Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the petition for approval of new environmental program for cost recovery through Environmental Cost Recovery Clause by Tampa Electric Company, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on February 22, 2007. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: Monday, March 5, 2007, 6:00 p.m.

PLACE: Tampa Bay Gold and Country Club Ballroom, 10641 Old Tampa Bay Drive, San Antonio, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Customer Meeting in Docket No. 060599-WU – Application for staff-assisted rate case in Pasco County by Pasco Utilities, Inc. To give customers and other interested persons an opportunity to offer comments regarding the quality of service the Utility provides, the proposed rate increase, and to ask questions and comment on other issues. Commission staff will be available to address and coordinate customers’ comments and to assist members of the public. A representative from the utility may also be in attendance. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the Customer Meeting.

If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission’s website



<http://www.psc.state.fl.us/> under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Division of the Commission Clerk and Administrative Services, (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Lisa Bennett, Office of the General Counsel, (850)413-6230.

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The Florida **Public Service Commission** announces a hearing concerning Rule 25-4.0161, Regulatory Assessment Fees; Telecommunications Companies, F.A.C., to which all persons are invited.

DATE AND TIME: March 13, 2007, 9:30 a.m.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The comments of Global Dialtone, Inc. and the proposed Rule 25-4.0161 in Docket No. 060668-TP.

A copy of the agenda may be obtained by contacting: Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850. The agenda and recommendation are also available on the PSC Homepage at <http://www.floridapsc.com> at no charge.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the Division of Commission Clerk and Administrative Services at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact Samantha M. Cibula at (850)413-6202.

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#### EXECUTIVE OFFICE OF THE GOVERNOR

The **Gubernatorial Fellows Board** announces a public meeting to which all persons and interested media are invited, except as provided under Section 288.9551, Fla.Stat. (2003).

DATE AND TIME: Monday, February 26, 2007, 11:00 a.m.

PLACE: Governor's Small Conference Room, The Capitol, Tallahassee, Florida 32399

LEADER: Sara Struhs

GENERAL SUBJECT MATTER TO BE CONSIDERED: At this call meeting, the board will discuss issues related to the future of the Gubernatorial Fellows Program.

For a copy of the working agenda and more information about how to attend the meeting, contact Mark Nelson at [mark.nelson@vfffund.org](mailto:mark.nelson@vfffund.org) or (850)410-0696.

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#### REGIONAL PLANNING COUNCILS

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 12, 2007, 10:30 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Adopted Local Government Comprehensive Plan Amendments for Tamarac; Any adopted Local Government Comprehensive Plan Amendment received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices at (954)985-4416 (Broward).

A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite #140, Hollywood, Florida 33021, (954)985-4416.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting South Florida Regional Planning Council at (954)967-4152, Ext. 40 (TDD). If you require additional information regarding the above meeting. If you require special

accommodations because of a disability or physical impairment, please contact the Council at (954)985-4416, at least five calendar days prior to the meeting.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 22, 2007, 10:00 a.m. (Eastern Time), 9:00 a.m. (Central Time)

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Comprehensive Economic Development Strategy Board Sub-Committee will hold its initial meeting and begin working on the development of a new Comprehensive Development Strategy for the Apalachee Region.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, FL 32424 or calling (850)674-4571.

If any person desires to appeal any decision with respect to any matter considered at the above-cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices at (850)674-4571, prior to the meeting.

#### REGIONAL TRANSPORTATION AUTHORITIES

Notice is hereby given that the **South Florida Regional Transportation Authority**, Planning Technical Advisory Committee will hold a regular committee meeting to which all interested persons are invited.

DATE AND TIME: Wednesday, February 21, 2007, 10:00 a.m.

PLACE: Board Room of SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064. Should you have any questions, please contact SFRTA Planning Office at (954)788-7928.

Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

Any person who decides to appeal any decision made by the Planning Technical Advisory Committee with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, 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.

In accordance with the Americans with Disabilities Act and Section 286.26, F.S., persons with disabilities needing special accommodation to participate in this proceeding must, at least 48 hours prior to the meeting, provide a written request

directed to the Executive Office at 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone 1(800)273-7545 (TTY) for assistance.

If you have any questions, please do not hesitate to contact the Planning Office at (954)788-7928.

Notice is hereby given that the **South Florida Regional Transportation Authority** Property Committee will hold a regular committee meeting to which all interested persons are invited.

DATE AND TIME: Friday, February 23, 2007, 8:30 a.m.

PLACE: Board Room of SFRTA's Administrative Offices, 800 N. W. 33rd Street, Pompano Beach, FL 33064. Should you have any questions, please contact SFRTA Planning Office at (954)788-7916

Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding must, at least 48 hours prior to the meeting, provide a written request directed to: Executive Office, 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone 1(800)273-7545 (TTY) for assistance.

Notice is hereby given that the **South Florida Regional Transportation Authority**, Governing Board will hold a meeting to which all interested persons are invited.

DATE AND TIME: Friday, February 23, 2007, 9:30 a.m.

PLACE: South Florida Regional Transportation Authority, Administration Building, Board Room Suite 100, 800 N. W. 33rd Street, Pompano Beach, Florida 33064. If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915

Attendance by South Florida Regional Transportation Authority Board Members may be in person or via conference telephone.

The Governing Board for the **South Florida Regional Transportation Authority** (SFRTA) will hold a Board Meeting and a Public Hearing to which all interested persons are invited.

DATE AND TIME: February 23, 2007, 9:30 a.m.

PLACE: SFRTA Board Room, 800 N. W. 33 Street, Pompano Beach, FL 33064

GENERAL SUBJECT MATTER TO BE CONSIDERED: Notice of Public Hearing for increased train service beginning Spring 2007. To receive public input on the SFRTA's intent to implement a schedule change to add service and adjust headways.

All interested individuals and/or groups are invited to attend this meeting and will have an opportunity to present their views and comments, or by responding in writing: South Florida Regional Transportation Authority, 800 N. W. 33rd Street, Suite 100, Pompano Beach, FL 33064. The following is a description of the proposed service change and headways adjustments:

Description of Changes:

The following represents the proposed schedule changes:

- Increase weekdays service from 40 to 50 trains.
- Add some 20 minute and 30 minute headways.
- Standardize Saturday, Sunday and Holiday schedule to 16 trains.
- Adjust one Saturday train more than one hour from current schedule (current departure 7:28 p.m. to proposed 8:30 p.m.).
- The discontinuation of the 9:28 pm departure from Miami Airport Station on Saturdays.

A copy of the proposed schedule is posted on Tri-Rail's website at [www.tri-rail.com](http://www.tri-rail.com). To view the proposed schedule and make comments please visit the website.

Unless amended, this proposed schedule will serve as the final train schedule for the South Florida Regional Transportation Authority.

Persons wishing to address the Board are requested to complete an "Appearance Card" and will be limited to three (3) minutes.

A copy of the agenda may be obtained by contacting: [www.sfrta.fl.gov](http://www.sfrta.fl.gov) or (954)788-7917.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Executive Office, 800 NW 33rd Street, Suite 100, Pompano Beach, FL 33064; or calling (954)788-7915. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Those wishing to review or obtain a copy of any materials pertaining to this public hearing may also contact Marie Jarman at telephone (954)788-7944

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Notice is hereby given that the **South Florida Regional Transportation Authority**, Citizen's Advisory Committee will hold a regular committee meeting to which all interested persons are invited.

DATE AND TIME: Friday, March 9, 2007, 10:00 a.m.

PLACE: SFRTA's Administrative Offices, Board Room, 800 N. W. 33rd Street, Pompano Beach, FL 33064. Should you have any questions, please contact SFRTA Executive Office at (954)788-7915

Attendance by South Florida Regional Transportation Authority Committee Members may be in person or via conference telephone.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this proceeding, must at least 48 hours prior to the meeting, provide a written request directed to the Executive Office at 800 N. W. 33rd Street, Suite 100, Pompano Beach, Florida 33064 or telephone (954)942-7245 for assistance; if hearing impaired, telephone 1(800)273-7545 (TTY) for assistance.

Any person who decides to appeal any decision made by the Citizen's Advisory Committee with respect to any matter considered at this meeting or hearing, will need a record of the proceedings, and that, 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. If you have any questions, please do not hesitate to contact the Executive Office at (954)788-7915.

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#### COMMISSION ON ETHICS

The **Commission on Ethics** announces a public meeting to which all persons are invited.

DATE AND TIME: March 2, 2007, 8:30 a.m.

PLACE: The Knott Building, 111 W. St. Augustine Street, Room 412, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Commission Meeting.

A copy of the agenda may be obtained by contacting: Commission on Ethics, Post Office Drawer 15709, Tallahassee, Florida 32317-5709.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Commission on Ethics, (850)488-7864. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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**WATER MANAGEMENT DISTRICTS**

The **R. O. Ranch Inc.**, a Florida non-profit corporation announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2007, 6:30 p.m.

PLACE: Le Chateau Restaurant, Mayo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors meeting to consider business including the development of equestrian facilities on Suwannee River Water Management District lands.

A copy of the agenda may be obtained by contacting: Gwen Lord, Administrative Assistant, SRWMD, 9225 CR 49, Live Oak, FL 32060.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Gwen Lord, Administrative Assistant, SRWMD, (386)362-1001 or 1(800)226-1066. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Gwen Lord, Administrative Assistant, SRWMD, 9225 CR 49, Live Oak, FL 32060.

The **Southwest Florida Water Management District**, Reclaimed Water Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, February 26, 2007, 9:30 a.m.

PLACE: Sarasota Service Office, 6750 Fruitville Road, Sarasota, Florida 34240

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the Reclaimed Water Task Force.

A copy of the agenda may be obtained by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604, 1(800)423-1476 (Florida only) or (352)796-7211, extension 4247.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting General Services Department at 1(800)423-1476 (Florida only), or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Kathy Scott, Conservation Projects, at the above address.

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, February 27, 2007, 9:00 a.m.

PLACE: District Headquarters, 2379 Broad Street, Brooksville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board will conduct a meeting and public hearing. There will also be an opportunity for public input on the intention to amend the District's fiscal year (FY) 2007 budget as follows: Increase the FY 2007 Alafia River Basin budget by \$146,000 to reflect previously unanticipated revenue from Polk County for the Christina Watershed Management Plan project. The proposed budget amendment will have no impact on District millage or ad valorem property taxes. (If all items are completed at Tuesday's meeting, there will be no Wednesday meeting.)

These are public meetings and agendas are available by contacting: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604.

A copy of the agenda may be obtained by contacting: SWFWMD Executive Department, 2379 Broad Street, Brooksville, Florida, 34604, 1(800)423-1476 (Florida) or (352)796-7211, extension 4606.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: General Services Department, 1(800)423-1476 (Florida) or (352)796-7211, extension 4527, TDD only 1(800)231-6103. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact SWFWMD Executive Department at the address above.

The Big Cypress Basin Board, **South Florida Water Management District** announces a public meeting which may be conducted by means of, or in conjunction with, communications media technology, specifically by telephonic conference, to which all interested persons are invited.

DATE AND TIME: February 28, 2007, 9:00 a.m.

PLACE: Collier County Government Center, Commission Chambers, Building F, 3301 East Tamiami Trail, Naples, Florida. The above address shall be the designated access point for public attendance of the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct regular Basin Board Business.

A copy of the agenda may be obtained by writing to: Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, or by calling Kathleen Tetrault at (239)597-1505.

Appeals from any Big Cypress Basin Board decision require a record of the proceedings. Although Basin Board meetings are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Kathleen Tetrault, (239)597-1505, at least forty-eight (48) hours before the meeting to make appropriate arrangements.

Those persons who desire more information, or those wishing to submit written or physical evidence may contact: Kathleen Tetrault, Big Cypress Basin, 6089 Janes Lane, Naples, Florida 34109, (239)597-1505.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: SFWMD, Matin/St. Lucie Service Center, 780 S. E. Indian Street, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: WRAC/Lake Okeechobee Committee Meeting.

A copy of the agenda may be obtained by contacting Rick Smith, (561)682-6517 or our website: <http://my.sfwmd.gov/wrac>

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **South Florida Water Management District** announces a public meeting to which all interested parties are invited.

DATE AND TIME: Thursday, March 8, 2007, 9:00 a.m. – 4:00 p.m.

PLACE: Kissimmee Civic Center, 201 East Dankin Center, Kissimmee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resources Advisory Commission (WRAC).

A copy of the agenda may be obtained by writing to: South Florida Water Management District, Mail Stop 1131, 3301 Gun Club Road, West Palm Beach, Florida 33406, or at our website <http://my.sfwmd.gov/wrac>

Persons with disabilities who need assistance may contact the District Clerk, (561)686-8800, at least two business days in advance of the meeting to make appropriate arrangements.

Those who want more information, please contact Rick Smith at (561)682-6517.

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The **South Florida Water Management District** announces a public meeting to which all persons are invited.

NSRSM Peer Review Workshop

DATES AND TIME: March 1-2, 2007, 8:30 a.m. – 5:00 p.m. each day

PLACE: Community Foundation For Palm Beaches, 700 S. Dixie Highway, Suite 200, West Palm Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: An external scientific peer review is under way of the Natural System Regional Simulation Model (NSRSM). The peer review focuses on NSRSM v.2.0 validation of the input and output data for the Natural System implementation of the RSM. Any member of the public wishing to address the panel must fill out a request card before the public comment period of the day (4:30 p.m. – 5:00 p.m. on 3/1, 2:00 p.m. – 2:30 p.m. on 3/2). Public statements and comments will be accepted in written form as well.

A copy of the agenda may be obtained by contacting: Additional information including the Workshop agenda can be found at the RSM Project web site at <http://my.sfwmd.gov/hesm> and navigate to Regional Simulation Model, then to Peer Review Part II. A publicly accessible Web Board for public comment is at <http://webboard.sfwmd.gov:8080/~rsm-peerreview>.

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

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

For more information, you may contact Kent Loftin, NSRSM Peer Review Facilitator, (772)546-1269 or email NSRSM.fac@synint.com

**SPACE FLORIDA**

The **Space Florida** announces a public meeting concerning Rule 57-1.001, General, F.A.C., to which all persons are invited.

DATE AND TIMES: Monday, February 12, 2007, 9:00 a.m. (Advisory Committee Meetings); 1:00 p.m. (Space Florida Board of Directors Meeting)

PLACE: Challenger Learning Center, 200 South Duval Street, Tallahassee, Florida 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:**

- Space Florida Business Development Advisory Committee Meeting.
- Space Florida Spaceport Operations Advisory Committee Meeting.
- Space Florida Education, Research and Development, and Workforce Committee Meeting.
- Space Florida Board of Directors Meeting.

A copy of the agenda may be obtained by contacting: Space Florida, Mail Code: SPFL, State Road 405, Building M6-306, Room 9030, Kennedy Space Center, FL 32899 or visit their website at [www.spaceflorida.gov](http://www.spaceflorida.gov)

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Space Florida, Mail Code: SPFL, State Road 405, Building, M6-306, Room 9030, Kennedy Space Center, FL 32899. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Cheryl Carr, (321)730-5301, ext. 221.

**DEPARTMENT OF ELDER AFFAIRS**

The **Department of Elder Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: February 21, 2007, 10:30 a.m.

PLACE: Department of Environmental Protection, 3700 Common Wealth Blvd., Carr Bldg., Rm. 153, Tallahassee, Florida

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Janice Harvey at (850)921-4703. If you are hearing

or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Janice Harvey at (850)921-4703.

The **Long Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: February 27, 2007, 10:00 a.m. – 12:00 Noon

PLACE: Northeast Florida Area Agency on Aging, 4160 Woodcock Dr., Building 2800, 2nd Floor, Conference Room, Jacksonville, FL 32207

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Public meeting.

A copy of the agenda may be obtained by contacting: Gloria Nebrich at (904)391-3942.

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

For more information, you may contact Gloria Nebrich at (904)391-3942.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

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

DATE AND TIME: Wednesday, February 28, 2007, 10:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, First Floor, Conference Room, Tallahassee, FL 32308

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This is a meeting of the State Consumer Health Information and Policy Advisory Council to which all interested parties are invited. The purpose is to conduct a meeting of key health care stakeholders to discuss issues relating to implementing Florida Statutes mandating transparency in health care through public reporting of health care data.

A copy of the agenda may be obtained by contacting: Beth Eastman, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will also be posted at <http://ahca.myflorida.com/SCHS/chismetings.shtml> seven (7) days prior to the meeting.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Cheryl Barfield at (850)414-5422. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Beth Eastman at (850)922-3803.

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#### DEPARTMENT OF MANAGEMENT SERVICES

The **DMS – Enterprise Information Technology Services**, Wireless 911 Board announces the following meeting schedule information

**DATES AND TIME:** June 24-27, 2007, 8:00 a.m. – 5:00 p.m.

**PLACE:** Florida Telecommunications Industry Association (FTIA) Annual Conference, Ritz Carlton, Sarasota, FL

Two (2) or more Board Members may attend this meeting to keep abreast of new and emerging technologies and address issues related to the Wireless 911 Board, if needed.

If accommodation due to disability is needed in order to participate, please notify the DMS, Enterprise Information Technology Services Office, Wireless 911 Board in writing at least five (5) days in advance at: 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

The **Department of Management Services** announces a public meeting of the Joint Task Force on State Agency Law Enforcement Communications to which all interested persons are invited.

**DATE AND TIME:** March 1, 2007, 1:30 p.m.

**PLACE:** Florida Department of Management Services, 4030 Esplanade Way, Room 301, Tallahassee, Florida

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

A copy of the agenda may be obtained by writing to: Linda Fuchs, Department of Management Services, 4030 Esplanade Way, Suite 125, Tallahassee, Florida 32399-0950 or linda.fuchs@dms.myflorida.com.

If a person decided to appeal any decision made by the Joint Task Force 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 Department of Management Services, (850)922-7435, at least five calendar days prior to the meeting. If you are hearing- or speech-

impaired, please contact the Department of Management Services by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD).

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The Florida **Commission on Human Relations** announces a public meeting to which all persons are invited.

**DATE AND TIME:** March 5, 2007, 8:00 a.m.

**PLACE:** The Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** This meeting will be held to discuss the daily functions and activities of the Commission.

A copy of the agenda may be obtained by contacting: Alicia Maxwell, Executive Assistant, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301, (850)488-7082.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Alicia Maxwell, Executive Assistant, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301, (850)488-7082. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Alicia Maxwell, Executive Assistant, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301, (850)488-7082.

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The **DMS – Enterprise Information Technology Services**, Wireless 911 Board announces the following meeting schedule information.

**DATE AND TIME:** April 24, 2007, 2:00 p.m. – 5:00 p.m.

**PLACE:** Homewood Suites, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Rural County Grant Committee meeting to discuss issues related to 2007 Rural County Grant Applications.

**DATES AND TIME:** April 25-26, 2007, 9:00 a.m. – 5:00 p.m.

**PLACE:** Homewood Suites, Tallahassee, FL

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Wireless 911 Board Meeting.

\*Special Note: Meeting could be held at the discretion of the Board via telephone conference to allow county participation and to allow some Board Members to participate telephonically when they cannot attend the meeting face to face.

\*\*Re-advertisement to include meeting intent\*\*

If accommodation due to disability is needed in order to participate, please notify the DMS – Enterprise Information Technology Services Office/Wireless 911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

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The **DMS – Enterprise Information Technology Services**, Wireless 911 Board announces the following meeting schedule information.

DATE AND TIME: May 15, 2007, 2:00 p.m. – 5:00 p.m.

PLACE: Jupiter Beach Resort, Jupiter, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rural County Grant Committee meeting to discuss issues related to 2007 Rural County Grant Applications.

DATES AND TIME: May 16-17, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Jupiter Beach Resort, Jupiter, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board Meeting.

DATES AND TIME: June 20-21, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: World Golf Village, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board Meeting designated for Wireless Service Providers Cost Recovery Proposals.

DATES AND TIME: July 25-26, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Marco Island Marriott, Marco Island, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board Meeting.

DATES AND TIME: August 15-16, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Peabody Hotel, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board Meeting

DATES AND TIME: September 19-20, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Sanibel Harbour Resort, Ft. Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board Meeting.

DATES AND TIME: October 17-18, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Westin Key West Resort, Key West, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board Meeting.

DATES AND TIME: November 14-15, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Westin Harbour Island, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board Meeting.

DATES AND TIME: December 12-13, 2007, 9:00 a.m. – 5:00 p.m.

PLACE: Embassy Suites, Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Wireless 911 Board Meeting.

\*Special Note: Meeting could be held at the discretion of the Board via telephone conference to allow county participation and to allow some Board Members to participate telephonically when they cannot attend the meeting face to face.

If accommodation due to disability is needed in order to participate, please notify the DMS – Enterprise Information Technology Services Office/Wireless 911 Board in writing at least five (5) days in advance at 4050 Esplanade Way, Tallahassee, Florida 32399-0950.

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#### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a meeting to which all interested persons are invited.

DATES AND TIME: February 27, 2007, 9:00 a.m. and 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32309, (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 to: April Hammonds, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 60, Tallahassee, Florida 32399-2202, or by phone at (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.

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#### DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: March 1, 2007, 9:30 a.m.

PLACE: Gainesville Regional Utilities, 1st Floor, Conference Room, 301 S.E. 4th Avenue, Gainesville, Florida 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Orange Creek Basin (OCB) TMDL Working Group was formed to provide a forum for stakeholders to discuss issues related to the OCB TMDLs, including development, allocation, and implementation of the TMDLs. Topics for this meeting include continued development of the Orange Creek Basin Management Action Plan and development of the list of water quality improvement projects that address TMDLs in the basin. A copy of the agenda may be obtained by contacting: Ms. Mary Paulic, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS 3565, Tallahassee, Florida 32399-2400 or by calling her at (850)245-8560.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Ms. Mary Paulic at (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting Ms. Mary Paulic at (850)245-8560. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Environmental Protection**, Water Quality Standards and Special Projects Program announces a workshop concerning 62-620.620, Guidelines for Establishing Specific Permit Conditions, F.A.C., to which all persons are invited.

DATE AND TIME: March 6, 2007, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Office Building, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is updating its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards), F.A.C.; new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits), F.A.C.; and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting), F.A.C. The purpose of the proposed revisions and additions is to more closely match EPA requirements for whole effluent toxicity testing, and to clarify existing whole effluent toxicity test procedures.

A copy of the agenda may be obtained by contacting: Ms. Nancy Ross, Water Quality Standards and Special Projects Program, Division of Water Resource Management,

Department of Environmental Protection, MS 3560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, E-mail: Nancy.Ross@dep.state.fl.us, (850)245-8419.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Nancy Ross at (850)245-8419. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Nancy Ross by telephone at (850)245-8419 or via email at Nancy.Ross@dep.state.fl.us

The **Department of Environmental Protection**, Water Quality Standards and Special Projects Program announces a workshop concerning 62-4.241, Whole Effluent Toxicity Compliance Limits, F.A.C., to which all persons are invited.

DATE AND TIME: March 6, 2007, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Office Building, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is updating its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards), F.A.C.; new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits), F.A.C.; and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting), F.A.C. The purpose of the proposed revisions and additions is to more closely match EPA requirements for whole effluent toxicity testing, and to clarify existing whole effluent toxicity test procedures.

A copy of the agenda may be obtained by contacting: Ms. Nancy Ross, Water Quality Standards and Special Projects Program, Division of Water Resource Management, Department of Environmental Protection, MS 3560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, E-mail: Nancy.Ross@dep.state.fl.us, (850)245-8419.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Nancy Ross at (850)245-8419. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Nancy Ross by telephone at (850)245-8419 or via email at Nancy.Ross@dep.state.fl.us

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The **Department of Environmental Protection**, Water Quality Standards and Special Projects Program announces a workshop concerning 62-302.200, Definitions, F.A.C., to which all persons are invited.

DATE AND TIME: March 6, 2007, 1:00 p.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Office Building, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is updating its rules related to whole effluent toxicity testing. The rules affected include the acute and chronic toxicity definitions in Chapter 62-302 (Surface Water Standards), F.A.C.; new language specifying permit compliance limits for whole effluent toxicity testing in Chapter 62-4 (Permits), F.A.C.; and new language specifying whole effluent toxicity sampling and testing procedures in Chapter 62-620 (Wastewater Facility Activities and Permitting), F.A.C. The purpose of the proposed revisions and additions is to more closely match EPA requirements for whole effluent toxicity testing, and to clarify existing whole effluent toxicity test procedures.

A copy of the agenda may be obtained by contacting: Ms. Nancy Ross, Water Quality Standards and Special Projects Program, Division of Water Resource Management, Department of Environmental Protection, MS 3560, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, e-mail: Nancy.Ross@dep.state.fl.us, (850)245-8419.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Nancy Ross at (850)245-8419. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Nancy Ross by telephone at (850)245-8419 or via email at Nancy.Ross@dep.state.fl.us

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## DEPARTMENT OF HEALTH

The **Board of Acupuncture** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 9, 2007, 9:00 a.m. or soon thereafter

PLACE: The Florida Hotel and Conference Center, 1500 Sand Lake Road, Orlando, FL 32809, (407)859-1500

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

A copy of the agenda may be obtained by contacting: the Board of Acupuncture, 4052 Bald Cypress Way, Bin C-06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose 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.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Acupuncture at (850)245-4161, at least five (5) 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 at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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The **Department of Health, Dietetics and Nutrition Council** announces a telephone conference call to which all persons are invited.

DATES AND TIME: March 16, 2007; June 15, 2007; September 28, 2007; November 16, 2007, 8:00 a.m. or soon thereafter

PLACE: The Meet Me Number is 1(888)808-6959. After dialing the meet me number, when prompted, enter Conference Code 4246812343 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conference Call.

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The **Department of Health, Board of Respiratory Care** announces a telephone conference call to which all persons are invited.

DATES AND TIME: February 27, 2007; April 24, 2007; June 26, 2007; August 28, 2007; October 23, 2007; December 18, 2007. 8:30 a.m. or soon thereafter

PLACE: The Meet Me Number may be obtained by contacting the Board office at (850)245-4373, ext. 3467

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Respiratory Care, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3467.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATES AND TIME: March 27, 2007; May 22, 2007; June 26, 2007; August 28, 2007; September 25, 2007; November 20, 2007; December 18, 2007, 8:00 a.m. or soon thereafter

PLACE: The Meet Me Number may be obtained by contacting the board office at (850)245-4373, ext. 3467

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by contacting the board office at (850)245-4373, ext 3467.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Health, Board of Physical Therapy** announces telephone conference calls to which all interested persons are invited.

DATES AND TIME: April 24, 2007; June 26, 2007; August 28, 2007; October 23, 2007; December 18, 2007, 11:30 a.m. or soon thereafter

PLACE: The Meet Me Number may be obtained by contacting the board office at (850)245-4373, ext. 3467

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3467.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the board office at (850)245-4373, ext. 3467. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Health, Board of Physical Therapy** announces a telephone conference call to which all persons are invited.

DATES AND TIME: May 1, 2007; July 31, 2007; October 30, 2007; January 8, 2008, 11:30 a.m. or soon thereafter

PLACE: The Meet Me Number is 1(888)808-6959. After dialing the meet me number, when prompted, enter Conference Code 1022351047 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Quorum Call.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3467.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the board office at (850)245-4373, ext. 3467. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Department of Health, Electrolysis Council** announces a telephone conference call to which all persons are invited.

DATES AND TIME: May 7, 2007; August 6, 2007; December 10, 2007, 9:00 a.m. or soon thereafter

PLACE: The Meet Me Number is 1(888)808-6959. After dialing the meet me number, when prompted, enter Conference Code 4246812343 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the council office at (850)245-4373, ext 3467.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the council office at (850)245-4373, ext. 3467. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Health, Board of Physical Therapy** announces a telephone conference call to which all persons are invited.

DATES AND TIME: March 13, 2007; April 10, 2007; May 8, 2007; June 12, 2007; July 10, 2007; August 14, 2007; September 11, 2007; October 9, 2007; November 13, 2007; December 11, 2007, 11:30 a.m. or soon thereafter

PLACE: The Meet Me Number is 1(888)808-6959. After dialing the meet me number, enter conference code 1022351047 followed by the # sign in order to join the meeting  
GENERAL SUBJECT MATTER TO BE CONSIDERED:

Education Committee Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the Board Office at (850)245-4373, ext. 3467.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the board office at (850)245-4373, ext. 3467. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATES AND TIME: March 2, 2007; June 1, 2007; September 14, 2007; November 2, 2007, 8:00 a.m. or soon thereafter

PLACE: The Meet Me Number is 1(888)808-6959. After dialing the meet me number, when prompted, enter Conference Code 4246812343 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Credentials Committee Meeting.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3467.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the board office at (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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The **Department of Health, Board of Psychology** announces a telephone conference call to which all persons are invited.

DATES AND TIME: March 16, 2007; June 15, 2007; September 28, 2007; November 16, 2007, 8:00 a.m. or soon thereafter

PLACE: The Meet Me Number is 1(888)808-6959. After dialing the meet me number, when prompted, enter Conference Code 4246812343 followed by the # sign in order to join the meeting

GENERAL SUBJECT MATTER TO BE CONSIDERED:  
Board Quorum Call.

A copy of the agenda may be obtained by contacting: Department of Health, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, FL 32399-3255 or by calling the board office at (850)245-4373, ext. 3467.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting the board office (850)488-0595. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**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, February 23, 2007, 10:30 a.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 HOUSING FINANCE CORPORATION**

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: February 28, 2007, 11:00 a.m. (Eastern Time)

PLACE: Florida Housing Finance Corporation, Rick Seltzer Conference Room, Suite 6000, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the evaluations of the response(s) submitted for Florida Housing Finance Corporation's Request for Proposals #2007-01 for Affordable Housing Catalyst Program Services.

A copy of the agenda may be obtained by contacting Robin Grantham, (850)488-4197.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Robin Grantham, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida **Fish and Wildlife Conservation Commission** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, March 21, 2007, 9:00 a.m. – 5:00 p.m.; Thursday, March 22, 2007, 8:30 a.m. – 1:00 p.m.

PLACE: Hawk's Cay Resort, 61 Hawk's Cay Boulevard, Duck Key, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to allow the ad hoc Spiny Lobster Advisory Board and staff of the Commission's Division of Marine Fisheries Management and the Fish and Wildlife Research Institute to identify and discuss pertinent issues concerning the spiny lobster fishery. The Board is composed of commercial lobster harvesters, recreational lobster fishers, a wholesale seafood dealer, and representatives of non-government organizations.

A copy of the agenda may be obtained by contacting: Mark Robson, 610 S. Meridian St., Tallahassee, FL 32399, (850)487-0554.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting Cindy Hoffman, ADA Coordinator, (850)488-6411.

If you are hearing or speech impaired, please contact the agency by calling (850)488-9542. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mark Robson, 610 S. Meridian St., Tallahassee, FL 32399, (850)487-0554.

**FLORIDA BIRTH RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION**

NOTICE OF CANCELLATION – The **Florida Birth Related Neurological Injury Compensation Association** Conference Call Board meeting scheduled for Thursday; February 17, 2007 at 10:00 a.m. was cancelled.

**CITY OF TREASURE ISLAND**

NOTICE IS HEREBY GIVEN that a Public Workshop will be held to discuss the proposed erosion control project known as **Treasure Island Sand Sharing Borrow Area**, and the establishment of an Erosion Control Line for said project. The location of the proposed erosion control project is as follows:

Section 23, Township 31 S, Range 15 E: Pinellas County, Florida

DATE AND TIME: February 19, 2007, 6:00 p.m.

PLACE: Treasure Island City Hall, 120 – 108th Avenue, Treasure Island, FL 33706

For further information contact: Cliff Truitt, PE, Coastal Technology Corporation, 1900 Main St., Sarasota, FL 34236, (941)906-1138.

**NOTICE**

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, F.S., and will hold a Public Hearing to which all interested persons are invited.

DATE AND TIME: February 19, 2007, 7:00 p.m.  
PLACE: Treasure Island City Hall, 120 – 108th Avenue, Treasure Island, FL 33706  
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 Treasure Island Sand Sharing Borrow Area. The location of the proposed Erosion Control Line is as follows:

The proposed Erosion Control Line lies along Treasure Island fronting the Gulf of Mexico at the line of mean high water as interpreted from its location in 1968

The Erosion Control Line lies in Section 23, Township 31 South, Range 15 East.

Written objections to, or inquires regarding, the proposed Erosion Control Line should be submitted to the Bureau of Beaches and Coastal Systems, 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.

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#### FLORIDA HEALTH REINSURANCE PROGRAM

The **Florida Health Reinsurance Program** announces a meeting of its Board of Directors to which all interested persons are invited.

DATE AND TIME: February 22, 2007, 12:00 Noon – 4:00 p.m.

PLACE: Greenberg Traurig P.A., 101 East College Avenue, Tallahassee FL 32301

GENERAL SUBJECT MATTER: The Board will conduct regular business of the Program and hear a report on proposed health insurance legislation from the Florida Office of Insurance Regulation.

A copy of the agenda may be obtained by faxing a request to (850)422-3737.

Any person requiring special accommodations at this meeting because of a disability should call (850)422-7766, at least five business days prior to the meeting.

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#### FLORIDA CENTER FOR NURSING

The **Florida Center for Nursing** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, February 22, 2007, 1:00 p.m. – 5:00 p.m.; Friday, February 23, 2007, 8:00 a.m. – 2:00 p.m.

PLACE: La Quinta Inn Conference Room, 11805 Research Parkway, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors meeting.

A copy of the agenda may be obtained by contacting Cathy at calewis@mail.ucf.edu or (407)823-0980.

For more information, you may contact Cathy at (407)823-0980.

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#### TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces an Auditor Committee meeting to which all persons are invited to participate.

DATE AND TIME: February 23, 2007, 2:00 p.m.

PLACE: TRDA Conference Room, 5195 South Washington Avenue, Titusville, FL 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Audit Review.

A copy of the agenda may be obtained by contacting Dave Kershaw, TRDA Deputy Director, (321)269-6330, ext. 243 or dkershaw@trda.org

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#### FLORIDA WORKERS COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **FWCJUA** announces a Board of Governors teleconference meeting to which all interested parties are invited to attend.

DATE AND TIME: February 22, 2007, 1:00 p.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941)378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include the 2006 Year End Reserves.

A copy of the agenda may be obtained from the FWCJUA's website, www.fwcjua.com or by contacting Kathy Coyne at (941)378-7408.

The **FWCJUA** announces an Audit Committee teleconference meeting to which all interested parties are invited to attend.

DATE AND TIME: March 27, 2007, 3:30 p.m.

PLACE: To participate in the teleconference meeting, please contact Kathy Coyne at (941) 378-7408

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics will include approval of the minutes; 2006 Financial Audit; and the Audit Committee Charter Procedures Checklist.

A copy of the agenda may be obtained from the FWCJUA's website, www.fwcjua.com or by contacting Kathy Coyne at (941)378-7408.

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#### FLORIDA PATIENT SAFETY CORPORATION

The **Florida Patient Safety Corporation**, Board of Directors announces a telephone conference call to which all persons are invited to call in.

DATE AND TIME: Friday, February 23, 2007, 8:30 a.m. – 9:30 a.m.

PLACE: To access the call, dial: 1(866)200-9760, Participant PIN 8938936# at the above date/time

For additional information contact: the Florida Patient Safety Corporation, 2722 Waterford Glen Court, Tallahassee, Florida 32312, or call Susan Moore at (850)893-8936, or via e-mail at susan.a.moore@comcast.net

**PRIDE ENTERPRISES**

**PRIDE Enterprises** BOD announces Strategic Plan Committee Meeting to which all interested persons are invited to participate.

DATE AND TIME: Wednesday, February 28, 2007, 9:00 a.m. (ET) – 1:00 p.m. (ET)

PLACE: Offices of Roetzel & Andress, 225 S. Adams Street, Tallahassee, Florida, www.pride-enterprises.org

**COMMISSION ON MARRIAGE AND FAMILY SUPPORT INITIATIVES**

The **Commission on Marriage and Family Support Initiatives** announces a telephone conference call to which all persons are invited.

**EXECUTIVE COMMITTEE**

DATE AND TIME: Wednesday, March 7, 2007, 8:30 a.m. – 9:30 a.m.

**PROGRAM COMMITTEE**

DATE AND TIME: Wednesday, March 7, 2007, 10:00 a.m. – 11:30 a.m.

**POLICY COMMITTEE**

DATE AND TIME: Thursday, March 1, 2007, 9:00 a.m. – 11:00 a.m.

**RESOURCE DEVELOPMENT COMMITTEE**

DATE AND TIME: Thursday, March 1, 2007, 11:00 a.m. – 12:30 p.m.

**PUBLIC AWARENESS COMMITTEE**

DATE AND TIME: Friday, March 16, 2007, 10:00 a.m. – 12:00 Noon

PLACE: 111 North Gadsden Street, Suite 111, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee Meetings.

A copy of the agenda may be obtained by contacting Heidi Rodriguez (850)488-4952, ext. 135.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact Heidi Rodriguez, (850)488-4952, ext. 135.

**ORANGE COUNTY RESEARCH AND DEVELOPMENT AUTHORITY**

The **Orange County Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: March 8, 2007, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

Section VII  
Notices of Petitions and Dispositions  
Regarding Declaratory Statements

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

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums, and Mobile Homes, Department of Business and Professional Regulation, State of Florida has declined to rule on the petition for declaratory statement filed by In Re: Beverly Dittrich, Petitioner, The Lands of the President Condominium Two, Inc.; Docket No. 2006052664 on September 22, 2006. The following is a summary of the agency's declination of the petition:

The Division denied the Petition for Declaratory Statement because Petitioner did not submit the requested documents.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: the Division Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF FINANCIAL SERVICES**

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed January 27, 2007, from Fire Marshal Todd S. Olson of Big Corkscrew Island Fire Rescue, Petitioner. The Petition requests an interpretation of Rule 69A-58, Florida Administrative Code, and specifically asks the Division of State Fire Marshal:

1. Which agency, Local Fire Official, or School Board Official is the authority having jurisdiction for new school construction?
2. Which agency, Local Fire Official, or School Board Official is the authority having jurisdiction for existing school facilities?
3. If the Local Fire Official is not the authority having jurisdiction for existing school facilities then where is the Local Fire Officials' enforcement ability while inspecting school facilities?

A copy of the Petition may be obtained by writing to, calling, or sending a fax to: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, or (850)413-4238; Fax (850)922-1235 or (850)488-0697 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing your request to [Lesley.Mendelson@fldfs.com](mailto:Lesley.Mendelson@fldfs.com).

**Section VIII  
Notices of Petitions and Dispositions  
Regarding the Validity of Rules**

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

**Section IX  
Notices of Petitions and Dispositions  
Regarding Non-rule Policy Challenges**

**NONE**

**Section X  
Announcements and Objection Reports of  
the Joint Administrative Procedures  
Committee**

**NONE**

**Section XI  
Notices Regarding Bids, Proposals and  
Purchasing**

**DEPARTMENT OF EDUCATION**

Notice of Bid/Request for Proposal

**NOTICE TO PROFESSIONAL CONSULTANTS**

Florida State University, State of Florida, announces that professional services for minor projects are required in the discipline(s) of architecture. Minor projects are specific projects for renovations, alterations, and additions that have a basic construction budget estimated to be \$1,000,000 or less; or studies for which the fee for professional services is \$100,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis. The University intends to award multiple contracts for the upcoming fiscal year through June 30, 2008. At the option of the University and the consultant, the contract may be renewed for up to two additional one year periods.

**INSTRUCTIONS:**

Firms desiring to provide professional services shall apply by letter specifying the campus service agreement for which they are applying. Proximity of location will be a prime factor in the selection of the firm.

Attach to each letter of application:

1. A completed Florida State University "Professional Qualifications Supplement," August 8, 2003. Applications on any other form, on versions dated prior to 8/08/03 or exceeding the 40 page limit will not be considered.



2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered in the State of Florida to practice the required profession at the time of application. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application material will not be returned.

The plans and specifications for campus service projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualification Supplements, descriptive project information, and selection criteria may be obtained through our website, [www.fpc.fsu.edu](http://www.fpc.fsu.edu), or by contacting:

Lynetta Mills, Facilities Design & Construction  
109 Mendenhall Building A

Florida State University, Tallahassee, Florida 32306-4152  
(850)644-2843 telephone, (850)644-8351 facsimile

Submittals must be received at the above location, by 2:00 p.m. (local time), on Tuesday, March 20, 2007. Facsimile (FAX) submittals are not acceptable and will not be considered.

For further information on campus service projects, contact:

Kelli Everett, Facilities Design & Construction  
125 Mendenhall Building A,

Florida State University, Tallahassee, Florida 32306-4153  
Office Location: 107 Mendenhall Building A  
(850)645-7124 telephone, (850)644-4807 facsimile

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#### NOTICE TO PROFESSIONAL CONSULTANTS

The Florida International University Board of Trustees announces that Professional Services in the discipline of Architecture and Planning will be required for the project listed below:

Project Name and Number: Academic Health Sciences Center Master Planning Initiative.

Project Location: This facility will be located at Florida International University, University Park.

Project Description: The Academic Health Sciences Center Master, Florida International University, Miami, Florida. Florida International University has received approval for a new Health Sciences initiative which will be located in

Miami-Dade County. Based on this approval, the University is undertaking the mission of planning its Academic Health Center at University Park Campus site. The University is currently seeking a planning consultant to the University in the planning and integration methodologies of incorporating the development of a Medical Sciences Complex that will include a number of interrelated facilities within the boundaries of the University Park Campus.

The selected firm will provide professional services in campus planning and programming, within a designated area of the campus Blanket professional liability insurance will be required in the amount of \$1,000,000 and will be provided as a part of Basic Services.

#### INSTRUCTIONS:

Firms and Joint Ventures desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed (former Board of Regents) "Professional Qualifications Supplement (SUSPQS)," dated September 1999. Applications on any other form will not be considered. The MBE point scale in the PQS is no longer used. Disregard paragraph 4 on page 2 of the instructions.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board.

An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit seven (7) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. State of Florida Minority Business Enterprise certification is no longer requested. Application material will not be returned.

The plans and specifications for A/E projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a firm may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected firm must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Professional Qualifications Supplement forms (Architect/Engineer Selection CM-N-06.03-09/99) and the Project Fact Sheet may be obtained on-line at <http://facilities.fiu.edu/fpc.htm> Requests for meetings by individual firms will not be granted.

Submit qualifications to: Selection Committee, Florida International University, Facilities Planning, Campus Support Complex, Room 236, University Park, Miami, Florida 33199,

by 2:00 p.m. (local time), on Friday, March 16, 2007. Late submittals shall be disqualified. Facsimile (FAX) submittals are not acceptable and will not be considered.

INVITATION TO BID #ITB 07-15

Made by the University of North Florida, Board of Trustees, a public body corporate.

PROJECT: West Loop Road Utility Extension  
ITB No. 07-15

FOR: University of North Florida  
4567 St. Johns Bluff Road South  
Jacksonville, Florida 32224

PROJECT

SCOPE: The work consists of constructing a gravity sanitary sewer system with concrete manholes and PVC pipe installed by the open cut method and a potable water system with PVC pipe installed by the open cut method. Also included is constructing an underground electrical system with PVC conduit installed by the open cut method and concrete manholes. The work includes trenching, backfilling, removal and replacement of asphalt pavement, and concrete sidewalks and curbs, sodding, erosion control measures and incidental work.

QUALIFICATIONS: All bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2.

The contractor or subcontractor performing the electrical work must appear on the JEA Responsible Bidders List for Underground Distribution System Construction; prior to bid opening, no exceptions.

SEALED BIDS WILL BE RECEIVED:

DATE AND TIME: March 19, 2007 until 2:00 p.m. (local time)

PLACE: University of North Florida, Building 6, Room #1301, 4567 St. Johns Bluff Road South, Jacksonville, Florida 32224, at which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual which may be obtained and examined at the office of the:

ARCHITECT/

ENGINEER: ARCADIS U.S., Inc.  
1650 Prudential Drive  
Suite 400  
Jacksonville, Florida 32207  
Telephone: (904)721-2991  
Facsimile: (904)861-2450

MINORITY

PROGRAM: UNF is committed to encouraging and promoting the utilization of minority business enterprises in our local market area. It is the policy of UNF to provide minority business enterprises with identical information and an equitable opportunity to compete for business from UNF.

PRE-SOLICITATION/

PRE-BID MEETING: Bidders are required to attend the pre-solicitation/pre-bid meeting. Minority business enterprise firms are invited to attend to become familiar with the project specifications and to become acquainted with contractors interested in bidding the project. The meeting has been scheduled for:

DATE AND TIME: March 6, 2007, 2:00 p.m. (local time)

PLACE: University of North Florida, Building 6, Room #1225, 4567 St. Johns Bluff Road, South, Jacksonville, Florida 32224

BIDDING

DOCUMENTS: Full sets of Bidding Documents may be examined at the Engineer's office and local plan rooms. Full sets may be purchased from Florida Blueprinting Services, Inc., telephone (904)388-7686, for the printing and handling cost. NO REFUND WILL BE MADE FOR THESE DOCUMENTS.

The documents are also available for view online via the Purchasing Web Site: [http://www.unf.edu/dept/purchasing/bids\\_pur.html](http://www.unf.edu/dept/purchasing/bids_pur.html)

PUBLIC ENTITY

CRIMES: As required by Section 287.133, Florida Statutes, a contractor may not submit a bid for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The successful contractor must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

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

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

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**REGIONAL PLANNING COUNCILS**
**Request for Letters of Interest and Qualifications**

The Apalachee Regional Planning Council is seeking qualifications from firms interested in coordinating transportation services for the transportation disadvantaged in Gadsden County, Florida. The selected firm will be the designated Community Transportation Coordinator (CTC) for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes (F.S.) and more fully described in Chapter 41-2, Florida Administrative Code (F.A.C.).

The CTC is defined by Chapter 427, F.S., as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The CTC has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Section 427.015(2), F.S.

Interested providers are required to provide the following as proof of qualifications: description of organization, an organizational chart, capabilities and background information, prior work accomplishments, explanation of coordination experience, scheduling and routing software used by your organization, a list of vehicles to be used (if applicable); proof of insurability, credit references, a current financial statement and a current Medicaid provider number.

Interested providers should submit nine (9) copies of their expression of interest and qualifications in a sealed envelope to the Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, Florida 32424 by 2:00 p.m. Central Time on March 9, 2007. The envelope must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR GADSDEN COUNTY CTC." Faxed and emailed responses WILL NOT be accepted. Letters received after the deadline will be returned unopened. Only responses to the request for letters of interest will be considered if a request for proposals is issued for the CTC.

Questions should be addressed to: Ms. Vanita Anderson, TD Program Coordinator, at the address listed above. The Apalachee Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

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**Request for Letters of Interest and Qualifications**

The Apalachee Regional Planning Council is seeking qualifications from firms interested in coordinating transportation services for the transportation disadvantaged in Gulf County, Florida. The selected firm will be the designated Community Transportation Coordinator (CTC) for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes (F.S.) and more fully described in Rule 41-2, Florida Administrative Code (F.A.C.).

The CTC is defined by Chapter 427, F.S., as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The CTC has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Section 427.015(2), F.S.

Interested providers are required to provide the following as proof of qualifications: description of organization, an organizational chart, capabilities and background information, prior work accomplishments, explanation of coordination experience, scheduling and routing software used by your organization, a list of vehicles to be used (if applicable); proof of insurability, credit references, a current financial statement and a current Medicaid provider number.

Interested providers should submit nine (9) copies of their expression of interest and qualifications in a sealed envelope to the Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, Florida 32424 by 2:00 p.m. Central Time on March 9, 2007. The envelope must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR GULF COUNTY CTC." Faxed and emailed responses WILL NOT be accepted. Letters received after the deadline will be returned unopened. Only responses to the request for letters of interest will be considered if a request for proposals is issued for the CTC.

Questions should be addressed to: Ms. Vanita Anderson, TD Program Coordinator, at the address listed above. The Apalachee Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

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**Request for Letters of Interest and Qualifications**

The Apalachee Regional Planning Council is seeking qualifications from firms interested in coordinating transportation services for the transportation disadvantaged in Liberty County, Florida. The selected firm will be the designated Community Transportation Coordinator (CTC) for the Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes (F.S.) and more fully described in Chapter 41-2, Florida Administrative Code (F.A.C.).

The CTC is defined by Chapter 427, F.S., as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The CTC has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Section 427.015(2), F.S.

Interested providers are required to provide the following as proof of qualifications: description of organization, an organizational chart, capabilities and background information, prior work accomplishments, explanation of coordination experience, scheduling and routing software used by your organization, a list of vehicles to be used (if applicable); proof of insurability, credit references, a current financial statement and a current Medicaid provider number.

Interested providers should submit nine (9) copies of their expression of interest and qualifications in a sealed envelope to the Apalachee Regional Planning Council, 20776 Central Avenue, East, Suite 1, Blountstown, Florida 32424 by 2:00 p.m. Central Time on March 9, 2007. The envelope must be marked, "LETTER OF INTEREST AND QUALIFICATIONS FOR LIBERTY COUNTY CTC." Faxed and emailed responses WILL NOT be accepted. Letters received after the deadline will be returned unopened. Only responses to the request for letters of interest will be considered if a request for proposals is issued for the CTC.

Questions should be addressed to: Ms. Vanita Anderson, TD Program Coordinator, at the address listed above. The Apalachee Regional Planning Council reserves the right to accept or reject any and all responses in the best interest of the State.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**FLORIDA HOUSING FINANCE CORPORATION**

Notice of Bid/Request for Proposal

The Florida Housing Finance Corporation invites all qualified and interested parties wishing to construct and/or rehabilitate farmworker housing in accordance with the terms and conditions of RFP 2007-02, to submit proposals for consideration. Proposals shall be accepted until 2:00 p.m. (Eastern Time), Tuesday, April 17, 2007, to the attention of Robin L. Grantham, Contracts Administrator, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

For questions or additional information, please contact Robin Grantham at (850)488-4197 or [robin.grantham@floridahousing.org](mailto:robin.grantham@floridahousing.org). To obtain a copy of the Request for Proposals, which outlines selection criteria and offeror's responsibilities, please submit your request to the attention of Robin L. Grantham, or you can download the Request for Proposals from the Florida Housing Finance Corporation web site at <http://www.floridahousing.org/Home/BusinessLegal/Solicitations/RequestForProposals.htm>. Any modifications that occur to the Request for Proposals will be posted at the web site and may result in an extension of the deadline.

**POLK COUNTY WORKFORCE DEVELOPMENT BOARD, INC.**

LEGAL NOTICE

REQUEST FOR PROPOSALS

The Polk County Workforce Development Board, Inc. is soliciting proposals from qualified entities to provide Youth Services as required under the Workforce Investment Act of 1998.

The Proposers' conference is scheduled for Monday, February 26, 2007. Letters of Intent to Propose are due in the Board's administrative office before 5:00 p.m. (ET), on Thursday, March 8, 2007. All proposals are due in the Board's administrative office before 4:00 p.m. (ET), on Monday, April 2, 2007. A copy of the Request for Proposals may be obtained from the Board's web site, [www.polkworks.org](http://www.polkworks.org) by clicking on <Business Opps> then clicking on <Procurements> or by contacting Tom Hornack at (863)508-1600, ext. 116 or at [tom\\_hornack@polkworks.org](mailto:tom_hornack@polkworks.org)

**Section XII  
Miscellaneous**

**DEPARTMENT OF COMMUNITY AFFAIRS**

NOTICE IS HEREBY GIVEN that the Division of Community Planning, Department of Community Affairs, received the following petitions for binding letters of Development of Regional Impact, Vested Rights and Modification Determinations, pursuant to subsection 380.06(4)(a), Florida Statutes.

FILE NO.: BLID-05-2007-004  
 DATE RECEIVED: February 2, 2007  
 DEVELOPMENT NAME: LAKESIDE LANDINGS  
 DEVELOPER/AGENT: Power Corporation/Greg Beliveau  
 DEVELOPMENT TYPE: 28-24.023, 28-24.031, F.A.C.  
 LOCAL GOVERNMENT Sumter County

**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:

Flying C Farm, a private airport, in Suwannee County, at Latitude 29° 57' 51" and Longitude 082° 52' 25", to be owned and operated by Mr. Robert Cassube, P. O. Box 26626859, 63 Place, Branford, FL 32008.

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, 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 Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Pacific Cycle, Inc., intends to allow the establishment of Action Jet Sports, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co., Ltd. (SHWI) at 2705 1st Street, Bradenton, (Manatee County), Florida 34208, on or after February 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Action Jet Sports, Inc. are dealer operator(s): Jack O'Niell, 5650 Old Ranch Road, Sarasota, Florida 34241; principal investor(s): Jack O'Niell, 5650 Old Ranch Road, Sarasota, Florida 34241.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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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 (2005), Goldenvale, Inc., intends to allow the establishment of Affordable Motorsports, Inc., as a dealership for the sale of Roketa motorcycles at 35942 State Road 54, Zephyrhills (Pasco County), Florida 33541, on or after January 29, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Affordable Motorsports, Inc. are dealer operator(s): Mike Semmig, 35942 State Road 54, Zephyrhills, Florida 33541; principal investor(s): Mike Semmig, 35942 State Road 54, Zephyrhills, Florida 33541.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Julia Law, Account Executive, Goldenvale, Inc., 2041 South Turner Avenue, Ontario, California 91761.

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

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Pacific Cycle, Inc., intends to allow the establishment of Bill Lennon's Cycle World, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co., Ltd. (SHWI) at 2630 US 1 South, St. Augustine (St. Johns County), Florida 32086, on or after January 31, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Bill Lennon's Cycle World, Inc. are dealer operator(s): William Lennon, 2630 US 1 South, St. Augustine, Florida 32086; principal investor(s): William Lennon, 2630 US 1 South, St. Augustine, Florida 32086.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Mike Wolfram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Vento Motorcycles, Inc., intends to allow the establishment of Bill Lennon's Cycle World, Inc., as a dealership for the sale of Vento motorcycles at 2630 US 1 South, St. Augustine (St. Johns County), Florida 32086, on or after January 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Bill Lennon's Cycle World, Inc. are dealer operator(s): Bill Lennon and Judy Lennon, 2630 US 1 South, St. Augustine, Florida 32086; principal investor(s): Billy Lennon and Judy Lennon, 2630 US 1 South, St. Augustine, Florida 32086.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Alma Gonzalez, Vento Motorcycles, Inc., 6190 Cornerstone Court, East, Suite 200, San Diego, California 92121.

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

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Pacific Cycle, Inc., intends to allow the establishment of Classy Cycles, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co., Ltd. (SHWI) at 13416 Front Beach Road, Panama City Beach, (Bay County), Florida 32413, on or after February 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Classy Cycles, Inc. are dealer operator(s): Colleen Swab, 2710 Woodmere Drive, Panama City Beach, Florida 32413; principal investor(s): Colleen Swab, 2710 Woodmere Drive, Panama City Beach, Florida 32413.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfgram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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#### 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 (2005), Pacific Cycle, Inc., intends to allow the establishment of Cycle World of Palm Beach, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 1422 Hypoluxo Road, Lantana (Palm Beach County), Florida 33462, on or after February 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Cycle World of Palm Beach are dealer operator(s): Lorna McGrory, 5316 Winchester Woods Drive, Lantana, Florida 33462; principal investor(s): Lorna McGrory, 5316 Winchester Woods Drive, Lantana, Florida 33462.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfgram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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#### 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 (2005), Piaggio Group Americas, Inc., intends to allow the establishment of Cycle Image, Inc. d/b/a Cycle Image of Daytona, as a dealership for the sale of Moto Guzzi Motorcycles at 1459 North US Highway 1, Ormond Beach (Volusia County), Florida 32174, on or after February 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Cycle Image, Inc. d/b/a Cycle Image of Daytona are dealer operator(s): Jim Albano, 1459 North US Highway 1, Ormond Beach, Florida 32174; principal investor(s): Jim Albano, 1459 North US Highway 1, Ormond Beach, Florida 32174.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Angellina Fraser-Lubin, Paralegal/Assistant Administrator, Piaggio Group Americas, Inc., 140 East 45th Street, 17th Floor, New York, New York 10017.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Pacific Cycle, Inc., intends to allow the establishment of Deland Motorsports, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 2610 South Woodland Boulevard, Deland (Volusia County), Florida 32720, on or after February 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Deland Motorsports, Inc. are dealer operator(s): Kurt Dye, 2610 South Woodland Boulevard, Deland, Florida 32720; principal investor(s): Kurt Dye, 2610 South Woodland Boulevard, Deland, Florida 32720.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfgram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), Pacific Cycle, Inc., intends to allow the establishment of Dorsch, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 1845 East Memorial Boulevard, Lakeland (Polk County), Florida 33801, on or after February 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Dorsch, Inc. are dealer operator(s): David Dorsch, 5452 Highland Vista Circle, Lakeland, Florida 33813; principal investor(s): David Dorsch, 5452 Highland Vista Circle, Lakeland, Florida 33813.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfgram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Pacific Cycle, Inc., intends to allow the establishment of Interlake Gulf Corporation, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co., Ltd. (SHWI) at 938 4th Avenue North, Naples, (Collier County), Florida 34102, on or after February 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Interlake Gulf Corporation are dealer operator(s): JR Nocera, 1258 14th Avenue North, Naples, Florida 34102; principal investor(s): JR Nocera, 1258 14th Avenue North, Naples, Florida 34102.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.



Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfgram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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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 (2005), Pacific Cycle, Inc., intends to allow the establishment of John Kiley's Cycle World, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 8500 Pensacola Boulevard, Pensacola (Escambia County), Florida 32534, on or after February 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of John Kiley's Cycle World, Inc. are dealer operator(s): John Kiley, 4335 Jelinek Drive, Milton, Florida 32583; principal investor(s): John Kiley, 4335 Jelinek Drive, Milton, Florida 32583.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfgram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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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 (2005), Pioneer Motors USA, L.L.C., intends to allow the establishment of Lee County Motorsports, Inc., as a dealership for the sale of Pioneer motorcycles at 5580 8th Street West, Lehigh (Lee County), Florida 33971, on or after February 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Lee County Motorsports, Inc. are dealer operator(s): Ron Heilman, 4921 Leonard Boulevard, Lehigh, Florida 33971 and Joe Heilman, 4921 Leonard Boulevard, Lehigh, Florida 33971; principal investor(s): Ron Heilman, 4921 Leonard Boulevard, Lehigh, Florida 33971 and Joe Heilman, 4921 Leonard Boulevard, Lehigh, Florida 33971.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lisa Grant, Pioneer Motors USA, L.L.C., 108 Waterview Drive, Hot Springs, Arkansas 71913-2303.

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.

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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 (2005), Pacific Cycle, Inc., intends to allow the establishment of Mojo Powersports, Inc., as a dealership for the sale of motorcycles

manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 707 West Bay Drive, Largo (Pinellas County), Florida 33770, on or after February 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Mojo Powersports, Inc. are dealer operator(s): Peter Spoto, 100 Squire Court, Dunedin, Florida 34698; principal investor(s): Peter Spoto, 100 Squire Court, Dunedin, Florida 34698.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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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 (2005), Pioneer Motors USA, L.L.C., intends to allow the establishment of The Navitas Financial Group, Inc. d/b/a Pompano Pats, as a dealership for the sale of Pioneer motorcycles at 2075 South Woodland Boulevard, Deland (Volusia County), Florida 32724, on or after January 30, 2007.

The name and address of the dealer operator(s) and principal investor(s) of The Navitas Financial Group, Inc. d/b/a Pompano Pats are dealer operator(s): Justin Asher, 2075 South Woodland Boulevard, Deland, Florida 32724; principal investor(s): Justin Asher, 2075 South Woodland Boulevard, Deland, Florida 32724.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lisa Grant, Pioneer Motors USA, L.L.C., 108 Waterview Drive, Hot Springs, Arkansas 71913-2303.

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.

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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 (2005), Pacific Cycle, Inc., intends to allow the establishment of P & D Motorcycles, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 6407 Blanding Boulevard, Jacksonville (Duval County), Florida 32244, on or after February 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of P & D Motorcycles, Inc. are dealer operator(s): Gary Purcell, 2917 Doctors Lake Road, Orange Park, Florida 32073; principal investor(s): Gary Purcell, 2917 Doctors Lake Road, Orange Park, Florida 32073.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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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 (2005), Polaris Sales, Inc., intends to allow the establishment of Palm Beach Triumph Victory, as a dealership for the sale of Victory motorcycles at 12550 South Military Trail, Boynton Beach (Palm Beach County), Florida 33436, on or after April 1, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Palm Beach Triumph Victory are dealer operator(s): Walter Jakobowski, 1208 Orange Isle, Ft. Lauderdale, Florida 33315 and Judith Jakobowski 1208 Orange Isle, Ft. Lauderdale, Florida 33315; principal investor(s): Walter Jakobowski 1208 Orange Isle, Ft. Lauderdale, Florida 33315 and Judith Jakobowski, 1208 Orange Isle, Ft. Lauderdale, Florida 33315.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Michael W. Malone, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota 55340-9770.

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.

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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 (2005), Pacific Cycle, Inc., intends to allow the establishment of Pasco County Cycles, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 37815 State Road 54 West, Zephyrhills (Pasco County), Florida 33542, on or after February 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Pasco County Cycles, Inc. are dealer operator(s): Rhonda West, 13350 10th Street, Dade City, Florida 33525; principal investor(s): Rhonda West, 13350 10th Street, Dade City, Florida 33525.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfgram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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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 (2005), E-SUV, LLC d/b/a e-ride Industries, intends to allow the establishment of Ratigan Motor Center, Inc., as a dealership for the sale of e-ride Neighborhood Electric Vehicles (ERID) at 3714 Fowler Street, Fort Myers (Lee County), Florida 33901, on or after January 31, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Ratigan Motor Center, Inc. are dealer operator(s): Roger Ratigan, 3714 Fowler Street, Fort Myers, Florida 33901; principal investor(s): Roger Ratigan, 3714 Fowler Street, Fort Myers, Florida 33901.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Craig Lietha, E-SUV, LLC d/b/a e-ride Industries, 3171 92nd Avenue, Princeton, Minnesota 55371.

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.

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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 (2005), Pacific Cycle, Inc., intends to allow the establishment of Ride Now Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 8822 US Highway 19, Port Richey (Pasco County), Florida 34668, on or after February 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Ride Now Powersports, Inc. are dealer operator(s): William Coulter, 6030 East Montecito, Scottsdale, Arizona 85201; principal investor(s): William Coulter, 6030 East Montecito, Scottsdale, Arizona 85201.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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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 (2005), Pacific Cycle, Inc., intends to allow the establishment of Ride USA, LLC, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 29703-47 US Highway 19 North, Clearwater (Pinellas County), Florida 33761, on or after February 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Ride USA, LLC are dealer operator(s): Mark Tkach, 2725 West Elabra Way, Chandler, Arizona 85224; principal investor(s): Mark Tkach, 2725 West Elabra Way, Chandler, Arizona 85224.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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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 (2005), Pacific Cycle, Inc., intends to allow the establishment of Ride Now Powersports, as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co. Ltd. (SHWI) at 855 North Highway 1792, Longwood (Seminole County), Florida 32750, on or after February 2, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Ride Now Powersports are dealer operator(s): Mark Tkach, 855 North Highway 1792, Longwood, Florida 32750; principal investor(s): Mark Tkach, 855 North Highway 1792, Longwood, Florida 32750.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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

Notice of Publication for a New Point  
Franchise Motor Vehicle Dealer in a County of Less  
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes (2005), notice is given that Pacific Cycle, Inc., intends to allow the establishment of Wenmark, Inc., as a dealership for the sale of motorcycles manufactured by Guangzhou Panyu Huanan Motors Group Co., Ltd. (SHWI) at 1540 Northwest Federal Highway, Stuart, (Martin County), Florida 34994, on or after February 5, 2007.

The name and address of the dealer operator(s) and principal investor(s) of Wenmark, Inc. are dealer operator(s): Mark Mourning, 1081 Southeast Spinnaker Drive, St. Lucie, Florida 34983; principal investor(s): Mark Mourning, 1081 Southeast Spinnaker Drive, St. Lucie, Florida 34983.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900, Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mike Wolfram, Pacific Cycle, Inc., 4902 Hammersley Road, Madison, Wisconsin 53711.

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.

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

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

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**LAND AND WATER ADJUDICATORY COMMISSION**

On August 25, 2006, the Florida Land and Water Adjudicatory Commission (the "Commission") received a Petition to adopt an amendment to Rule Chapter 42GG-1, F.A.C., to amend the boundary of the Tuscany Community Development District (the "District") pursuant to Chapter 190, F.S. The Petition was supplemented on December 1, 2006. Petitioner asserts a copy of the Petition was filed with Citrus County. The Commission will follow the requirements of Chapter 190, F.S., and Chapter 42-1, F.A.C., in ruling on this Petition.

**SUMMARY OF CONTENTS OF PETITION:** The Petition, as supplemented, was filed by the Tuscany Community Development District with its registered office located at 123 South Calhoun Street, Tallahassee, Florida 32301. The Petition, as supplemented, proposes to modify the land area

presently serviced by the District by amending its boundary to add 332.07 acres to the District located solely within Citrus County, Florida. The District currently covers approximately 1,378.86 acres of land and after amendment the District will encompass approximately 1710.93 acres. Petitioner has obtained written consent to amend the boundaries of the District from the owners of 100% of the real property comprising the expansion parcel. Further, Petitioner indicates the landowners of all the property within the current boundaries of the District are the same landowners whose consent to the creation of the District was documented in the original Petition to establish the District. The consenting landowners within the current District boundaries are also the consenting landowners of all the property within the parcel proposed by the Petition to be added to the District. Each landowner consent documents ownership for all the lands owned, both within the parcel to be added to the District by the Petition and within the current external boundaries of the District. According to the Statement of Estimated Regulatory Costs, although the District's boundary will be expanded through the amendment process, the District's development plan will remain the same as when the District was established. The District will continue to support 4,138 single-family residential units, 1,258 multi-family residential units, 400 life care center units, 400,000 square feet of business/commercial/office and 41,368 square feet of community/neighborhood services. The 322.07 acre expansion is planned for 842 single-family residential units, which are already included in the above totals. No additional residential or non-residential development is anticipated due to the expansion of the District's boundary. The District intends to finance road, water, wastewater, stormwater, entry monumentation, landscaping, irrigation and recreational facilities in the expansion area.

**SUMMARY OF THE STATEMENT OF ESTIMATED REGULATORY COSTS:** In association with the Petition, as supplemented, the Petitioner has caused a Statement of Estimated Regulatory Costs ("SERC") to be prepared in compliance with section 120.541, F.S. The complete text of the SERC is contained at Exhibit "10" to the Petition, as supplemented. By way of summary, the SERC estimates the principal individuals and entities likely to be required to comply with the amended rule are the households within the geographic area of the amendment. The SERC estimates that rule amendment implementation and enforcement costs to state government entities and Citrus County will be modest and/or are offset by the payment of requisite filing and annual fees; and, estimates there will be no negative impact on state and local revenues from the proposed amendment of the rule. With respect to an estimate of the transactional costs likely to be incurred by individuals and entities required to comply with the requirements of the rule, the SERC indicates that to fund the cost of maintaining infrastructure, assessments and fees will be imposed on the District property owners. Finally, the

SERC concludes that the amendment of the District's boundary will have no impact on small businesses and should not have negative impact on small counties and cities as defined in Section 120.52, F.S. Citrus County is not a small county as defined by section 120.52, F.S. The SERC analysis is based on a straightforward application of economic theory and input was received from the District's Engineer and other professionals associated with the District.

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

**DATE AND TIME:** Tuesday, March 6, 2007, 11:15 a.m. (EST)

**PLACE:** Citrus County Resource Center, 2804 West Marc Knighton Court, Lecanto, Florida

Any person requiring a special accommodation to participate in the hearing because of a disability should contact Brian A. Crumbaker or Joseph A. Brown, telephone (850)222-7500, at least five (5) business days in advance in order to provide sufficient opportunity to make appropriate arrangements.

**COPIES OF THE PETITION MAY BE OBTAINED BY CONTACTING:** Brian A. Crumbaker or Joseph A. Brown, Hopping Green & Sams, 123 South Calhoun Street, Tallahassee, Florida 32301; or Barbara Leighty, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1801, Tallahassee, Florida 32399-0001, (850)487-1884.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**CERTIFICATE OF NEED**

**NOTICE OF WITHDRAWAL**

The Agency for Health Care Administration hereby notices withdrawal from review of the following Certificate of Need applications:

County: Pinellas Service District: 5

CON # 9958 Decision Date: 2/1/2007 Decision: W

Facility/Project: Helen Ellis Memorial Hospital

Applicant: Tarpon Springs Hospital Foundation

Project Description: Establish an adult open heart surgery program

A request for administrative hearing, if any, must be made in writing and must be actually received by this department within 21 days of the first day of publication of this notice in the Florida Administrative Weekly pursuant to Chapter 120, Florida Statutes, and Chapter 59C-1, Florida Administrative Code.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**NOTICE OF AVAILABILITY**

The Department of Environmental Protection has determined that Sopchoppy's proposed project for the construction of a sanitary sewer collection system will not have a significant adverse impact on the environment. The total estimated construction cost is \$4,570,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds and for a Financially Disadvantaged Small Community grant.

A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Bryan Goff, Bureau of Water Facilities Funding, Department of Environmental Protection, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

**DEPARTMENT OF HEALTH**

On February 6, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of Glenn Frye, C.N.A., license number CNA 99910. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 1, 2007, Ana M. Viamonte Ros, M.D., M.P.H., Secretary of the Department of Health, issued an Order of Emergency Suspension with regard to the license of An-Marye Elizabeth Hayward, R.N., license number RN 9243721. This Emergency Suspension Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

The Department of Health and Human Services, Administration for the Children and Family Services has published guidance to state agencies regarding caseload reduction credit information. The caseload reduction credit is an adjustment to the State's minimum Temporary Assistance for Needy Families (TANF) participation rate requirement.

Submission of the caseload reduction credit requires the State to provide opportunity for public comment on the estimates and methodology used to complete the estimates.

In submitting the data for federal fiscal year 2006, as the FFY 2006 report, Florida is using methodologies consistent with the procedures used for the federal fiscal year 2005 report.

1. We are publishing the FFY 2006 report. This information will be available on the DCF website at [www.state.fl.us/cf\\_web](http://www.state.fl.us/cf_web). Copies will also be available at the business address listed at the end of this notice.
2. Since we are using methodologies in FFY 2006 that are similar to the methodologies used in FFY 2005, we are requesting input on these methodologies. We will consider comments received in completing the FFY 2006 report and will file amended reports if necessary.
3. We will mail or transmit electronically the FFY 2006 report to anyone submitting comments. We will also publish these reports upon submission.
4. We will forward any comments received to the federal agency.

Comments should be submitted to:

Jennifer Lange, Director  
ACCESS Florida  
Department of Children and Family Services  
Building 3, Room 467  
1317 Winewood Boulevard  
Tallahassee, FL 32399-0700  
Telephone: (850)921-0253  
Email: [jennifer\\_lange@dcf.state.fl.us](mailto:jennifer_lange@dcf.state.fl.us)

**FLORIDA HOUSING FINANCE CORPORATION**

The Florida Housing Finance Corporation (Florida Housing) announces a funding cycle (Cycle XIX) for the Elderly Housing Community Loan (EHCL) Program, pursuant to Section 420.5087(3)(d), Florida Statutes, and Rule Chapter 67-32, Florida Administrative Code (F.A.C.). The application period will begin on February 21, 2007 and will close at 5:00 p.m. (Eastern Time), forty days later on April 2, 2007.

Ten percent (10%) of the twenty-four percent (24%) of SAIL Program funds are reserved for the EHCL Program. The anticipated amount for the EHCL Program is \$1,100,000. Funding within the EHCL Program is available to provide life-safety, building preservation, health, sanitation or security-related repairs or improvements made to Elderly housing facilities.

All applications must be submitted to: Florida Housing Finance Corporation, City Centre Building, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329 in accordance with the provisions of all applicable Florida Statutes, Rule Chapter 67-32, F.A.C., and the application package.

To obtain the application package or other materials and information, please access Florida Housing's web site at [www.floridahousing.org](http://www.floridahousing.org) or contact Jody Bedgood at

(850)488-4197. If you are hearing or speech impaired, please contact Florida Housing using the Dual Party Relay System at 1(800)955-8770 and 1(800)955-8771.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

The Florida Fish and Wildlife Conservation Commission at its June 2006 meeting determined that reclassifying the gopher tortoise (*Gopherus polyphemus*) from species of special concern status to threatened status was warranted, and directed the development of a management plan. Reclassification will not occur until the reclassification rules in the proposed plan are approved by the Commission. A draft management plan for the gopher tortoise has been prepared, and the Commission is now requesting written comments regarding conservation recommendations and expected economic, social, environmental and ecological impacts of implementing the management plan. Copies of the draft management plan are available at [http://myfwc.com/imperiledspecies/plans/draft\\_gopher\\_plan.pdf](http://myfwc.com/imperiledspecies/plans/draft_gopher_plan.pdf). Written comments should be addressed to Gopher Tortoise Management Plan, 620 South Meridian Street, Mail Station 2A, Tallahassee, Florida 32399-1600, or submitted to the following email address: [gt\\_plan@myfwc.com](mailto:gt_plan@myfwc.com). Comments will be accepted until 5:00 p.m., April 4, 2007. Florida has a broad public records law. Your written communications, including e-mails, are public records subject to public disclosure.

The Florida Fish and Wildlife Conservation Commission at its June 2006 meeting determined that reclassifying the Panama City crayfish (*Procambarus eocfinae*) from species of special concern status to threatened status was warranted, and directed the development of a management plan. Reclassification will not occur until the reclassification rules in the proposed plan are approved by the Commission. A draft management plan for the Panama City crayfish has been prepared, and the Commission is now requesting written comments regarding conservation recommendations and expected economic, social, environmental and ecological impacts of implementing the management plan. Copies of the draft management plan are available at [http://myfwc.com/imperiledspecies/plans/draft\\_pcc\\_plan.pdf](http://myfwc.com/imperiledspecies/plans/draft_pcc_plan.pdf). Written comments should be addressed to: Panama City Crayfish Management Plan, 620 South Meridian Street, Mail Station 2A, Tallahassee, Florida 32399-1600, or submitted to the following email address: [pcc\\_plan@myfwc.com](mailto:pcc_plan@myfwc.com). Comments will be accepted until 5:00 p.m., April 4, 2007. Florida has a broad public records law. Your written communications, including e-mails, are public records subject to public disclosure.

**FINANCIAL SERVICES COMMISSION**

Notice of Emergency Order

Issued Pursuant to Section 252.63, Florida Statutes

The Commissioner of Insurance has issued an Emergency Order, Case No.: 89152-07-EO (Order), on February 2, 2007. The Order applies to all insurers, entities and persons as defined in Section 624.04, F.S., that are subject to the Florida Insurance Code. The provisions of the Order are limited to Lake, Seminole, Sumter, and Volusia Counties, which suffered wind damage resulting from severe thunderstorms and tornadoes (February tornadoes). The Order activates the provisions of Section 627.4133(2)(d)1., F.S., limiting cancellation and nonrenewals of personal and commercial residential policies which cover residential properties damaged as a result of wind loss.

The Order also provides that any policy provision, notice, correspondence, or law which imposes a time limit upon an insured to perform any act or transmit information or funds with respect to a contract of insurance, which act was to have been performed on or after February 2, 2007, the time limit is extended to April 15, 2007.

The Order further places limitations on cancellations and nonrenewals for all policies or agreements regulated under the insurance code from February 2, 2007 until April 15, 2007.

The Order is narrowly tailored to address only those persons and entities which were adversely affected by the February tornadoes in the specific counties listed in the Order. Further, this Order is of limited duration and directly addresses the emergency conditions that occurred in such counties. The Order will facilitate the recovery from the emergency by allowing those most adversely affected additional time to protect and secure their homes, businesses and property without fear that insurance policies will be cancelled or valuable rights lost due to the emergency conditions beyond their control. The Order reads as follows:

IN THE MATTER OF:  
 February Tornadoes;  
 Emergency Order; Prohibition on Cancellation  
 or Nonrenewal of Residential Property  
 Insurance Covering Property Damaged  
 by February Tornadoes in  
 Specified Counties CASE NO.: 89152-07-EO

**EMERGENCY ORDER**

TO: All Property and Casualty Insurers and Surplus Lines Insurers

THIS CAUSE having come before the Commissioner of the Office of Insurance Regulation as a result of the State of Emergency created by the February Tornadoes, and being fully informed in the premises,

NOW THEREFORE, the Commissioner hereby FINDS as follows:



## JURISDICTION AND FINDINGS OF FACT

1. The Office of Insurance Regulation (the "Office") has the duty, pursuant to Section 624.307, Florida Statutes, to enforce the provisions of the Insurance Code (Chapters 624-632, 634.635, 636, 641, 642, 648, and 651, henceforth, the "Code"). The Office shall have the powers and authority expressly conferred upon it by, or reasonably implied from, the provisions of the Code, specifically Section 624.307, Florida Statutes, and as further authorized by Section 252.46, Florida Statutes.

2. Section 252.63, Florida Statutes, provides that, "When the Governor declares a state of emergency pursuant to s. 252.36, Florida Statutes, the commissioner may issue one or more general orders applicable to all insurance companies, entities, and persons, as defined in Section 624.04, Florida Statutes, that are subject to the Florida Insurance Code and that serve any portion of the area of the state under the state of emergency."

3. On February 2, 2007, Florida Governor Charlie Crist issued Executive Order 07-21, declaring a state of emergency to exist in Lake, Seminole, Sumter, and Volusia Counties because of the wind damage resulting from the severe thunder storms and tornadoes (collectively referred to herein as the "February Tornadoes") which had ravished these four counties. Executive Order 07-21 is attached as Exhibit 1.

4. Section 627.4133(2)(d)1., Florida Statutes, provides that, "Upon a declaration of an emergency pursuant to s. 252.36 and the filing of an order by the Commissioner of Insurance Regulation, an insurer may not cancel or nonrenew a personal residential or commercial residential property insurance policy covering a dwelling or residential property located in this state which has been damaged as a result of a hurricane or wind loss that is the subject of the declaration of emergency for a period of 90 days after the dwelling or residential property has been repaired. A structure is deemed to be repaired when substantially completed and restored to the extent that it is insurable by another authorized insurer that is writing policies in this state."

5. Damage sustained in the four counties as a result of the Florida Tornadoes is "wind loss" within the purview of Section 627.4133(2)(d)1., Florida Statutes.

WHEREFORE, the Commissioner of the Office of Insurance Regulation finds that as a result of the direct effects of the Florida Tornadoes the issuance of an Order pursuant to Sections 252.63 and 624.307, Florida Statutes, is required in order to protect the public health, safety and welfare.

Accordingly, IT IS HEREBY ORDERED:

The following applies to the listed insurance set forth below in paragraph (2), for all persons who suffered wind damage in Lake, Seminole, Sumter, and Volusia Counties as a result of the Florida Tornadoes:

(1) An insurer may not cancel or nonrenew a personal residential or commercial residential property insurance policy covering property damaged as a result of the Florida Tornadoes located in Lake, Seminole, Sumter, and Volusia Counties, for a period of 90 days after the dwelling has been repaired, except as provided in Section 627.4133(2)(d), Florida Statutes, and in accordance with all other applicable statutes and rules of the commission.

(2) In addition, this order applies to all contracts of insurance and other contracts that are subject to regulation under the Florida Insurance Code including, but not limited to:

(a) All policies referenced in Chapters 440, 624, 626, and 627, Florida Statutes;

(b) All policies or contracts issued pursuant to Chapters 641 and 651, Florida Statutes;

(c) Contracts issued by Multiple Employer Welfare Arrangements and Commercial Self-Insurance Trusts; and

(d) Premium Finance Company contracts insuring persons who sustained property damage in the February Tornadoes shall be subject to the provisions of this Emergency Order.

References herein to "policy" or "contract of insurance" include all agreements regulated under the Insurance Code.

(3) As to any policy provision, notice, correspondence, or law which imposes a time limit upon an insured to perform any act or transmit information or funds with respect to a contract of insurance, which act was to have been performed on or after February 2, 2007, the time limit shall be extended to April 15, 2007. This extension of time shall not relieve a policyholder who has a claim resulting from the February Tornadoes from compliance with his or her obligations to provide information and cooperate in the claim adjustment process relative to his property damage claim. This extension of time shall also not apply to new policies issued on or after February 3, 2007. No interest, penalties, or other charges, shall accrue or be assessed, as the result of the extensions required herein. Interest that is owed pursuant to premium financing plans with premium finance companies or insurers or their affiliates may be assessed.

(4) Between February 2, 2007 and April 15, 2007, no insurer or regulated entity shall cancel or nonrenew a policy or contract of insurance or issue a notice of cancellation or nonrenewal, covering a person, property or risk damaged as a result of the February Tornadoes unless requested by the insured. Furthermore, no such policy may be cancelled or nonrenewed solely because of claims resulting from the February Tornadoes.

(5) All notices of cancellation issued or mailed the week preceding February 2, 2007, affecting an insured who sustained damage in the February Tornadoes, shall be withdrawn and reissued to insureds on or after April 15, 2007.

(6) Any insurer who receives a claim from an insured owing premium may offset the premium due from any claim payment made under the policy.

(7) The Commissioner of the Office of Insurance Regulation may, by written Order, narrow the scope of this order, based upon a determination that it is necessary. DONE and ORDERED this 2nd day of February, 2007.

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Kevin M. McCarty  
Commissioner  
Office of Insurance Regulation

EXHIBITS:

- 1. Executive Order 07-21

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, *Florida Statutes*, and Rule 9.110, *Fla.R.App.P.* Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel, acting as the agency clerk, at 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0333, and a copy of the same with the appropriate district court of appeal, within thirty (30) days of rendition of this Order.

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Bob Prentiss, Esquire  
Office of Insurance Regulation  
Legal Services  
200 East Gaines Street, 6th Floor  
Tallahassee, Florida 32399-4206  
Telephone: (850)413-4183  
Facsimile: (850)922-2543

Copies Furnished:  
All Property and Casualty Insurers  
and Surplus Lines Insurers

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code,

any person may request a public hearing by filing a petition with the Clerk, Legal Services Office, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0379. The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 P.M., March 9, 2007):

APPLICATION TO ORGANIZE A SUCCESSOR  
INSTITUTION AND BANK MERGER

Constituent Institutions: The Bank of Venice, Sarasota, Florida and TBV Interim Bank, Sarasota, Florida

Resulting Institution: The Bank of Venice

With Title: The Bank of Venice

Received: January 30, 2007

APPLICATION TO ORGANIZE A SUCCESSOR  
INSTITUTION AND BANK MERGER

Constituent Institutions: The Bank of Tallahassee, Tallahassee, Florida and BOT Interim Bank, Tallahassee, Florida

Resulting Institution: The Bank of Tallahassee

With Title: The Bank of Tallahassee

Received: February 2, 2007

APPLICATION TO MERGE

Constituent Institutions: Central Credit Union, Pensacola, Florida and Endeavor Federal Credit Union, Pensacola, Florida

Resulting Institution: Central Credit Union

Received: February 6, 2007

EXPANDED FIELD OF MEMBERSHIP

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, 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.fldfs.com/ofr/banking/cufm.asp>.

Name and Address of Applicant: Central Florida Postal Credit Union, Post Office Box 568765, Orlando, Florida 32856-8765

Expansion Includes: Geographic

Received: January 31, 2007

Name and Address of Applicant: Jax Metro Credit Union, 30 East 27th Street, Jacksonville, Florida 32206

Expansion Includes: Geographic

Received: February 6, 2007

**Section XIII**  
**Index to Rules Filed During Preceding Week**

RULES FILED BETWEEN January 29, 2007  
 and February 2, 2007

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

**Division of Library and Information Services**

1B-2.011	2/1/07	2/21/07	32/44	
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**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

5J-14.002	2/1/07	2/21/07	32/51	
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**DEPARTMENT OF COMMUNITY AFFAIRS**

**Florida Communities Trust**

9K-7.002	1/30/07	2/19/07	32/51	
9K-7.003	1/30/07	2/19/07	32/51	
9K-7.004	1/30/07	2/19/07	32/51	
9K-7.007	1/30/07	2/19/07	32/51	
9K-7.008	1/30/07	2/19/07	32/51	
9K-7.010	1/30/07	2/19/07	32/51	
9K-7.011	1/30/07	2/19/07	32/51	
9K-7.013	1/30/07	2/19/07	32/51	
9K-8.002	1/30/07	2/19/07	32/51	
9K-8.004	1/30/07	2/19/07	32/51	
9K-8.007	1/30/07	2/19/07	32/51	

**DEPARTMENT OF TRANSPORTATION**

14-73.001	1/31/07	2/20/07	32/52	
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**STATE BOARD OF ADMINISTRATION**

19-15.001	2/2/07	2/22/07	32/26	32/47
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**PUBLIC SERVICE COMMISSION**

25-4.084	1/31/07	2/20/07	32/52	
25-22.081	1/31/07	2/20/07	32/52	

**DEPARTMENT OF CORRECTIONS**

33-108.101	1/30/07	2/19/07	32/51	
33-601.602	2/2/07	2/22/07	32/39	32/51

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid Program Office**

59G-4.055	1/30/07	2/19/07	32/45	
59G-4.100	1/30/07	2/19/07	32/44	

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Accountancy**

61H1-29.003	2/2/07	2/22/07	32/52	
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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

62-341.448	2/2/07	2/22/07	32/2	32/51
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**DEPARTMENT OF JUVENILE JUSTICE**

**Division of Commitment**

63E-2.003	2/2/07	2/22/07	32/51	
63E-2.005	2/2/07	2/22/07	32/51	
63E-2.006	2/2/07	2/22/07	32/51	
63E-2.013	2/2/07	2/22/07	32/51	
63E-2.014	2/2/07	2/22/07	32/51	

**DEPARTMENT OF HEALTH**

**Board of Respiratory Care**

64B32-6.002	1/31/07	2/20/07	32/50	
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**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

**Economic Self Sufficiency Program**

65A-1.707	1/31/07	2/20/07	32/44	
65A-1.713	1/31/07	2/20/07	32/44	

**FLORIDA HOUSING FINANCE CORPORATION**

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67-32.006	1/31/07	2/20/07	32/44	

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of State Fire Marshal**

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69A-53.0051	1/29/07	2/18/07	32/15	32/50
69A-53.0052	1/29/07	2/18/07	32/15	32/50
69A-53.0053	1/29/07	2/18/07	32/15	32/50
69A-53.0054	1/29/07	2/18/07	32/15	32/50

**Division of Insurance Agents and Agency Services**

69B-211.002	1/31/07	2/20/07	32/44	
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**Division of Workers' Compensation**

69L-6.009	1/30/07	2/19/07	32/33	32/47
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