

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Robert Hood, Assistant Director, Office of Public Health Research  
 NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Susan Phillips, Director, Office of Public Health Research  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 3, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 20, 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."

**STATE BOARD OF ADMINISTRATION**

RULE NOS.:	RULE TITLES:
19-8.010	Reimbursement Contract
19-8.012	Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund Due to Limited Exposure due to Limited Exposure
19-8.013	Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.
19-8.029	Insurer Reporting Requirements

**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. 34, No. 16, April 18, 2008 issue of the Florida Administrative Weekly.

NOTICE IS HEREBY GIVEN by the State Board of Administration of Florida, in accordance with subparagraph 120.54(3)(d)1., F.S., that the changes to Rules 19-8.012 and 19-8.013, F.A.C. and changes to forms incorporated into Rules 19-8.010 and 19-8.029, F.A.C., which changes are listed below, have been made since the publication of the above-listed rules in the Florida Administrative Weekly (FAW) on February 15, 2005, in Vol. 34, No. 7. The changes noticed are numbered 1. through 9., below.

19-8.010 Reimbursement Contract.

The rule has not changed; however the following changes have been made to the Reimbursement Contract incorporated into this rule:

1. Article X(2)(a), in the Reimbursement Contract, form FHCF-2008K, has been amended to remove the reference to "regulatory supervision" and the following new sentence has been added to the end of the paragraph:

Such acceleration will not apply when the receiver or rehabilitator provides a letter of assurance to the FHCF that the Company will have the resources to pay the premium in installments in accordance with the contractual provisions.

2. Article X(3)(b)5.b. and (4)(e)8., in the Reimbursement Contract, which is given the form identification of FHCF-2008K: The word "~~self-insured~~" has been replaced with the word "self-insurance" in each subparagraph.

3. Article X(4)(f) in the Reimbursement Contract, form FHCF-2008K, has been stricken in its entirety.

4. The statutory citation in Appendix A to Addendum No. 3 to Reimbursement Contract has changed from 215.555(5)(2) to 215.555(5)(e).

19-8.012 Procedures to Determine Ineligibility for Participation in the Florida Hurricane Catastrophe Fund and to Determine Exemption from Participation in the Florida Hurricane Catastrophe Fund Due to Limited Exposure.

5. Subsection (3)(a) of Rule 19-8.012, F.A.C. has had the following underlined language added to it:

(3) Procedures to Determine Exemption from the Fund Due to Limited Exposure.

(a) An insurer requesting exemption from participation in the Fund because its exposure for covered policies, as defined in Section 215.555(2)(c), F.S., and in Article V of the reimbursement contract, as adopted and incorporated by reference in Rule 19-8.010, F.A.C., is less than \$10 million in the aggregate shall submit a written request for a determination regarding such an exemption no later than June 1 of the upcoming contract year. If requested within thirty days of writing its first covered policy, a new participant, as defined in Article V of the reimbursement contract, may request exemption if its exposure is less than \$10 million in the aggregate and is expected to remain less than \$10 million in the aggregate for the remainder of the contract year. The request shall be sent to the Fund's Administrator, Paragon Strategic Solutions Inc., at 3600 American Boulevard West, Suite 700, Minneapolis, Minnesota 55431. The insurer shall submit the following information no later than June 30 of the upcoming contract year:

Specific Authority 215.555(3) FS. Law Implemented 215.555(2)(c), (3), (4), (5) FS. History—New 2-17-97, Amended 6-2-02, 5-13-03, 5-19-04, 5-29-05, 5-10-06,\_\_\_\_\_.

19-8.013 Revenue Bonds Issued Pursuant to Section 215.555(6), F.S.

6. The words “tax-exempt post-event” have been added in three places in (4)(c)2. since the Notice of Proposed Rulemaking was published. These words were added for clarification. In addition, Contract Year ~~2006-2007~~ was changed to read 2006/2007. This subparagraph now reads as follows:

(4)(c)2. Except as required by Section 215.555(7)(c), F.S., or as described in the following two sentences, Reimbursement Premiums, together with earnings thereon, received in a given Contract Year will be used only to pay for losses attributable to Covered Events occurring in that Contract Year or for losses attributable to Covered Events in subsequent Contract Years and will not be used to pay for past losses or for debt service on tax-exempt post-event revenue bonds. Amounts collected during the ~~in~~ Contract Year 2006/2007 ~~2006-2007~~ as part of the premium that are attributable to the required 25% rapid cash buildup factor, pursuant to ~~as permitted by~~ Section 215.555(5)(b), F.S., may be used to pay for losses attributable to prior Contract Years. Pursuant to Section 215.555(6)(a)1., F.S., Reimbursement Premiums, and earnings thereon ~~or amounts collected as part of the premium that are attributable to the rapid cash buildup factor~~, may be used for payments relating to tax-exempt post-event revenue bonds in the event Emergency Assessments are insufficient. If Reimbursement Premiums are used for debt service on tax-exempt post-event revenue bonds, then the amount of the Reimbursement Premiums, or earnings thereon, ~~or amounts collected as part of the premium that are attributable to the rapid cash buildup factor~~ so used shall be returned, without interest, to the Fund when Emergency Assessments or other legally available funds remain available after making payments relating to such ~~the~~ revenue bonds and any other purposes for which Emergency Assessments were levied.

7. The language addressing federal multi-peril crop and the words “pursuant to the doctrine of federal pre-emption” which had been new language in the Notice of Proposed Rulemaking, as published, have been stricken. This paragraph now reads as follows:

(5)(b) Pursuant to the Order issued by the Office of Insurance Regulation levying the Emergency Assessment, each Assessable Insurer shall remit to the entity identified in the Order, an amount equal to the required percentage of its direct written premium for the preceding calendar quarter from all Assessable Lines. Medical malpractice is an Assessable Line of business but only as to covered events occurring on or after June 1, ~~2010~~ 2007. In addition, ~~Multi-Peril crop policies reinsured or subsidized by the Federal Government are exempt from the Emergency Assessment pursuant to a final judgment entered on March 20, 2007, in National Crop Insurance Services, Inc. et al. v. Office of Insurance Regulation, Case No. 2006 CA 2594 (Fla. 2nd Cir. Ct. 2007) and pursuant to the~~

doctrine of federal pre-emption, policies issued as part of the National Flood Insurance Program are not subject to the Emergency Assessment ~~pursuant to the doctrine of federal pre-emption~~. The required percentage will be determined in accordance with Section 215.555(6)(b), F.S., and the procedures set out in subsection (4) of this rule.

Specific Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7) FS. History—New 9-18-97, Amended 12-3-98, 9-12-00, 6-1-03, 5-19-04, 5-29-05, 5-10-06, 9-5-06,\_\_\_\_\_.

8. The language addressing federal multi-peril crop in (5)(d)2.c., which had been proposed to be added to the rule have been removed.

19-8.029 Insurer Reporting Requirements.

9. Rule 19-8.029, F.A.C. has not changed; however, the Data Call, FHCF-D1A, which is incorporated into Rule 19-8.029, F.A.C. has been amended. As noticed in the Notice of Proposed Rulemaking, the Data Call had provided that Year Built, Florida Building Code Indicator, Structure Opening Protection, Roof Shape, Roof-Wall Connection, and Roof-Deck Attachment would be new rating factors for the 2008-2009 Contract Year. The Data Call has now been amended to show the factors listed above as information only fields and not rating factors.

The person to be contacted regarding these changes is Tracy L. Allen, (850)413-1341, P. O. Box 13300, Tallahassee, FL 32317

**PUBLIC SERVICE COMMISSION**

RULE NO.:	RULE TITLE:
25-30.4325	Water Treatment and Storage Used and Useful Calculations

**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. 23, June 8, 2007 issue of the Florida Administrative Weekly.

Docket No. 070183-WS

Strike the rule text as published and replace with the following:

25-30.4325 Water Treatment and Storage Used and Useful Calculations.

(1) Definitions.

(a) A water treatment system includes all facilities, such as wells and treatment facilities, excluding storage; and high service pumping, necessary to pump and produce, treat, ~~and deliver~~ potable water to a transmission and distribution system.

(b) through (d) No change.

(e) Excessive unaccounted for water (EUW) is unaccounted for finished potable water produced in excess of 10 ~~14~~ percent of the amount produced accounted for usage, including water sold; other water used, such as for flushing or fire fighting; and water lost through line breaks.

(2) The Commission's used and useful evaluation of water treatment system and storage facilities will consider shall include a determination as to the prudence of the investment, and consideration of economies of scale, and other relevant factors including whether flows have decreased due to conservation or to a reduction in the number of customers.

(3) Separate used and useful calculations shall be made for the water treatment system and storage facilities. An However, if the utility believes an alternative calculation is appropriate, such calculation may also be provided, along with supporting documentation and justification, including service area restrictions, factors involving treatment capacity, well drawdown limitations, changes in flow due to conservation or to a reduction in the number of customers, and alternative peaking factors.

(4) A water treatment system is considered 100 percent used and useful if:

~~(a) The system is the minimum size necessary to adequately serve existing customers plus an allowance for growth and fire flow; or~~

~~(b) The the service territory the system is designed to serve is mature or built out and there is no apparent potential for expansion of the service territory; or~~

~~(c) The the system is served by a single well.~~

(5) No change.

(6) The firm reliable capacity of a water treatment system is equivalent to the pumping capacity of the wells, excluding the largest well for those systems with more than one well. ~~However, if the pumping capacity is restricted by a limiting factor such as the treatment capacity or draw-down limitations, then the firm reliable capacity is the capacity of the limiting component or restriction of the water treatment system. In a system with multiple wells, if a utility believes there is justification to consider more than one well out of service in determining firm reliable capacity, such circumstance will be considered. The utility must provide support for its position, in addition to the analysis excluding only the largest well.~~

(a) No change.

(b) Firm reliable capacity is expressed in gallons per day, based on 16 ~~12~~ hours of pumping, for systems with storage capacity.

(7) No change.

(a) Peak hour demand, expressed in gallons per minute, shall be calculated as follows:

1. The single maximum day (SMD) in the test year where there is no unless there is an unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water, divided by 1440 minutes in a day, times 2  $[(SMD-EUW)/1,440 \times 2]$ , or

~~2. The average of the 5 highest days (AFD) within a 30-day period in the test year, excluding any day with an unusual occurrence, less excessive unaccounted for water, divided by 1440 minutes in a day, times 2  $[(AFD-EUW)/1,440 \times 2]$ , or~~

~~2.3. If the actual maximum day flow data is not available, 1.1 gallons per minute per equivalent residential connection (1.1 x ERC).~~

(b) Peak day demand, expressed in gallons per day, shall be calculated as follows:

1. The single maximum day in the test year, ~~if where~~ there is no unusual occurrence on that day, such as a fire or line break, less excessive unaccounted for water (SMD-EUW), or

~~2. The average of the 5 highest days within a 30 day period in the test year, excluding any day with an unusual occurrence, less excessive unaccounted for water (AFD-EUW), or~~

~~2.3. If the actual maximum day flow data is not available, 787.5 gallons per day per equivalent residential connection (787.5 x ERC).~~

(8) through (10) No change.

~~(11) In its used and useful evaluation, the Commission will consider other relevant factors, such as whether flows have decreased due to conservation or a reduction in the number of customers.~~

Specific Authority 350.127(2), 367.121(1)(f) FS. Law Implemented 367.081(2), (3) FS. History--New \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Pari-Mutuel Wagering**

RULE NO.: 61D-12.001  
 RULE TITLE: Incorporated and Approved Forms  
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 11, March 14, 2008 issue of the Florida Administrative Weekly.

Subsections (1) and (4) are corrected as follows:

61D-12.001 Incorporated and Approved Forms.

The following is a list of all forms now incorporated which are to be used by the Division in its dealing with the cardroom operators and licensees who conduct cardroom gaming. A copy of these forms may be obtained at [www.myflorida.com/dbpr/pmw](http://www.myflorida.com/dbpr/pmw) or by contacting the Division of Pari-Mutuel Wagering at 1940 North Monroe Street, Tallahassee, Florida 32399-1035. The effective date of each of these forms is the promulgation date of this rule.

FORM NUMBER	SUBJECT	EFFECTIVE DATE
(1) DBPR PMW-3120	Individual Occupational License Application	____3-4-07
(2) DBPR PMW-3130	Business Occupational License Application	3-4-07

(3) DBPR PMW-3150	Notification of a Card Game	3-4-07
(3)(4) DBPR PMW-3160	Permitholder Application for Annual License to Operate a Cardroom License Upgrade	3-4-07
(4)(5) DBPR PMW-3170	Application Request for Waiver	3-4-07
(5)(6) DBPR PMW-3180	List Notice of Change of Cardroom Business	3-4-07
(6)(7) DBPR PMW-3220	Occupational Licensees Providing Products and Services to a Cardroom	
(7) DBPR PMW-3605	Daily Tracking of Cardroom Jackpot	
(8) DBPR PMW-3640	Cardroom Monthly Remittance Report	3-4-07
(9) DBPR PMW-3650	Cardroom Daily Control Sheet	3-4-07

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pat Whitford, Economic Self-Sufficiency Services, phone (850)410-3479

TEXT OF THE PROPOSED RULE CHANGES:

65A-1.301 Citizenship.

(1) The individual whose needs are included must meet the citizenship and noncitizen ~~alien~~ status established in: P.L. 104-193, The Personal Responsibility and Work Opportunity Reconciliation Act of 1996; P.L. 105-33, the Balanced Budget Act of 1997; P.L. 105-185, the Agricultural Research, Extension, and Education Reform Act of 1998; P.L. 105-306, the Noncitizen Benefit Clarification and Other Technical Amendments Act of 1998; P.L. 109-171, the Deficit Reduction Act of 2005; and, the Immigration and Nationality Act.

(2) For Medicaid, an individual who indicates they are a U.S. citizen, and who is not subject to an exemption as specified in 42 C.F.R. 435.406 (2007) (incorporated by reference), must provide proof of U.S. citizenship and identity as specified in 42 C.F.R. 435.407 (2007) (incorporated by reference) ~~P.L. 109-171, the Deficit Reduction Act of 2005 as amended by P.L. 109-432, Tax Relief and Health Care Act of 2006~~. The Department will assist with obtaining documentation if the applicant or recipient indicates they are having a problem obtaining the documentation.

(3) The eligibility specialist must verify the immigration status of noncitizens through the United States Citizenship and Immigration Service (USCIS), formerly the United States Bureau of Citizenship and Immigration Services. Verification will be requested electronically using the alien number, or based on a USCIS or prior Immigration and Naturalization Services (INS) document provided by the applicant. The system of verification is known as the Verification Information System-Customer Processing System (VIS-CPS), which is part of the Systematic Alien Verification for Entitlements (SAVE) Program. When the noncitizen provides neither an alien number nor USCIS document to indicate their status, the noncitizen must contact the USCIS to obtain documentation or verification of noncitizen status. The department will assist in obtaining documentation if requested. If the noncitizen provides any form of USCIS documentation, regardless of the expiration date, showing an eligible Immigration Act section, the eligibility specialist must accept the documentation and verify the individual's status. Electronic verification of an eligible immigrant status is acceptable proof of the individual's eligible status for all programs. Automated verification is attempted first. If automated verification cannot be obtained, noncitizenship status must be verified manually (i.e., secondary verification) through use of a USCIS form. Benefits will not be withheld when VIS-CPS indicates secondary (i.e., manual) verification is required and response from the secondary verification is pending, provided all other technical

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Employee Leasing Companies**

RULE NO.: 61G7-10.0014  
 RULE TITLE: Requirements for Evidence of Workers' Compensation Coverage  
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 21, May 26, 2006 issue of the Florida Administrative Weekly has been withdrawn.

**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 CHILDREN AND FAMILY SERVICES**

**Economic Self-Sufficiency Program**

RULE NOS.: 65A-1.301, 65A-1.704, 65A-1.705  
 RULE TITLES: Citizenship, Family-Related Medicaid Eligibility Determination Process, Family-Related Medicaid General Eligibility Criteria

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. 33, August 17, 2007 issue of the Florida Administrative Weekly.

IF REQUESTED WITHIN 14 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: May 14, 2008, 1:30 p.m.  
 PLACE: 1317 Winewood Boulevard, Building 3, Room 455, Tallahassee, FL 32399

factors of eligibility are met. Benefit recovery is required when such individuals are determined to not have been in an eligible noncitizen status.

(4) Noncitizens who would experience an undue hardship in obtaining current USCIS documentation, hospitalized noncitizens or noncitizens with a medical disability will be considered eligible for benefits on the noncitizen factor of eligibility while awaiting the return of USCIS secondary or manual verification. Undue hardship includes living a prohibitive distance from the USCIS office, lack of transportation, inability to travel to or attend appointments due to a medical condition, or a long waiting period for an appointment with the USCIS. However, these individuals are subject to recoupment for any benefits issued while verification is pending should they subsequently be determined to have been in an ineligible noncitizen status.

Specific Authority 409.919, 414.45 FS. Law Implemented 409.903, 409.904, 410.033, 414.095(3), 414.31 FS. History–New 4-9-92, Amended 11-22-93, Formerly 10C-1.301, Amended 4-18-99,\_\_\_\_\_.

65A-1.704 Family-Related Medicaid Eligibility Determination Process.

(1) No change.

(2) Simplified Eligibility for Pregnant Women.

(a) The application form for a pregnant woman applying only for Medicaid and only for herself based on pregnancy is CF-ES Form 2700, Health Insurance Application for Pregnant Women, ~~08/2006 July 2003~~ (incorporated by reference).

(b) No change.

(c) The following information must be verified or obtained, as indicated below, prior to approval for Medicaid for a pregnant woman.

1. through 3. No change.

4. A declaration of citizenship is required. The applicant’s statement on the Health Insurance Application for Pregnant Woman, CF-ES 2700, 04/2007, is acceptable as a declaration of citizenship. U.S. citizens must provide proof of their U.S. citizenship and identity, if they are not subject to an exemption as specified in 42 C.F.R. 435.406 (2007) (incorporated by reference) P.L. 109-171, the ~~Deficit Reduction Act of 2005 as amended by P.L. 109-432, Tax Relief and Health Care Act of 2006.~~

5. Noncitizens must provide proof of immigration status through the United States Citizenship and Immigration Service (USCIS), formerly the United States Bureau of Citizenship and Immigration Services. The department will request verification of immigration status of noncitizens electronically through the Verification Information System-Customer Processing System (VIS-CPS), which is part of the Systematic Alien Verification for Entitlements (SAVE) Program, using the noncitizen’s alien number. If the pregnant woman is a non-citizen, she may provide her alien number to the eligibility specialist on the

application. If the information is not on the application, it may be provided by telephone. The pregnant woman’s eligibility as a non-citizen will be determined in accordance with Section 1137 of the Social Security Act.

~~6.5~~ No change.

~~7.6~~ No change.

(d) No change.

(3) through (5) No change.

Specific Authority 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.919 FS. History–New 10-8-97, Amended 2-7-01, 10-21-01, 4-1-03, 2-4-04,\_\_\_\_\_.

65A-1.705 Family-Related Medicaid General Eligibility Criteria.

(1) through (2) No change.

(3) The child must be living with a specified relative as defined in paragraph ~~65A-1.705(7)(a)~~ ~~65A-1.705(8)(a)~~, F.A.C., unless specified that the child may be living with a non-relative.

(4) No change.

(5) The individual must be a resident of Florida as provided by s. 1902(a) and (b) of the Social Security Act.

(6) through (7) No change.

(8) Medicaid Applications Due to KidCare.

(a) through (b) No change.

(c) Prior to approval for Medicaid;

1. Children who are U.S. citizens must have their citizenship and identity verified unless they are exempt from the requirement as specified in 42 C.F.R. 435.406 (2007) (incorporated by reference). ~~P.L. 109-171, the Deficit Reduction Act of 2005 as amended by P.L. 109-432, Tax Relief and Health Care Act of 2006;~~

2. ~~V~~erification of immigration status will be required for children who are not citizens. Immigration status will be verified through the Verification Information System-Customer Processing System (VIS-CPS) Ssystem, which is part of the Systematic Alien Verification for Entitlements Program, and completion of a KidCare Program Immigration Status Statement, CF-ES 2083, Oct. 2002 (incorporated by reference). Information about immigration status and the receipt of Medicaid will be sent to parents when they are asked to complete the Immigration Status Statement form. If the requested information is not provided within thirty (30) days, the application will be denied, unless a request for an extension is made or there are extenuating circumstances known to the department justifying an extension. If the verification or information is difficult for the parent or caretaker to obtain, the eligibility specialist must provide assistance obtaining the verification or information when requested.

(d) through (h) No change.

(9) No change.

Specific Authority 409.8918, 409.919 FS. Law Implemented 409.902, 409.903, 409.904, 409.818, 409.919 FS. History—New 10-8-97, Amended 9-28-98, 4-5-99, 11-23-99, 2-15-01, 9-24-01, 4-1-03, \_\_\_\_\_.

**FISH AND WILDLIFE CONSERVATION COMMISSION**

**Marine Fisheries**

RULE NOS.:	RULE TITLES:
68B-24.001	Purpose and Intent
68B-24.002	Definitions
68B-24.006	Gear: Traps, Buoys, Identification Requirements, Prohibited Devices
68B-24.007	Other Prohibitions
68B-24.008	Slipper Lobster; Prohibitions Relating to Eggbearing Slipper Lobster
68B-24.009	Trap Reduction Schedule

**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. 34, No. 10, March 7, 2008 issue of the Florida Administrative Weekly.

Proposed amendments to Rules 68B-24.001, 68B-24.002, 68B-24.006, 68B-24.007, and 68B-24.009, and the proposed repeal of Rule 68B-24.008, have each been changed to include a PROPOSED EFFECTIVE DATE of July 1, 2008. No other changes were made to the rule amendments or rule repeal as proposed.

**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**

**DEPARTMENT OF LAW ENFORCEMENT**

NOTICE IS HEREBY GIVEN THAT on April 9, 2008, the Criminal Justice Standards and Training Commission, received a petition for permanent waiver of subsection 11B-27.00212(14), F.A.C., and CJSTC form 86A, from Michael Christoff. Petitioner wishes to waive that portion of the rule and form that requires officers to shoot from the 15 yard line at a B21E target or equivalent as partial fulfillment of the law enforcement officer firearms qualification standard.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302-1489. Comments on the Petition may also be directed to the above.

**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 April 2, 2008, the South Florida Water Management District (SFWMD), received a petition for Variance (Application 080402-21, Permit 36-05292-P) from Riviera HFAH LLC for a project known as Riviera Marina, located in Lee County, Section 13, Township 44 South, Range 24 East. The petition seeks relief from Section 373.414, F.S., subsection 40E-4.101(2), F.A.C., pertaining to the content of permit applications and the requirement that the permit be issued to the record title holder, holder of a recorded easement, those having the right to exercise the power of eminent domain or having a contract to purchase real property.

A copy of the Petition for Variance or Waiver may be obtained by contacting Beth Colavecchio at (561)682-6905 or e-mail at [bcolavec@sfwmd.gov](mailto:bcolavec@sfwmd.gov). The SFWMD 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 from the date of publication at: South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33041, Attn: District Clerk. For additional information, contact: Pierre Fortunat, Lower West