

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: 464.203 FS.

LAW IMPLEMENTED: 464.203 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: Lola Pouncey, Bureau Chief, 4052 Bald Cypress Way, Bin #C-10, Tallahassee, Florida 32399-3250

THE FULL TEXT OF THE PROPOSED RULE IS:

**BIENNIAL RENEWAL OF CERTIFIED NURSING ASSISTANT CERTIFICATION**

**64B-11.001 Certified Nursing Assistant Certification Renewal.**

(1) The renewal application for the Certified Nursing Assistant shall be accompanied by the biennial renewal fee for the biennium or for the allocated renewal fee period and the certificate holder shall maintain documentation of compliance with Rule 64B9-15.011, F.A.C., beginning on July 1, 2006, and for at least the four calendar years preceding each subsequent renewal.

(2) The biennial renewal fee for certified nursing assistants shall be \$50 and the delinquency fee for reactivation of a delinquent license shall be \$50.

(3) The unlicensed activity fee for certified nursing assistants is \$5.

Specific Authority 464.203 FS. Law Implemented 464.203 FS. History—New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Lola Pouncey

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Lucy Gee

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

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 21, 2007

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

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

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

**DEPARTMENT OF CITRUS**

RULE NO.: 20-13.011                      RULE TITLE: Ambersweet: Classification and Standards

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 33, No. 33, August 17, 2007 issue of the Florida Administrative Weekly has been withdrawn.

**WATER MANAGEMENT DISTRICTS**

**Suwannee River Water Management District**

RULE NO.: 40B-1.703                      RULE TITLE: Procedures for Consideration of Permit Applications

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 34, August 24, 2007 issue of the Florida Administrative Weekly.

40B-1.703(2)

(c) The Governing Board hereby delegates authority to the Executive Director, ~~Assistant Executive Director~~ or ~~the Deputy Executive Director's designee~~ to issue individual environmental resource permits that require no special limiting conditions or that require only the following special limiting conditions pursuant to subsection 40B-4.1140(1), Florida Administrative Code (F.A.C.), under Chapters 40B-4 and 40B-400, F.A.C.:

1. Permits that identify non-profit associations as operation and maintenance entities under subsection 40B-4.2035(3), F.A.C.; or

2. Permits that require the following documents to be recorded in legal records:

- a. Final plats; and
- b. Deed restrictions; and
- c. Drainage easements.

Unless objection to the permit application or the notice of proposed agency action is made according to statute and these rules by a substantially affected person, the Executive Director

shall either issue the permit or place the application on the agenda of the next regularly scheduled meeting of the Governing Board.

Specific Authority 373.044, 373.083, 373.113, 373.118, 373.171, 373.4141 FS. Law Implemented 120.57, 120.59, 120.60, 373.084, 373.085, 373.086, 373.106, 373.116, 373.118, 373.229, 373.313, 373.413, 373.416, 373.426 FS. History—New 6-16-88, Amended 12-22-92, 10-3-95, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE NO.:                   RULE TITLE:  
40D-8.041                   Minimum Flows

**NOTICE OF PUBLIC HEARING**

The Southwest Florida Water Management District announces a corrected hearing regarding the above rule, as noticed in Vol. 32, No. 1, January 6, 2006, Florida Administrative Weekly.

DATE AND TIME: October 30, 2007, 9:00 a.m.

PLACE: Southwest Florida Water Management District Service Office, Governing Board Room, 6750 Fruitville Road, Sarasota, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This notice corrects the notice of public hearing published in Vol. 33, No. 20, May 18, 2007 issue of the Florida Administrative Weekly. The location for the public hearing requested by Tampa Bay Water pursuant to paragraph 120.54(3)(c), F.S., regarding the District’s proposed Rule 40D-8.041, F.A.C., published in Vol. 32, No.1, January 6, 2006 issue of the Florida Administrative Weekly to establish minimum flows for the freshwater segment of the Alafia River, has been changed from Brooksville to the place described above. A notice of change in attempt to correct the location of the public hearing was published in Vol. 33, No. 40, October 5, 2007 issue of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting Karen Lloyd, Asst. General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, ext. 4651.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Dianne Lee, (352)796-7211 or 1(800)423-1476, ext. 4658; TDD only number 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).

**LAND AND WATER ADJUDICATORY COMMISSION**

**Southeastern Community Development District**

RULE NO.:                   RULE TITLE:  
42III-1.003                   Supervisors  
  NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 41, October 12, 2007 issue of the Florida Administrative Weekly.

42III-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Matthew Fitzpatrick ~~Clay Smallwood~~, Corbet Drew ~~Chris Gent~~, Mike Joiner ~~Shaw Flippen~~, Sean Fennelly, and Mike Brandon ~~Pat Groeniger~~.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NOS.:                   RULE TITLES:  
61J1-4.001                   Education Requirements  
61J1-4.003                   Continuing Education

**NOTICE OF CHANGE**

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 33, No. 27, July 6, 2007 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. When changed, subsection 61J1-4.001(5)(n)4. shall read as follows:

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J-9.001, Florida Administrative Code, including at least the following topics: USPAP Advisory Opinion 5, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

2. When changed, subsection 61J1-4.001(6)(p)4. shall read as follows:

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J-9.001, Florida Administrative Code, including at least the following topics: USPAP Advisory Opinion 5, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

3. When changed, subsection 61J1-4.001(7)(g)4. shall read as follows:

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J-9.001, Florida Administrative Code, including at least the

following topics: USPAP Advisory Opinion 5, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

4. When changed, subsections 61J1-4.003(1)1. to 4. shall read as follows:

(1) All registered, licensed and certified appraisers must satisfactorily complete a minimum of 30 hours of 50 minutes each of appraiser continuing education as prescribed or approved by the Florida Real Estate Appraisal Board, without duplication of material, during each renewal period as defined in Rule 61J1-2.002, F.A.C. The 30 hours shall include the 7-hour National USPAP update course or its equivalent and shall be taught by an AQB certified USPAP instructor, without significant duplication of material, as defined in Section 475.611(1)(p), F.S. A minimum of 3 hours shall be dedicated to a review and update of the Florida Real Estate Appraisal Law and Board Rules, and provide an introduction to other state and federal laws affecting real estate appraisals. As of December 1, 2006, the minimum 30 hours of continuing education must include a minimum of three (3) hours of instruction and cover the following topics regarding the roles and rules of supervisor and trainee appraisers:

(a) The definitions of direct supervision, registered trainee appraiser, supervisory appraiser, training and work file pursuant to Section 475.611, Florida Statutes;

(b) Review of Chapter 475, Part II, Florida Statutes, sections regarding the post-licensure education requirement for a registered trainee appraiser, displaying and disclosure of licensure, certification or registration, employment of and by registered trainee real estate appraiser, supervision and training of registered trainee appraisers, and retention of records;

(c) Review of Chapter 61J1, Florida Administrative Code, section regarding post-licensing education for registered trainee appraisers, supervision of registered trainee appraisers, displaying and disclosure of registration, licensure or certification designation and advertising; and

(d) Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J-9.001, Florida Administrative Code, including at least the following topics: USPAP Advisory Opinion 5, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas O'Bryant, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

**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 Chiropractic**

RULE NO.: 64B2-15.002                      RULE TITLE: Solicitation

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 49, December 9, 2005 issue of the Florida Administrative Weekly has been withdrawn.

**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 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 September 24, 2007, the South Florida Water Management District (District), received a petition for waiver from the City of North Miami Beach, Application No. 06-0613-3 for issuance of a Modification to Right of Way Occupancy Permit Number 1561 for utilization of Works or Lands of the District known as the C-9 Canal, Miami-Dade County, to allow the removal and replacement of existing guardrail within the rights of way of the C-9 Canal at the N. E. 15th Avenue bridge lying in Section 17, Township 52S, Range 42E. The petition seeks relief from subsections 40E-6.011(5) and (6), Florida Administrative