

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-23.011
RULE TITLE: Program Performance Standards
PURPOSE AND EFFECT: The purpose of this rule development is to provide program performance standards pursuant to Title 29 Code of Federal Regulations, Part 29 and 30.

SUBJECT AREA TO BE ADDRESSED: Apprenticeship Programs.

RULEMAKING AUTHORITY: 446.032, 446.041, 446.75 FS.

LAW IMPLEMENTED: 446.041, 446.075 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: Elsie J. Rogers, Coordinator, Legislation and Professional Development, Division Workforce Education, 325 West Gaines Street, Suite 720, Tallahassee, FL 32399; (850)245-9029 or e-mail elsie.rogers@fldoe.org. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-24.001	Name, Authority and Responsibilities
6A-24.002	Composition of Membership and Length of Service on the Council
6A-24.003	Officers and Their Functions
6A-24.004	Meetings
6A-24.005	Amendments
6A-24.006	Council Responsibilities
6A-24.007	Registration Agency Responsibilities to the Council

PURPOSE AND EFFECT: The purpose of this rule development is to: identify federal and state rules and regulations that govern apprenticeship; provide the purpose and scope of the State Apprenticeship Council; provide

definitions for the State Apprenticeship Council; provide the composition of the Council membership and terms; establish requirements for noticing and conducting meetings; establish the process for amending the rules/procedures; provide Council responsibilities; and establish registration agency responsibilities to the Council; pursuant to Section 446.032, Florida Statutes; and Title 29 Code of Federal Regulations, Part 29 and 30.

SUBJECT AREA TO BE ADDRESSED: State Apprenticeship Council.

RULEMAKING AUTHORITY: 446.032 FS.

LAW IMPLEMENTED: 446.045 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: Elsie J. Rogers, Coordinator, Legislation and Professional Development, Division Workforce Education, 325 West Gaines Street, Suite 720, Tallahassee, FL 32399; (850)245-9029 or e-mail elsie.rogers@fldoe.org. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Housing and Community Development

RULE NO.: 9B-43.003
RULE TITLE: Definitions
PURPOSE AND EFFECT: Notice of Proposed Rule Development.

SUBJECT AREA TO BE ADDRESSED: To seek input, exchange ideas and gather information that can be utilized in the development of a program rule and application for Federal Fiscal Year 2009. At the workgroup meeting, staff from the CDBG program will provide an overview of the program and answer questions.

RULEMAKING AUTHORITY: 290.044, 290.048 FS.

LAW IMPLEMENTED: 290.042, 290.043, 290.044, 290.0455, 290.046, , 290.048 FS.

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

DATE AND TIME: December 16, 2009, 1:30 p.m. – 5:00 p.m.

PLACE: Florida Department of Community Affairs, 2555 Shumard Oak Boulevard (Room 305), 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: pat.harvey@dca.state.fl.us or (850)487-3644. 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: Jacquelyn Dupree, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; phone: (850)487-3644; e-mail: jackie.dupree@dca.state.fl.us
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF REVENUE

Division of Child Support Enforcement

RULE NO.: 12E-1.030
 RULE TITLE: Administrative Establishment of Child Support Obligations

PURPOSE AND EFFECT: The purpose of this Notice of Proposed Rule Development is to give notice that the Department is developing a rule for the creation of an administrative support order as mandated by Section 409.2563(7)(e), Florida Statutes.

The effect of this action is to ensure the Department’s rules conform to statute.

SUBJECT AREA TO BE ADDRESSED: The subject area addressed is the Department’s establishment of administrative support orders that detail an obligation to provide support for his or her children as allowed by Section 409.2563, Florida Statutes. The Department is accepting written comments to assist in creating the administrative support establishment rule.
 RULEMAKING AUTHORITY: 409.2557(3) FS.

LAW IMPLEMENTED: 409.2563 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: Steve Robinson, Government Analyst II, Child Support Enforcement Program, Department of Revenue, P. O. Box 8030, Tallahassee, Florida 32314-8030, telephone (850)922-9716, e-mail address: robinsos@dor.state.fl.us

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

DEPARTMENT OF CORRECTIONS

RULE NOS.:	RULE TITLES:
33-204.002	Food Services – Definitions
33-204.003	Food Services – Standards of Operation

PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to amend Rule 33-204.002, F.A.C., to clarify the definitions of “vegan meal pattern” and “alternate entrée” and to amend Rule 33-204.003, F.A.C., to clarify the circumstances under which an inmate may be removed from the vegan meal pattern.

SUBJECT AREA TO BE ADDRESSED: Food Services.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-204.002 Food Services – Definitions.

For the purposes of this chapter:

(1) “Master menu” means the menu ~~that which~~ is designed to be served at all facilities to provide uniformity in items served to each inmate. The master menu shall be planned under the direction of the department’s master menu committee, and certified nutritionally adequate as determined by a licensed registered dietitian employed by the department.

(2) No change.

(3) “Alternate entree” means the substitute non-meat entree offered at meals ~~and the vegan (total vegetarian) meal pattern. Inmates shall be given a choice of the regular or non-meat entree. Inmates may choose one or the other, but not both. Inmates committed to the vegan meal pattern exclude themselves from this choice.~~

(4) No change.

(5) “Vegan meal pattern” refers to a meal pattern that excludes all animal byproducts. Inmates who wish to be on the vegan meal pattern must submit Form DC6-236. Inmate

Request, to the food service director at the facility where the inmate is housed. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C. Inmates who choose the vegan meal pattern shall not be permitted to eat from the regular menu or choose the alternate entrée and are subject to removal from the pattern pursuant to Rule 33-204.002, F.A.C.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History–New 1-18-89, Amended 7-21-97, Formerly 33-30.002, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, 11-1-04,

33-204.003 Food Services – Standards of Operation.

- (1) No change.
- (2) Confinement.

(a) All inmates in confinement shall receive normal institutional meals as are available to the general population, except that if any item on the normal menu or any food utensil might create a security problem in the confinement area, then another item of comparable quality or other appropriate utensils shall be substituted. Substitutions shall be documented on Form DC6-209, the Housing Unit Log, DC6-209 and Form DC6-210, Incident Report, DC6-210. Form DC6-209 is incorporated by reference in Rule 33-601.800. Form DC6-210 is have been previously incorporated by reference in Rule 33- 602.210 33-602.220, F.A.C.

- (b) through (3) No change.

(4) Vegan meal pattern. Inmates may choose the vegan (strict vegetarian) meal pattern by submitting Form DC6-236, Inmate Request, to the food service director at the facility where the inmate is housed. An inmate who is transferred to another facility shall be allowed to continue the vegan meal pattern at the new facility by showing the inmate request that was approved by the previous food service director until his request is approved by the new food service director. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(a) Inmates on the vegan meal pattern who are observed eating from the regular menu shall be immediately removed from the vegan menu. Staff shall document the incident on Form DC6-210, Incident Report. Such inmates shall be ineligible to reapply for the vegan meal pattern for six months after involuntary removal.

(b) An inmate who voluntarily requests to be removed from the vegan meal pattern may not reapply for the pattern for 30 days.

~~(5)~~(4) Therapeutic Diets. Therapeutic diets for medical or dental reasons shall be provided as ordered by a Department of Corrections credentialed physician, clinical associate (physicians assistant, advanced registered nurse practitioner) or dentist. All orders for therapeutic diets shall be in writing. Non-standard therapeutic diets shall be approved by the public health nutrition program manager and the regional medical executive director. Therapeutic diets shall be served for a

maximum of 90 days. Diets extending for periods longer than 90 days shall require a new diet order from the attending Department of Corrections credentialed physician, clinical associate (physicians assistant or advanced registered nurse practitioner) or dentist. Diet prescription orders must be received in food services prior to the expiration of the current prescription to avoid interruption of the therapeutic diet. The Public Health Nutrition Program Manager and the Public Health Consultants shall be available for consultation by health and food service personnel regarding therapeutic diets.

~~(6)~~(5) Religious Diets. The alternate entrée and the program is designed to provide meal options for inmates whose religions require a pork free, lacto-ovo or lacto-vegetarian diet. The vegan (strict vegetarian) meal pattern provides meal options for the religious requirements of inmates whose religions require a pork-free, lacto-ovo, lacto-vegetarian, or vegan diet who choose to avoid all animal products. Inmates requesting the vegan meal pattern shall submit an Inmate Request, Form DC6-236, to the food service director at the facility where the inmate is currently housed. An inmate who is transferred to another facility shall be allowed to continue the vegan meal pattern at the new facility by showing the inmate request that was approved by the previous food service director until his request is approved by the new food service director. Form DC6 236 is incorporated by reference in Rule 33-103.019, F.A.C.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 1-18-89, Amended 7-21-97, Formerly 33-30.003, Amended 8-9-00, 11-16-00, 10-2-01, 2-18-02, 7-2-03, 11-1-04, 2-27-05, 10-16-05, 1-17-06, 4-27-09,_____.

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-210.101
 RULE TITLE: Routine Mail

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: clarify the circumstances under which an inmate may receive more than 15 pages of additional written materials; clarify the types of incoming enclosures that are subject to color restrictions; clarify that address labels may only be affixed to the outside of the mailing envelope; create an exception to the prohibition on sending mail to individuals who have requested that no mail be received from an inmate, as long as the outgoing mail pertains to civil pleadings or other legal documents pertaining to a civil case in which both the inmate and the intended recipient are parties; clarify that incoming mail that is unauthorized because it is not properly addressed to the inmate or because it is in unauthorized packaging shall be stamped with the reason for rejection and returned to the sender unopened; establish that inmates may possess no more than 20 greeting cards and accompanying envelopes at a time; create a mechanism for inmates who allege that a pen-pal solicitation ad was placed without their knowledge or consent to request in writing that the ad be

removed in order to avoid disciplinary action; amend Form DC2-521, Unauthorized Mail Return, to coincide with the rule changes.

SUBJECT AREA TO BE ADDRESSED: Routine Mail.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.101 Routine Mail.

(1) The provisions of this section shall apply to routine mail. Routine mail is all inmate mail, except legal mail (see Rule 33-210.102, F.A.C.), privileged mail (see Rule 33-210.103, F.A.C.), and publications (see Rule 33-501.401, F.A.C.).

(2) Inmates will be permitted to receive only the following types of materials through routine mail:

(a) Written correspondence (no limit as to number of pages). Correspondence shall be written in either English or Spanish. Inmates who cannot read and write in English or Spanish shall request approval from the warden to correspond and receive correspondence in the language which the inmate can read and write using Form DC6-236, Inmate Request. The warden shall approve such requests when there are department staff who can translate the correspondence or when it is otherwise possible to obtain translation services at de minimus cost to the Department. Correspondence may be written on greeting cards, but cards containing electronic or other non-paper parts, cards ~~that which~~ are constructed in such a way as to permit concealment of contraband, or cards that which are larger than 8"x10" will not be permitted. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

(b) Up to 15 pages of additional written materials, unless the additional written materials pertain to an inmate's legal case, ~~or~~ health, or other significant issues and ~~or~~ prior approval is obtained from the warden to send in an enclosure of greater than 15 pages. Each page can be no larger than 8 1/2" x 14" in size; material can be on both sides of a page. This does not include publications, which shall be handled pursuant to Rule 33-501.401, F.A.C. Individual articles or clippings from publications the content of which is otherwise admissible are permissible, up to the 15 page limit. No item can be glued, taped, stapled, or otherwise affixed to a page. Requests to send enclosures of greater than 15 pages shall be made to the

warden or ~~his~~ designee prior to sending the material. Exceptions to the 15 page limitation are intended for enclosures concerning legal, medical, or other significant issues, and not for material for general reading or entertainment purposes. The warden shall advise the sender and the mail room of his approval or disapproval of the request.

(c) Photographs. Photographs will be counted toward the 15 page additional materials limitation. Nude photographs or photographs ~~that which~~ reveal genitalia, buttocks, or the female breast will not be permitted. Polaroid photographs will not be permitted. Photographs will not exceed 8" x 10".

(d) Self-addressed stamped envelopes. These items do not count toward the 15 page limitation for additional materials, but cannot exceed the equivalent of 20 (1 oz.) first class stamps.

(e) ~~Unused Blank~~ greeting cards (no larger than 8" x 10"), stationery or other blank writing paper (lined or unlined), or envelopes. ~~Such items may only be white, off-white, or yellow and may not include borders or graphics.~~ These items do not count toward the 15 page limitation for additional materials, but cannot exceed 10 each in number, ~~with a total possession limit of 15 of each item.~~ Card stock, sketch paper, and other types of craft paper may not be included.

(f) U.S. postage stamps. The value of the stamps cannot exceed the equivalent of 20 (1 oz.) first class stamps. These items do not count toward the 15 page limitation for additional materials. Inmates shall not possess more than the maximum number of stamps permitted by Rule 33-602.201, F.A.C. Due care shall be exercised in processing mail; however, the department shall not be responsible for any postage stamps sent through the mail.

(3) No other items may be received through incoming routine mail. If an impermissible item is found (other than items of an illegal nature) the entire correspondence will be returned to the sender pursuant to subsection (14) of this rule. For example, the following items are not permissible for inclusion in or attachment to routine mail:

(a) Non-paper items;

(b) Items of a non-communicative nature such as lottery tickets or matchbooks;

(c) Stickers or stamps (other than postage stamps, postal service attachments, and address labels affixed to the outside of the mailing envelope);

(d) Address labels (other than those affixed to the outside of the mailing envelope); or

(e) Laminated cards or other laminated materials.

(4) Inmates shall be responsible for informing correspondents of the regulations concerning incoming routine mail.

(5) Any routine mail sent or received shall be opened, examined, and is subject to being read by a designated employee. If the warden has approved an inmate to receive

correspondence written in a language other than English or Spanish the correspondence may be translated to confirm that it complies with the applicable rules. If the language cannot be translated by an employee at the facility the correspondence may be photocopied and sent to another institution or the central office for translation. Outgoing mail shall not be sealed by the inmate sender. Incoming and outgoing mail that is properly addressed and otherwise in compliance with applicable rules shall not be held for processing for more than 48 hours of receipt by the mail room, excluding weekends and holidays.

(6) Except as provided in this rule, inmates may send mail to and receive mail from any person or group they wish.

(7) Correspondence with inmates of other penal institutions shall be subject to the prior approval of the warden of each institution. Either warden shall withhold approval if he finds that the intended correspondence would present a substantial threat of interference with the security, order or rehabilitative objectives of his institution.

(8) Correspondence with individuals under civil commitment as sexually violent predators shall be subject to the prior approval of the warden. The warden shall withhold approval if he finds that the intended correspondence would present a substantial threat of interference with the security, order, or rehabilitative objectives of his institution.

(9) Inmates shall not use correspondence privileges to solicit or otherwise commercially advertise for money, goods, or services. For the purposes of this rule this includes advertising for pen-pals; inmates are not prohibited from corresponding with pen pals, but shall not place ads soliciting pen pals. Inmates who post ads or have ads posted with the assistance of another person shall be subject to disciplinary action. If an inmate alleges that an ad was posted without his assistance or permission or that the ad was placed before the restriction on soliciting pen-pals became effective, it is the responsibility of the inmate to request that the ad be removed by submitting a written request to the owner, operator, or administrator of the forum in which the ad is located if it is reasonably possible for the Department to identify the physical address of such entity. No inmate shall be subject to discipline if the ad is not removed subsequent to submission of the written request. If it is not reasonably possible for the Department to identify the physical address of the owner, operator, or administrator of the forum in which the ad is located, the inmate must submit Form DC6-236, Inmate Request, to the warden indicating that the ad was placed without the inmate's knowledge or consent or that it was placed prior to the restriction on solicitation of pen-pals. The inmate shall be subject to disciplinary action only if it is discovered that the inmate solicited the ad or that it was placed subsequent to the restriction on solicitation of pen-pals.

(10) Inmates may not send mail to any person who has advised the warden that he does not wish to receive mail from the inmate. The parents or legal guardians of a person under the age of 18 may advise that mail is not to be sent to such person. Upon receipt of such advisement, the warden will cause to be prepared an acknowledgment specifying that the inmate will not be permitted to send mail to the person requesting the correspondence restriction and that such person should return any further mail received from the inmate and notify the warden of the attempt to correspond. After the inmate is notified of the correspondence restriction, any further attempt to correspond will be considered a violation of this rule and of section 9-14 of the Rules of Prohibited Conduct (Rule 33-601.314, F.A.C.), and will subject the inmate to disciplinary action. This restriction does not apply to civil pleadings or other legal documents pertaining to a civil case in which both the inmate and the receiver are parties, and no inmate shall be subject to discipline for mailing such items.

(11) Outgoing or incoming mail shall be disapproved for mailing or delivery to the inmate if any part of it:

(a) Depicts or describes procedures for the construction of or use of weapons, ammunitions, bombs, chemical agents, or incendiary devices;

(b) Depicts, encourages, or describes methods of escape from correctional facilities or contains blueprints, drawings, or similar descriptions of Department of Corrections facilities or institutions, or includes road maps that can facilitate escape from correctional facilities;

(c) Depicts or describes procedures for the brewing of alcoholic beverages; or the manufacture of drugs or other intoxicants;

(d) Is written in code or is otherwise written in a manner that is not reasonably subject to interpretation by staff as to meaning or intent;

(e) Depicts, describes, or encourages activities that which may lead to the use of physical violence or group disruption;

(f) Encourages or instructs in the commission of criminal activity;

(g) Is dangerously inflammatory in that it advocates or encourages riot, insurrection, disruption of the institution, or violation of department or institution rules;

(h) Threatens physical harm, blackmail, or extortion;

(i) Pictorially depicts sexual conduct as defined by Section 847.001, F.S., as follows:

1. Actual or simulated sexual intercourse;

2. Sexual bestiality;

3. Masturbation;

4. Sadoomasochistic abuse;

5. Actual contact with a person's unclothed genitals, pubic area, buttocks, or, if such person is a female, breast;

6. ~~Actual contact with a person's unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party;~~

6.7. Any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed.

(j) Presents nudity in such a way as to create the appearance that sexual conduct is imminent, i.e., display of contact or intended contact with genitals, pubic area, buttocks or female breasts orally, digitally or by foreign object, or display of sexual organs in an aroused state.

(k) Contains criminal history, offender registration, or other personal information about another inmate or offender which, in the hands of an inmate, presents a threat to the security, order, or rehabilitative objectives of the correctional system or to the safety of any person;

(l) ~~Contains~~ ~~it contains~~ an advertisement promoting any of the following where the advertisement is the focus of, rather than ~~being~~ incidental to, the publication, or the advertising is prominent or prevalent throughout the publication.

1. Three-way calling services;
2. Pen-pal services;
3. The purchase of products or services with postage stamps; or

4. Conducting a business or profession while incarcerated.

(m) Is not in compliance with incoming mail regulations set forth in subsections (2) and (3) of this rule (incoming mail only);

(n) Contains or appears to contain unknown or unidentifiable substances; or

(o) Otherwise presents a threat to the security, order, or rehabilitative objectives of the Correctional System, or to the safety of any person.

(12) No inmate may establish or conduct a business through the mail during his period of incarceration.

(13) Inmates shall be prohibited from entering contests or sweepstakes through the mail while incarcerated.

(14)(a) When an inmate is prohibited from sending a letter, the letter and a written and signed notice stating one of the authorized reasons for disapproval and indicating the portion or portions of the letter causing disapproval will be given to the inmate. When an inmate is prohibited from receiving any item of mail, the inmate and the sender will be given notice in writing that the mail has been disapproved stating one of the authorized reasons for disapproval. Form DC2-521, The Unauthorized Mail Return Receipt, Form DC2-521, will be placed in the original envelope with the correspondence and returned to the sender. However, if an incoming mailing is rejected because it does not comply with the requirements of paragraph (15)(a) or subsection (20) of this rule, Form DC2-521 shall not be prepared. Instead, staff shall write or stamp the reason for rejection on the mailing and it shall be returned to the sender unopened.

(b) If the incoming mail is disapproved for one of the reasons listed in subsection (7), (8), or (9), paragraph (11)(a) through (l) or (o), subsection (12) or (13) of this rule, the institution shall make a copy of the correspondence before returning it to the sender with Form DC2-521, the Unauthorized Mail Return Receipt, Form DC2-521, included. If an institution receives identical correspondence from the same individual or entity that is addressed to more than 10 inmates, and the correspondence is disapproved for one of these reasons, the institution shall make only one copy of the correspondence and shall mail the sender only one Form DC2-521. The mailings shall be returned to the sender and may be returned together in a single package. The institution is not required to copy incoming correspondence disapproved pursuant to subsection (7) if the return address on the envelope was the reason for determining that the mail was sent from an inmate at another penal institution.

(c) The copies shall be retained by the institution for 30 days, not including any time that a grievance appeal is pending, provided the inmate has initiated the process by filing a formal grievance within 15 days of notice of the mail rejection. The inmate is not required to file an informal grievance of the mail rejection.

(d) If unauthorized items are discovered in the mail (other than items of an illegal nature), the unauthorized item and the correspondence will be returned to the sender with Form DC2-521, the Unauthorized Mail Return Receipt, Form DC2-521 included. Form DC2-521 is hereby incorporated by reference. Copies of the form are available from the Forms Control Administrator, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. The effective date of this form is 7-2-09.

(15) Incoming and outgoing routine mail shall be delivered to and picked up from the institution or facility by the U.S. Postal Service only.

(a) Addresses of incoming mail: The address of all incoming mail must contain the inmate's committed name, identification number, and institutional address. The inmate's dorm and bunk locations are not required. All incoming mail shall contain the return address of the sender. The return address of incoming mail is subject to verification, and incoming mail shall be rejected if the sender or recipient cannot be verified.

(b) Addresses of outgoing mail: The return address of all outgoing mail shall contain the inmate's committed name, identification number, and institutional name and institutional address. The inmate's dorm and bunk locations are not required. No prefix other than inmate, Mr., Ms., Miss, or Mrs. nor any suffix other than Jr., Sr. or Roman numeral such as II or III may be included as part of the committed name in the return address. The institutional name in the return address must be spelled out completely with no abbreviations. All outgoing routine mail will be stamped "mailed from a state correctional institution" by mail room staff.

(c) Third party mailing services.

1. Inmates shall not utilize any third party mailing services or engage in any activities ~~that which~~ would enable them to engage in correspondence without revealing their status as inmates. Examples of prohibited activities include the following:

- a. Placement of ads in magazines, newspapers, or other publications;
- b. Posting of ads or other information on Internet sites;
- c. Use of any mailing service ~~that which~~ allows the inmate to utilize a non-institutional address and engage in correspondence without revealing his ~~or her~~ status as an inmate;
- d. Any activity or service ~~that which~~ does not reveal to potential correspondents the inmate's status as an inmate.

2. Senders shall not utilize any third party mailing services or engage in any activities ~~that which~~ would enable them to engage in correspondence without revealing their identity or return address.

3. Any inmate who is discovered to be participating in any of the above-prohibited activities shall be subject to disciplinary action in accordance with Rules 33-601.301-.314, F.A.C.

(16) When an inmate is transferred or released, routine mail addressed to the inmate at his old institution shall be treated as follows:

(a) For 1 month after the transfer or release, all first-class and second-class mail will be returned to the post office within 10 working days of receipt with a forwarding address, if available, and a request will be made to postal authorities to forward. All postage due is the responsibility of the inmate and must be paid in accordance with postage regulations. At the end of the 1-month period, all first-class and second-class routine mail will be returned to the U.S. Postal Service with no attempt to have mail forwarded.

(b) From the date of transfer or release, all routine mail other than first-class and second-class will be returned to the U.S. Postal Department for its disposition.

(17) No postage or writing materials shall be provided to inmates for routine mail except as provided in this subsection. Postage and writing materials shall be provided to any inmate with insufficient funds for mailing 1 first class letter weighing 1 ounce or less each month to be used for mailing 1 first class letter weighing 1 ounce or less each month. Local procedures may be established to require the inmate to request the free postage and writing materials or to establish a specific day of the month for the free letters to be processed.

(18) Inmates shall not utilize hand-made packages or envelopes to send out routine mail. Mail enclosed in such materials will be returned to the inmate without processing.

(19) Outgoing packages and envelopes will not bear any artwork, additional lettering or designs other than the required address and return address.

(20) No packaging other than standard envelopes shall be given to inmates. ~~Incoming mail that includes This includes removing~~ the following types of packaging ~~shall be rejected and returned to the sender unopened~~: boxes, padded envelopes, plastic bags, any envelopes that include metal parts, multi-layer packaging, bubble wrap, packing peanuts, etc.

(21) Routine mail shall be delivered to the institution or facility by the U.S. Postal Service only.

(22) Inmates shall not use postage stamps as currency to pay for products or services. Postage stamps placed in outgoing mail for this purpose will be deemed contraband. Incoming mail that solicits inmates to purchase products or services and allows payment with postage stamps will be rejected.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History--New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, 8-5-03, 10-27-03, 9-20-04, 3-23-08, 7-2-09,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

PURPOSE AND EFFECT: To amend Rule 40D-8.041, F.A.C., to establish Minimum Flows for the Dona Bay/Shakett Creek below Cow Pen Slough located within the Manasota Basin, Sarasota County, Florida pursuant to Section 373.042, Florida Statutes. For purposes of this rule the Dona Bay/Shakett Creek System includes the watercourse and its tributaries from the most downstream control structure on Cow Pen Slough, known as CPS-2 and operated by Sarasota County to the Gulf of Mexico including Shakett Creek, Salt Creek, Fox Creek and Dona Bay.

SUBJECT AREA TO BE ADDRESSED: Establishment of a minimum flow for the Dona Bay/Shakett Creek System.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.042, 373.0421 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: Annette Zielinski, Senior Administrative Assistant, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, extension 4651, or Annette.Zielinski@watermatters.org

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

LAND AND WATER ADJUDICATORY COMMISSION

Seven Oaks Community Development District

RULE NOS.:	RULE TITLES:
42NNN-1.001	Establishment
42NNN-1.002	Boundary
42NNN-1.003	Supervisors

PURPOSE AND EFFECT: The Seven Oaks Community Development District I (“Seven Oaks CDD I”) and the Seven Oaks Community Development District II (“Seven Oaks CDD II”), which are located in Pasco County, Florida, have submitted a joint petition requesting the merger of the two districts. As a result of the merger, Seven Oaks CDD II would cease to exist, and Seven Oaks CDD I would continue as the surviving entity, with amended boundaries that would encompass only the land presently in the existing boundaries of both Seven Oaks CDD I and Seven Oaks CDD II. The approval of a Merger Agreement and petition by the board of supervisors of the district constitutes consent of the merger by the landowners within the district.

SUBJECT AREA TO BE ADDRESSED: Both Seven Oaks CDD I and Seven Oaks CDD II have authorized the merger of the two districts and approved a Merger Agreement. Among other things, the Merger Agreement makes provision for the filing of a petition, the proper allocation of the indebtedness, and the manner in which debt is to be retired. Seven Oaks CDD I was established in 2001 by Pasco County Ordinance 01-03 and currently covers approximately 649.369 acres of land. (The District was originally established under the name Saddlebrook Village CDD and was amended to Seven Oaks CDD I by Pasco County Ordinance 01-22.) Seven Oaks CDD II was established in 2002 by Pasco County Ordinance 02-23 and currently covers approximately 1,124.053 acres of land.

RULEMAKING AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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, December 14, 2009, 2:00 p.m.

PLACE: Room 2103, The Capitol, Tallahassee, FL 32399-0001

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 two days before the workshop/meeting by contacting: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001;

telephone (850)487-1884. 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: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001; telephone (850)487-1884

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

LAND AND WATER ADJUDICATORY COMMISSION

Tolomato Community Development District

RULE NO.:	RULE TITLE:
42SS-1.002	Boundary

PURPOSE AND EFFECT: The Split Pine Community Development District (“Split Pine CDD”), which is located in Duval County, Florida, and the Tolomato Community Development District (“Tolomato CDD”), which is located in St. Johns County, Florida, have submitted a joint petition requesting the merger of the two districts. As a result of the merger, Split Pine CDD would cease to exist, and Tolomato CDD would continue as the surviving entity, with amended boundaries that would encompass only the land presently in the existing boundaries of both Split Pine CDD and Tolomato CDD. At the time of establishment of both districts, Section 190.003 of the Florida Statutes prohibited the establishment of community development districts across county boundaries. Effective July 1, 2007, that prohibition no longer exists. Split Pine CDD and Tolomato CDD have written consent to merge the boundaries of the two districts from the owners of one hundred percent of the land within the existing districts.

The proposed rule would effect the merger in part by amending Florida Administrative Code Rule 42SS-1.002, F.A.C., Boundary to expand the boundaries of Tolomato CDD to include the existing Split Pine CDD lands. Another proposed rule would further effect the merger by repealing the existing rules governing Split Pine CDD – specifically, Rules 42TT-1.001, Establishment, 42TT-1.002, Boundary, and 42TT-1.003, Supervisors, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Both Split Pine CDD and Tolomato CDD have authorized the merger of the two districts. Pursuant to Resolutions 2009-01 and 2009-04 adopted by the Board of Supervisors of Tolomato CDD, and on October 2, 2008 and April 16, 2009, respectively, Tolomato CDD authorized the merger of Tolomato CDD and Split Pine CDD, and approved a merger agreement (“Merger Agreement”). Pursuant to Resolutions 2009-01 and 2009-05 adopted by the Board of Supervisors of Split Pine CDD, and on October 2, 2008 and April 16, 2009, respectively, Split Pine CDD authorized the merger of Tolomato CDD and Split Pine CDD, and approved the Merger Agreement. Among other

things, the Merger Agreement makes provision for the filing of a petition, the proper allocation of the indebtedness, and the manner in which debt is to be retired. The Merger Agreements, as approved by Tolomato CDD and Split Pine CDD, are contained at Exhibits 1A and 1B to the petition, as supplemented. Split Pine CDD currently covers approximately 2,014.98 acres of land located entirely within Duval County, Florida, and the City of Jacksonville limits. Split Pine CDD is generally located in the southeastern corner of Duval County, east of US Highway 1. Tolomato CDD currently covers approximately 11,355.06 acres of land located entirely within St. Johns County, Florida. Tolomato CDD is generally located in northeastern St. John’s County between Jacksonville and St. Augustine, east of US Highway 1. General location maps, and metes and bounds descriptions, are contained as Exhibits 3 and 4 to the petition, as supplemented.

RULEMAKING AUTHORITY: 190.005, 190.046 FS.

LAW IMPLEMENTED: 190.004, 190.005, 190.046 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: December 11, 2009, 2:00 p.m.

PLACE: Room 2103, The Capitol, 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 two days before the workshop/meeting by contacting: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001; telephone (850)487-1884. 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: Barbara Leighty, Executive Office of the Governor, The Capitol, Room 1801, Tallahassee, Florida 32399-0001; telephone (850)487-1884

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-3.077	Fire Protection
59A-3.079	Codes and Standards to Be Used for Construction of Hospitals
59A-3.080	Plans Submission and Fee Requirements
59A-3.081	Physical Plant Requirements for General, Rehabilitation and Psychiatric Hospitals
59A-3.303	Facilities and Physical Plant Safety

PURPOSE AND EFFECT: The Agency proposes to revise the rules related to fire safety, codes and standards for construction of hospitals, plans submission and fee requirements, physical plant requirements for general, rehabilitation and psychiatric hospitals and facilities and physical plant safety in intensive residential treatment program facilities. These revisions will revise or repeal existing rules to conform to current statutory requirements.

SUBJECT AREA TO BE ADDRESSED: The revisions will conform the rules to requirements of the current Florida Fire Prevention Code and life safety codes and Florida Building Code.

RULEMAKING AUTHORITY: 395.1055 FS.

LAW IMPLEMENTED: 395.0163, 252.35(2)(I), 252.38(1)(e) 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: December 9, 2009, 10:00 a.m.

PLACE: Agency for Health Care Administration, Building 1, Plans and Construction Conference Room, 2727 Mahan Drive, Tallahassee, FL 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: Kaylyn Boles, Bureau of Health Facility Regulation, 2727 Mahan Drive, MS #28A, Tallahassee, FL 32308 or at (850)922-0791. 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: Kaylyn Boles, Bureau of Health Facility Regulation, 2727 Mahan Drive, MS #28A, Tallahassee, FL 32308 or at (850)922-0791

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NOS.:	RULE TITLES:
59A-5.017	Fire Control
59A-5.018	Comprehensive Emergency Management Plan
59A-5.021	Plans Submission and Fee Requirements
59A-5.022	Physical Plant Requirements for Ambulatory Surgical Centers

PURPOSE AND EFFECT: The Agency proposes to revise rules related to fire control, comprehensive emergency management plans, construction plans submission and fee requirements and physical plant requirements for ambulatory surgical centers, to conform to current statutory requirements.

SUBJECT AREA TO BE ADDRESSED: This rule revision will revise or repeal existing rules to conform to the current Florida Building Code and Florida Fire Prevention Code.

RULEMAKING AUTHORITY: 395.1055 FS.

LAW IMPLEMENTED: 395.0163 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: December 9, 2009, 2:00 p.m.

PLACE: Agency for Health Care Administration, Building 1, Plans and Construction Conference Room, 2727 Mahan Drive, Tallahassee, FL 32308

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: Kaylyn Boles, Bureau of Health Facility Regulation, 2727 Mahan Drive, MS #28A, Tallahassee, FL 32308 or at (850)922-0791. 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: Kaylyn Boles, Bureau of Health Facility Regulation, 2727 Mahan Drive, MS #28A, Tallahassee, FL 32308 or at (850)922-0791

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: 61A-3.0535
RULE TITLE: Calculation of Quota License Transfer Fees

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to set forth calculation procedures to be used in determining the appropriate fee to assess when a quota license is being transferred pursuant to the requirements set forth in Section 561.32(3)(a), F.S.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed in this rule is the calculation of the transfer fee when a quota license is transferred from one licensee to another licensee.

RULEMAKING AUTHORITY: 561.11(1) FS.

LAW IMPLEMENTED: 561.32(3)(a) 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: Christine Kachmar, Senior Management Analyst II, Bureau of Licensing, Division of Alcoholic Beverages and Tobacco, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1021, (407)317-7929

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-11.013
RULE TITLE: Definitions

PURPOSE AND EFFECT: The Board proposes the rule amendment to add the definitions of residential interior design, residential interior designer, residential space planning and residential space planner.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 481.2055, 481.211 FS.

LAW IMPLEMENTED: 481.203, 481.211, 481.221(4), (8), 481.229(1)(c) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61G1-11.013 Definitions.

In these rules, where the context will permit;

(1) through (4) No change.

(5) “Residential interior design,” “residential interior designer,” “residential space planning,” or “residential space planner” are terms that may be used to describe interior design services or interior decorator services for a residential application, as set forth in Section 481.229(6)(a), F.S., without violating Section 481.223(1)(c), F.S.

Rulemaking Specific Authority 481.2055, 481.211 FS. Law Implemented 481.203, 481.211, 481.221(4), (8), 481.223(1)(c), 481.229(1)(c), (6) FS. History—New 12-23-79, Amended 2-24-83, 10-27-83, 12-29-83, Formerly 21B-11.13, Amended 11-12-89, 2-14-91, 5-5-91, 12-26-91, Formerly 21B-11.013, Amended 11-15-93, 11-21-94, 1-10-99, 2-12-04, 4-15-07, 12-16-07, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
61G1-12.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

PURPOSE AND EFFECT: The Board proposes the rule amendment to add a penalty for failure to timely report conviction and to remove core course reference.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

RULEMAKING AUTHORITY: 455.2273 FS.
LAW IMPLEMENTED: 455.227(1), 455.2273 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: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
61G1-12.005 Citations

PURPOSE AND EFFECT: The Board proposes the rule amendment to add a citation for failure to timely report conviction and to remove core course reference.

SUBJECT AREA TO BE ADDRESSED: Citations.
RULEMAKING AUTHORITY: 455.224, 455.225 FS.

LAW IMPLEMENTED: 455.224 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: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
61G1-21.003 Continuing Education – Approval of Subjects and Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate a revised handbook.

SUBJECT AREA TO BE ADDRESSED: Continuing Education – Approval of Subjects and Providers.

RULEMAKING AUTHORITY: 455.2177(3), 455.2179, 481.215(4) FS.

LAW IMPLEMENTED: 481.215(4) 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: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:
61G3-19.015 Inspections

PURPOSE AND EFFECT: The proposed rule amendment would change annual inspections to biennial inspections.

SUBJECT AREA TO BE ADDRESSED: Inspections.
RULEMAKING AUTHORITY: 476.064(4) FS.

LAW IMPLEMENTED: 476.184 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NOS.: RULE TITLES:
 61J2-1.011 License Fees and Examination Fees
 61J2-1.013 Registration Categories

PURPOSE AND EFFECT: To discuss incorporation of forms rules into the applicable Florida Real Estate Commission rules.
 SUBJECT AREA TO BE ADDRESSED: Incorporation of forms rules into the applicable Florida Real Estate Commission rules.

RULEMAKING AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 68.065(2), 455.217, 455.2281, 475.04, 475.125, 475.15, 475.182, 475.24, 475.451 FS.

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

DATE AND TIME: December 15, 2009, 8:30 a.m. or soonest thereafter
 PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NOS.: RULE TITLES:
 61J2-2.027 Applications by Individuals
 61J2-2.031 Where to Apply

PURPOSE AND EFFECT: To discuss incorporation of forms rules into the applicable Florida Real Estate Commission rules.
 SUBJECT AREA TO BE ADDRESSED: Incorporation of forms rules into the applicable Florida Real Estate Commission rules.

RULEMAKING AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.17, 475.175, 475.451 FS.

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

DATE AND TIME: December 15, 2009, 8:30 a.m. or soonest thereafter
 PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NOS.: RULE TITLES:
 61J2-4.007 Registration Requirements
 61J2-4.009 Incorporation by Reference
 61J2-4.010 Successor Partnerships

PURPOSE AND EFFECT: To discuss incorporation of forms rules into the applicable Florida Real Estate Commission rules.
 SUBJECT AREA TO BE ADDRESSED: Incorporation of forms rules into the applicable Florida Real Estate Commission rules.

RULEMAKING AUTHORITY: 475.05 FS.
 LAW IMPLEMENTED: 475.01, 475.15 FS.

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

DATE AND TIME: December 15, 2009, 8:30 a.m. or soonest thereafter
 PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real

Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NOS.:	RULE TITLES:
61J2-5.012	Domestic Corporations
61J2-5.013	Foreign Corporation
61J2-5.014	Registration of Corporation
61J2-5.015	License Status of Officers and Directors Required
61J2-5.016	License Status of Active Officers and Directors
61J2-5.018	Vacancies of Office
61J2-5.019	Responsibility for Registration Status
61J2-5.020	Execution of Papers by Corporation

PURPOSE AND EFFECT: To discuss incorporation of forms rules into the applicable Florida Real Estate Commission rules.
SUBJECT AREA TO BE ADDRESSED: Incorporation of forms rules into the applicable Florida Real Estate Commission rules.

RULEMAKING AUTHORITY: 475.05 FS.
LAW IMPLEMENTED: 475.42(1)(k) FS.

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

DATE AND TIME: December 15, 2009, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.:	RULE TITLE:
61J2-6.006	Employment by More Than One Entity

PURPOSE AND EFFECT: To discuss incorporation of forms rules into the applicable Florida Real Estate Commission rules.
SUBJECT AREA TO BE ADDRESSED: Incorporation of forms rules into the applicable Florida Real Estate Commission rules.

RULEMAKING AUTHORITY: 475.05 FS.
LAW IMPLEMENTED: 475.01(1)(d), 475.011(2) FS.

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

DATE AND TIME: December 15, 2009, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.:	RULE TITLE:
61J2-9.007	Change of Name

PURPOSE AND EFFECT: To discuss incorporation of forms rules into the applicable Florida Real Estate Commission rules.
SUBJECT AREA TO BE ADDRESSED: Incorporation of forms rules into the applicable Florida Real Estate Commission rules.

RULEMAKING AUTHORITY: 475.05 FS.
LAW IMPLEMENTED: 475.15, 475.25, 475.42, 475.125 FS.

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

DATE AND TIME: December 15, 2009, 8:30 a.m. or soonest thereafter

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THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NOS.:	RULE TITLES:
61J2-10.023	Branch Office
61J2-10.034	Trade Names
61J2-10.038	Mailing Address

PURPOSE AND EFFECT: To discuss incorporation of forms rules into the applicable Florida Real Estate Commission rules. SUBJECT AREA TO BE ADDRESSED: Incorporation of forms rules into the applicable Florida Real Estate Commission rules.

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.15, 475.25, 475.42, 475.125 FS.

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Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.:	RULE TITLE:
61J2-17.011	School Instructor Requirements and Qualifications

PURPOSE AND EFFECT: To discuss incorporation of forms rules into the applicable Florida Real Estate Commission rules. SUBJECT AREA TO BE ADDRESSED: Incorporation of forms rules into the applicable Florida Real Estate Commission rules.

RULEMAKING AUTHORITY: 475.05 FS.

LAW IMPLEMENTED: 475.04, 475.451 FS.

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

DATE AND TIME: December 15, 2009, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Commission Meeting Room N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

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 Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-3.001
 RULE TITLE: Application for Licensure for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update an incorporated form.

SUBJECT AREA TO BE ADDRESSED: Application for Licensure for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants.

RULEMAKING AUTHORITY: 491.004(5) FS.

LAW IMPLEMENTED: 491.005, 491.006 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-3.001 Application for Licensure for Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling Applicants.

Every applicant for licensure as a clinical social worker, marriage and family therapist or mental health counselor shall submit to the Board a completed application on Form DH-MQA 1174, Application for Licensure (revised ~~10/09~~ ~~4/09~~), hereby adopted and incorporated by reference, which can be obtained from the Board's website at www.doh.state.fl.us/mqa/491. The application shall be accompanied with the application fee and the initial licensure fee.

(1) through (2) No change.

Rulemaking Authority 491.004(5) FS. Law Implemented 491.005, 491.006 FS. History—New 7-6-88, Amended 1-28-91, 11-3-92, Formerly 21CC-3.001, 61F4-3.001, Amended 11-13-96, Formerly 59P-3.001, Amended 6-8-09,_____.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-3.0085
 RULE TITLE: Intern Registration
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update an incorporated form.
 SUBJECT AREA TO BE ADDRESSED: Intern Registration.
 RULEMAKING AUTHORITY: 491.004(5) FS.
 LAW IMPLEMENTED: 491.0045 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-3.0085 Intern Registration.

An individual who intends to practice in Florida to satisfy the post-master's experience must register as an intern by submitting a completed application to the Board on Form DH-MQA 1175, Intern Registration Application (Revised ~~10/09~~ ~~4/09~~), hereby adopted and incorporated by reference, which can be obtained from the Board's website at www.doh.state.fl.us/mqa/491. The application shall be accompanied by the application fee specified in Rule 64B4-4.015, F.A.C., which is non-refundable.

Rulemaking Authority 491.004(5) FS. Law Implemented 491.0045 FS. History—New 6-8-09, Amended_____.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-3.009
 RULE TITLE: Limited Licenses
 PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update an incorporated form.
 SUBJECT AREA TO BE ADDRESSED: Limited Licenses.
 RULEMAKING AUTHORITY: 456.015 FS.
 LAW IMPLEMENTED: 456.015 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-3.009 Limited Licenses.

(1) No change.

(2) Any person desiring to obtain a limited license shall submit a completed application to the Board on Form DH-MQA 1178, Application for Limited Licensure (Revised 10/09 ~~4/09~~), hereby adopted and incorporated by reference, which can be obtained from the Board's website at www.doh.state.fl.us/mqa/491. The application shall be accompanied by the documents required by Section 456.015(2), F.S., and a fee of \$25 unless the applicant provides a notarized statement from the employer stating that the applicant will not receive monetary compensation for service involving the practice of his profession.

(3) No change.

Rulemaking Authority 456.015 FS. Law Implemented 456.015 FS. History--New 11-13-96, Formerly 59P-3.009, Amended 6-8-09, _____.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-3.010
RULE TITLE: Marriage and Family Therapy Dual Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update an incorporated form.

SUBJECT AREA TO BE ADDRESSED: Marriage and Family Therapy Dual Licensure.

RULEMAKING AUTHORITY: 491.004(5) FS.

LAW IMPLEMENTED: 491.0057 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive

Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-3.010 Marriage and Family Therapy Dual Licensure.

Any psychologist licensed under Chapter 490, F.S., or clinical social worker or mental health counselor licensed under this chapter desiring to obtain licensure as a marriage and family therapist shall submit a completed application to the Board on Form DH-MQA 1177, Marriage and Family Therapy Dual Licensure Application (Revised 10/09 ~~4/09~~), hereby adopted and incorporated by reference, which can be obtained from the Board's website at www.doh.state.fl.us/mqa/491. The application shall be accompanied with the application fee and the initial active status license fee specified in Rule 64B4-4.002, F.A.C.

Rulemaking Authority 491.004(5) FS. Law Implemented 491.0057 FS. History--New 6-8-09, Amended _____.

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: 64B4-5.001
RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update offenses and penalties.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

RULEMAKING AUTHORITY: 456.079, 491.004(5) FS.

LAW IMPLEMENTED: 456.079, 491.009 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B4-5.001 Disciplinary Guidelines.

(1) When the Board finds an applicant, licensee, registered intern, provisional licensee, or certificate holder whom it regulates under Chapter 491, F.S., has committed any of the

acts set forth in Section 456.072(1) or 491.009(2), F.S., it shall issue a final order imposing appropriate penalties as recommended in the following disciplinary guidelines.

(a) Attempting to obtain, obtaining, or renewing a license under Chapter 491, F.S., by bribery or fraudulent misrepresentation or through an error of the Board or the Department.

(Sections 456.072(1)(h) & 491.009(1)(a), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	denial or \$1000 fine and <u>permanent</u> revocation;
SECOND OFFENSE:	\$1000 fine and probation	permanent denial and \$1000 fine and permanent revocation;

(b) Having a license or certificate to practice a comparable profession or any regulated profession revoked, suspended, or otherwise acted against, including the denial of certification or licensure by another state, territory, or country.

(Sections 456.072(1)(f), F.S. & 491.009(1)(b), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	denial or \$1000 fine and <u>permanent</u> revocation;
SECOND OFFENSE:	\$1000 fine and probation	permanent denial or \$1000 fine and <u>permanent</u> revocation;
THIRD OFFENSE:	\$1000 fine, 1 year suspension followed by probation	permanent denial or \$1000 fine and <u>permanent</u> revocation;

(c) Being convicted or found guilty, regardless of adjudication, or having entered a plea of nolo contendere to, a crime in any jurisdiction which directly relates to the practice of the licensee's profession or the licensee's ability to practice that profession.

(Section 456.072(1)(c) & 491.009(1)(c), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and probation	denial or \$1000 fine and <u>permanent</u> revocation
SECOND OFFENSE:	\$1000 fine and 1 year suspension followed by probation;	permanent denial or \$1000 fine and permanent revocation;

(d) through (g) No change.

(h)1. Failing to perform any statutory or legal obligation placed upon a person licensed under Chapter 491, F.S.

(Section 456.072(1)(k) & 491.009(1)(h), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	reprimand	\$1000 fine and 1 year probation;
SECOND OFFENSE:	\$1000 fine and reprimand	\$1000 fine and 6 month suspension followed by probation;
THIRD OFFENSE:	\$1000 fine and probation	\$1000 fine and <u>permanent</u> revocation;

2. In the case of noncompliance with a continuing education requirement, the following guidelines apply: (Rule 64B-6.003, F.A.C.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	\$1000 fine and 1 year suspension followed by probation;

(i) Willfully making or filing a false report or record; failing to file a report or record required by state or federal law; willfully impeding or obstructing the filing of a report or record; or inducing another person to make or file a false report or record or to impede or obstruct the filing of a report or record.

(Section 456.072(1)(l) & 491.009(1)(i), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	\$1000 fine and 1 year suspension followed by probation; denial or \$1000 fine and <u>permanent</u> revocation;
THIRD OFFENSE:	\$1000 fine, 1 year suspension followed by probation	<u>\$10,000 fine and permanent revocation</u>

(j) Paying or receiving a kickback, rebate, bonus, or other remuneration for receiving a patient or client or referring a patient or client to another provider of mental health care services or to a provider of health care services or goods; referring a patient or client to oneself for services on a fee-paid basis when those services are already being paid for by some other public or private entity; or entering into a reciprocal referral agreement.

(Section 491.009(1)(j), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	\$1000 fine and 1 year suspension followed by probation;
THIRD OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and <u>permanent</u> revocation;

(k) Committing any act upon a patient or client, which would constitute sexual battery or which would constitute sexual misconduct.

(Section 456.072(1)(~~v~~)(~~tt~~) & 491.009(1)(k), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and revocation;
SECOND OFFENSE:	\$1000 fine and 2 years suspension followed by probation	denial or \$1000 fine and permanent revocation;

(l) No change.

(m) Soliciting patients or clients personally, or through an agent, through the use of fraud, intimidation, undue influence, or a form of overreaching or vexatious conduct.

(Section 491.009(1)(m), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1000 fine and 6 month suspension followed by probation;
SECOND OFFENSE:	\$1000 and reprimand	\$1000 fine and 1 year suspension followed by probation;
THIRD OFFENSE:	\$1000 fine 1 year and suspension followed by probation	\$1000 fine permanent revocation;

(n) No change.

(o) Failing to respond within thirty (30) days to a written communication from the Department or the Board concerning any investigation by the Department or the Board, or failing to make available any relevant records with respect to the investigation about the licensee's conduct or background.

(Section 491.009(1)(o), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	\$1000 fine and 1 year suspension followed by probation;
THIRD OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and permanent revocation;

(p) Being unable to practice the profession for which one is licensed under Chapter 491, F.S., with reasonable skill and competence as a result of any mental or physical condition or by reason of illness; drunkenness; or excessive use of drugs, narcotics, chemicals, or any other substance.

(Section 456.072(1)(~~z~~)(~~yy~~) & 491.009(1)(p), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and probation	\$1000 fine and suspension until the licensee is able to appear before the Board and demonstrate that he or she is able to practice with reasonable skill and competence, followed by probation;
SECOND OFFENSE:	suspension until the licensee is able to appear before the Board and demonstrate that he or she is able to practice with reasonable skill and competence, followed by probation	\$1000 fine and permanent revocation;

(q) Violating provisions of Chapter 491 or 456, F.S., or any rule adopted pursuant thereto.

(Section 456.072(1)(dd) & 491.009(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1000 fine and probation
SECOND OFFENSE:	\$1000 fine and probation	\$1000 fine and 1 year suspension followed by probation;
THIRD OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and permanent revocation;

(r) Performing any treatment or prescribing any therapy which, by the prevailing standards of the mental health professions in the community would constitute experimentation on human subjects, without first obtaining full, informed, and written consent.

(Section 491.009(1)(q), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	suspension followed by probation;
THIRD OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and permanent revocation;

(s) Failing to meet the MINIMUM standards of performance in professional activities when measured against generally prevailing peer performance, including the undertaking of activities for which the licensee is not qualified by training or experience.

(Section 491.009(1)(r), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$250 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	\$1000 fine and 1 year suspension followed by probation;
THIRD OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and <u>permanent</u> revocation;

(t) No change.

(u) Violating a rule relating to the regulation of the profession or a lawful order of the Department or the Board previously entered in a disciplinary hearing.

(Section 491.009(1)(t), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	\$1000 fine and 6 month suspension followed by probation;
SECOND OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and <u>permanent</u> revocation;

(v) Failure of a licensee to maintain in confidence any communication made by a patient or client in the context of services, except by written permission or in the face of clear and immediate probability of bodily harm to the patient or client or to others.

(Section 491.009(1)(u), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	<u>permanent</u> revocation;

(w) Making public statements which are derived from test data, client contacts, or behavioral research and which identify or damage research subjects or clients.

(Section 491.009(1)(v), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	denial or \$1000 fine and <u>permanent</u> revocation;

(x) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department or the agency against another licensee.

(Section 456.072(1)(g), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	\$1000 fine and 1 year suspension followed by probation;
THIRD OFFENSE:	\$1000 fine and 1 year probation	denial or \$1000 fine and <u>permanent</u> revocation;

(y) through (z) No change.

(aa) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.

(Section 456.072(1)(r), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	\$1000 fine and 6 months suspension followed by probation;
SECOND OFFENSE:	suspension followed by probation	denial or \$1000 fine and <u>permanent</u> revocation;

(bb) Intentionally violating any rule adopted by the Board or the department, as appropriate.

(Section 456.072(1)(b), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	\$1000 fine and 6 months suspension followed by probation;
SECOND OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and <u>permanent</u> revocation;

(cc) Failing to comply with the educational course requirements for domestic violence.

(Section 456.072(1)(s), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	reprimand	\$1000 fine and 1 year probation; suspension followed by probation;
SECOND OFFENSE:	\$1000 fine and reprimand	\$1000 fine and probation
THIRD OFFENSE:	\$1000 fine and probation	<u>permanent</u> revocation;

(dd) No change.

(ee) Violating any provision of this part, the applicable professional practice act, a rule of the department or the board, or a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.

(Section 456.072(1)(q), F.S. & Section 491.009(1)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	suspension followed by probation;
THIRD OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and <u>permanent</u> revocation;

	MINIMUM	MAXIMUM
FIRST OFFENSE:	probation and \$500 fine	suspension to be followed by probation and \$750 fine;
SECOND OFFENSE:	followed by probation and \$750 fine	<u>permanent</u> revocation and \$1000 fine;

(ff) Failing to comply with the requirements for profiling and credentialing, including, but not limited to, failing to provide initial information, failing to timely provide updated information, or making misleading, untrue, deceptive, or fraudulent representations on a profile, credentialing, or initial or renewal licensure application.

~~(jj) Having a license or certificate to practice any regulated profession revoked, suspended, or otherwise acted against, including the denial of certification or licensure by another state, territory, or country.
(Section 456.072(1)(a), F.S.)~~

(Section 456.072(1)(w)(v), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1000 fine and probation;
SECOND OFFENSE:	\$1000 fine and probation	suspension followed by probation;
THIRD OFFENSE:	\$1000 fine and 1 year suspension followed by probation	denial or \$1000 fine and <u>permanent</u> revocation;

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$1000 fine and reprimand	denial or \$1000 fine and revocation;
SECOND OFFENSE:	\$1000 fine and probation	permanent denial or \$1000 fine and revocation;
THIRD OFFENSE:	probation	denial or \$1000 fine and revocation.

(gg) Using information about people involved in motor vehicle accidents which has been derived from accident reports made by law enforcement officers for the solicitation of the people involved in the accidents.

~~(jj)(kk) Failing to inform the department, within 30 days, of any change of address of either the place of practice or current mailing address of any applicant or licensee.~~

(Section 456.035, F.S.)

(Section 456.072(1)(y)(x), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine and reprimand	\$1000 fine and 6 month suspension followed by probation;
SECOND OFFENSE:	\$1000 and reprimand	\$1000 fine and 1 year suspension followed by probation;
THIRD OFFENSE:	\$1000 fine 1 year suspension followed by probation	\$1000 fine and <u>permanent</u> revocation;

	MINIMUM	MAXIMUM
FIRST OFFENSE:	reprimand	\$1,000 fine and 1 year probation;
SECOND OFFENSE:	\$1,000 fine and reprimand	\$1,000 fine and 6 month suspension followed by probation;
THIRD OFFENSE:	\$1,000 fine and probation	\$1,000 fine and <u>permanent</u> revocation.

~~(kk)(ll) Being terminated from a treatment program for impaired practitioners, which is overseen by an impaired practitioner consultant as described in Section 456.076, F.S., for failure to comply, without good cause, with the terms of the monitoring or treatment contract entered into by the licensee, or for not successfully completing any drug treatment or alcohol treatment program.~~

(Section 456.072(1)(hh)(gg), F.S.)

(hh) Failing to report to the Board within 30 days after the licensee has been convicted or found guilty of, or entered a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction.

(Section 456.072(1)(x)(w), F.S.)

	MINIMUM	MAXIMUM
FIRST OFFENSE:	\$500 fine	\$1000 fine and reprimand;
SECOND OFFENSE:	\$1000 fine and probation	suspension followed by probation;
THIRD OFFENSE:	suspension followed by probation	denial or \$1000 fine and <u>permanent</u> revocation;

	MINIMUM	MAXIMUM
FIRST OFFENSE:	Suspension until compliant with contract	\$1,000 fine, <u>permanent</u> revocation
SECOND OFFENSE:	Suspension until compliant with contract	\$10,000 fine, <u>permanent</u> revocation
THIRD OFFENSE:	Revocation	

(ii) Testing positive for any drug on any confirmed preemployment or employer-ordered drug screening.

(Section 456.072(1)(aa), F.S.)

(ll) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, under 18 U.S.C. s. 669, ss. 285-287, s. 371, s. 1001, s. 1035, s. 1341, s. 1343, s. 1347, s. 1349, or s. 1518, or 42 U.S.C. ss. 1320a-7b, relating to the Medicaid program.
(Section 456.072(1)(ii), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE:</u>	<u>\$10,000 fine,</u> <u>permanent revocation</u>	<u>\$10,000 fine,</u> <u>permanent revocation</u>
<u>SECOND OFFENSE</u>	<u>\$10,000 fine,</u> <u>permanent revocation</u>	<u>\$10,000 fine,</u> <u>permanent revocation</u>

(mm) Failing to remit the sum owed to the state for any overpayment from the Medicaid program pursuant to a final order, judgment, or stipulation or settlement.
(Section 456.072(1)(jj), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE:</u>	<u>\$500 fine, Letter</u> <u>of concern</u>	<u>\$5,000 fine,</u> <u>suspension</u>
<u>SECOND OFFENSE:</u>	<u>\$10,000 fine,</u> <u>reprimand</u>	<u>\$10,000 fine,</u> <u>permanent revocation</u>

(nn) Being terminated from the state Medicaid program pursuant to Section 409.913, F.S., any other state Medicaid program, or the federal Medicare program, unless eligibility to participate in the program from which the practitioner was terminated has been restored.
(Section 456.072(1)(kk), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE:</u>	<u>\$1,000 fine,</u> <u>Letter of concern</u>	<u>\$5,000 fine, suspension</u>
<u>SECOND OFFENSE:</u>	<u>\$10,000 fine,</u> <u>reprimand</u>	<u>\$10,000 fine, permanent</u> <u>revocation</u>

(oo) Being convicted of, or entering a plea of guilty or nolo contendere to, any misdemeanor or felony, regardless of adjudication, a crime in any jurisdiction which relates to health care fraud.
(Section 456.072(1)(ll), F.S.)

	<u>MINIMUM</u>	<u>MAXIMUM</u>
<u>FIRST OFFENSE:</u>	<u>\$10,000 fine,</u> <u>permanent revocation</u>	<u>\$10,000 fine,</u> <u>permanent</u> <u>revocation</u>
<u>SECOND OFFENSE:</u>	<u>\$10,000 fine,</u> <u>permanent revocation</u>	<u>\$10,000 fine,</u> <u>permanent</u> <u>revocation</u>

(2) through (4) No change.

Rulemaking Specific Authority 456.079, 491.004(5) FS. Law Implemented 456.079, 491.009 FS. History--New 3-5-89, Amended 1-3-91, 6-1-92, Formerly 21CC-5.001, Amended 1-9-94, Formerly 61F4-5.001, Amended 12-22-94, Formerly 59P-5.001, Amended 12-11-97, 10-1-00, 2-5-01, 10-15-02, 3-27-05, 1-16-06,_____.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.355
RULE TITLE: Pharmacy Technician Continuing Education Subject Matter

PURPOSE AND EFFECT: The Board proposes the rule promulgation to establish pharmacy technician continuing education subject matter.

SUBJECT AREA TO BE ADDRESSED: Pharmacy Technician Continuing Education Subject Matter.

RULEMAKING AUTHORITY: 465.005, 465.014 FS.

LAW IMPLEMENTED: 465.014 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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-2.001
RULE TITLE: Licensure by Certification of Credentials

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Licensure by Certification of Credentials.

RULEMAKING AUTHORITY: 456.013(7), 468.1135(4) FS.

LAW IMPLEMENTED: 456.013(7), 468.1145(2), 468.1185 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: Kaye Hawerton, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #06, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

RULE NO.: 64B20-4.001 **RULE TITLE:** Certification of Assistants

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Certification of Assistants.

RULEMAKING AUTHORITY: 468.1125(9), 468.1135(4) FS.

LAW IMPLEMENTED: 468.1125(3), (9), 468.1215 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: Kaye Hawerton, Executive Director, Board of Speech Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #06, Tallahassee, Florida 32399-3253

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

contacting: Kevin Wright, Operations Manager, Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042; (904)359-6900, ext. 1004. 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: Kevin Wright, Operations Manager, Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042; (904)359-6900, ext. 1004

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

PART X APPOINTMENT OF REGISTRARS, DEPUTY REGISTRARS AND SUBREGISTRARS: DUTIES OF LOCAL REGISTRARS

64V-1.022 Appointment of Local Registrar.

Upon appointment of a local registrar of vital statistics for the registration district in the state by the Office of Vital Statistics, a Local Registrar's Acceptance, DH 1233B, Feb 2000, hereby incorporated by reference and available from the Florida Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042 shall be issued.

Rulemaking Authority 382.003(5), (9), 382.005(3), (4) FS. Law Implemented 382.003, 382.005, 382.006, 382.007, 382.008, 382.013 FS. History—New _____.

64V-1.023 Appointment of Deputy Registrars.

Each local registrar, immediately upon appointment, shall designate one or more deputy registrars. Upon appointment, the Office of Vital Statistics shall issue a Chief Deputy Registrar's Acceptance, DH 1233, Feb 2000 or a Deputy Registrar's Acceptance, DH 1233A, Feb 2000, both hereby incorporated by reference and available from the Florida Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042 which authorizes the deputy registrars to act on behalf of the local registrar.

Rulemaking Authority 382.003(5), (9), 382.005(3), (4) FS. Law Implemented 382.003, 382.005, 382.006, 382.007, 382.008, 382.013 FS. History—New _____.

64V-1.024 Appointment of Subregistrars.

The Office of Vital Statistics shall appoint suitable persons to act as subregistrars, who shall be authorized to receive death certificates and fetal death certificates and to issue burial permits. Application for Appointment of Subregistrar of Vital Statistics, DH 1233C, Feb 2000, hereby incorporated by reference and available from the Florida Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042 shall be submitted to the Office of Vital Statistics for approval.

DEPARTMENT OF HEALTH

Vital Statistics

RULE NOS.: 64V-1.022 **RULE TITLES:** Appointment of Local Registrars
 64V-1.023 Appointment of Deputy Registrars
 64V-1.024 Appointment of Subregistrars
 64V-1.025 Duties of Local Registrar for Transmittal of Records or Report of No Records

PURPOSE AND EFFECT: To incorporate forms used in the appointment of registrars and for the submission of vital records as required in Section 382.003(10), F.S.

SUBJECT AREA TO BE ADDRESSED: Appointment of Registrars; Transmittal of Records.

RULEMAKING AUTHORITY: 382.003(5), (9), 382.005(3), (4) FS.

LAW IMPLEMENTED: 382.003, 382.005, 382.006, 382.007, 382.008, 382.013 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by

Rulemaking Authority 382.003(5), (9), 382.005(3), (4) FS. Law Implemented 382.003, 382.005, 382.006, 382.007, 382.008, 382.013 FS. History—New _____.

64V-1.025 Duties of Local Registrar for Transmittal of Records or Report of No Records.

Each local registrar or designee shall transmit to the department all original certificates registered or if no births, deaths, or fetal deaths occurred in any month, the local registrar or deputy shall report that fact to the department on a Birth Record Transmittal Report, DH 758A, July 2009, a Fetal Death Record Transmittal Report, DH 758B, Sept 2008 or a Death Record Transmittal Report, DH 758C, all hereby incorporated by reference and available from the Florida Department of Health, Office of Vital Statistics, P. O. Box 210, Jacksonville, Florida 32231-0042.

Rulemaking Authority 382.003(5), (9), 382.005(3), (4) FS. Law Implemented 382.003, 382.005, 382.006, 382.007, 382.008, 382.013 FS. History—New _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65G-2.001	Definitions
65G-2.002	License Application and Renewal Procedures
65G-2.0021	Additional Requirements for Licensees and Applicant
65G-2.003	Types of Licenses
65G-2.0031	Other Licenses
65G-2.0032	Agency Monitoring and Oversight
65G-2.004	License Violation
65G-2.0041	License Violations – Fines and Other Disciplinary Actions
65G-2.005	Denial or Revocation
65G-2.006	Licensed Capacity
65G-2.007	General Standards
65G-2.008	Staff Qualifications and Training requirements
65G-2.009	Resident Care and Supervision Standards
65G-2.010	Fire and Emergency Procedures
65G-2.011	Foster Care Facility Standards
65G-2.012	Group Home Facility Standards
65G-2.013	Residential Habilitation Center Standards
65G-2.014	Comprehensive Transitional Education Program
65G-2.015	Siting

PURPOSE AND EFFECT: A number of technical and substantive revisions to this administrative rule are being proposed in order to effectuate statutory changes as well as

new and/or modified Agency policies and procedures regarding the licensure of Agency-licensed residential facilities.

SUBJECT AREA TO BE ADDRESSED: This rule revision delineates the requirements for the licensure of foster care facilities, group home facilities, residential habilitation centers, and comprehensive transitional education programs.

RULEMAKING AUTHORITY: 393.501(1) FS.

LAW IMPLEMENTED: 393.501(1) FS.

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

DATE AND TIME: December 11, 2009, 9:00 a.m. – 12:00 Noon EST

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Conference Room 370A, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Tom Rice, Operations Review Specialist, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-7649, email: tom_rice@apd.state.fl.us If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Tom Rice, Operations Review Specialist, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-7649, email: tom_rice@apd.state.fl.us

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65G-4.0021	Tier Waivers
65G-4.0022	Tier One Waiver
65G-4.0023	Tier Two Waiver
65G-4.0024	Tier Three Waiver
65G-4.0025	Tier Four Waiver

PURPOSE AND EFFECT: The purpose of the rule development is to solicit public input to be used in developing rules to comply with Section 393.0661(3), F.S., requiring the Agency to implement a four-tiered waiver system to serve clients with developmental disabilities.

SUMMARY: Section 393.0661(3), F.S., requires that the agency shall assign all clients receiving waiver services through a developmental disabilities waiver to a tier based on a

valid assessment instrument, client characteristics, and other appropriate assessment methods. These rules will implement that requirement.

SUBJECT AREA TO BE ADDRESSED: Home and Community Based Tier Waivers.

RULEMAKING AUTHORITY: 393.066(3) FS.

LAW IMPLEMENTED: 393.0661(3) 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: Celeste Sanders, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)922-0371

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Manatees

RULE NO.:	RULE TITLE:
68C-22.026	Sarasota and Associated County (Parts of Manatee and Charlotte) Zones

PURPOSE AND EFFECT: The Commission is considering amendments to the existing manatee protection rule for Sarasota County. In May 2009, at the request of the Commission and as provided by Section 379.2431(2)(f), Florida Statutes, Sarasota County established a Local Rule Review Committee (LRRC) to review and comment on a preliminary rule proposal. The LRRC met eight times and the Commission received the LRRC final report in July 2009. The Commission is scheduled to consider the LRRC report and Commission staff recommendations for proposed rule amendments at the December 9-10, 2009, Commission meeting to be held in Clewiston. The agenda for this meeting and background information on this issue can be viewed on-line at: http://myfwc.com/COMMISSION/2009/Comm_09_AgendaDec.htm.

SUBJECT AREA TO BE ADDRESSED: Manatee protection rule for Sarasota County.

RULEMAKING AUTHORITY: 379.2431(2) FS.

LAW IMPLEMENTED: 379.2431(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mr. Scott Calleson, Imperiled Species Management Section, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399, telephone (850)922-4330

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
68D-21	Approval of Local Ordinances Establishing Boating-Restricted Areas

RULE NOS.:	RULE TITLES:
68D-21.001	Requirements for Applications
68D-21.002	Procedures for Reviewing Applications
68D-21.003	Procedures for Providing for Public Notice and Participation
68D-21.004	Criteria for Approval of Ordinances

PURPOSE AND EFFECT: The purpose of this amendment is to implement a system for receiving, reviewing, and approving or rejecting municipal and county ordinances establishing boating-restricted areas where necessary to manage and promote the use of waters of this state for safe and enjoyable boating. The effect will be to provide procedures for reviewing applications, to specify criteria for approval of ordinances as necessary to protect public safety, and to establish procedures for providing for public notice and participation pursuant in the approval process.

SUBJECT AREA TO BE ADDRESSED: Review and approval or rejection of municipal and county ordinances establishing boating-restricted areas.

RULEMAKING AUTHORITY: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46 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: Captain Alan S. Richard, Assistant General Counsel, 620 South Meridian Street, Tallahassee, Florida 32399-1600
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Florida Highway Patrol

RULE NO.: 15B-2.013
 RULE TITLE: Approved Speed Measuring Devices
 PURPOSE AND EFFECT: The purpose of the proposed rule action is to amend the current rule to incorporate those speed measuring devices that have been approved since the last revision to Rule 15B-2.013, F.A.C.

SUMMARY: Changes are being made to the Department's rule on Approved Speed Measuring Devices to incorporate those speed measuring devices that have been approved since the last revision of Rule 15B-2.013, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has been prepared by the agency.

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

RULEMAKING AUTHORITY: 316.1905 FS.

LAW IMPLEMENTED: 316.1905, 316.1906 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: Wednesday, December 23, 2009, 10:00 a.m.

PLACE: Department of Highway Safety and Motor Vehicles, Auditorium, 2900 Apalachee Parkway, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lt. Ronald W. Castleberry, Special Operations Command, Division of Florida Highway Patrol, Department of Highway Safety and Motor Vehicles, Room A315, Neil Kirkman Building, Tallahassee, Florida 32399-0500, (850)617-2303

THE FULL TEXT OF THE PROPOSED RULE IS:

15B-2.013 Approved Speed Measuring Devices.

The following speed measuring devices have been approved for use in this State by the Department pursuant to this rule Chapter.

(1) Radar units acquired for use in this State after August 1, 1982, are listed below. Additional radar units will be approved by the Department based on conformance to these rules. Evidence of approval of additional units shall be by a Certificate of Approval Form HSMV 60013 (Rev. 7/03), which is available by contacting the Florida Highway Patrol, Neil Kirkman Building, Tallahassee, Florida 32399-0500, or by disseminating the listing of additional units on the Florida Crime Information Center (FCIC) computer system, or by listing on the Division of Florida Highway Patrol website.

(a) through (c) No change.

(d) Kustom Electronics, Inc., or Kustom Signals, Inc.

1. through 29. No change.

30. Raptor RP-1.

(e) through (g) No change.

(2) through (4) No change.

(5) Laser speed measuring devices (LSMD) – Evidence of approved LSMD shall be by a certificate or listing on the FCIC computer, or by a listing on the Division of Florida Highway Patrol website, as set forth in subsection (1) of this rule. In addition, the following LSMDs are approved for use in this State:

(a) through (c) No change.

(d) Laser Atlanta Optics, Inc. or Laser Atlanta, LLC – Model Speed Laser, Model Speed Laser B-Model Speed Laser R. Model Speed Laser S.

Rulemaking Specific Authority 316.1905 FS. Law Implemented 316.1905, 316.1906 FS. History--New 1-1-90, Amended 11-16-92, 10-18-94, 10-2-95, 5-23-04, 1-1-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Lt. Ronald W. Castleberry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Governor and Cabinet

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 11, 2009

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 NO.: 19-11.006
 RULE TITLE: Enrollment Procedures for New Hires

PURPOSE AND EFFECT: To adopt a revised form and to clarify certain procedures.

SUMMARY: To adopt the revised version of the "EZ" enrollment form; to specify what information needs to be completed on the form; and to indicate beneficiary designations may be done electronically.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has been prepared in an abundance of caution.

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

RULEMAKING AUTHORITY: 121.4501(3)(c)4., (8)(a) FS.

LAW IMPLEMENTED: 121.021(29), (39), 121.091(8), (9), 121.4501(2), (3), (4), (8), (13), (14), (15), (20), 121.591, 121.77 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, December 21, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Hermitage Room, the Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida 32308

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: Tina Joanos, Agency Clerk, Office of the General Counsel, 1801 Hermitage Blvd., Tallahassee, FL 32308; (850)413-1197; tina.joanos@sbafla.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 IS: Ruth A. Smith, Assistant General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, Florida 32308; telephone: (850)413-1182; ruth.smith@sbafla.com

THE FULL TEXT OF THE PROPOSED RULE IS:

- 19-11.006 Enrollment Procedures for New Hires.
- (1) Purpose. No change.
- (2) Definitions. No change.
- (3) General Enrollment Procedures. No change.
- (4) Specific Enrollment Procedures.

(a) No change.

(b) The SBA has designed the following forms for ease of use for employees in the several membership classes of the Florida Retirement System. As an alternative, an employee not wishing to use the forms may provide the information outlined in this Rule 19-11.006, F.A.C., for his membership class in a separate document. Employees may determine their membership class by inquiry of their human resources office at their agency. The forms available are: an EZ Retirement Plan Enrollment form which is only for regular, special risk, and special risk administrative support class employees; a General Retirement Plan Enrollment form for regular, special risk, and special risk administrative support class employees; an Elected Officers' Class Retirement Plan form; a Community College Optional Retirement Program Retirement Plan Choice form; a State University System ORP-Eligible Employee Retirement Plan form; a State Senior Management Service Employees Retirement Plan form; and a Local Senior Management Service Employees Retirement Plan form.

1. All enrollment forms can be obtained at the sources listed in paragraph (3)(b), above.

2. Only members of the regular, special risk, and special risk administrative support classes of employees may use the EZ form, "EZ Retirement Plan Enrollment Form for Regular, Special Risk and Special Risk Administrative Support Class Employees," Form ELE-1-EZ, rev. 01/10 07/07, which is hereby adopted and incorporated by reference. If an employee chooses to use the EZ form, only limited information (i.e., name, plan choice, social security number and signature) is required, ~~and~~ ~~†~~ The FRS Select Moderate Balanced Fund is the only initial investment option (although that investment option may be changed by the Member once the account is funded), ~~and~~ ~~†~~ No beneficiary identifying information is required on the EZ form. However, beneficiary designations must be made either on forms prescribed for that purpose or electronically by logging on to MyFRS.com, clicking on "manage benefits," then clicking on "manage investments," and then clicking on "personal info." If no beneficiary designation is made, the Plan ~~or~~ funds will be distributed, at the Member's death, in accordance with Florida law and Rule 19-11.002, F.A.C. Beneficiary designation forms may be obtained from the same sources listed in paragraph (3)(b), above.

(c) through (f) No change.

(5) through (9) No change.

Rulemaking Authority 121.4501(3)(c)4., (8)(a) FS. Law Implemented 121.051, 121.055, 121.35, 121.4501(2), (3), (4), (5), (6), (8), (15), 121.73, 121.74, 121.78, 215.44(8)(b), 1012.875(3) FS. History—New 10-21-04, Amended 3-9-06, 10-25-07, 12-8-08, 5-19-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Ron Poppell, Senior Officer, Defined Contributions Programs
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Trustees of the State Board of Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 25, 2009

EXECUTIVE OFFICE OF THE GOVERNOR

Comprehensive Planning

RULE NO.: RULE TITLE:
 27E-5.007 Rule Adoption and Approval
 PURPOSE AND EFFECT: To comply with Section 186.508, Florida Statutes, regarding challenges to rules adopting and amending strategic regional policy plans.

SUMMARY: To comply with Section 186.508, Florida Statutes, regarding challenges to rules adopting and amending strategic regional policy plans.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 186.507(2) FS.

LAW IMPLEMENTED: 186.507 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Simonne Lawrence, (850)488-3494 or simonne.lawrence@eog.myflorida.com If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Simonne Lawrence, Assistant General Counsel, Executive Office of the Governor, The Capitol, Tallahassee, Florida, (850)488-3494 or simonne.lawrence@eog.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

27E-5.007 Rule Adoption and Approval.

(1) Upon receiving the Findings and Recommendations Report, the council may amend the proposed plan to reflect any changes recommended in the Findings and Recommendations Report or by public or local government comment and shall then notice and conduct rulemaking to adopt the plan pursuant to the procedural requirements of Section 120.54, F.S. The rules shall be adopted by the council within 90 days after receipt of the Findings and Recommendations Report

submitted by the Executive Office of the Governor. Any rule adopting the plan shall not be subject to a rule challenge pursuant to Section 120.56(2)536, F.S., or to drawout proceedings pursuant to Section 120.54(3)(c), F.S., but once adopted, shall be subject to an invalidity challenge under Section 120.56(3), F.S., by substantially affected persons. The council shall comply with the notice requirements in Section 120.54, F.S., and shall make available copies of the Findings and Recommendations Report and other materials developed in conjunction with the proposed plan in accordance with the requirements of Section 120.54, F.S.

(2) through (3) No change.

Rulemaking Specific Authority 186.507(2), 186.508(1) FS. Law Implemented 186.508, 186.507(15) FS., as amended by Chapter 95-322, L.O.F. History--New 7-6-94, Amended 10-22-95, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Office of Policy and Budget, Executive Office of the Governor
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Office of Policy and Budget, Executive Office of the Governor

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 29, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 6, 2009

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
 33-602.201 Inmate Property

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to: clarify distinctions in permissible use and storage of religious items; amend the list of religious items permitted for individual worship or for wearing or carrying all times; create a limitation on the amount of time inmates may possess food and drink items purchased from the canteen; clarify the number and type of envelopes inmates are permitted to possess; and specify that inmates who are transferred to a Department facility from jail have 30 days to dispose of unauthorized property.

SUMMARY: The proposed rule clarifies distinctions in permissible use and storage of religious items, amends the list of religious items permitted for individual worship or for wearing or carrying at all times, creates a limitation on the amount of time inmates may possess food and drink items purchased from the institutional canteen, clarifies the number and type of envelopes inmates are permitted to possess, and specifies that inmates who are transferred to a Department facility from jail have 30 days to dispose of unauthorized property.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 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: Kendra Lee Jowers, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-602.201 Inmate Property.

(1) The reception center Chief of Security shall ensure that property files are established for all new inmates. The inmate property file shall become part of the inmate's institutional file. All forms and correspondence pertaining to inmate property shall be placed in this file in chronological order. The Chief of Security or his designee shall be responsible for the maintenance of the inmate property file. An addendum will be made to ~~the~~ Form DC6-224, Inmate Personal Property List, any time the status of inmate personal property changes. Examples of changes include when an inmate receives additional property through an approved source or when the inmate chooses to dispose of a broken or worn out item. Form DC6-224 is incorporated by reference in subsection (17) of this rule.

(2)(a) No change.

(b) After final disposition is completed, the officer shall give one copy of the receipt to the inmate along with that property the inmate is authorized by the Department to keep. Personal property remaining in the possession of an inmate is the responsibility of that inmate and not of the institution. One copy of the receipt shall be placed with any property ~~that which~~ is not authorized within the Department and ~~that which~~ is to be stored. One copy of the receipt shall be placed in the package to be mailed to the inmate's home or to the person designated on the form; if the inmate chooses to forfeit the items, this copy of the receipt shall be given to the inmate. One copy of the receipt shall be placed in the inmate property file. The unauthorized property will be held at the institution for 30 days. During this 30 day period, the inmate shall be given an opportunity to have the items picked up by an approved visitor, relative, or friend, or to mail money or valuables to their families or other persons of their choice at no expense to the Department of Corrections. The 30 day ~~time~~ period will not include any time during which an appeal or grievance is pending. Persons picking up items must pre-arrange with the warden for pick-up at a specific time during administrative working hours (Monday through Friday 8:00 a.m. through 5:00 p.m.).

(3) No change.

(4) Authorized Property.

(a) The property reflected on the Approved Property List (Appendix One), in the indicated quantities, is authorized within the Department ~~department~~ once an inmate is permanently assigned, provided the inmate has sufficient storage space. An inmate may not use other inmates' storage space, or other non-authorized storage containers, or store property in locations other than his ~~their~~ assigned housing unit.

(b) through (d) No change.

(e) Inmates shall be required to maintain receipts for items purchased from the canteen for as long as they possess the items. In instances where items purchased from the canteen are added to ~~the~~ Form DC6-224, Inmate Personal Property List, by the property officer, the inmate will not be required to maintain the original canteen receipt. Food and beverage items purchased from the canteen are intended for consumption, and inmates may not retain such items longer than 30 days, as evidenced by the canteen receipt. A food or beverage item shall be considered contraband if found in the possession of an inmate more than 30 days after its purchase.

(f) An inmate transferred from a jail or private prison to a Department of Corrections facility shall be permitted to retain only that property that is authorized by the Department ~~department~~ in Appendix One ~~4~~. Any unauthorized item will be confiscated and held by the institution for 30 days. During this 30 day period, the inmate shall be given an opportunity to have the items picked up by an approved visitor, relative or friend, or to mail the items to persons of their choice at no expense to the Department of Corrections. The 30 day time period will not include any time during which a grievance or appeal is pending.

(5) Unauthorized Property- (Also see Control of Contraband, Rule 33-602.203, F.A.C.).

(a) Property ~~that which~~ is ~~considered~~ contraband pursuant to Rule 33-602.203, F.A.C., shall be handled as provided ~~for~~ in Rule 33-602.203, F.A.C.

1. If an inmate receives postage stamps in the mail ~~that which~~, added to the number already in his possession, place him over the maximum allowed, he shall be allowed to send the excess stamps out at his own expense. It is the inmate's responsibility to make arrangements with staff to send out the extra stamps as soon as they are received. The stamps must be sent out; the institution will not store excess stamps for inmates. Excess stamps found in an inmate's property will be considered contraband.

2. If an inmate receives photographs in the mail ~~that which~~, added to the number already in his possession, place him over the maximum allowed, he shall be allowed to send the excess photographs out at his own expense. It is the inmate's responsibility to make arrangements with staff to send

out the extra photographs as soon as they are received. Excess photographs found in an inmate's property will be considered contraband.

3. through (b) No change.

(6) Storage of Excess Legal Materials.

(a) No change.

(b) Storage of Legal Material. Each inmate is authorized to possess in his ~~or her~~ assigned housing area his own active or inactive legal material not exceeding the capacity of storage available in the inmate's assigned locker.

(c) Storage of Excess Active Legal Material.

1. No change.

2. When it is determined by the assistant warden or Chief of Security ~~chief of security~~ that an inmate has legal material that cannot be contained in the inmate's assigned locker, the inmate shall be given a written order from an employee of the Department ~~department~~ providing:

a. The inmate shall have one week (seven calendar days); to organize and inventory his ~~or her~~ legal material and separate excess inactive legal material from excess active legal material; and

b. If, after organizing and inventorying his ~~or her~~ legal material the inmate will not be able to fit his active legal material in his assigned inmate locker, the inmate shall complete Form DC6-2006, Request for Storage of Excess Active Legal Material, and Form DC6-2008, Excess Active Legal Material Inventory List, to be submitted to the warden for review. Forms DC6-2006 and DC6-2008 are incorporated by reference in subsection (17) of this rule.

3. If time is needed in excess of seven calendar days for the inmate to organize and inventory his ~~or her~~ legal material, the inmate shall, prior to the expiration of the seven calendar day period, submit an inmate request to the warden to ask for additional time to complete his review. The inmate shall specify the basis for the request for additional time and how much additional time will be required to complete ~~the inmate's~~ organizing and inventorying ~~of his or her~~ legal material. The total period of time for the inmate to complete this review shall not exceed 30 calendar days.

4. In the event the inmate refuses to organize and inventory his ~~or her~~ legal material as ordered, the inmate shall receive a disciplinary report. If the inmate refuses to comply after being ordered a second time, the inmate shall receive a disciplinary report and the Department ~~department~~ shall organize and inventory the material. The inventory shall be performed in the same manner as the staff review described in subparagraph 5. below.

5. Prior to placing an inmate's active legal material into excess storage, the inmate's legal material shall be subject to a cursory review by Department ~~department~~ staff to ensure compliance with Department ~~department~~ rules regarding utilization of excess storage, approved property, and contraband. This review will only be conducted in the presence

of the inmate. Only the case style, signature on the document (if any), and letterhead (if any) may be read. Any material that is determined by staff to not be active legal material; shall be collected by two designated employees and placed in ~~storage~~ box(es) with interlocking flaps for storage pending disposition. The warden or designee shall notify the inmate on Form DC6-2007, Excessive Inactive Legal Material Disposition Determination, of the determination that the inmate has 30 days to make arrangements to have the excess inactive legal material picked up by an approved visitor or sent to a relative or friend at the inmate's expense, as provided in subparagraph (6)(c)6., or the institution will destroy it. This notification shall be provided to the inmate within three calendar days of the determination unless the inmate provides verification of a deadline that cannot be met within the three day waiting period. The 30 day limit shall not include any time that a grievance appeal is pending provided the inmate has provided the warden or the warden's designee with the written notice required in subparagraph (6)(c)7. Form DC6-2007 is incorporated by reference in subsection (17) of this rule. For purposes of this subparagraph, the warden's designee may include the property room supervisor.

6. No change.

7. If the inmate intends to appeal the determination and wishes to have the order to dispose of ~~the~~ excess inactive legal material within 30 days stayed while the appeal is proceeding, the inmate must provide written notice to the warden on Form DC6-236, Inmate Request, that he ~~or she~~ intends to appeal the determination to the Office of the Secretary ~~office of the secretary~~. The written notice must be filed within 15 calendar days of the determination. It ~~and~~ shall include a statement by the inmate that the inmate intends to appeal the determination and must specifically identify the documents or papers on which the appeal is to be based. Form DC6-236 is incorporated by reference in Rule 33-103.019, F.A.C.

8. If the inmate fails to file written notice with the warden within 15 calendar days of the determination, fails to provide Form DC6-2007, Excess Inactive Legal Material Disposition Determination, as an attachment to the ~~his or her~~ appeal, addresses more than one issue, or in any other way violates the grievance procedure as described in Chapter 33-103, F.A.C., the ~~his or her~~ appeal shall be returned without response to the issue raised.

9. If the inmate's grievance appeal is denied and the inmate wishes to appeal the determination to the courts and wishes to have the order to dispose of the excess inactive legal material within 30 days stayed while the court appeal is proceeding, the inmate must provide written notice to the warden on Form DC6-236, Inmate Request, that he ~~or she~~ intends to appeal the determination to the courts. The written notice must be filed within 30 calendar days of receipt of the response from the Office of the Secretary, must identify the court in which the appeal has been filed, must include a

statement by the inmate that the inmate intends to appeal the determination, and must specifically identify the documents or papers on which the appeal is based.

10. If the inmate's appeal is denied, ~~the inmate he or she~~ shall have 30 days to make arrangements to have the materials picked up by an approved visitor, relative, or friend, or pay to have the material sent to one of these approved individuals. If the material is not picked up or mailed out within 30 days, the institution shall destroy it.

11. Prior to being stored in excess storage, excess active legal material shall be placed in ~~storage~~ box(es) with interlocking flaps, shall be numbered in sequential order, and shall have the inmate's name and ~~Department department of corrections~~ number clearly written on the top and side of each box. Prior to being sealed, the box(es) shall be inspected by staff, in the presence of the inmate, for contraband. Each box shall be sealed in the presence of the inmate prior to being placed into excess storage. Form DC6-2008, Excess Active Legal Material Inventory List, shall be completed or updated by the inmate before the box(es) are sent or returned to excess storage.

12. through (d) No change.

(e) Inmate Access to Excess Active Legal Material.

1. When an inmate wants access to a box of ~~active his or her~~ legal material stored in excess storage, the inmate shall:

a. Notify the property room officer by submitting ~~Inmate Request~~, Form DC6-236, ~~Inmate Request~~; and

b. through 2. No change.

3. After receipt of a box of ~~his or her~~ legal materials from excess storage, the inmate shall then be permitted to exchange those active legal materials in the requested box with other active legal materials in the inmate's assigned locker.

4. through 5. No change.

(f) Transfer. An inmate being transferred to another institution shall be permitted to take along ~~with his or her other personal property~~ all of the inmate's ~~his~~ legal material. The transferred inmate's legal material must be maintained and possessed in accordance with the receiving institution's available locker storage space.

(7) Impounded Property.

(a) When it is necessary to take and impound items of personal property belonging to or in the possession of an inmate, that property shall be taken, handled, processed, and secured in a manner ~~that which~~ will safeguard it from loss, damage, destruction, or theft while it is under the control of the Department. If the property impounded does not belong to the inmate in possession of the property, an investigation shall be conducted to determine if the owner of the property knowingly permitted the use of the property. If so, the property shall be handled as contraband. If it can be determined that the property was stolen or otherwise taken, the impounded property shall be returned to the rightful owner. Inmates must report stolen items

immediately to the housing officer. The officer shall complete an incident report and an attempt will be made to locate the missing property.

(b) When personal property of an inmate is taken, it will be inventoried according to the following procedure on Form DC6-220, Inmate Impounded Personal Property List, and, whenever practical, in the presence of the inmate. Exceptions may be made when the inmate's presence during this process jeopardizes institutional security or in times of an emergency such as a general disturbance creating security concerns. New inmates being processed into the ~~Department department~~ at one of the reception centers will have their property recorded on Form DC6-220, with a copy being given to the inmate. Unauthorized property will be stored pending final disposition as provided in this rule. At the time of receipt into the ~~Department department~~ each inmate will also sign Form DC6-226, Authorization for Disposition of Mail and Property, which authorizes the ~~Department department~~ to dispose of the property should the inmate abandon it. Form DC6-226 is incorporated by reference in subsection (17) of this rule.

1. through 2. No change.

3. If an inmate refuses to sign the inventory list, or is not present, that fact will be noted on the inventory and signed by the employee making the inventory and also by a second employee present.

4. through (c) No change.

(d) Authorized property impounded during a period of close management, administrative confinement, or disciplinary confinement shall be held at the institution and returned to the inmate at the end of such period.

(e) If it is appropriate to return part, but not all, of the impounded property to the inmate, the following procedure will be followed:

1. No change.

2. The remaining unauthorized impounded property shall be held by the institution for 30 days. It shall be the responsibility of the inmate to make arrangements to have the property picked up by an approved visitor, relative, or friend. In the alternative, the inmate may pay to have the property mailed to one of these approved individuals. The 30-day time period shall not include any time during which an appeal or grievance proceeding relating to the impounded property is pending. This paragraph does not apply to property that will be returned to the inmate pursuant to paragraph (7)(d) after release from close management, administrative confinement, or disciplinary confinement.

3. through (g) No change.

(h) Except in emergency situations such as transfers immediately following a disturbance or institutional evacuation, whenever an inmate is transferred from one institution to another, the inmate's personal property and personal property file shall be transferred with him. The sending institution shall have the responsibility of ensuring that

the inmate being transferred has only that property ~~that which~~ belongs to him and that such property is authorized. The inmate and the officer inspecting the property shall sign and date Form DC6-227, Receipt for Personal Property, at the time of transfer. Any property that is left behind or missing shall be noted on the form.

(i) If an inmate is transferred without his personal property, the property shall be forwarded to the inmate by the sending institution within five working days, or as soon thereafter as possible if conditions resulting from the emergency preclude forwarding within five days. The property, along with an itemized list, shall be placed in a sealed container for transporting. A staff member at the receiving institution shall, in the presence of the inmate to whom the property belongs, check the property against the property list to ensure that all property is accounted for. The inmate shall sign Form DC6-227, Receipt for Personal Property, when the property is given to the inmate. Any discrepancies shall be noted on the form. If the inmate refuses to sign Form DC6-227, ~~Receipt for Personal Property~~, a notation to that effect shall be placed on the form and a second employee shall witness and sign the form.

(8) through (9) No change.

(10) When, with the prior knowledge of the Department, an inmate is not under the immediate control of the Department for more than 24 hours ~~with the prior knowledge of the Department~~ and his ~~or her~~ personal property does not accompany him ~~or her~~, it will be inventoried and held until the inmate's his or her return.

(11) When an inmate dies, escapes, or otherwise voluntarily abandons his ~~or her~~ property, the procedures listed below will be followed:

(a) through (b) No change.

(c) If this effort is successful, a signed receipt for the property will be obtained from the person taking possession of the property, and the receipt will be placed in the inmate's personal property file.

(d) through (e) No change.

(12) The warden or ~~his~~ designee, shall determine how an inmate's personal property shall be managed when the that inmate has to appear at a disciplinary hearing by evaluating the following factors:

(a) through (c) No change.

(13) The warden or ~~his~~ designee is authorized to require an inmate to bring all of his personal property to the disciplinary hearing if the warden or designee ~~he~~ determines that this is necessary after evaluating the factors set out in subsection (12) above.

(14) Missing Inmate Property.

(a) When an inmate's property is ~~being~~ returned after being stored for any reason and items documented on ~~the~~ Form DC6-224, Inmate Property List, cannot be located, this fact shall be documented on the form. Any request for

compensation or replacement of missing items shall be initiated via the inmate grievance process by the inmate whose property is missing.

(b) If the grievance is approved, the assistant warden or other designee of the warden, shall conduct an investigation of the loss. The investigation shall be completed and forwarded within 30 ~~thirty (30)~~ days.

(c) through (15) No change.

(16) Religious Property.

(a) Definitions.

1. Religious property – property adhering to the tenets of a particular religion, including items for wearing or carrying at all times, items for individual worship in the inmate's cell or individual sleeping area in open dormitory style housing, and items for storage and supervised use at the institutional chapel.

2. Koofi – short, brimless cap worn by male followers of Islam.

3. Prayer rope – short, knotted rope used for individual worship by followers of the Greek Orthodox faith.

4. Prayer rug – small rug on which followers of Islam conduct individual worship.

5. Prayer shawl – shawl with tassels or twisted threads on each corner worn by followers of Judaism, Messianic Judaism, and the Assembly of Yashua for Morning Prayer and on holy days; it may be accompanied by a small cloth prayer shawl bag that is used for storing the item when it is not being worn.

6. Rakusu – small, bib-like garment worn about the neck by followers of Buddhism.

7. Runes – small tiles, each inscribed with a runic letter, used for individual worship by followers of Odinism or Asatruism.

8. Scapular – two small squares, sometimes bearing religious images or texts, connected by string and worn about the shoulders of followers of Catholicism.

9. Tarot cards – deck of 78 cards depicting spiritual entities used for individual worship.

10. Tefillin – two small leather boxes, each containing a black leather strap inscribed with religious text. The tefillin are wrapped around the body by followers of Judaism as a form of individual worship and may be accompanied by a small cloth tefillin bag that is used for storing the items when they are not being worn.

11. Tzitzit – four-cornered garment with tassels or twisted threads on each corner worn by followers of Judaism, Messianic Judaism, and the Assembly of Yashua. When the tzitzit is worn underneath the clothing, the tassels are to hang below the outer garment.

12. Yarmulke (or Kippah) – small, round cap worn by male followers of Judaism, Messianic Judaism, and the Assembly of Yashua.

13. Zafu – a meditation cushion used by followers of Buddhism.

(b) Unless otherwise prohibited by Department rule, inmates shall be permitted to possess, for personal use, the following religious items or material:

1. Religious publications as defined in Rule 33-503.001, F.A.C., for personal use that are in compliance with admissibility requirements of Rule 33-501.401, F.A.C.

(c) Unless otherwise prohibited by Department rule or by paragraph (e) of this subsection, inmates shall be permitted to possess the following items adhering to the tenets of a particular religion for wearing or carrying at all times or for use during individual worship in their assigned cell or individual sleeping area if assigned to open dormitory housing. Such religious items must be documented on Form DC6-224, Inmate Personal Property List. When an inmate makes a change in religious preference, the inmate must dispose of all of the items associated with the previous religion unless such items are also associated with the new religious preference. Disposal may be by mailing at the inmate's expense or by waste disposal and must be done before the inmate shall be permitted to possess items adhering to the new religious preference. An inmate shall be allowed to maintain the following religious items in his individual housing unit unless specific and definable security concerns require storage and usage elsewhere. An inmate shall not be transported to the chapel for the purpose of using an item for individual worship if the inmate possesses the item in his housing area; however, if an inmate does not possess a necessary item for individual worship in his housing area and the item is available at the institutional chapel, the inmate shall not be prohibited from being transported to the chapel for the purpose of using the item for individual worship.

1.2. Religious items adhering to the tenets of a particular religion for wearing or carrying at all times or use during individual worship. Items may include:

a. Jewish – black yarmulke, white tzitzit worn underneath the clothing with the fringes permitted to hang below the bottom of the shirt;

b. Catholic – devotional scapular worn underneath the clothing rosary beads;

c. Muslim – white prayer rug, koofi for men, white or blue headscarves for women with a possession limit of four scarves;

d. Native American – medicine bag, headband, feather and;

e. Assembly of Yashua – black yarmulke, white tzitzit worn underneath the clothing with the fringes permitted to hang below the bottom of the shirt; Asatru or Odinism – runes and accompanying cloth bag.

f. Rastafarian – white or blue headscarves for women with a possession limit of four scarves;

g. Messianic Jewish – black yarmulke, white tzitzit worn underneath the clothing with the fringes permitted to hang below the bottom of the shirt;

h. One set of prayer beads, such as Rosary, Dhikr, Orisha, Mala, or Japa-Mala beads;

i.3. One religious symbol or medallion. Religious symbols such as a cross, Star of David, or talisman, or other religious medallion. Religious symbols shall not be more than 2 inches in length or diameter, and Religious symbols and items worn about the neck shall be worn under the shirt on a jewelry-type chain. Religious symbols that are designed to be affixed to clothing with a pin are not permitted.

2. Religious items for individual worship in an inmate's assigned cell or individual sleeping area:

a. Jewish – prayer shawl (white or white with colored trim) no larger than 72" x 72", one set of tefillin;

b. Muslim – prayer rug no larger than 30" x 42";

c. Asatru or Odinism – runes and accompanying cloth bag;

d. Greek Orthodox – prayer rope;

e. Buddhist – black or brown Rakusu;

f. Assembly of Yashua – prayer shawl (white or white with colored trim) no larger than 72" x 72";

g. Messianic Jewish – prayer shawl (white or white with colored trim) no larger than 72" x 72";

h. No more than two pictures or images depicting gods, saints, or other religious or spiritual entities. Such pictures or images may be no larger than 8.5 x 11 inches.

(d)(b) Religious items to be stored and used in the chapel. The inmates shall not be permitted to possess the following religious items or materials which adhere to the tenets of a particular religion for individual worship or group worship which pose a general security risk when allowed in an inmate's cell or sleeping area if assigned to an open dormitory housing unit dorm. Inmates shall be permitted to use the following religious items or materials only under the supervision of the chaplain or an approved volunteer, and these items shall be stored in the chapel:-

1. Tarot cards Jewish – prayer shawl, tefillin;

2. Wiccan – stones or crystals tarot cards; and

3. Buddhist – meditation cushion or Zafu.

(e) Limitations on Use of Religious Property.

1. Inmates in a transitional care unit, an isolation cell, observation cell, isolation management room, crisis stabilization unit, on self-harm observation status, or housed at Corrections Mental Health Institution (CMHI) are not permitted to store or use religious property, other than religious publications as provided in paragraph (a) of this subsection, without review and approval by the inmate's Multidisciplinary Services Team.

2. Inmates on close management or maximum management status and inmates in disciplinary or administrative confinement shall be permitted to possess items for wearing or carrying at all times and items for individual worship unless the warden or designee finds that the inmate's possession of the item poses a specific and definable safety or security threat. In determining whether an item presents a specific and definable threat, the following shall be considered:

a. The physical characteristics of the item and the particular dangers to security, inmate and staff safety, and institutional order that the item presents;

b. Limitations on possession or access, if any, that may be dictated by the characteristics of the inmate's custody classification or management status.

~~(e) Inmates shall not be permitted to possess religious items or materials intended for use in group worship. These group worship items shall not be stored at the institution, but may be brought in by volunteers for the religious observance. Group worship items include:~~

1. ~~Alcoholic beverages or wine;~~
2. ~~Wiccan — stones or crystals.~~

~~(f)(d) Religious property and other religious items shall be acquired through an authorized vendor, canteen purchase, or bona fide religious organization, or donor.~~

~~(g)(e) The chaplain at the institution shall serve as advisor to staff and inmates in the area of religious property listed in paragraphs (c) and (d) of this subsection at the institution. Should issues arise concerning the appropriateness of any particular religious item that is alleged to be permitted by this subsection, the institutional chaplain will evaluate the item in conjunction with security staff to determine whether the item is permissible. The agency Chaplaincy Services Administrator chaplaincy services administrator shall provide advice and guidance to the Department department regarding approved religious items, religions and religious items not listed in this rule, religions and other Department department religious issues.~~

~~(h)(f) Inmate requests for religious property not listed in this rule shall be reviewed by the agency Chaplaincy Services Administrator chaplain to determine whether the item is required by the inmate's particular religion. If the Chaplaincy Services Administrator determines that the item is required by the inmate's religion, the agency security bureau chief shall conduct a review and security personnel to determine whether the item presents a specific and definable threat to security and order. In determining whether an item presents a threat to security and order the following shall be considered:~~

1. The physical characteristics of the item requested and the particular dangers to security, inmate and staff safety, and institutional order that the item presents;

2. Limitations on possession or access, if any, that may be dictated by the characteristics of a particular inmate's custody classification or management status.

(17) No change.

Rulemaking Specific Authority 944.09 FS. Law Implemented 944.09 FS. History—New 6-4-81, Formerly 33-3.025, Amended 11-3-87, 11-13-95, 5-20-96, 1-8-97, 6-1-97, 7-6-97, 10-15-97, 2-15-98, 3-16-98, 8-4-98, 12-7-98, Formerly 33-3.0025, Amended 11-21-00, 9-12-01, 5-16-02, 7-8-03, 8-18-04, 1-25-05, 10-23-06, 2-27-08, 12-25-08,_____.

APPENDIX ONE
PROPERTY LIST

This list incorporates all property authorized to be possessed by inmates in all Department institutions and facilities except community correctional centers. Except for items specified below as “exemptions”, property received must be in compliance with this list. Inmates in possession of property previously approved by the Department of Corrections which meets the description of property on the list shall be allowed to retain the property. Inmates transferring to Department department facilities from private correctional facilities shall be allowed to retain only those items that are in compliance with the list of authorized property. As items sold in canteens at private facilities may differ from those sold in Department department canteens, items purchased in canteens at private facilities will not always be admissible in Department department facilities.

Definitions.

The “quantity” establishes a maximum possession limit. This does not mean that all state issue items will be issued to each inmate, or that the maximum number of items will be issued. Items found in the possession of an inmate that are in excess of the established “quantity” shall be treated as contraband in accordance with Rule 33-602.203, F.A.C. Where there is a “value” indicated, the authorized item shall not exceed that value. The terms “canteen” and “state issue” refer to the sources from which property can be obtained after January 1, 1996. All items with the “canteen” designation shall be available in all institutional canteens or through canteen order. All canteen items are transferable between institutions. “State issue” means that the institution has the authority to issue this item to inmates based upon the character of the institution, the location of the institution, the housing or work assignment of the inmate, or other factors related to institution or inmate needs. Institutions housing death row inmates shall make adjustments to this property list when possession of listed items by death row inmates would create a threat to the security of the institution.

Exemptions.

Inmates already in possession of the following previously approved items shall be allowed to retain the items until they are no longer serviceable, but shall not be allowed to replace them with like items.

- Clothing items of a different color than specified on the property list.
- Locks other than V68 series
- Plastic bowls, tumblers, cups and lids
- Pantyhose
- Nail clippers larger than 2-1/2"

AUTHORIZED PROPERTY LIST

CLOTHING

Quantity	Unit	Value	Articles
1	each		Athletic Bra (canteen – female only)
1	each		Belt (state issue)
4	each		Bras (state issue or canteen – female only)
1	each		Coat (state issue)
3	each		Dresses (state issue – female only)
1	pair		Gloves, work (state issue)
4	each		Handkerchief, cotton, white only (canteen)
1	each		Hats (state issue)
2	pair		Pajamas – long (state issue or canteen) Light blue or white – female only
7	each		Light blue – male Panties (state issue or canteen – female only)
3	each		Pants (state issue)
1	each		Raincoat or Poncho – clear (state issue or canteen)
1	each		Robe (state issue – female only)
3	each		Shirt, outer (state issue)
4	each		Shirt, T-Shirt (state issue or canteen order – gray for female, white for male) *inmates may possess both state-issue and canteen-purchased shirts, but the total combined number cannot exceed 4.
1	pair		Shoes, Athletic (canteen)
1	pair		Shoes, Work (state issue)
2	each		Shorts, athletic (navy blue) (canteen)
1	each		Shower cap, clear only (female only) (canteen)
1	pair		Shower slides (canteen)
3	each		Slips (state issue – female only)
6	pair		Socks (state issue or canteen)
1	each		Supporter, athletic (male only) (canteen)
2	each		Sweatshirts (gray only) (canteen order)
4	each		Undershorts (male only) (state issue or canteen)
2	each		Underwear, thermal (state issue or canteen)

PERSONAL ARTICLES

Quantity	Unit	Value	Articles
Number in use			Batteries (canteen)
25	each		Roller clips – plastic only (females only), (canteen)
*			Books (legal, educational, religious, fiction) – * Quantity as specified by Rule 33-501.401, F.A.C.
1	package		Breath tablets (canteen)
1	each		Calendar, as specified by Rule 33-501.401, F.A.C.
*			Canteen purchases – * limited by approved storage space;
1	set		Checkers (light wood or plastic, standard checkers only) (canteen order)
1	set		Chess (light wood or plastic, 2 inches max. height) (canteen order)
1	each		Coffee mug – plastic (canteen)
1	each		Comb-pocket type, no handles (non-metal) (state issue or canteen)
*			Correspondence – * limited by storage space limitations
1	pack		Cotton swabs (plastic or paper stems only) (canteen)
2	each		Crème rinse and conditioner (canteen)
1	each		Cup, drinking – plastic (canteen)
1	package		Dental floss, (floss loops only), unwaxed (canteen)

1	each	Denture adhesive (state issue or canteen)
1	each	Denture cup (canteen order)
2	each	Deodorant and antiperspirant (no aerosols) (canteen)
1	set	Domino (light wood or plastic, standard size) (canteen order)
1	pair	Earphone pads (replacement) (canteen order)
1	pair	Ear rings, post type (female only) (canteen order)
*		Educational supplies (items must be pre-approved for vocational education or correspondence study programs. Items are authorized only for the duration of the course)
1	pack	Emery board – cardboard (canteen)
25 +	pack each	Envelopes – legal (#10 size) and oversized (canteen)
<u>5</u>	<u>each</u>	<u>Envelopes – oversized (10" x 13")</u> (canteen)
*		Envelopes, self-addressed stamped – * the total in the inmate’s possession shall not exceed the limit of 1 pack.
2	each	Eyeglasses, case, contact lens and solutions (state issue or personal; “personal” means that inmates already in possession of these items will be allowed to retain them, but any future items will be provided by the institution if needed.) Contact lenses will only be provided if medically indicated
1	each	Eye shadow, eyeliner, mascara, eyebrow pencil, blemish preparation, lipstick, blemish and spot cover-up, lip coloring (female only) (canteen)
1	box	Feminine hygiene products (internal and external) (female only) (state issue or canteen)
*		File folders (*limited by storage space)
<u>20</u>		<u>Greeting cards and accompanying envelopes</u>
1	each	Hairbrush – nonmetal, handles for females only (canteen)
2	each	Hairdressing (styling gel, pink oil, cholesterol, perm kit – female only) (no aerosols) (canteen)
1	each	Hair net (female only) (canteen)
25	each	Hair rollers (female only) (canteen)
2	each	Handballs or racketballs (canteen)
1	each	Headphones for use with radio (canteen)
1	each	Health aids – headache and cold remedies, antacids, antifungal preparations, cough drops, nasal spray, etc. No imidazoline, tetrahydrozoline, or hydrochloride compounds (canteen – as approved by health services)
2	each	Hearing aid (state issue or personal)
*		Hobby craft – at locations where program exists and subject to storage space limitations
1	each	Insect repellent (canteen)
1	each	Jigsaw puzzle (canteen order)
1	each	Laundry bag (state issue or canteen)
1	each	Lighter, disposable (approved type) (canteen)
1	each	Lip balm (canteen)
1	each	Locks, combination (V68 series) (canteen)
1	each	Make-up bag, clear only (female only) (canteen)
1	each	Mirror – plastic, nonbreakable, 5" x 7" max. (canteen)
1	each	Moisturizer – no mineral oils, no vaseline (canteen)
1	each	Mouthwash (canteen)
1	each	Nail clippers, not to exceed 2 1/2" (canteen)
2	pack	Notebook paper (canteen)
4	each	Pens, ballpoint, flair-type, pencils with erasers, or security pens, no markers (canteen)

*			Periodicals – * as specified by Rule 33-501.401, F.A.C., and storage space limitations
1	each		Photo album, non-metal (canteen)
50	each		Photographs (personal)
2	decks		Playing cards (standard) (canteen)
5	each		Pony tail holder (fabric) or hair claws (plastic) (female only)
1	each		P.R.I.D.E. service pin (issued to inmate from P.R.I.D.E.)
*			Prosthesis – * as approved by health services
1	each	50.00	Radio, DC/AM/FM only, “Walkman” type, maximum 4" × 5" (canteen)
1	each		Razor, disposable (state issue)
1	each	50.00	Razor, battery operated, non-rechargeable (canteen order)
*			Religious requirements – as approved by chaplaincy services, (examples: head covering, prayer rug)
1	each	50.00	Religious medallion with chain (personal or provided by Chaplain)
1	each	100.00	Ring, engagement (personal, female only)
1	each	100.00	Ring, wedding (personal)
1	each		Roller cap, clear only (female only) (canteen)
1	set		Scrabble (canteen order)
2	each		Shampoo (canteen)
1	each		Shaving cream (canteen)
1	each		Shaving powder (canteen)
1	pair		Shoe laces (canteen)
1	each		Shoe wax (Liquid only, non flammable, no nitrobenzene; canteen)
2	each		Soap, bath (state issue or canteen)
1	each		Soap dish (canteen)
1	each		Soap, laundry (female only) (canteen)
*			Special needs – * special devices as approved for compliance with medical needs
1	each		Spoon, plastic (canteen)
40	each		Stamps (the equivalent of 40 1-ounce 1st class) (canteen)
1	each		Sunglasses, no mirror type (canteen)
1	each		Sunscreen lotion (canteen)
1	each		Talcum powder (canteen)
1	each		Toothbrush (state issue or canteen)
1	each		Toothbrush holder (canteen)
2	each		Toothpaste and Toothpaste with mouthwash (state issue or canteen)
2	each		Towels (state issue)
1	each		Wallet (canteen)
1	each	50.00	Watch (personal or canteen)
1	each		Watch band (nylon and Velcro only) (canteen)
2	each		Washcloths (state issue or canteen)

NAME OF PERSON ORIGINATING PROPOSED RULE:

George Sapp, Deputy Secretary of Institutions

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Walter A McNeil, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: October 2, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAW: October 16, 2009

AGENCY FOR HEALTH CARE ADMINISTRATION**Health Facility and Agency Licensing**

RULE NOS.:	RULE TITLES:
59A-35.020	Applicability
59A-35.030	Definitions
59A-35.040	License Required; Display
59A-35.050	Fees Required; Adjustments
59A-35.060	Licensure Application Process
59A-35.062	Proof of Financial Ability to Operate
59A-35.064	Initial Application
59A-35.065	License Renewal
59A-35.070	Change of Ownership
59A-35.080	License Categories
59A-35.090	Background Screening
59A-35.100	Minimum License Requirements
59A-35.110	Reporting Requirements; Electronic Submission
59A-35.120	Inspections
59A-35.140	Administrative Fines
59A-35.150	Moratorium; Emergency Suspension

PURPOSE AND EFFECT: Chapter 59A-35, Florida Administrative Code, is being developed to establish uniform procedures for licensure of health care facilities as authorized in Chapter 408, Part II, Florida Statutes.

SUMMARY: This proposed rule will establish licensure requirements, application procedures and administrative proceedings for all health care providers licensed by the Agency for Health Care Administration.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Subject: Chapter 59A-35, Florida Administrative Code (F.A.C.) is being promulgated under the authority of Chapter 408, Florida Statutes (F.S.), to establish uniform licensure procedures for facilities and services regulated by the Agency for Health Care Administration.

Statutory Authority (including citation authorizing new or increased fees): Section 408.819, F.S., grants the Agency rulemaking authority for administration of Part II of Chapter 408, F.S. Annual adjustment of licensure fees and fees for issuance of a revised or duplicate license are authorized in Section 408.805, F.S.

Small Business Impact Certification Statement:

Good faith estimate of transactional costs likely to be incurred by individuals and entities, including local government entities, required to comply with the requirements of the rule:

As some regulated entities are sole proprietors and others are large corporations, the sophistication of licensees varies so paperwork and submission time estimates are not feasible for the multiple types of providers regulated by the Agency. But it is expected that over time the transactional costs will not increase and may, in fact, decrease.

The entities and individuals affected by the proposed rule will be required to become familiar with new, standardized forms to be used by all regulated providers. While this familiarization

will require some additional time in the first licensure submission, the standardization of the application processes will ultimately not require additional time across the two-year licensure period that is a part of these revisions. The elimination of one of the annual licensure applications (for most provider types) will represent an efficiency to the regulated entity.

The proposed rule would impose Background Screening Fees not previously required of some providers and require fee increases for categories of providers that do not currently pay fees sufficient to cover the cost or regulation of those providers. The following provider types do not currently pay fees that cover the cost of Agency licensing programs:

- Abortion Clinics
- Adult Family Care Homes (AFCH)
- Assisted Living Facilities (ALF)
- Ambulatory Surgical Centers
- Birth Centers
- Homemaker Companion Services Providers
- Health Care Services Pools
- Home Medical Equipment Providers
- Homes for Special Services (HHS)
- Hospices
- Hospitals
- Multiphasic Health Testing Centers (MHTC)
- Prescribed Pediatric Extended Care Centers (PPEC)
- Risk Managers

Licensed providers will be required to submit an application and license fee for a change of ownership sixty days prior to the change and will be charged a late fee of \$50 per day for each day that application is late. There will be a maximum of \$1,000 for these late fees.

Small entities that do not have electronic submission capabilities will be required to secure access to computers through public facilities such as libraries or purchase time or equipment to enable them to submit information electronically. This rule will effect some local governments who hold licenses from AHCA. The impact is expected to be insignificant.

Analysis per Florida Statutes:

The Agency for Health Care Administration regulates thirty categories of health care providers totaling more than 32,000 licensees. In 2006, the Florida Legislature passed Chapter 2006-192, Laws of Florida, that established a revised licensure process, standardized across the many types of providers. These proposed rules will establish procedures for implementing that licensure with requirements and forms that are consistent for all providers and will accommodate the new two-year licensure period for all licensees.

Each of the items provided by Section 120.541(2), Florida Statutes, is addressed for the proposed Rule Chapter 59A-35, F.A.C.:

Good faith estimate of the number of individuals and entities likely to be required to comply with the rule, together with a general description of the types of individuals likely to be affected by the rule:

The proposed rule will affect all providers licensed by the Agency. There are approximately 32,000 individuals and entities licensed by the Agency in twenty-eight licensure categories. This number includes entities from small businesses to large corporations as well as individuals.

The categories of facilities licensed by the Agency are:

- Abortion Clinics
- Adult Day Care Centers (ADCC)
- Adult Family Care Homes (AFCH)
- Ambulatory Surgical Centers
- Assisted Living Facilities (ALF)
- Birth Centers
- Clinical Laboratories
- Crisis Stabilization Units and Short Term Residential Treatment Facilities
- Drug-free Workplace Laboratories
- Health Care Clinics
- Health Care Services Pools
- Homes for Special Services (HHS)
- Home Health Agencies
- Homemaker Companion Services
- Home Medical Equipment Providers
- Hospices
- Hospitals
- Intermediate Care Facilities for the Developmentally Disabled Persons (ICFDD)
- Multiphasic Health Testing Centers (MHTC)
- Nurse Registries
- Nursing Homes
- Organ, Tissue and Eye Procurement Organizations
- Prescribed Pediatric Extended Care Centers (PPEC)
- Residential Treatment Centers for Children and Adolescents
- Residential Treatment Facilities
- Risk Managers
- Transitional Living Facilities (TLF)

Agency regulatory programs include facilities that are not licensed under state law and do not pay fees under the proposed rule, but are certified and monitored by the Agency:

- Commercial HMOs/PHCs/EPOs
- Diagnostic Imaging Services
- Medicaid HMOs
- Comprehensive Outpatient Rehabilitation Facilities
- Partial Hospitalization Programs
- Portable X-ray Equipment
- Rehabilitation Agencies
- Rural Health Clinics

Good faith estimate of the cost to the agency, and to any other state and local government entities, of implementing and enforcing the proposed rule, and any anticipated effect on state or local revenues:

Implementing and enforcing the proposed standardized licensing rules will not result in significant increase in the costs to the Agency.

If the rule is challenged there will be litigation costs.

A small number of entities that are licensed to local government entities will be affected by these rules. The impact is expected to be insignificant.

The effect on state revenue other than licensure fees from regulated entities is negligible.

Forms, Definitions and Acronyms: (include or list where they can be found):

Definitions of terms used in these rules are found in Section 408.803, F.S., and in the proposed rule Chapter in Rule 59A-35.030, F.A.C.

Agency Small Business Outreach:

Notice of development of uniform licensure rules was published in the Florida Administrative Weekly and communicated to providers and provider organizations. Organizations licensed and regulated by the Agency received correspondence detailing the revised procedures and submission requirements resulting from statutory revisions.

Comments Received on Rule (include where they can be found):

No comments were received from persons identifying themselves as representatives of small business concerns.

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

RULEMAKING AUTHORITY: 408.819 FS.

LAW IMPLEMENTED: 408.819 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: January 6, 2010, 1:30 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, FL 32308

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: April Scott, 2727 Mahan Drive, MS #40, Tallahassee, FL 32308, or at (850)410-3400. 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: April Scott, 2727 Mahan Drive, MS #40, Tallahassee, FL 32308 or at (850)410-3400

THE FULL TEXT OF THE PROPOSED RULES IS:

HEALTH CARE LICENSING: GENERAL PROVISIONS

59A-35.020 Applicability.

The requirements of Chapter 408, Part II, F.S., and this rule chapter apply to:

(1) Drug Free Workplace Laboratories as provided under Section 112.0455 and Section 440.102, F.S.:

(2) Birth Centers, as provided under Chapter 383, F.S.:

(3) Abortion Clinics, as provided under Chapter 390, F.S.:

(4) Crisis Stabilization Units, as provided under Parts I and IV of Chapter 394, F.S.:

(5) Short Term Residential Treatment Units, as provided under Parts I and IV of Chapter 394, F.S.

(6) Residential Treatment Facilities, as provided under Part IV of Chapter 394, F.S.:

(7) Residential Treatment Centers for Children and Adolescents, as provided under Part IV of Chapter 394, F.S.:

(8) Hospitals, as provided under Part I of Chapter 395, F.S.:

(9) Ambulatory Surgical Centers, as provided under Part I of Chapter 395, F.S.:

(10) Mobile Surgical Facilities, as provided under Part I of Chapter 395, F.S.:

(11) Health Care Risk Managers, as provided under Part I of Chapter 395, F.S.:

(12) Nursing Homes, as provided under Part II of Chapter 400, F.S.:

(13) Home Health Agencies, as provided under Part III of Chapter 400, F.S.:

(14) Nurse Registries, as provided under Part III of Chapter 400, F.S.:

(15) Companion Services or Homemaker Services Providers, as provided under Part III of Chapter 400, F.S.:

(16) Hospices, as provided under Part IV of Chapter 400, F.S.:

(17) Homes for Special Services as provided under Part V of Chapter 400, F.S.:

(18) Transitional Living Facilities, as provided under Part V of Chapter 400, F.S.:

(19) Prescribed Pediatric Extended Care Centers, as provided under Part VI of Chapter 400, F.S.:

(20) Home Medical Equipment Providers, as provided under Part VII of Chapter 400, F.S.:

(21) Intermediate Care Facilities for the Developmentally Disabled, as provided under Part VIII of Chapter 400, F.S., F.S.:

(22) Health Care Services Pools, as provided under Part IX of Chapter 400, F.S.:

(23) Health Care Clinics, as provided under Part X of Chapter 400, F.S., including certificate of exemption:

(24) Assisted Living Facilities, as provided under Part I of Chapter 429, F.S.:

(25) Adult Family-Care Homes, as provided under Part II of Chapter 429, F.S.:

(26) Adult Day Care Centers, as provided under Part III of Chapter 429, F.S.:

(27) Clinical Laboratories, as provided under Part I of Chapter 483, F.S.:

(28) Multiphasic Health Testing Centers, as provided under Part II of Chapter 483, F.S.:

(29) Organ and Tissue Procurement Agencies, as provided under Chapter 381, F.S.

Rulemaking Authority 408.819 FS. Law Implemented 408.802 FS. History–New _____.

59A-35.030 Definitions.

(1) “Address of record” means the location that is printed on the license and is the address at which the provider is licensed to operate. In the event a license displays multiple locations including branch offices, satellite offices, or off-site locations, the address of record is the main or principle office address.

(2) “Agency notification” or “Agency request” means the Agency sends notification by:

(a) Mail or personal delivery to the address of record for a licensee or applicant.

(b) Mail to an alternative mailing address if requested by the licensee or applicant, or

(c) Electronic mail if an electronic mail address has been provided.

(3) “Days” means calendar days.

(4) “Management company” means an entity retained by a licensee to administer or direct the operation of a provider. This does not include an entity that serves solely as a lender or lien holder.

Rulemaking Authority 408.819 FS. Law Implemented 408.803 FS. History–New _____.

59A-35.040 License Required; Display.

(1) A license is valid only for the licensee, provider, and location for which the license is issued as it appears on the license.

(2) Any request to amend a license must be received by the Agency in advance of the requested effective date as detailed below. Requests to amend a license are not authorized until the license is issued.

(a) Requests to change the address of record must be received by the Agency 60 to 120 days in advance of the requested effective date for the following provider types:

1. Birth Centers, as provided under Chapter 383, F.S.;
2. Abortion Clinics, as provided under Chapter 390, F.S.;
3. Crisis Stabilization Units, as provided under Parts I and IV of Chapter 394, F.S.;
4. Short Term Residential Treatment Units, as provided under Parts I and IV of Chapter 394, F.S.
5. Residential Treatment Facilities, as provided under Part IV of Chapter 394, F.S.;
6. Residential Treatment Centers for Children and Adolescents, as provided under Part IV of Chapter 394, F.S.;
7. Hospitals, as provided under Part I of Chapter 395, F.S.;
8. Ambulatory Surgical Centers, as provided under Part I of Chapter 395, F.S.;
9. Nursing Homes, as provided under Part II of Chapter 400, F.S.;
10. Hospices, as provided under Part IV of Chapter 400, F.S.;
11. Homes for Special Services as provided under Part V of Chapter 400, F.S.;
12. Transitional Living Facilities, as provided under Part V of Chapter 400, F.S.;
13. Prescribed Pediatric Extended Care Centers, as provided under Part VI of Chapter 400, F.S.;
14. Intermediate Care Facilities for the Developmentally Disabled, as provided under Part VIII of Chapter 400, F.S.;
15. Assisted Living Facilities, as provided under Part I of Chapter 429, F.S.;
16. Adult Family-Care Homes, as provided under Part II of Chapter 429, F.S.;
17. Adult Day Care Centers, as provided under Part III of Chapter 429, F.S.

(b) Requests to change the address of record must be received by the Agency 21 to 120 days in advance of the requested effective date for the following provider types:

1. Drug Free Workplace Laboratories as provided under Section 112.0455 and Section 440.102, F.S.;
2. Mobile Surgical Facilities, as provided under Part I of Chapter 395, F.S.;
3. Health Care Risk Managers, as provided under Part I of Chapter 395, F.S.;
4. Home Health Agencies, as provided under Part III of Chapter 400, F.S.;
5. Nurse Registries, as provided under Part III of Chapter 400, F.S.;
6. Companion Services or Homemaker Services Providers, as provided under Part III of Chapter 400, F.S.;
7. Home Medical Equipment Providers, as provided under Part VII of Chapter 400, F.S.;

8. Health Care Services Pools, as provided under Part IX of Chapter 400, F.S.;

9. Health Care Clinics, as provided under Part X of Chapter 400, F.S., including certificate of exemption;

10. Clinical Laboratories, as provided under Part I of Chapter 483, F.S.;

11. Multiphasic Health Testing Centers, as provided under Part II of Chapter 483, F.S.;

12. Organ and Tissue Procurement Agencies, as provided under Chapter 381, F.S.

(c) All other requests to amend a license including but not limited to services, licensed capacity, and other specifications which are required to be displayed on the license by authorizing statutes or applicable rules must be received by the Agency 60 to 120 days in advance of the requested effective date. This deadline does not apply to a request to amend hospital emergency services defined in Section 395.1041(2), F.S.

(3) Failure to submit a timely request shall result in a \$500 fine.

(4) A licensee is not authorized to operate in a new location until a license is obtained which specifies the new location. Failure to amend a license prior to a change of the address of record constitutes unlicensed activity.

(5) The licensee shall return the license certificate to the Agency upon the rendition of a final order revoking, cancelling or denying a license, an upon the voluntary discontinuance of operation.

Rulemaking Authority 408.819 FS. Law Implemented 408.804 FS. History—New _____.

59A-35.050 Fees Required; Adjustments.

(1) Licensure fees, as defined by authorizing statute or rule, are non-refundable once submitted to the Agency. An applicant may submit a request for refund if monies in excess of required fees are submitted to the Agency. Such requests must be made using State of Florida Department of Financial Services, Application for Refund form number DFS-AA-4, Rev. 0207, incorporated herein by reference, available online at: http://myfloridacfo.com/aadir/refund_application.htm and submitted to the appropriate licensing unit. The following are examples of excess fee payments that are eligible for refund:

- (a) Fees in excess of the required fee amount;
- (b) A renewal reminder letter indicates an error in the required fee amount;
- (c) An inspection fee is submitted when no inspection fee is required;
- (d) An excess fee is submitted as an accredited provider when the licensee or applicant is not accredited; or
- (e) An application is returned due to early submission.

(2) When payment for licensure fees has been dishonored, the licensee has 10 days to remit to the Agency the licensure fee plus any applicable fees as provided by law in the form of a money order or cashier's check. In the event that the licensure fee is not paid, the license may be subject to revocation or suspension.

(3) A request for a replacement license must be accompanied by a \$25 fee.

(4) In addition to required application, per-bed, and inspection fees, a request to amend a license must be accompanied by a \$25 fee.

Rulemaking Authority 408.819 FS. Law Implemented 112.0455(17), 383.305(1), 390.14(3), 394.877, 395.044, 395.1097(3), 400.062(3), 400.471(5), 400.506(3), 400.605(2), 400.801(3), 400.805(2), 400.905(2), 400.931(5), 400.980(2), 400.9925(1), 429.07(4), 408.805 FS. History—New _____.

59A-35.060 Licensure Application Process.

(1) The applicant must apply for licensure using the program specific forms listed below and AHCA Form 3110-1024, Rev. October 1, 2009, "Health Care Licensing Application Addendum". All forms are incorporated by reference and available online at: ahca.myflorida.com/Publications/Forms/HQA.shtml.

(a) Drug Free Workplace Laboratories as provided under Section 112.0455 and Section 440.102, F.S.; AHCA Form 3170-5001, Rev July 2009.

(b) Birth Centers, as provided under Chapter 383, F.S.; AHCA Form 3130-3001, Rev. July 2009.

(c) Abortion Clinics, as provided under Chapter 390, F.S.; AHCA Form 3130-1000, Rev. July 2009.

(d) Crisis Stabilization Units, as provided under Parts I and IV of Chapter 394, F.S.; AHCA Form 3180-5003, Rev. July 2009.

(e) Short Term Residential Treatment Units, as provided under Parts I and IV of Chapter 394, F.S.; AHCA Form 3180-5003, Rev. July 2009.

(f) Residential Treatment Facilities, as provided under Part IV of Chapter 394, F.S.; AHCA Form 3180-5003, Rev. July 2009.

(g) Residential Treatment Centers for Children and Adolescents, as provided under Part IV of Chapter 394, F.S.; AHCA Form 3180-5004, Rev. July 2009.

(h) Hospitals, as provided under Part I of Chapter 395, F.S.; AHCA Form 3130-8003, Rev. July 2009.

(i) Ambulatory Surgical Centers, as provided under Part I of Chapter 395, F.S.; AHCA Form 3130-2001, Rev. July 2009.

(j) Mobile Surgical Facilities, as provided under Part I of Chapter 395, F.S.; AHCA Form 3130-2001, Rev. July 2009.

(k) Health Care Risk Managers, as provided under Part I of Chapter 395, F.S.; AHCA Form RM-001, Rev. July 2009.

(l) Nursing Homes, as provided under Part II of Chapter 400, F.S.; AHCA Form 3110-6001, Rev. July 2009.

(m) Home Health Agencies, as provided under Part III of Chapter 400, F.S.; AHCA Form 3110-1011, Rev. July 2009.

(n) Nurse Registries, as provided under Part III of Chapter 400, F.S.; AHCA Form 3110-7004, Rev July 2009.

(o) Companion Services or Homemaker Services, as provided under Part III of Chapter 400, F.S.; AHCA Form 3110-1003, Rev. July 2009.

(p) Hospices, as provided under Part IV of Chapter 400, F.S.; AHCA Form 3110-4001, Rev. July 2009.

(q) Home for Special Services as provided under Part V of Chapter 400, F.S.; AHCA Recommended Form, July 2009.

(r) Transitional Living Facilities, as provided under Part V of Chapter 400, F.S.; AHCA Form 3110-9001, Rev. July 2009.

(s) Prescribed Pediatric Extended Care Centers, as provided under Part VI of Chapter 400, F.S.; AHCA Form 3110-8002, Rev. July 2009.

(t) Home Medical Equipment Providers, as provided under Part VII of Chapter 400, F.S.; AHCA Form 3110-1005, Rev. July 2009.

(u) Intermediate Care Facilities for the Developmentally Disabled, as provided under Part VIII of Chapter 400, F.S.; AHCA Form 3110-5003, Rev. July 2009.

(v) Health Care Services Pools, as provided under Part IX of Chapter 400, F.S.; AHCA Form 3110-1010, Rev. July 2009.

(w) Health Care Clinics, as provided under Part X of Chapter 400, F.S.; AHCA Form 3110-0013, Rev. July 2009 or for exempted clinics, AHCA Form 3110-0014, Rev. July 2009.

(x) Assisted Living Facilities, as provided under Part I of Chapter 429, F.S.; AHCA Form 3110-1008, Rev. July 2009.

(y) Adult Family-Care Homes, as provided under Part II of Chapter 429, F.S.; AHCA Form 3180-1022, Rev. July 2009.

(z) Adult Day Care Centers, as provided under Part III of Chapter 429, F.S.; AHCA Form 3180-1004, Rev. July 2009.

(aa) Clinical Laboratories, as provided under Part I of Chapter 483, F.S.; AHCA Form 3170-2004 (renewal), B (initial) or C (change of ownership), Rev. July 2009 or AHCA Form 3170-2004D (addition of specialty or subspecialty).

(bb) Multiphasic Health Testing Centers, as provided under Part II of Chapter 483, F.S.; AHCA Form 3170-4001, Rev. July 2009.

(cc) Organ and Tissue Procurement Agencies, as provided under Chapter 381, F.S.; AHCA Form 3140-2001, July 2009.

(2) The licensure fee must be included with any application. Applications will be returned to the applicant unprocessed if the fee does not accompany the application. Applications from state agencies must include a copy of the posted journal transactions by State Wide Document Number (SWDN) within benefiting Operating Level Organization (OLO) and site.

(3) Applications received more than 120 days prior to the date of license expiration or the effective date will be returned to the applicant unprocessed.

(4) If an applicant, licensee, or controlling interest is required to register or file with the Florida Secretary of State Division of Corporations, the principal, fictitious name and mailing addresses submitted with the licensure application for the applicant, licensee and controlling interests must be the same as the information registered with the Division of Corporations.

(5) Unresponsive applicant. If certified mail sent to the provider's address of record, or mailing address if applicable, is returned as unclaimed or undeliverable, the Agency will send a copy of the letter by regular mail to the provider's address of record, or mailing address if applicable, with a copy to the applicant's address if different from the provider. The applicant must respond to the request within 14 days of the date of the letter sent by regular mail. If timely response is not received, the application will be subject to withdrawal or denial.

(6) An application is considered complete upon receipt of:

(a) All required documents and information and appropriate fee,

(b) All required background screening results, and

(c) Completion of a satisfactory inspection if required by authorizing statutes or rules. Satisfactory inspection means no regulatory violations exist, or all prior violations found have been determined by the Agency to be corrected.

(7) A licensure inspection will not be authorized until paragraphs (5)(a) and (5)(b) of this section have been satisfied.

(8) An application for license renewal may only be filed by the licensee.

Rulemaking Authority 408.819 FS. Law Implemented 408.806 FS. History--New _____.

59A-35.062 Proof of Financial Ability to Operate.

(1) Proof of financial ability to operate must be demonstrated for initial licensure and change of ownership applications, by submitting AHCA Form 3100-0009, July 2009, Proof of Financial Ability to Operate, incorporated herein by reference, and available online at: ahca.myflorida.com/Publications/Forms/HQA.shtml, as provided under Section 408.810(8), F.S., for the following provider types:

(a) Nursing Home Facilities, as specified in Part II, Chapter 400, F.S.;

(b) Assisted Living Facilities, as specified in Part I, Chapter 429, F.S.;

(c) Home Health Agencies, as specified in Part III, Chapter 400, F.S.;

(d) Hospices, as specified in Part IV, Chapter 400, F.S.;

(e) Adult Day Care Centers, as specified in Part III, Chapter 429, F.S.;

(f) Prescribed Pediatric Extended Care Centers, as specified in Part VI, Chapter 400, F.S.;

(g) Home Medical Equipment Providers, as specified in Part VII, Chapter 400, F.S.;

(h) Intermediate Care Facilities for the Developmentally Disabled, as specified in Part VIII, Chapter 400, F.S.;

(i) Health Care Clinics, as specified in Part X, Chapter 400, F.S.; and

(2) Proof of financial ability must be demonstrated for initial licensure and change of ownership applications for Nurse Registries, as specified in Part III, Chapter 400, F.S., by submitting AHCA Form 3110-7004A, September 2009, Nurse Registry Proof of Financial Ability to Operate, incorporated herein by reference, and available online at: ahca.myflorida.com/Publications/Forms/HQA.shtml.

(3) Definitions. The following definitions apply to this section for proof of financial ability to operate.

(a) "Assumptions" means the basis and rationale used in the financial projections to estimate the number and type of patients, the method of acquiring patients, the amount of resources needed to serve patients, the method by which these resources will be acquired, the method of recruiting and maintaining staff, the method of collecting revenue and paying expenses, and the basis for anticipated salaries and employee benefits.

(b) "Charity care" means the term as defined in Section 409.911, F.S.

(c) "Contingency funding" means a source of funding available to the licensee or applicant to cover the cost of events not considered in the financial projections, including, but not limited to, a drop in patient volume, a delay in Medicare and/or Medicaid certification, major repairs, purchase of capital equipment. The contingency fund will be a minimum of one month's average operating expense over the first year of operations.

(d) "Contractual adjustments" means the difference in the established charges or rates of the provider and the rates negotiated by Medicare, Medicaid, HMO/PPOs, and Insurers.

(e) "Financial instability" means the provider cannot meet its financial obligations. Evidence such as the issuance of bad checks, an accumulation of delinquent bills, or inability to meet current payroll needs shall constitute prima facie evidence that the ownership of the provider lacks the financial ability to operate. Evidence shall also include the Medicare or Medicaid program's indications or determination of financial instability or fraudulent handling of government funds by the provider.

(f) "Financial projections" means the expected operating results of the applicant as presented on AHCA Form 3100-0009, July 2009.

(g) "Full time equivalent" or "FTE" means a measure of full-time employment of 40 hours per week (1FTE = 40 hours per week or 2,080 hours annually).

(h) “Generally Accepted Accounting Principles” or “GAAP” means the term as defined in Rule 61H1-20.007, F.A.C., Department of Business and Professional Regulation, Board of Accountancy.

(i) “Liquid assets” means assets of the licensee or applicant that can easily and quickly be converted to cash such as publicly traded stocks, bonds, certificates of deposit, and money market accounts.

(j) “Net patient service revenue” means patient service revenue minus deductions from revenue. Deductions from revenue include contractual adjustments and charity care.

(k) “Operating expense” means total expenses incurred through the normal course of business.

(l) “Operating margin” means a measure of profitability and is calculated as follows: $(\text{Net Patient Service Revenue} - \text{Operating Expenses}) \div \text{Net Patient Service Revenue} = \text{Operating Margin}$.

(m) “Patient service revenue” means the total charge for a service provided.

(n) “Pre-opening costs” means the costs necessary to begin operations including advertising, equipment purchases, legal fees, accounting fees, consulting fees, pre-paid insurance, pre-paid rent, licensure fees, deposits (rent, utilities), requirement, staffing, and training.

(o) “Working capital” means the cash needed to sustain operations until a positive cash flow is achieved. (Largest cumulative cash need from Schedule 7 Line 21 of AHCA Form 3100-0009, July 2009).

(4) All documents required under this section must be prepared in accordance with generally accepted accounting principles and must be compiled and signed by a certified public accountant.

(5) A pro forma balance sheet, a pro forma cash flow statement and a pro forma income and expense statement for the first 2 years of operation which provide evidence of having sufficient assets, credit, and projected revenues to cover liabilities and expenses must be included. An application for change of ownership may elect not to complete the 2nd year of operations on AHCA Form 3100-0009, July 2009, if all of the following apply:

(a) As of the date of the application, the entity subject to the change of ownership has been licensed for at least 5 consecutive years;

(b) The applicant’s assets, credit, and projected revenues meet or exceed projected liabilities and expenses by the end of the first year;

(c) The largest cumulative cash need on Schedule 7, Line 21 on AHCA Form 3100-0009, July 2009 occurs prior to month 12.

(6) The applicant shall have demonstrated financial ability to operate if the applicant’s assets, credit, and projected revenues meet or exceed projected liabilities and expenses.

(7) An applicant for renewal of a license shall not be required to provide proof of financial ability to operate, unless the licensee or applicant has demonstrated financial instability. If an applicant or licensee has shown signs of financial instability at any time, the Agency may require the applicant or licensee to provide proof of financial ability to operate by submission of:

(a) AHCA Form 3100-0009, July 2009, Proof of Financial Ability Form, that includes a balance sheet and income and expense statement for the next 2 years of operation which provide evidence of having sufficient assets, credit, and projected revenues to cover liabilities and expenses, and

(b) Documentation of correction of the financial instability, including but not limited to, evidence of the payment of any bad checks, delinquent bills or liens. If complete payment cannot be made, evidence must be submitted of partial payment along with a plan for payment of any liens or delinquent bills. If the lien is with a government agency or repayment is ordered by a federal or state court, an accepted plan of repayment must be provided.

Rulemaking Authority 408.819 FS. Law Implemented 408.806, 408.810 FS. History–New _____.

59A-35.064 Initial Application.

A license will not be issued to an applicant that has had a license revoked by the Agency in the five years prior to the date of the application.

Rulemaking Authority 408.819 FS. Law Implemented 408.815 FS. History–New _____.

59A-35.065 License Renewal.

(1) An application for licensure renewal must be submitted to the Agency at least 60 but no more than 120 days prior to the date of expiration of the license. It is the responsibility of the licensee to submit an application within the specified timeframe regardless of whether the licensee actually receives the reminder notification by the Agency of the impending expiration of the license.

(2) If an application for renewal is received after a license has expired, the renewal application will be rejected and returned to the applicant. Continuation of operation after a license expires constitutes unlicensed activity as specified in Section 408.812(2), F.S., unless otherwise permitted by law. In order to resume operation, an initial application must be submitted and a new license issued.

Rulemaking Authority 408.819 FS. Law Implemented 408.806, 408.812 FS. History–New _____.

59A-35.070 Change of Ownership.

(1) Effective dates of change of ownership.

(a) A change of ownership application must include the effective date of the change of ownership.

(b) The change of ownership effective date cannot be prior to the date the application is received by the Agency. Failure to submit an application for licensure prior to the effective date of a change of ownership to a different legal entity constitutes unlicensed activity.

(c) The effective date of the change of ownership shall not be extended more than 60 days from the effective date reported on the application; written notification of a change in the effective date must be received by the Agency prior to the originally reported effective date. The Agency will deem the application withdrawn if the change of ownership does not occur within 60 days of the reported effective date.

(2) All required application documents and information must be received with the application or within 21 days of the request by the Agency with the exception of the transferee's proof of right to occupy if required, which must be received by the Agency within 10 days after the effective date.

(3) If fines are not specified in authorizing statutes for the provider type as specified in Section 408.803(3), F.S., the failure to submit a change of ownership application and license fee at least 60 days prior to the change of ownership effective date will result in a \$50 per day late fee charged to the licensee up to a maximum of \$3,000.

(4) When a change of ownership application is submitted during the review of a renewal licensure application, the pending renewal will be administratively withdrawn from review if the change of ownership application is approved with an effective date prior to the expiration of the license.

(5) Expiration of a license prior to the approval of the change of ownership application, when no renewal application has been submitted, will result in the denial of a change of ownership application.

(6) If the applicant has not been issued the license on the effective date of the change of ownership, documentation must be submitted that provides for continuation of operation of the licensee for those days between the date of the change of ownership and the date the applicant is licensed by the Agency.

Rulemaking Authority 408.819 FS. Law Implemented 408.803(3), 408.803(5), 408.806, 408.807, 408.810, 408.813 FS. History–New _____.

59A-35.080 License Categories.

(1) Provisional License. If a license expires while an action to deny or revoke the license is pending, or while an action to withdraw a renewal application from further consideration is pending, and renewal applications are filed, the Agency may issue a provisional license for no more than two years. The provisional license shall identify the pending action. The provisional license will expire when the Agency action is final. The provisional license does not affect the revocation or denial action or constitute a defense on behalf of the licensee or applicant.

(2) Inactive License. An inactive license may be issued, as provided in Sections 408.808(3) and 408.831(4), F.S.

(a) Requests for an inactive license must be submitted to the Agency as a written request that includes:

1. The reason that the provider will become inactive,
2. The proposed plan for transferring or discharging clients,
3. A plan for resuming services,
4. The date by which services are expected to resume, and
5. Evidence of a State of Emergency or disaster if applicable.

(b) The inactive license will not be issued until all clients have been properly transferred or discharged. The expiration date of the inactive license will be issued for a period not to exceed 12 months. An application to extend the inactive period for an additional 12 months must be submitted 30 days prior to the expiration of the inactive license.

(c) Notification to reactivate the license and a complete licensure renewal application must be submitted to the Agency at least 90 days prior to the requested reactivation date. An onsite inspection may be required prior to reactivation. Licensure fees will be prorated based on the provider's standard fee divided by the number of months remaining in the licensure cycle.

Rulemaking Authority 408.819 FS. Law Implemented 408.808(2), (3), 408.831(4) FS. History–New _____.

59A-35.090 Background Screening.

(1) Definitions:

(a) "Arrest Report" means the detailed narrative written by the arresting law enforcement officer explaining the circumstances of the arrest.

(b) "Disposition" means the sentencing or other final settlement of a criminal case which shall include, regardless of adjudication, a plea of nolo contendere or guilty, or a conviction by a judge or jury.

(c) "Disqualifying Offense" means any criminal offense prohibited in Section 435.03 or 435.04, F.S.

(d) "Exemption from Disqualification" means an exemption granted by the Agency following a review of the Application for Exemption, AHCA Form 3010-0019, October 2009, hereby incorporated by reference, and an informal hearing, if appropriate, during which the individual must present clear and convincing evidence to support a reasonable belief that he or she has been rehabilitated and does not present a danger to the health, safety, and welfare of the patient or individual as described in Section 435.07, F.S.

(e) "FBI" means the Federal Bureau of Investigation.

(f) "FDLE" means the Florida Department of Law Enforcement.

(g) "Level 1 Screening" means an assessment of the criminal history record obtained from the FDLE to determine whether screened individuals have any disqualifying offenses pursuant to Section 435.03, F.S. An analysis and review of court dispositions and arrest reports may be required to make a final determination.

(h) "Level 2 Screening" means an assessment of the criminal history record obtained through a fingerprint search through the FDLE and FBI to determine whether screened individuals have any disqualifying offenses pursuant to Section 435.04, F.S. An analysis and review of court dispositions and arrest reports may be required to make a final determination.

(2) Processing Screening Requests, Required Documents and Fees.

(a) A provider may conduct Level 1 background screening for employees either directly through the FDLE or through the Agency. Requests through the Agency must be submitted using the Agency's background screening website at: ahca.myflorida.com/MCHO/Long Term Care/Background Screening/logon.shtml. A user code and password is required for use of this site. A request for a Level 1 screening through the Agency must be accompanied by the cost required by the FDLE to pay for the cost of processing the request.

(b) Persons required to undergo Level 2 background screening must submit an Applicant Fingerprint Card, incorporated herein by reference, and available from the appropriate Agency licensure unit or by submitting a request to: bgscreen@ahca.myflorida.com. A health care provider licensed pursuant to this chapter may submit a Level 2 request and make payment electronically or by mail. A request for a Level 2 screening through the Agency must be accompanied by the cost required by the FDLE and the FBI to pay for the cost of processing the request.

1. Electronic submissions must be made through the Agency's background screening web site. The completed fingerprint card must be mailed to the Background Screening Unit at 2727 Mahan Drive, MS 40, Tallahassee, Florida 32308.

2. Mailed requests must be submitted to the Background Screening Unit at 2727 Mahan Drive, MS 40, Tallahassee, Florida 32308.

3. If a fingerprint card is rejected by the FBI due to illegible prints, the individual must submit a second fingerprint card in accordance with the guidelines established by the FBI. The second card must be submitted to the Agency within 21 days of the Agency's request or the screening request will be considered withdrawn. If withdrawn, the individual must submit a new fingerprint card accompanied by the required fee.

(3) Screening of Administrators, Owners, Chief Financial Officers and Controlling Interests.

(a) Persons required to undergo Level 2 background screening in accordance with a licensure application, must submit the completed and signed fingerprint card and screening fee with an application for licensure to the appropriate Agency licensing unit.

(b) As an alternative to a new background screen, persons required to undergo Level 2 background screening in accordance with Section 408.809, F.S., that have been screened within the previous 5 years by the Agency, Department of Health, Department of Children and Family Services, Agency for Persons with Disabilities or Department of Financial Services, or if the applicant has a certificate of authority to operate a continuing care retirement community, may submit to the appropriate Agency licensing unit:

1. A copy of the background screening result, and

2. An Affidavit of Compliance with Background Screening Requirements, AHCA Form 3100-0008, October 2009, herein incorporated by reference, and available from the Agency for Health Care Administration at: ahca.myflorida.com/Publications/Forms/HQA.shtml.

(4) Results of Screening and Notification.

(a) Results of background screening requests will be provided through the Agency's secure web site.

(b) When the dispositional information of a potentially disqualifying offense is unclear or not present in a Level 1 criminal history, a notice will be sent to the requesting licensee or entity to obtain the arrest report and dispositional information from the individual being screened. The information must then be forwarded to the Agency for a final determination or show such information cannot be obtained. If a Level 2 criminal history is incomplete, a certified letter will be sent to the individual being screened requesting the arrest report and dispositional information. If the letter is returned unclaimed, a copy of the letter will be sent regular mail. For Level 1 and Level 2, the missing information must be filed with the Agency within 30 days of the Agency's request, or the individual is subject to automatic disqualification in accordance with Section 435.05(1)(d), F.S.

(c) When the Agency or the provider obtains information indicating an individual has a disqualifying offense pursuant to Chapter 435, F.S., the individual is prohibited from working in a position that requires background screening until such time as the individual has applied for and been determined to be exempt from such disqualification.

(d) An alleged offense is not disqualifying until such time as there has been a disposition.

(5) Exemption from Disqualification.

(a) Requests for an exemption from disqualification shall be submitted in writing to the Agency using the "Application for Exemption from Disqualification" AHCA Form 3010-0019, October 2009. This form may be obtained from the Agency for Health Care Administration, Background Screening Unit, 2727 Mahan Drive, MS #40, Tallahassee.

Florida 32308 or through the Agency’s website at: ahca.myflorida.com/MCHQ/Long Term Care/Background Screening/exemption.shtml.

(b) Individuals that are licensed or certified in a profession under the jurisdiction of the Department of Health must apply for an exemption to the appropriate licensing or certifying board at the Department of Health unless the individual will be working in a position other than for which they are licensed or certified.

(c) The individual shall bear the burden of setting forth clear and convincing evidence of rehabilitation which includes any information indicating the individual presents no danger to the safety or well being of others. The individual must present such evidence as arrest reports, court dispositions, parole/probation information, letters from employers, and personal references. Other documents that may be included are records of successful participation in a rehabilitation program, further education or training, community or church involvement, special awards or recognition or testimony by self or others.

(d) An “Application for Exemption” will not be reviewed until all required documents are obtained. If the application is deemed incomplete after 30 days of receipt by the Agency, the application will be withdrawn.

(e) In deciding whether to grant or deny an exemption request, the Agency shall consider factors such as the facts and circumstances surrounding the disqualifying offense(s), the nature of the harm to the victim, whether the individual is on probation or parole, whether restitution has been made, the length of time since the last offense, the history of the person since the disqualifying offense(s), work experience, personal references, performance evaluations, probation or parole violations, education, other evidence of rehabilitation, and the honesty and candor of the disqualified individual.

(f) Any exemption granted by the Agency is limited to the disqualifying offense or offenses committed prior to the date of the request for exemption.

(g) The Agency shall void any exemption granted to an individual when there is evidence that information which would adversely affect the decision was not made available at the time of the determination or there is a disposition of a new disqualifying offense since the date the exemption was granted.

(6) Unless otherwise specified, information requested pursuant to this section must be filed with the Agency within 21 days of the Agency’s request.

Rulemaking Authority 408.819 FS. Law Implemented 394.4572, 400.215, 400.512, 400.6065, 400.935, 400.964, 400.980, 400.991, 408.809, 408.810, 429.174, 429.67, 429.919 FS. History–New _____.

59A-35.100 Minimum Licensure Requirements.

(1) Provider location.

(a) A licensee must maintain proper authority for operation of the provider at the address of record. If such authority is denied, revoked or otherwise terminated by the local zoning or code enforcement authority, the Agency may deny or revoke an application or license, or impose sanctions.

(b) With the exception of federally authorized clinical laboratories, more than one license will not be issued to operate the same provider types at the identical physical or street address. Existing licensees must comply with this paragraph upon license renewal.

(2) Discontinuance of operation: unresponsive licensee. If certified mail sent to the provider’s address of record or mailing address if applicable, is returned as unclaimed or undeliverable, the Agency will send a copy of the letter by regular mail to the provider’s address of record or mailing address if applicable, with a copy to the licensee’s address if different from the provider. The licensee must respond to the request within 14 days. If timely response is not received, the provider will be determined to have discontinued operation and the license shall be subject to revocation.

(3) If a licensee that is required to register or file with the Florida Secretary of State Division of Corporations is administratively dissolved, the licensee is presumed to have discontinued operation and shall be subject to revocation.

Rulemaking Authority 408.819 FS. Law Implemented 408.810 FS. History–New _____.

59A-35.110 Reporting Requirements: Electronic Submission.

(1) During the two year licensure period, any change or expiration of any information that is required to be reported under Chapter 408, Part II or authorizing statutes for the provider type as specified in Section 408.803(3), F.S., during the license application process must be reported to the Agency within 21 days of occurrence of the change, including:

(a) Insurance coverage renewal.

(b) Bond renewal.

(c) Change of administrator or the similarly titled person who is responsible for the day-to-day operation of the provider.

(d) Annual sanitation inspections,

(e) Fire inspections,

(f) Approval of revisions to emergency management plans.

(2) Electronic submission of information.

(a) The following required information must be reported through the Agency’s Internet site at ahca.myflorida.com/reporting/index.shtml:

1. Nursing homes:

a. Semi-annual staffing ratios required pursuant to Section 400.141(15), F.S., and Rule 59A-4.103, F.A.C.

b. Adverse incident reports required pursuant to Sections 400.147(7) and (8), F.S., and Rule 59A-4.123, F.A.C.

c. Liability claim reports required pursuant to Section 400.147(9), F.S., and Rule 59A-4.123, F.A.C.

2. Assisted living facilities:

a. Adverse incident reports required pursuant to Sections 429.23(3) and (4), F.S., and Rule 58A-5.0241, F.A.C.

b. Liability claim reports required pursuant to Section 429.23(5), F.S., and Rule 58A-5.0242, F.A.C.

(b) The licensee must retain the receipt issued from the Internet site indicating that their transaction was accepted.

(c) If the Agency's Internet site is temporarily out of service, the required reports may be submitted by mail or facsimile as follows:

1. Semi-annual staffing ratios and liability claim reports are sent to the Agency for Health Care Administration, Central Systems Management Unit, 2727 Mahan Drive, MS 47, Tallahassee, FL 32308 or facsimile to (850)487-0470.

2. Adverse incident reports are sent to the Agency for Health Care Administration, Florida Center for Health Information and Policy Analysis, 2727 Mahan Drive, MS 16, Tallahassee, FL 32308 or facsimile to (850)922-2217.

Rulemaking Authority 408.806(8), 408.819 FS. Law Implemented 408.806, 408.810 FS. History-New _____.

59A-35.120 Inspections.

(1) When regulatory violations are identified by the Agency:

(a) Deficiencies must be corrected within 30 days of the date the Agency sends the deficiency notice to the provider, unless an alternative timeframe is required or approved by the Agency.

(b) The Agency may conduct an unannounced follow-up inspection or off-site review to verify correction of deficiencies at any time.

(2) If an inspection is completed through off-site record review, any records requested by the Agency in conjunction with the review, must be received within 7 days of request and provided at no cost to the Agency. Each licensee shall maintain the records including medical and treatment records of a client and provide access to the Agency.

(3) Providers that are exempt from Agency inspections due to accreditation oversight as prescribed in authorizing statutes must provide:

(a) Documentation from the accrediting agency including the name of the accrediting agency, the beginning and expiration dates of the provider's accreditation, accreditation status and type must be submitted at the time of license application, or within 21 days of accreditation.

(b) Documentation of each accreditation inspection including the accreditation organization's report of findings, the provider's response and the final determination must be submitted within 21 days of final determination or the provider is no longer exempt from Agency inspection.

Rulemaking Authority 408.819 FS. Law Implemented 408.811 FS. History-New _____.

59A-35.140 Administrative Fines.

Fines may be assessed for any violation of Chapter 408, Part II or this rule. Unless otherwise specified in Chapter 408, Part II, authorizing statutes or applicable rules for the provider type as specified in Section 408.803(3), F.S., a \$500 fine may be imposed for each violation. Each day a violation occurs constitutes a separate violation and is subject to a separate fine, up to a maximum of \$5,000.

Rulemaking Authority 408.819 FS. Law Implemented 408.803(3), 408.813 FS. History-New _____.

59A-35.150 Moratorium; Emergency Suspension.

In addition to other remedies permitted by law, violation of a moratorium issued by the Agency is subject to a fine of \$500 per day until the violation is corrected.

Rulemaking Authority 408.819 FS. Law Implemented 408.813, 408.814 FS. History-New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Molly McKinstry, Bureau Chief, Long Term Care Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold, Secretary, Agency for Health Care Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 22, 2008

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.:
59G-6.045

RULE TITLE:
Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known as ICF/DD Facilities)

PURPOSE AND EFFECT: to incorporate changes to the Florida Title XIX Intermediate Care Facilities (ICF) for the Mentally Retarded and the Developmentally Disabled Facilities not Publicly Owned and not Publicly Operated Reimbursement Plan (the Plan) in accordance with the 2009-10 General Appropriations Act, Senate Bill 2600, Specific Appropriation 218 and Senate Bill 1658, Section 8, creating Section 409.9083, Florida Statutes.

1. Effective October 1, 2009, the Agency shall implement a recurring methodology for the privately operated intermediate care facilities for the developmentally disabled to achieve a \$17,373,303 reduction.

2. Effective October 1, 2009, the Agency may implement a buy back provision for privately operated intermediate care facilities for the developmentally disabled rate reductions.

3. Effective October 1, 2009, a quality assessment is to be imposed upon privately operated intermediate care facility providers for the developmentally disabled.

SUMMARY: Effective October 1, 2009, The Agency shall implement a rate reduction, a buy back provision, and a quality assessment on private ICF facilities.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.908 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: December 16, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Conference Room C, Building 3, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)414-2759, stephene@ahca.myflorida.com

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-6.045 Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known as ICF/DD Facilities).

Reimbursement to participating facilities for services provided shall be in accord with the Florida Title XIX ICF/MR-DD Reimbursement Plan for Facilities Not Publicly Owned and Not Publicly Operated (Formerly known as ICF-MR/DD Facilities), Version VI, Effective Date October 1, 2009 ~~October 1, 2008~~, incorporated herein by reference. A copy of the Plan may be obtained by writing to the Deputy Secretary for Medicaid, Agency for Health Care Administration, Mail Stop 8, Tallahassee, Florida 32308.

Rulemaking Authority 409.919 FS. Law Implemented 409.908 FS. History—New 3-14-99, Amended 10-12-04, 2-22-06, 4-12-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Edwin Stephens, Medicaid Program Analysis, Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Tallahassee, Florida 32308, (850)414-2759, stephene@ahca.myflorida.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Thomas W. Arnold

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 10, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 11, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NOS.:	RULE TITLES:
61C-4.010	Sanitation and Safety Requirements
61C-4.0161	Mobile Food Dispensing Vehicles and Theme Park Food Carts

PURPOSE AND EFFECT: The proposed rule reflects changes made to Chapter 509, F.S., by Laws of Florida Chapters 2008-055 and 2008-134. The proposed rule also provides a general update to ensure accurate and consistent requirements and terms throughout the rule and to improve readability under the plain language initiative.

SUMMARY: The proposed rule addresses changes to Chapter 509, F.S., resulting from Laws of Florida Chapters 2008-055 and 2008-134. The proposed rule also updates specific requirements in the rule for consistency, revises definitions, updates forms incorporated by reference, and provides a general update of the rule language to improve readability and ensure accurate and consistent terms throughout the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 509.032, 509.221 FS.

LAW IMPLEMENTED: 509.032, 509.035, 509.211, 509.215, 509.221 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1012, telephone: (850)488-1133

THE FULL TEXT OF THE PROPOSED RULES IS:

61C-4.010 Sanitation and Safety Requirements.

(1) Food Supplies and Food Protection – Except as specifically provided in this rule, public food service establishments shall be subject to the provisions of Chapter 3, Food Code, as adopted by reference in Rule 61C-1.001, F.A.C.

(a) Public food service establishment operators may use DBPR Form HR 5022-090, TIME AS A PUBLIC HEALTH CONTROL WRITTEN PROCEDURES, incorporated herein by reference and effective 2009 October 15, as a guide for written procedures to apply time only, instead of time and temperature, as a public health control for potentially hazardous food, as provided in Section 3-501.19 of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. DBPR Form HR 5022-090 is not required and the division will accept written procedures in another format as long as the written procedures contain all the necessary information. The written procedures must be maintained and made available in each food establishment at all times for use by the person in charge and for review by the division upon request. In addition to the methods provided in the Food Code, between uses during service, dispensing utensils may be stored in hot water wells that maintain the temperature of the water at or above 140 degrees Fahrenheit and that are cleaned frequently at scheduled intervals throughout the day.

(b) In the event of an emergency occurrence such as a fire, flood, power outage, or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at safe temperatures, the person in charge shall immediately notify the division.

(c) Labeling – Public food service establishments which prepare and package food products for sale within the establishment must ensure that packaged food products are properly labeled. Package labels must contain the following information:

1. Identity and description of product;
2. Date product was packaged; and
3. Name and address of establishment which prepared and packaged product.

(d) Section 3-301.11(B) of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., specifies that food service employees shall not contact ready-to-eat food with bare hands. Under the language “~~except~~” in Section 3-301.11(C)(B) of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., food service employees may contact ready-to-eat foods with their bare hands ~~immediately prior to service~~ if the operator of the public food service establishment maintains a written alternative operating ~~operational~~ procedure which addresses all of the following components:

1. No change.

2. Identified employee positions whose duties may include handling of ready-to-eat foods with their bare hands must receive professional hygiene training in accordance with subsection 61C-4.023(6), F.A.C., prior to any food handling activity. Training shall be provided to all employees assigned to positions which include handling ready-to-eat foods, emphasizing the importance of proper hand washing for all employees with bare ~~direct~~ hand contact with ready-to-eat food. Evidence of this training (content, employees, dates) shall be available to the division upon request.

3. Food service employees who handle ready-to-eat foods with bare hands must thoroughly wash their hands before returning to their work stations and as needed during their work periods in accordance with the handwash requirements of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. Additionally, these food service employees shall use a chemical hand sanitizing solution which must comply with the specification provided in Section 2-301.16(C) of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C. The establishment must also fully comply with Sections 5-203.11(A) and 5-204.11 of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., regarding the number and location of hand washing lavatories.

4. No change.

5. The public food service establishment’s written alternative operating procedure ~~operational procedures~~ must provide an effective way to monitor employees to verify compliance with the requirements of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., and the establishment’s written alternative operating procedure ~~operational procedures~~. The ~~Additionally,~~ the written alternative operating procedure ~~operational procedures~~ must also describe the corrective actions the operator must take when the procedure is ~~procedures are~~ not followed. All food service employees, including the operator, manager, or any supervisory position, who handle ready-to-eat foods with bare hands must comply with all requirements of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., and the public food service establishment’s written alternative operating ~~operational~~ procedures.

6. The division shall approve each public food service establishment’s written alternative operating procedure. Such approval may be obtained by completing DBPR Form HR 5022-049, ALTERNATIVE OPERATING PROCEDURE (AOP), incorporated herein by reference and effective 2009 October 15, which includes all information required in a written alternative operating procedure. DBPR Form HR 5022-049 is not required to obtain approval. The division will accept written procedures in another format as long as the written alternative operating procedure contains all the necessary information.

(e) A copy of the written alternative operating procedure ~~operational procedures~~ must be maintained and made available in each food establishment at all times for use by the person in charge and for review by the regulatory authority upon request. The written alternative operating procedure ~~operational procedures~~ must be reviewed by the operator annually and modified as necessary. A verification of the annual review must be recorded as part of the written alternative operating procedure ~~procedures~~.

(f) If an employee of a public food service establishment is observed using bare hands to handle ready-to-eat foods and the establishment has failed to develop, maintain or make available a written alternative operating procedure; ~~set of operational procedures~~; or, comply with any rule requirement relative to the use of bare hands, personal health, or professional hygiene, the division shall cite the establishment for noncompliance. Noncompliance on a second inspection within two years of the first infraction shall result in enforcement action in accordance with Section 509.261, F.S. A subsequent finding of noncompliance relative to the use of bare hands, personal health, or professional hygiene will result in enforcement action in accordance with Section 509.261, F.S., and the division will enforce no bare hand contact in accordance with enforcement ~~enforcement~~ of Section 3-301.11(B) of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., until the establishment operator verifies completion of corrective action, including remedial training of all food preparation employees.

(g) No change.

(2) Examination and Condemnation of Food – ~~Food food~~ may be examined by division personnel as often as necessary to determine freedom from unwholesomeness, adulteration or misbranding in accordance with the provisions of Section 509.032(4), F.S.

(3) No change.

(4) Procedure When Infection Is Suspected – When the division has reasonable cause to suspect the possibility of disease transmission from any food service establishment employee, the division shall immediately consult with the state health officer or designee to provide epidemiological assistance or make other such investigation as may be indicated and take appropriate action in accordance with Part 2-2 of the Food Code, as adopted by reference in Rule 61C-1.001, F.A.C., and these rules.

(5) through (6) No change.

(7) Bathroom Facilities – All bathroom facilities ~~bathrooms~~ shall provide ~~be of~~ easy and convenient access to both customers patrons and employees, and shall be located on the same floor of the premises served. ~~For the purpose of this rule, the same floor includes any intermediate levels between the floor and ceiling of any room or space not to exceed a vertical height of 8 feet.~~ Public food service establishments whose occupancy is incidental to another occupancy may use ~~utilize~~ public bathroom facilities ~~restrooms~~ provided on the

same floor. The travel distance may vary ~~if~~ where adequate directional signs are provided and the number of fixtures are deemed satisfactory by the applicable local building plumbing authority. Easily cleanable receptacles shall be provided for waste materials and such receptacles in bathroom facilities ~~bathrooms~~ for women shall be covered. Each public food service establishment shall maintain a minimum of one public bathroom facility available for public use for each sex; ~~properly designated~~, except as provided herein:

(a) Mobile food dispensing vehicles, theme park food carts, vending machines, and public food service establishments or food vendors participating in temporary food service events shall not be required to provide ~~have any~~ public bathroom facilities ~~bathrooms~~.

~~(b) Places serving food or drink on a take-out, carry-out or delivery basis only which provide no seating shall be required to provide a minimum of one bathroom accessible to the public.~~

~~(c)(e) Public food service establishments located within arcades Arcades, malls, or flea markets containing public food service establishments which offer no seating within the public food service establishment may use~~ have centrally located bathroom facilities accessible to the customers and employees of the public food service establishments, ~~patrons of the establishments in the arcade, mall, or flea market provided~~ Such centrally located ~~such~~ bathroom facilities must be available for use during all hours of operation; located on the same floor as the public food service establishment; and must be accessible without entering another business ~~are within 300 feet of each establishment.~~

~~(c)(d) Public food service establishments located within theme parks and entertainment complexes may utilize centrally located bathroom facilities accessible to~~ the customers and employees of the public food service establishments ~~patrons of the establishments in the theme park or entertainment complex provided~~ such bathroom facilities are reasonably accessible. For purposes of this section, reasonably accessible means within 300 feet of each establishment.

~~(e) Public food service establishments which seat 10 persons or less shall be required to provide a minimum of one bathroom accessible to the public.~~

~~(d)(f) Public food service establishments located within a public lodging establishment shall be permitted to utilize public~~ bathroom facilities ~~bathrooms~~ located within the public lodging establishment provided such bathroom facilities ~~bathrooms~~ are available for use by the customers and employees patrons of the public food service establishment during all hours of operation, ~~are within 300 feet of the public food service establishment~~, and are located on the same floor as the public food service establishment. ~~For purposes of this rule, the same floor includes any intermediate levels between the floor and ceiling of any room or space without restriction as to vertical height.~~

(8) Obtaining forms. All forms incorporated in this section are available from the Division of Hotels and Restaurants Internet website www.MyFloridaLicense.com/dbpr/hr; by e-mail to call.center@dbpr.state.fl.us; by phone request to the department at (850)487-1395; or upon written request to the Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1014.

Rulemaking Specific Authority 509.032, 509.221 FS. Law Implemented 509.032, 509.035, 509.221 FS. History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.23, Amended 2-21-91, Formerly 10D-13.023, 7C-4.010, Amended 3-31-94, 9-25-96, 1-1-98, 7-2-98, 12-6-00, 2-27-05, 8-12-08.

61C-4.0161 Mobile Food Dispensing Vehicles and Theme Park Food Carts.

(1) No change.

(2) Mobile food dispensing vehicles shall meet the following additional requirements:

(a) ~~Food serving~~ Servicing openings shall not be larger than necessary for the particular operation conducted and shall be kept closed at all times except when food is actually being served.

(b) through (c) No change.

(d) When a service area is provided at the commissary for cleaning and servicing mobile food units, the service area shall be physically separated from other food operations; shall be equipped to furnish potable water in accordance with applicable provisions of Chapters 62-550 and 62-555, F.A.C.; and shall provide facilities for the drainage and disposal of liquid wastes in accordance with applicable provisions of Chapter 64E-6 or 62-601, F.A.C., and the local building plumbing authority having jurisdiction. The surface of the servicing area shall be constructed of a smooth nonabsorbent material such as concrete or machine laid asphalt and shall be maintained in good repair, kept clean and be graded to drain.

(e) The owner of each mobile food dispensing vehicle shall notify the division of each commissary they intend to utilize for support services before using the commissary by submitting DBPR HR-7022, COMMISSARY NOTIFICATION.

(3) No change.

(4) Mobile food dispensing vehicles which fail to provide water and waste systems or which otherwise fail to meet all applicable requirements of this chapter shall not engage in food preparation except as permitted in subsection (3) of this rule. Such mobile food units shall handle only completely wrapped or packaged food which has been manufactured, processed, prepared, and packaged in individual servings at an approved public food service establishment or ~~prepackaged in~~ a food processing plant and transported and stored in accordance with the provisions of this chapter. Bulk; provided, that bulk beverages from approved sources may be dispensed from covered urns or other protected containers.

(5) Mobile food dispensing vehicles may temporarily connect to an approved utility system for ~~no more than a time period not to exceed~~ one day's operation, if provided the utility system provides water, wastewater, or electricity ~~is~~ adequate to meet the needs of the unit; ~~bathroom, sanitary~~ facilities are ~~made~~ available for employees and patrons in accordance with the local building plumbing authority having jurisdiction or, where no plumbing code has been adopted locally, with Chapter 64E-10, F.A.C.; and the unit returns to its base commissary ~~at least on a daily basis~~ as described in paragraph (2)(c) of this rule.

(6) A mobile food dispensing vehicle which ~~is self sufficient as defined in subsection (2)(c) of this rule and which~~ conducts business within a theme park or entertainment complex may be stationary; ~~and~~ may connect to an approved utility system; and shall be exempt from the further requirements of paragraph (2)(c) and subsection (5) of this rule.

(a) The mobile food dispensing vehicle shall designate a commissary within the theme park or entertainment complex. The designated, ~~which~~ commissary shall be equipped with a mobile cleaning unit that will travel from the commissary to the mobile food dispensing vehicle. The mobile cleaning unit will be based in a service area adjacent to the designated commissary as described in paragraph (2)(d) of this rule. The mobile cleaning unit shall be stocked with supplies to clean the interior and exterior of a mobile food dispensing vehicle. In addition, the mobile cleaning unit shall carry a supply of potable water sufficient to fill the mobile food dispensing vehicle's potable water tank, and shall be able to pump waste water from a mobile food dispensing vehicle into holding tanks on the mobile cleaning unit, if necessary. The mobile cleaning unit holding tanks shall be emptied in accordance with the provisions of paragraph (2)(d) of this rule.

(b) through (c) No change.

(7) If a theme park has a servicing area to support its theme park food carts which meets the sanitation and safety standards of this rule, deviations from the provisions of this rule are allowed for theme park food carts, provided there is full compliance with the following additional requirements:

(a) The preparation of potentially hazardous foods shall be prohibited; except that, frankfurters and hamburger patties, obtained from approved sources, which prior to service require no further preparation except cooking, may be served. Potentially hazardous food, which has been portioned for individual service at an approved fixed food service establishment, may be served from an enclosed theme park food cart as long as the food is protected from contamination by way of enclosures with self-closing doors, screens, air curtains, or other approved methods. Sandwich fillings may be individually portioned from protected containers. Condiments may be served individually packaged ~~prepackaged~~, from

approved dispensers, or by the operator as a part of food preparation. Theme park food carts shall operate adjacent to or within 300 feet of the support facility.

(b) through (e) No change.

(f) Each theme park food cart other than those offering only ~~prepackaged or~~ packaged foods shall provide employees ~~be provided~~ with adequate and, conveniently located, handwashing facilities ~~for employee use~~ equipped with running hot and cold water, hand cleansing soap or detergent, and approved sanitary towels or other approved hand-drying device.

(g) An adequate supply of sanitized, covered, or wrapped spare preparation or serving utensils shall be maintained in the theme park food cart and used to replace any utensil that becomes contaminated. All multi-use preparation and serving utensils used in theme park food carts shall be washed and sanitized daily at the theme park's commissary or at an approved fixed food service establishment within the park.

(h) All storage cabinets must be of closed construction to prevent ~~preclude~~ the entrance of vermin.

~~(8) Fire extinguishing equipment and liquefied petroleum gas appliances, equipment, apparatus or containers shall be installed, approved, maintained, and used in accordance with the Florida Fire Prevention Code as approved by the local fire authority. All units equipped with heat producing appliances for food preparation or maintaining food temperatures shall be provided with at least one approved portable fire extinguisher having a minimum rating of at least 10BC.~~

~~(9) Required extinguishers shall be installed and easily accessible on each cart, and shall be located as remotely as possible from the fuel supply or power source of the cart, in accordance with Chapter 69A-3, F.A.C.~~

~~(10) Installation of liquefied petroleum gas appliances, equipment, apparatus or containers on theme park food carts is to be performed in accordance with the provisions of National Fire Protection Association, Standard #58, "Liquefied Petroleum Gas Code," 2004 Edition, herein adopted by reference. The following requirements must also be met:~~

~~(a) Gas appliances shall be installed in accordance with manufacturer's specifications.~~

~~(b) The gas supply shall be shut off at the tank when equipment is not in use.~~

~~(c) No unit utilizing LP gas shall park in a building during the operation of its vending business.~~

Rulemaking Specific Authority 509.032, 509.221 FS. Law Implemented 509.032, 509.211, 509.215, 509.221 FS. History—New 2-21-91, Formerly 10D-13.0291, 7C-4.0161, Amended 3-31-94, 9-25-96, 5-11-98, 7-2-98, 2-12-08, 8-12-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Bill L. Veach, Director, Division of Hotels and Restaurants,
Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Charles W. Drago, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 16, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-24.002
RULE TITLE: Continuing Education Approval of Subjects and Providers

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to update the Architecture Continuing Education Handbook and related forms.

SUMMARY: The updated Architecture Continuing Education handbook and related forms will be incorporated into the rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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

RULEMAKING AUTHORITY: 455.2177(3), 455.2179, 481.215(4) FS.

LAW IMPLEMENTED: 481.215(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Anthony Spivey, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G1-24.002 Continuing Education Approval of Subjects and Providers.

The approval of continuing education courses and providerships is covered in-depth by the Board's publication "Architecture Continuing Education Handbook Instructions, Applications and General Information for Architecture Continuing Education Providers and Courses" ("the Handbook") (2009) ~~(2007)~~, which is hereby incorporated by reference, effective October 2009 ~~June, 2007~~, a copy of which may be obtained from the Board office. The Handbook contains three forms for use with the booklet. The applicant shall submit the applicable form, (DBPR AID 4003/Revised 10/09 ~~6/07~~), Architecture Continuing Education

Provider/Course Application, (DBPR AID 4003-Part A/Revised ~~10/09 6/07~~), Architecture Education Course Evaluation Summary Form, or (DBPR AID 4003-Part B/Revised ~~10/09 6/07~~), Provider Course Evaluation Summary Form, which are hereby incorporated by reference, effective ~~October 2009 June, 2007~~, copies of which may be obtained from the Board office. The Board office is located at 1940 North Monroe Street, Tallahassee, FL 32399-0751.

Rulemaking Specific Authority 455.2177(3), 455.2179, 481.215(4) FS. Law Implemented 481.215(4) FS. History--New 1-17-96, Amended 10-8-96, 1-11-00, 10-16-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Architecture and Interior Design
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 28, 2009

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE NO.: 61G19-6.0036
RULE TITLE: Application for Certification Review Procedure

PURPOSE AND EFFECT: The purpose of this rule is to set forth the procedure by which applications for certification are reviewed for approval or denial.

SUMMARY: The rule will set forth the procedure by which applications for certification are reviewed for approval or denial.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 468.606 FS.

LAW IMPLEMENTED: 455.203, 455.213(2), 468.606, 468.609 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Building Code Administrators and Inspectors Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G19-6.0036 Application for Certification Review Procedure.

(1) Applications which are determined to be complete will first be reviewed by the Department. If the application clearly demonstrates qualification for the certification sought, the Department shall preliminarily approve the application. A list of all applications preliminarily approved by the Department will be distributed to the Board on a monthly basis. Within ten (10) calendar days after distribution of the list of preliminarily approved applications, any Board member may request that any application on the list be submitted to the Board for review in accordance with this Rule. All applications on the preliminarily approved list not selected for review shall be approved by the Department.

(2) Applications will be referred to the Board if the Department determines that the applicant has not clearly demonstrated qualification for the certification sought. Applications referred to the Board will first be reviewed by the Application Review Committee. The Application Review Committee shall consist of a minimum of three (3) Board members who are licensed building code administrators, inspectors, or plans examiners, appointed by the Chair. The Chair, if otherwise qualified, may be a member of the Application Review Committee.

(3) The Application Review Committee shall review all applications for certification not otherwise approved and shall determine by majority vote whether to recommend approval or denial of each such application to the Board.

(4) The Application Review Committee's recommendations shall be provided to the Board, who shall then act on the Application Review Committee's recommendations at the next Board meeting. Any Board member may request that any application for certification be pulled for discussion and/or individual determination by the Board.

Rulemaking Authority 468.606 FS. Law Implemented 455.203, 468.606, 468.609 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Building Code Administrators and Inspectors Board
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 15, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 25, 2009

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

Beaches and Coastal Systems

RULE NOS.:	RULE TITLES:
62B-34.010	Definitions
62B-34.060	Non-Habitable Major Structures and Associated Minor Structures or Activities
62B-34.070	Single Family Dwelling and Associated Minor Structures or Activities
62B-34.150	Lee County
62B-34.160	Collier County
62B-34.170	Sarasota County
62B-34.180	Manatee County
62B-34.190	Charlotte County
62B-34.200	Bay County
62B-34.210	Escambia County
62B-34.220	Franklin County
62B-34.230	Gulf County
62B-34.240	Brevard County
62B-34.250	Indian River County
62B-34.260	Martin County
62B-34.270	Palm Beach County

PURPOSE AND EFFECT: To amend Chapter 62B-34, F.A.C., that provides a streamlined permitting process in additional coastal counties for activities seaward of the Coastal Construction Control Line that do not cause measureable interference with the beach and dune system or with marine turtles and their nesting habitats.

SUMMARY: Revisions to definitions, prohibitions and limitations, turtle protections requirements, and native vegetations protection requirements. Addition of the legal description of the location of the General Permit Lines in Lee, Collier, Sarasota, Manatee, Charlotte, Bay, Escambia, Franklin, Gulf, Brevard, Indian River, Martin, and Palm Beach Counties.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 161.053(21) FS.

LAW IMPLEMENTED: 161.053(5),(19),(22) 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: Thursday, December 17, 2009, 1:00 p.m.

PLACE: Bureau Training Room, 5050 West Tennessee Street, Building B, 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: Stephanie Gudeman, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Mail Station #300, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, (850)488-7708, or by e-mail at: stephanie.gudeman@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Stephanie Gudeman, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Mail Station #300, 3900 Commonwealth Boulevard, Tallahassee, FL 32399-3000, (850)488-7708, or by e-mail at: stephanie.gudeman@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

PART I GENERAL PROVISIONS

62B-34.010 Definitions.

(1) through (8) No change.

(9) "Major Road" ~~are includes~~ paved roads designated as public evacuation routes, or meeting the definition of arterial or collector in the Department of Transportation's Florida Greenbook, which is incorporated by reference. Copies of forms may be obtained by writing to the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, MS 300, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000; or at the following website: www.dep.state.fl.us/beaches ~~paved roads maintained by the state, county or local municipality.~~

(10) through (16) No change.

(17) "Vegetation Line" is the seaward most continuous line of native perennial grass or woody coastal grassland and coastal strand vegetation such as sea oats, *Uniola paniculata*, bitter panicum, *Panicum amarum*, saw palmetto, *Serenoa repens*, or sea grape, *Coccoloba wifera* salt-tolerant vegetation. ~~If a vegetation line is not discernible on the property, then documented or existing vegetation lines in the area, ground elevations, and distance from the shoreline, shall be used to determine where a continuous line would have formed.~~

Rulemaking Specific Authority 161.053(21) FS. Law Implemented 161.052, 161.053(5), (19), (22) FS. History--New 3-27-03, Amended 11-21-05, _____.

PART II GENERAL PERMITS

62B-34.060 Non-Habitable Major Structures and Associated Minor Structures or Activities.

(1) No change.

(2)(a) through (2)(c)4. No change.

~~(d)(e)5.~~ No construction shall extend seaward of the General Permit Line or the first line of construction, except for elevated walkovers that provide access to the beach and that meet the design criteria contained in subsection 62B-34.050(19), F.A.C. If no General Permit Line has been established and no line of construction exists or can be determined, the proposed activity does not qualify for a General Permit.

~~(e)(e)6.~~ No construction shall extend seaward of the thirty-year erosion projection, except for elevated walkovers. The thirty-year erosion projection shall be made in accordance with the procedures stipulated in Rule 62B-33.024, F.A.C.

~~(f)(e)7.~~ No construction shall extend seaward of a point 25 feet landward of the existing armoring, except for elevated walkovers.

(3) No change.

Rulemaking Specific Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22), 161.054 FS. History—New 3-27-03, Amended 11-21-05.

62B-34.070 Single Family Dwelling and Associated Minor Structures or Activities.

(1) No change.

(2)(a) through (2)(c)4. No change.

~~(d)(e)5.~~ No construction shall extend seaward of the General Permit Line or the first line of construction, except for elevated walkovers that provide access to the beach and that meet the design criteria contained in subsection 62B-34.050(19), F.A.C. If no General Permit Line has been established and no line of construction exists or can be determined, the proposed activity does not qualify for a General Permit.

~~(e)(e)6.~~ No construction shall extend seaward of the 30-year erosion projection, except for elevated walkovers providing access to the beach. The 30-year erosion projection shall be made in accordance with the procedures stipulated in Rule 62B-33.024, F.A.C.

~~(f)(e)7.~~ No construction shall extend seaward of a point 25 feet landward of the existing armoring, except for elevated walkovers.

(3) No change.

(4)(a) No change.

(b) The following types of lighting are authorized under this General Permit. Any departure or deviation from these lighting requirements shall constitute a violation of this General Permit. All exterior lights shall be recessed or otherwise designed and located so as not to be visible from the beach. All exterior lights shall be lamped with long wavelength lamps greater than 580 nanometers such as red or amber LED and Turtle Safe Lighting coated, compact fluorescent lamps with a maximum output of 480 lumens each.

1. Lights at ingress/egress shall be wall mounted cylinder ~~Balcony, deck, and entranceway lights shall be canister~~ down-light fixtures or louvered wall lights that adhere to the following standards:

a. Cylinder ~~Canister~~ down-light fixtures shall be equipped with interior black baffles, shall be mounted at a maximum height of eight feet above the floor and shall be limited to the ground and first habitable floor levels ~~shall be equipped with black baffles or grates, shall have the light source recessed so that it is not visible from the beach, shall be used with one 480 (or less) lumens output standard incandescent (or equivalent) yellow “bug” bulb, and shall be limited to no more than one fixture per egress.~~

b. Louvered wall lights shall be mounted 12 inches or less above the adjacent floor or deck, shall be equipped with downward directed louvers that completely hide the light source, ~~shall be used with one 480 (or less) lumens output standard incandescent (or equivalent) yellow “bug” bulb, and shall be limited to no more than one fixture per egress.~~

2. Underhouse lights for unenclosed or partially enclosed parking and building access areas shall be limited to no more than one fixture per 100 square feet of parking or building access area and consist of either: ~~canister fixtures, either mounted on piles or recessed into the ceiling. The fixtures shall be equipped with black baffles, shall have the light source recessed so that it is not visible from the beach, shall be used with one 480 (or less) lumens output standard incandescent (or equivalent) yellow “bug” bulb, and shall be limited to no more than one fixture per 100 square feet of parking or building access area~~

a. Cylinder downlight fixtures equipped with interior black baffles, and mounted either with a wall mount on piles or walls or a surface mount to the ceiling, or

b. Recessed ceiling fixtures with black baffles and hex cell ~~lousers.~~

3. Landscape Landscaping and pathway lights shall be low profile, full cut-off ~~mushroom~~ type fixtures, shall extend no more than 12 inches above the ground, ~~shall be used with 220 (or less) lumens output standard incandescent (or equivalent) bulbs or with 400 (or less) lumens output compact fluorescent (or equivalent) bulbs,~~ shall extend no farther seaward than the house, and shall be limited to one fixture per 8 feet of path length or 1 fixture per 100 square feet of ground area.

(c) through (e) No change.

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

(e) Planting of invasive nuisance plants, such as listed in the Florida Exotic Pest Plant Council’s 2007 List of Invasive Plant Species (published Fall 2007), 2003 List of Invasive Species—Categories I and II (published May 20, 2003) shall not occur if the planting will result in removal or destruction of existing dune-stabilizing native vegetation or if the planting is to occur on or seaward of the dune system.

Rulemaking Specific Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22), 161.054 FS. History--New 3-27-03, Amended 11-21-05, _____.

PART III LEGAL DESCRIPTIONS OF GENERAL PERMIT LINE

62B-34.150 Lee County.

The legal description for the Lee County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded May 30, 1991 in "O.R. book 2224, Pages 10 through 1041" and in "Plat book 48, Pages 15 through 34" of the public records of Lee County, Florida, said General Permit Line being more particularly described as follows:

SEGMENT 1: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 12-81-A11-2 1988 AND RUN THENCE N 26 DEG. 03 MIN. 00 SEC. W A DISTANCE OF 753.90 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 03 DEG. 20 MIN. 58 SEC. E A DISTANCE OF 1289.28 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 85 DEG. 15 MIN. 20 SEC. W A DISTANCE OF 46.68 FEET TO A POINT, THENCE S 01 DEG. 51 MIN. 32 SEC. W A DISTANCE OF 230.87 FEET TO A POINT, THENCE S 07 DEG. 48 MIN. 09 SEC. E A DISTANCE OF 1869.62 FEET TO A POINT, THENCE S 09 DEG. 37 MIN. 17 SEC. E A DISTANCE OF 789.82 FEET TO A POINT, THENCE S 00 DEG. 43 MIN. 17 SEC. E A DISTANCE OF 1544.72 FEET TO A POINT, THENCE S 04 DEG. 13 MIN. 59 SEC. E A DISTANCE OF 446.38 FEET TO A POINT, THENCE S 00 DEG. 29 MIN. 02 SEC. E A DISTANCE OF 1371.57 FEET TO A POINT, THENCE S 33 DEG. 44 MIN. 23 SEC. E A DISTANCE OF 244.52 FEET TO A POINT, THENCE N 85 DEG. 00 MIN. 00 SEC. E A DISTANCE OF 98.89 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 1, (LEE COUNTY). SEGMENT 2: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 12-81-A49 AND RUN THENCE S 34 DEG. 10 MIN. 38 SEC. W A DISTANCE OF 657.57 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE

LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 87 DEG. 16 MIN. 30 SEC. W A DISTANCE OF 162.96 FEET TO A POINT, THENCE S 10 DEG. 49 MIN. 30 SEC. E A DISTANCE OF 928.30 FEET TO A POINT, THENCE S 10 DEG. 01 MIN. 02 SEC. E A DISTANCE OF 1025.12 FEET TO A POINT, THENCE S 12 DEG. 14 MIN. 05 SEC. E A DISTANCE OF 907.85 FEET TO A POINT, THENCE S 11 DEG. 14 MIN. 00 SEC. E A DISTANCE OF 1068.52 FEET TO A POINT, THENCE S 11 DEG. 52 MIN. 18 SEC. E A DISTANCE OF 916.62 FEET TO A POINT, THENCE S 10 DEG. 05 MIN. 06 SEC. E A DISTANCE OF 1074.96 FEET TO A POINT, THENCE S 10 DEG. 51 MIN. 58 SEC. E A DISTANCE OF 1294.71 FEET TO A POINT, THENCE S 88 DEG. 10 MIN. 24 SEC. E A DISTANCE OF 79.16 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 2 (LEE COUNTY). SEGMENT 3: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 12-81-A63 AND RUN THENCE N 61 DEG. 08 MIN. 53 SEC. E A DISTANCE OF 785.67 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 57 DEG. 45 MIN. 24 SEC. E A DISTANCE OF 1118.89 FEET TO A POINT, THENCE S 49 DEG. 16 MIN. 19 SEC. E A DISTANCE OF 552.97 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 34 DEG. 52 MIN. 07 SEC. W A DISTANCE OF 202.00 FEET TO A POINT, THENCE S 59 DEG. 22 MIN. 19 SEC. E A DISTANCE OF 472.48 FEET TO A POINT, THENCE S 54 DEG. 55 MIN. 29 SEC. E A DISTANCE OF 1349.02 FEET TO A POINT, THENCE S 47 DEG. 31 MIN. 32 SEC. E A DISTANCE OF 1044.08 FEET TO A POINT, THENCE S 44 DEG. 18 MIN. 39 SEC. E A DISTANCE OF 961.19 FEET TO A POINT, THENCE S 43 DEG. 36 MIN. 54 SEC. E A DISTANCE OF 699.87 FEET TO A POINT, THENCE S 45 DEG. 00 MIN. 00 SEC. W A DISTANCE OF 15.00 FEET TO A POINT, THENCE S 43 DEG. 36 MIN. 54 SEC. E A DISTANCE OF 669.70 FEET TO A POINT, THENCE S 42 DEG. 42 MIN. 25 SEC. E A DISTANCE OF 428.11 FEET TO A POINT, THENCE N 40 DEG. 00 MIN. 00 SEC. E A DISTANCE OF 15.12 FEET TO A POINT, THENCE S 42 DEG. 42 MIN. 25 SEC. E A DISTANCE OF 504.22 FEET TO A POINT, THENCE S 41 DEG. 11 MIN. 51 SEC. E A DISTANCE OF 1155.85 FEET TO A POINT, THENCE S 41 DEG. 41 MIN. 17 SEC. E A DISTANCE OF 1074.46 FEET TO A POINT, THENCE S 44 DEG. 49 MIN. 54 SEC. E A DISTANCE OF 920.56 FEET TO A POINT, THENCE S 47

DEG. 33 MIN. 48 SEC. E A DISTANCE OF 922.82 FEET TO A POINT, THENCE S 58 DEG. 43 MIN. 21 SEC. E A DISTANCE OF 997.04 FEET TO A POINT, THENCE S 62 DEG. 54 MIN. 06 SEC. E A DISTANCE OF 986.27 FEET TO A POINT, THENCE S 65 DEG. 32 MIN. 15 SEC. E A DISTANCE OF 883.15 FEET TO A POINT, THENCE S 64 DEG. 02 MIN. 27 SEC. E A DISTANCE OF 1176.98 FEET TO A POINT, THENCE S 65 DEG. 12 MIN. 05 SEC. E A DISTANCE OF 854.14 FEET TO A POINT, THENCE S 67 DEG. 03 MIN. 10 SEC. E A DISTANCE OF 1094.91 FEET TO A POINT, THENCE S 67 DEG. 16 MIN. 01 SEC. E A DISTANCE OF 938.93 FEET TO A POINT, THENCE S 68 DEG. 38 MIN. 28 SEC. E A DISTANCE OF 978.72 FEET TO A POINT, THENCE S 68 DEG. 32 MIN. 42 SEC. E A DISTANCE OF 1039.71 FEET TO A POINT, THENCE S 68 DEG. 13 MIN. 53 SEC. E A DISTANCE OF 1007.18 FEET TO A POINT, THENCE S 67 DEG. 19 MIN. 12 SEC. E A DISTANCE OF 898.43 FEET TO A POINT, THENCE S 71 DEG. 29 MIN. 59 SEC. E A DISTANCE OF 987.57 FEET TO A POINT, THENCE S 71 DEG. 59 MIN. 02 SEC. E A DISTANCE OF 1021.65 FEET TO A POINT, THENCE S 76 DEG. 16 MIN. 52 SEC. E A DISTANCE OF 1046.82 FEET TO A POINT, THENCE S 76 DEG. 55 MIN. 57 SEC. E A DISTANCE OF 1034.29 FEET TO A POINT, THENCE S 88 DEG. 19 MIN. 25 SEC. E A DISTANCE OF 967.57 FEET TO A POINT, THENCE S 88 DEG. 58 MIN. 11 SEC. E A DISTANCE OF 946.25 FEET TO A POINT, THENCE N 87 DEG. 41 MIN. 58 SEC. E A DISTANCE OF 1094.52 FEET TO A POINT, THENCE N 85 DEG. 29 MIN. 03 SEC. E A DISTANCE OF 836.29 FEET TO A POINT, THENCE N 77 DEG. 02 MIN. 45 SEC. E A DISTANCE OF 1128.01 FEET TO A POINT, THENCE N 71 DEG. 34 MIN. 15 SEC. E A DISTANCE OF 321.81 FEET TO A POINT, THENCE N 01 DEG. 53 MIN. 19 SEC. W A DISTANCE OF 178.04 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 3 (LEE COUNTY). SEGMENT 4: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 12-83-A13 AND RUN THENCE N 81 DEG. 10 MIN. 28 SEC. W A DISTANCE OF 533.71 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 57 DEG. 49 MIN. 26 SEC. E A DISTANCE OF 955.01 FEET TO A POINT, THENCE N 67 DEG. 53 MIN. 25 SEC. E A DISTANCE OF 999.83 FEET TO A POINT, THENCE N 63 DEG. 40 MIN. 14 SEC. E A DISTANCE OF 754.81 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 26

DEG. 19 MIN. 46 SEC. E A DISTANCE OF 260.51 FEET TO A POINT, THENCE N 66 DEG. 22 MIN. 10 SEC. E A DISTANCE OF 189.94 FEET TO A POINT, THENCE N 67 DEG. 09 MIN. 16 SEC. E A DISTANCE OF 957.65 FEET TO A POINT, THENCE N 65 DEG. 27 MIN. 08 SEC. E A DISTANCE OF 1033.81 FEET TO A POINT, THENCE N 60 DEG. 44 MIN. 10 SEC. E A DISTANCE OF 860.18 FEET TO A POINT, THENCE N 58 DEG. 19 MIN. 27 SEC. E A DISTANCE OF 1033.83 FEET TO A POINT, THENCE N 58 DEG. 09 MIN. 48 SEC. E A DISTANCE OF 1019.60 FEET TO A POINT, THENCE N 55 DEG. 36 MIN. 20 SEC. E A DISTANCE OF 752.96 FEET TO A POINT, THENCE N 58 DEG. 36 MIN. 12 SEC. E A DISTANCE OF 1223.92 FEET TO A POINT, THENCE N 58 DEG. 35 MIN. 51 SEC. E A DISTANCE OF 749.52 FEET TO A POINT, THENCE N 58 DEG. 05 MIN. 56 SEC. E A DISTANCE OF 1221.47 FEET TO A POINT, THENCE N 58 DEG. 24 MIN. 25 SEC. E A DISTANCE OF 978.34 FEET TO A POINT, THENCE N 59 DEG. 25 MIN. 29 SEC. E A DISTANCE OF 983.30 FEET TO A POINT, THENCE N 60 DEG. 22 MIN. 06 SEC. E A DISTANCE OF 995.94 FEET TO A POINT, THENCE N 55 DEG. 53 MIN. 32 SEC. E DISTANCE OF 1077.25 FEET TO A POINT, THENCE N 56 DEG. 26 MIN. 53 SEC. E A DISTANCE OF 1106.81 FEET TO A POINT, THENCE N 56 DEG. 44 MIN. 04 SEC. E A DISTANCE OF 876.55 FEET TO A POINT, THENCE N 54 DEG. 24 MIN. 10 SEC. E A DISTANCE OF 272.84 FEET TO A POINT, THENCE N 30 DEG. 00 MIN. 00 SEC. W A DISTANCE OF 264.15 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 4 (LEE COUNTY). SEGMENT 5: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 12-83-A23 AND RUN THENCE S 77 DEG. 50 MIN. 42 SEC. E A DISTANCE OF 152.22 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 3 DEG. 49 MIN. 56 SEC. W DISTANCE OF 93.22 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 72 DEG. 46 MIN. 19 SEC. W A DISTANCE OF 181.99 FEET TO A POINT, THENCE S 19 DEG. 20 MIN. 29 SEC. E A DISTANCE OF 640.15 FEET TO A POINT, THENCE S 40 DEG. 26 MIN. 45 SEC. E A DISTANCE OF 951.41 FEET TO A POINT, THENCE S 51 DEG. 46 MIN. 12 SEC. E A DISTANCE OF 602.67 FEET TO A POINT, THENCE S 44 DEG. 07 MIN. 43 SEC. E A DISTANCE OF 804.31 FEET TO A POINT, THENCE S 51 DEG. 14 MIN. 24 SEC. E A DISTANCE OF 1115.72 FEET TO A POINT, THENCE S 56 DEG. 25 MIN. 43 SEC. E A

DISTANCE OF 985.65 FEET TO A POINT, THENCE S 65 DEG. 54 MIN. 10 SEC. E A DISTANCE OF 1004.61 FEET TO A POINT, THENCE S 68 DEG. 27 MIN. 03 SEC. E A DISTANCE OF 844.38 FEET TO A POINT, THENCE S 67 DEG. 38 MIN. 48 SEC. E A DISTANCE OF 520.08 FEET TO A POINT, THENCE S 67 DEG. 38 MIN. 48 SEC. E A DISTANCE OF 800.90 FEET TO A POINT, THENCE S 66 DEG. 16 MIN. 39 SEC. E A DISTANCE OF 1457.00 FEET TO A POINT, THENCE S 66 DEG. 07 MIN. 47 SEC. E A DISTANCE OF 1403.11 FEET TO A POINT, THENCE S 61 DEG. 00 MIN. 39 SEC. E A DISTANCE OF 1060.83 FEET TO A POINT, THENCE S 60 DEG. 14 MIN. 34 SEC. E A DISTANCE OF 880.10 FEET TO A POINT, THENCE S 58 DEG. 50 MIN. 33 SEC. E A DISTANCE OF 1009.56 FEET TO A POINT, THENCE S 58 DEG. 04 MIN. 04 SEC. E A DISTANCE OF 1008.87 FEET TO A POINT, THENCE S 55 DEG. 18 MIN. 39 SEC. E A DISTANCE OF 382.94 FEET TO A POINT, THENCE S 56 DEG. 54 MIN. 54 SEC. E A DISTANCE OF 594.24 FEET TO A POINT, THENCE S 53 DEG. 46 MIN. 54 SEC. E A DISTANCE OF 1058.44 FEET TO A POINT, THENCE S 50 DEG. 58 MIN. 03 SEC. E A DISTANCE OF 804.56 FEET TO A POINT, THENCE S 50 DEG. 41 MIN. 17 SEC. E A DISTANCE OF 1306.51 FEET TO A POINT, THENCE S 48 DEG. 28 MIN. 33 SEC. E A DISTANCE OF 949.33 FEET TO A POINT, THENCE S 49 DEG. 57 MIN. 50 SEC. E A DISTANCE OF 914.13 FEET TO A POINT, THENCE S 39 DEG. 44 MIN. 19 SEC. E A DISTANCE OF 914.80 FEET TO A POINT, THENCE S 43 DEG. 33 MIN. 54 SEC. E A DISTANCE OF 593.85 FEET TO A POINT THENCE S 45 DEG. 11 MIN. 48 SEC. E A DISTANCE OF 447.46 FEET TO A POINT, THENCE S 43 DEG. 26 MIN. 32 SEC. E A DISTANCE OF 780.56 FEET TO A POINT, THENCE S 39 DEG. 14 MIN. 12 SEC. E A DISTANCE OF 1281.62 FEET TO A POINT, THENCE S 29 DEG. 22 MIN. 44 SEC. E A DISTANCE OF 1109.45 FEET TO A POINT, THENCE S 27 DEG. 33 MIN. 26 SEC. E A DISTANCE OF 918.53 FEET TO A POINT, THENCE S 13 DEG. 32 MIN. 40 SEC. E A DISTANCE OF 670.84 FEET TO A POINT, THENCE S 08 DEG. 05 MIN. 44 SEC. E A DISTANCE OF 676.86 FEET TO A POINT, THENCE S 13 DEG. 58 MIN. 51 SEC. E A DISTANCE OF 1012.95 FEET TO A POINT, THENCE S 49 DEG. 47 MIN. 45 SEC. E A DISTANCE OF 1003.61 FEET TO A POINT, THENCE S 40 DEG. 19 MIN. 08 SEC. E A DISTANCE OF 1842.60 FEET TO A POINT, THENCE S 77 DEG. 43 MIN. 42 SEC. E A DISTANCE OF 1365.50 FEET TO A POINT, THENCE S 86 DEG. 10 MIN. 53 SEC. E A DISTANCE OF 1009.50 FEET TO A POINT, THENCE N 88 DEG. 43 MIN. 47 SEC. E A DISTANCE OF 919.75 FEET TO A POINT, THENCE N 68 DEG. 39 MIN. 47 SEC. E A DISTANCE OF 597.68 FEET TO A POINT, THENCE N 00 DEG. 32 MIN. 23 SEC. W A DISTANCE OF 155.80 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND

BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 5 (LEE COUNTY). SEGMENT 6: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 12-83-A45 AND RUN THENCE S 41 DEG. 32 MIN. 01 SEC. W A DISTANCE OF 779.57 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 64 DEG. 28 MIN. 32 SEC. W A DISTANCE OF 206.22 FEET TO A POINT, THENCE S 30 DEG. 41 MIN. 00 SEC. E A DISTANCE OF 303.65 FEET TO A POINT, THENCE S 30 DEG. 41 MIN. 00 SEC. E A DISTANCE OF 478.35 FEET TO A POINT, THENCE S 29 DEG. 07 MIN. 15 SEC. E A DISTANCE OF 539.82 FEET TO A POINT, THENCE S 29 DEG. 06 MIN. 47 SEC. E A DISTANCE OF 541.64 FEET TO A POINT, THENCE S 26 DEG. 08 MIN. 05 SEC. E A DISTANCE OF 347.63 FEET TO A POINT, THENCE S 30 DEG. 19 MIN. 18 SEC. E A DISTANCE OF 407.71 FEET TO A POINT, THENCE S 27 DEG. 06 MIN. 31 SEC. E A DISTANCE OF 1005.15 FEET TO A POINT, THENCE S 24 DEG. 52 MIN. 13 SEC. E A DISTANCE OF 1355.66 FEET TO A POINT, THENCE S 23 DEG. 19 MIN. 50 SEC. E A DISTANCE OF 458.65 FEET TO A POINT, THENCE S 19 DEG. 59 MIN. 06 SEC. E A DISTANCE OF 494.59 FEET TO A POINT, THENCE S 24 DEG. 31 MIN. 16 SEC. E A DISTANCE OF 137.13 FEET TO A POINT, THENCE S 22 DEG. 34 MIN. 13 SEC. E A DISTANCE OF 894.45 FEET TO A POINT, THENCE S 22 DEG. 10 MIN. 30 SEC. E A DISTANCE OF 1155.99 FEET TO A POINT, THENCE S 21 DEG. 09 MIN. 25 SEC. E A DISTANCE OF 940.06 FEET TO A POINT, THENCE S 20 DEG. 55 MIN. 29 SEC. E A DISTANCE OF 987.94 FEET TO A POINT, THENCE S 22 DEG. 55 MIN. 29 SEC. E A DISTANCE OF 751.08 FEET TO A POINT, THENCE S 22 DEG. 55 MIN. 49 SEC. E TO THE INTERSECTION OF THE LEE-COLLIER COUNTY LINE, THENCE RUN EASTERLY ALONG THE LEE-COLLIER COUNTY LINE TO A POINT LOCATED ON THE COASTAL CONSTRUCTION CONTROL LINE, SAID POINT BEING THE TERMINUS POINT OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 6 (LEE COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History—New _____.

62B-34.160 Collier County.

The legal description for the Collier County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded June 29,

1989 in "Construction Setback Line book 1, Pages 26 through 36" and in "O.R. Book 1452, Pages 258 through 275 Doc. #01293533, Map reference Page 276, Doc. 1293534" of the public records of Collier County, Florida, said General Permit Line being more particularly described as follows:

SEGMENT 1: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) WIGGINS AND RUN THENCE S 75 DEG. 47 MIN. 04 SEC. E A DISTANCE OF 998.74 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 89 DEG. 07 MIN. 25 SEC. E A DISTANCE OF 832.13 FEET TO A POINT, THENCE S 16 DEG. 06 MIN. 23 SEC. E A DISTANCE OF 979.83 FEET TO A POINT, THENCE S 19 DEG. 05 MIN. 23 SEC. E A DISTANCE OF 1023.63 FEET TO A POINT, THENCE S 19 DEG. 21 MIN. 34 SEC. E A DISTANCE OF 1019.69 FEET TO A POINT, THENCE S 18 DEG. 55 MIN. 58 SEC. E A DISTANCE OF 1020.25 FEET TO A POINT, THENCE S 19 DEG. 06 MIN. 23 SEC. E A DISTANCE OF 149.89 FEET TO A POINT, THENCE N 78 DEG. 22 MIN. 10 SEC. E A DISTANCE OF 647.04 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 1 (COLLIER COUNTY). SEGMENT 2: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 64-78-A04 AND RUN THENCE N 45 DEG. 28 MIN. 08 SEC. E A DISTANCE OF 564.67 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 10 DEG. 38 MIN. 21 SEC. E A DISTANCE OF 1025.93 FEET TO A POINT, THENCE S 11 DEG. 32 MIN. 24 SEC. E A DISTANCE OF 1039.81 FEET TO A POINT, THENCE S 09 DEG. 53 MIN. 26 SEC. E A DISTANCE OF 257.20 FEET TO A POINT, THENCE S 59 DEG. 47 MIN. 14 SEC. E A DISTANCE OF 115.37 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 88 DEG. 58 MIN. 02 SEC. W A DISTANCE OF 273.84 FEET TO A POINT, THENCE S 12 DEG. 07 MIN. 22 SEC. E A DISTANCE OF 672.47 FEET TO A POINT, THENCE S 12 DEG. 09 MIN. 03 SEC. E A DISTANCE OF 1002.44 FEET TO A POINT, THENCE S 77 DEG. 50 MIN. 57 SEC. W A DISTANCE OF 100.00 FEET TO A POINT, THENCE S 13 DEG. 23 MIN. 53 SEC. E A

DISTANCE OF 1044.42 FEET TO A POINT, THENCE S 11 DEG. 39 MIN. 00 SEC. E A DISTANCE OF 1025.12 FEET TO A POINT, THENCE S 10 DEG. 51 MIN. 15 SEC. E A DISTANCE OF 961.21 FEET TO A POINT, THENCE S 08 DEG. 11 MIN. 33 SEC. E A DISTANCE OF 1045.67 FEET TO A POINT, THENCE S 08 DEG. 49 MIN. 48 SEC. E A DISTANCE OF 1042.35 FEET TO A POINT, THENCE S 80 DEG. 53 MIN. 00 SEC. E A DISTANCE OF 655.74 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 2 (COLLIER COUNTY). SEGMENT 3: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 64-78-A11 AND RUN THENCE S 71 DEG. 12 MIN. 27 SEC. E A DISTANCE OF 881.24 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 25 DEG. 47 MIN. 39 SEC. W A DISTANCE OF 974.66 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 89 DEG. 30 MIN. 45 SEC. E A DISTANCE OF 223.34 FEET TO A POINT, THENCE S 05 DEG. 44 MIN. 36 SEC. E A DISTANCE OF 1049.39 FEET TO A POINT, THENCE S 05 DEG. 11 MIN. 58 SEC. E A DISTANCE OF 1071.42 FEET TO A POINT, THENCE S 01 DEG. 03 MIN. 18 SEC. E A DISTANCE OF 1032.67 FEET TO A POINT, THENCE S 02 DEG. 53 MIN. 21 SEC. E A DISTANCE OF 971.05 FEET TO A POINT, THENCE S 06 DEG. 29 MIN. 48 SEC. E A DISTANCE OF 737.48 FEET TO A POINT, THENCE S 89 DEG. 59 MIN. 55 SEC. E A DISTANCE OF 175.87 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 3 (COLLIER COUNTY). SEGMENT 4: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 67-78-A12 AND RUN THENCE S 83 DEG. 33 MIN. 23 SEC. E A DISTANCE OF 560.55 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 71 DEG. 34 MIN. 12 SEC. W A DISTANCE OF 268.50 FEET TO A POINT THENCE S 17 DEG. 42 MIN. 00 SEC. E A DISTANCE OF 1085.64 FEET TO A POINT, THENCE S 16 DEG. 59 MIN. 55 SEC. E A

DISTANCE OF 1009.69 FEET TO A POINT, THENCE S 13 DEG. 40 MIN. 11 SEC. E A DISTANCE OF 1074.90 FEET TO A POINT, THENCE S 10 DEG. 06 MIN. 42 SEC. E A DISTANCE OF 1059.46 FEET TO A POINT, THENCE S 08 DEG. 22 MIN. 31 SEC. E A DISTANCE OF 1039.93 FEET TO A POINT, THENCE S 09 DEG. 35 MIN. 13 SEC. E A DISTANCE OF 984.07 FEET TO A POINT, THENCE S 11 DEG. 09 MIN. 16 SEC. E A DISTANCE OF 935.79 FEET TO A POINT, THENCE S 09 DEG. 18 MIN. 32 SEC. E A DISTANCE OF 798.21 FEET TO A POINT, THENCE S 09 DEG. 31 MIN. 57 SEC. E A DISTANCE OF 809.98 FEET TO A POINT, THENCE S 07 DEG. 26 MIN. 50 SEC. E A DISTANCE OF 797.48 FEET TO A POINT, THENCE S 03 DEG. 09 MIN. 38 SEC. E A DISTANCE OF 818.41 FEET TO A POINT, THENCE S 02 DEG. 29 MIN. 01 SEC. E A DISTANCE OF 805.89 FEET TO A POINT, THENCE S 07 DEG. 26 MIN. 17 SEC. E A DISTANCE OF 793.71 FEET TO A POINT, THENCE S 07 DEG. 01 MIN. 43 SEC. E A DISTANCE OF 809.44 FEET TO A POINT, THENCE S 06 DEG. 36 MIN. 05 SEC. E A DISTANCE OF 800.30 FEET TO A POINT, THENCE S 07 DEG. 02 MIN. 43 SEC. E A DISTANCE OF 799.03 FEET TO A POINT, THENCE S 06 DEG. 35 MIN. 44 SEC. E A DISTANCE OF 818.47 FEET TO A POINT, THENCE S 06 DEG. 56 MIN. 15 SEC. E A DISTANCE OF 794.43 FEET TO A POINT, THENCE S 07 DEG. 29 MIN. 26 SEC. E A DISTANCE OF 797.00 FEET TO A POINT, THENCE S 08 DEG. 47 MIN. 27 SEC. E A DISTANCE OF 787.32 FEET TO A POINT, THENCE S 02 DEG. 40 MIN. 50 SEC. E A DISTANCE OF 771.30 FEET TO A POINT, THENCE S 05 DEG. 27 MIN. 20 SEC. E A DISTANCE OF 1092.74 FEET TO A POINT, THENCE S 05 DEG. 19 MIN. 37 SEC. E A DISTANCE OF 1572.76 FEET TO A POINT, THENCE S 05 DEG. 18 MIN. 30 SEC. E A DISTANCE OF 665.63 FEET TO A POINT, THENCE S 09 DEG. 12 MIN. 47 SEC. E A DISTANCE OF 869.76 FEET TO A POINT, THENCE S 50 DEG. 39 MIN. 03 SEC. E A DISTANCE OF 1047.72 FEET TO A POINT, THENCE S 05 DEG. 26 MIN. 55 SEC. E A DISTANCE OF 1021.32 FEET TO A POINT, THENCE S 06 DEG. 19 MIN. 36 SEC. E A DISTANCE OF 916.41 FEET TO A POINT, THENCE S 05 DEG. 50 MIN. 47 SEC. E A DISTANCE OF 884.64 FEET TO A POINT, THENCE S 03 DEG. 55 MIN. 47 SEC. E A DISTANCE OF 2013.49 FEET TO A POINT, THENCE S 06 DEG. 23 MIN. 27 SEC. E A DISTANCE OF 365.57 FEET TO A POINT, THENCE S 30 DEG. 32 MIN. 03 SEC. E A DISTANCE OF 583.74 FEET TO A POINT, THENCE N 53 DEG. 14 MIN. 59 SEC. E A DISTANCE OF 196.90 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 4 (COLLIER COUNTY). SEGMENT 5: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY

FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR) PERMANENT REFERENCE MONUMENT (PRM) 67-78-A24 AND RUN THENCE N 37 DEG. 08 MIN. 48 SEC. E A DISTANCE OF 742.59 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 57 DEG. 01 MIN. 28 SEC. E A DISTANCE OF 982.92 FEET TO A POINT, THENCE S 42 DEG. 27 MIN. 19 SEC. E A DISTANCE OF 1370.41 FEET TO A POINT, THENCE S 28 DEG. 24 MIN. 52 SEC. E A DISTANCE OF 937.42 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 61 DEG. 33 MIN. 39 SEC. W A DISTANCE OF 100.00 FEET TO A POINT, THENCE S 28 DEG. 26 MIN. 21 SEC. E A DISTANCE OF 995.61 FEET TO A POINT, THENCE S 30 DEG. 40 MIN. 54 SEC. E A DISTANCE OF 1240.00 FEET TO A POINT, THENCE S 30 DEG. 28 MIN. 19 SEC. E A DISTANCE OF 217.80 FEET TO A POINT, THENCE S 29 DEG. 06 MIN. 03 SEC. E A DISTANCE OF 2021.34 FEET TO A POINT, THENCE S 23 DEG. 23 MIN. 26 SEC. E A DISTANCE OF 433.81 FEET TO A POINT, THENCE S 18 DEG. 32 MIN. 10 SEC. E A DISTANCE OF 1179.69 FEET TO A POINT, THENCE S 20 DEG. 52 MIN. 01 SEC. E A DISTANCE OF 997.26 FEET TO A POINT, THENCE S 11 DEG. 40 MIN. 08 SEC. E A DISTANCE OF 1161.47 FEET TO A POINT, THENCE S 02 DEG. 08 MIN. 00 SEC. E A DISTANCE OF 1033.35 FEET TO A POINT, THENCE S 01 DEG. 48 MIN. 13 SEC. E A DISTANCE OF 1042.75 FEET TO A POINT, THENCE S 00 DEG. 33 MIN. 53 SEC. W A DISTANCE OF 923.84 FEET TO A POINT, THENCE S 00 DEG. 16 MIN. 24 SEC. W A DISTANCE OF 1006.04 FEET TO A POINT, THENCE S 17 DEG. 24 MIN. 32 SEC. E A DISTANCE OF 745.33 FEET TO A POINT, THENCE N 72 DEG. 35 MIN. 28 SEC. E A DISTANCE OF 100.00 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 5 (COLLIER COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History—New _____.

62B-34.170 Sarasota County.

The legal description for the Sarasota County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded March 2, 1989 in "O.R. Book 2102, Pages 2632 through 2650" and in "Control Line Book 2" of the public records of Sarasota County, Florida, said General Permit Line being more particularly described as follows:

SEGMENT 1: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 17-84-A01 AND RUN THENCE N 53 DEG. 31 MIN. 14 SEC. W A DISTANCE OF 156.72 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 58 DEG. 27 MIN. 09 SEC. W A DISTANCE OF 149.81 FEET TO A POINT, THENCE S 29 DEG. 55 MIN. 24 SEC. E A DISTANCE OF 947.44 FEET TO A POINT, THENCE S 29 DEG. 24 MIN. 12 SEC. E A DISTANCE OF 951.80 FEET TO A POINT, THENCE S 26 DEG. 07 MIN. 18 SEC. E A DISTANCE OF 1032.71 FEET TO A POINT, THENCE S 28 DEG. 44 MIN. 42 SEC. E A DISTANCE OF 1004.82 FEET TO A POINT, THENCE S 30 DEG. 11 MIN. 08 SEC. E A DISTANCE OF 762.66 FEET TO A POINT, THENCE S 31 DEG. 42 MIN. 48 SEC. E A DISTANCE OF 1176.05 FEET TO A POINT, THENCE S 34 DEG. 25 MIN. 39 SEC. E A DISTANCE OF 937.89 FEET TO A POINT, THENCE S 34 DEG. 43 MIN. 45 SEC. E A DISTANCE OF 1050.43 FEET TO A POINT, THENCE S 34 DEG. 20 MIN. 30 SEC. E A DISTANCE OF 977.97 FEET TO A POINT, THENCE S 34 DEG. 17 MIN. 55 SEC. E A DISTANCE OF 1072.69 FEET TO A POINT, THENCE S 33 DEG. 23 MIN. 27 SEC. E A DISTANCE OF 998.29 FEET TO A POINT, THENCE S 32 DEG. 52 MIN. 54 SEC. E A DISTANCE OF 1037.83 FEET TO A POINT, THENCE S 40 DEG. 29 MIN. 08 SEC. E A DISTANCE OF 565.13 FEET TO A POINT, THENCE S 54 DEG. 07 MIN. 51 SEC. E A DISTANCE OF 421.78 FEET TO A POINT, THENCE S 41 DEG. 34 MIN. 38 SEC. E A DISTANCE OF 1001.86 FEET TO A POINT, THENCE S 38 DEG. 49 MIN. 05 SEC. E A DISTANCE OF 1034.88 FEET TO A POINT, THENCE S 38 DEG. 47 MIN. 30 SEC. E A DISTANCE OF 1236.22 FEET TO A POINT, THENCE S 38 DEG. 30 MIN. 09 SEC. E A DISTANCE OF 677.11 FEET TO A POINT, THENCE S 46 DEG. 39 MIN. 47 SEC. E A DISTANCE OF 1000.03 FEET TO A POINT, THENCE S 40 DEG. 50 MIN. 34 SEC. E A DISTANCE OF 722.32 FEET TO A POINT, THENCE N 47 DEG. 15 MIN. 25 SEC. E A DISTANCE OF 25.01 FEET TO A POINT, THENCE S 40 DEG. 55 MIN. 08 SEC. E A DISTANCE OF 287.66 FEET TO A POINT, THENCE S 41 DEG. 31 MIN. 03 SEC. E A DISTANCE OF 915.60 FEET TO A POINT, THENCE S 42 DEG. 05 MIN. 07 SEC. E A DISTANCE OF 1146.74 FEET TO A POINT, THENCE S 43 DEG. 22 MIN. 54 SEC. E A DISTANCE OF 932.97 FEET TO A POINT, THENCE S 40 DEG. 14 MIN. 55 SEC. E A DISTANCE OF 1217.55 FEET TO A POINT, THENCE S 39 DEG. 31 MIN. 16 SEC. E A DISTANCE OF 771.48 FEET TO A POINT, THENCE S 39 DEG. 17 MIN. 49 SEC. E A

DISTANCE OF 971.96 FEET TO A POINT, THENCE N 47 DEG. 07 MIN. 19 SEC. E A DISTANCE OF 25.08 FEET TO A POINT, THENCE S 38 DEG. 32 MIN. 22 SEC. E A DISTANCE OF 976.35 FEET TO A POINT, THENCE S 43 DEG. 29 MIN. 59 SEC. E A DISTANCE OF 968.83 FEET TO A POINT, THENCE S 50 DEG. 47 MIN. 36 SEC. E A DISTANCE OF 826.18 FEET TO A POINT, THENCE N 28 DEG. 22 MIN. 29 SEC. E A DISTANCE OF 356.77 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 1 (SARASOTA COUNTY). SEGMENT 2: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 17-84-A16 AND RUN THENCE S 46 DEG. 36 MIN. 13 SEC. W A DISTANCE OF 1284.21 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 66 DEG. 35 MIN. 38 SEC. E A DISTANCE OF 296.94 FEET TO A POINT, THENCE S 30 DEG. 24 MIN. 18 SEC. E A DISTANCE OF 112.10 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 59 DEG. 35 MIN. 42 SEC. W A DISTANCE OF 200.88 FEET TO A POINT, THENCE S 30 DEG. 24 MIN. 18 SEC. E A DISTANCE OF 604.24 FEET TO A POINT, THENCE S 30 DEG. 24 MIN. 18 SEC. E A DISTANCE OF 1013.44 FEET TO A POINT, THENCE S 41 DEG. 49 MIN. 28 SEC. E A DISTANCE OF 992.42 FEET TO A POINT, THENCE S 39 DEG. 39 MIN. 59 SEC. E A DISTANCE OF 952.57 FEET TO A POINT, THENCE S 32 DEG. 39 MIN. 40 SEC. E A DISTANCE OF 1022.68 FEET TO A POINT, THENCE S 29 DEG. 09 MIN. 51 SEC. E A DISTANCE OF 1021.56 FEET TO A POINT, THENCE S 23 DEG. 48 MIN. 54 SEC. E A DISTANCE OF 989.01 FEET TO A POINT, THENCE S 23 DEG. 54 MIN. 18 SEC. E A DISTANCE OF 924.34 FEET TO A POINT, THENCE S 36 DEG. 47 MIN. 58 SEC. E A DISTANCE OF 975.05 FEET TO A POINT, THENCE S 49 DEG. 01 MIN. 56 SEC. E A DISTANCE OF 140.41 FEET TO A POINT, THENCE N 51 DEG. 37 MIN. 15 SEC. E A DISTANCE OF 260.86 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 2 (SARASOTA COUNTY.) SEGMENT 3: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 17-84-A25 AND RUN THENCE N 71 DEG. 13 MIN. 43 SEC.

W A DISTANCE OF 1400.48 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 18 DEG. 03 MIN. 30 SEC. E A DISTANCE OF 692.29 FEET TO A POINT, THENCE S 17 DEG. 50 MIN. 33 SEC. E A DISTANCE OF 767.53 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 44 DEG. 47 MIN. 41 SEC. W A DISTANCE OF 273.41 FEET TO A POINT, THENCE S 53 DEG. 47 MIN. 24 SEC. E A DISTANCE OF 930.55 FEET TO A POINT, THENCE S 53 DEG. 39 MIN. 40 SEC. E A DISTANCE OF 925.63 FEET TO A POINT, THENCE S 58 DEG. 04 MIN. 34 SEC. E A DISTANCE OF 1126.54 FEET TO A POINT, THENCE S 62 DEG. 13 MIN. 32 SEC. E A DISTANCE OF 966.32 FEET TO A POINT, THENCE S 59 DEG. 18 MIN. 20 SEC. E A DISTANCE OF 1006.29 FEET TO A POINT, THENCE S 69 DEG. 13 MIN. 06 SEC. E A DISTANCE OF 1073.29 FEET TO A POINT, THENCE S 74 DEG. 13 MIN. 13 SEC. E A DISTANCE OF 71.44 FEET TO A POINT, THENCE S 56 DEG. 14 MIN. 40 SEC. E A DISTANCE OF 1023.08 FEET TO A POINT, THENCE S 46 DEG. 58 MIN. 50 SEC. E A DISTANCE OF 1034.95 FEET TO A POINT, THENCE S 46 DEG. 47 MIN. 41 SEC. E A DISTANCE OF 1101.37 FEET TO A POINT, THENCE S 37 DEG. 26 MIN. 00 SEC. E A DISTANCE OF 454.10 FEET TO A POINT, THENCE S 43 DEG. 47 MIN. 59 SEC. E A DISTANCE OF 586.90 FEET TO A POINT, THENCE S 36 DEG. 27 MIN. 50 SEC. E A DISTANCE OF 961.51 FEET TO A POINT, THENCE S 34 DEG. 19 MIN. 42 SEC. E A DISTANCE OF 102.58 FEET TO A POINT, THENCE S 29 DEG. 28 MIN. 37 SEC. E A DISTANCE OF 902.27 FEET TO A POINT, THENCE S 29 DEG. 37 MIN. 32 SEC. E A DISTANCE OF 1083.05 FEET TO A POINT, THENCE S 23 DEG. 35 MIN. 26 SEC. E A DISTANCE OF 590.03 FEET TO A POINT, THENCE S 22 DEG. 54 MIN. 26 SEC. E A DISTANCE OF 498.83 FEET TO A POINT, THENCE S 21 DEG. 02 MIN. 22 SEC. E A DISTANCE OF 437.94 FEET TO A POINT, THENCE S 21 DEG. 02 MIN. 23 SEC. E A DISTANCE OF 54.21 FEET TO A POINT, THENCE S 06 DEG. 19 MIN. 17 SEC. W A DISTANCE OF 707.48 FEET TO A POINT, THENCE S 72 DEG. 48 MIN. 34 SEC. W A DISTANCE OF 167.36 FEET TO A POINT, THENCE S 31 DEG. 43 MIN. 40 SEC. E A DISTANCE OF 835.48 FEET TO A POINT, THENCE S 36 DEG. 36 MIN. 53 SEC. E A DISTANCE OF 930.52 FEET TO A POINT, THENCE S 77 DEG. 35 MIN. 24 SEC. E A DISTANCE OF 377.21 FEET TO A POINT, THENCE S 47 DEG. 02 MIN. 46 SEC. E A DISTANCE OF 390.27 FEET TO A POINT, THENCE S 46 DEG. 27 MIN. 43 SEC. E A DISTANCE OF 221.08 FEET TO A POINT, THENCE S 30 DEG. 57 MIN. 16 SEC. E A DISTANCE OF 878.52 FEET TO A POINT, THENCE S 48 DEG. 39 MIN. 12 SEC. E A DISTANCE OF 1095.15 FEET TO A POINT, THENCE N 60 DEG. 56 MIN. 40 SEC. E A

DISTANCE OF 152.92 FEET TO A POINT, AID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 3 (SARASOTA COUNTY) SEGMENT 4: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 17-84-B07 AND RUN THENCE N 75 DEG. 29 MIN. 50 SEC. E A DISTANCE OF 386.34 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 21 DEG. 31 MIN. 36 SEC. E A DISTANCE OF 771.57 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 68 DEG. 28 MIN. 24 SEC. W A DISTANCE OF 41.52 FEET TO A POINT, THENCE S 21 DEG. 51 MIN. 51 SEC. E A DISTANCE OF 393.15 FEET TO A POINT, THENCE S 15 DEG. 41 MIN. 16 SEC. E A DISTANCE OF 968.29 FEET TO A POINT, THENCE S 20 DEG. 31 MIN. 21 SEC. E A DISTANCE OF 997.77 FEET TO A POINT, THENCE S 18 DEG. 53 MIN. 07 SEC. E A DISTANCE OF 1019.08 FEET TO A POINT, THENCE S 22 DEG. 34 MIN. 45 SEC. E A DISTANCE OF 844.05 FEET TO A POINT, THENCE S 22 DEG. 29 MIN. 46 SEC. E A DISTANCE OF 1019.82 FEET TO A POINT, THENCE S 16 DEG. 34 MIN. 37 SEC. E A DISTANCE OF 1103.32 FEET TO A POINT, THENCE S 17 DEG. 41 MIN. 04 SEC. E A DISTANCE OF 812.56 FEET TO A POINT, THENCE S 17 DEG. 45 MIN. 20 SEC. E A DISTANCE OF 1150.93 FEET TO A POINT, THENCE S 11 DEG. 40 MIN. 25 SEC. W A DISTANCE OF 204.89 FEET TO A POINT, THENCE S 18 DEG. 41 MIN. 26 SEC. E A DISTANCE OF 813.06 FEET TO A POINT, THENCE S 21 DEG. 27 MIN. 45 SEC. E A DISTANCE OF 1127.11 FEET TO A POINT, THENCE S 23 DEG. 58 MIN. 18 SEC. E A DISTANCE OF 1186.60 FEET TO A POINT, THENCE S 28 DEG. 24 MIN. 42 SEC. E A DISTANCE OF 941.34 FEET TO A POINT, THENCE S 29 DEG. 05 MIN. 00 SEC. E A DISTANCE OF 1093.03 FEET TO A POINT, THENCE S 29 DEG. 27 MIN. 19 SEC. E A DISTANCE OF 780.51 FEET TO A POINT, THENCE N 65 DEG. 53 MIN. 07 SEC. E A DISTANCE OF 50.22 FEET TO A POINT, THENCE S 29 DEG. 39 MIN. 21 SEC. E A DISTANCE OF 487.20 FEET TO A POINT, THENCE S 29 DEG. 48 MIN. 17 SEC. E A DISTANCE OF 706.82 FEET TO A POINT, THENCE S 28 DEG. 52 MIN. 04 SEC. E A DISTANCE OF 972.81 FEET TO A POINT, THENCE S 28 DEG. 36 MIN. 54 SEC. E A DISTANCE OF 1120.17 FEET TO A POINT, THENCE S 29 DEG. 40 MIN. 36 SEC. E A DISTANCE OF 1120.60 FEET TO A POINT, THENCE S 29 DEG. 36 MIN. 28 SEC. E A DISTANCE OF 1042.69 FEET TO A POINT, THENCE S 26 DEG. 51 MIN. 38

SEC. E A DISTANCE OF 2440.71 FEET TO A POINT, THENCE S 25 DEG. 05 MIN. 36 SEC. E A DISTANCE OF 1613.64 FEET TO A POINT, THENCE S 21 DEG. 48 MIN. 49 SEC. E A DISTANCE OF 787.70 FEET TO A POINT, THENCE S 21 DEG. 36 MIN. 52 SEC. E A DISTANCE OF 1208.51 FEET TO A POINT, THENCE S 19 DEG. 04 MIN. 43 SEC. E A DISTANCE OF 1039.12 FEET TO A POINT, THENCE S 17 DEG. 00 MIN. 06 SEC. E A DISTANCE OF 1074.59 FEET TO A POINT, THENCE S 16 DEG. 23 MIN. 13 SEC. E A DISTANCE OF 1030.38 FEET TO A POINT, THENCE S 14 DEG. 31 MIN. 39 SEC. E A DISTANCE OF 1319.98 FEET TO A POINT, THENCE S 15 DEG. 09 MIN. 38 SEC. E A DISTANCE OF 487.83 FEET TO A POINT, THENCE S 14 DEG. 31 MIN. 40 SEC. E A DISTANCE OF 1029.82 FEET TO A POINT, THENCE S 13 DEG. 52 MIN. 00 SEC. E A DISTANCE OF 733.64 FEET TO A POINT, THENCE S 13 DEG. 38 MIN. 14 SEC. E A DISTANCE OF 1285.82 FEET TO A POINT, THENCE S 12 DEG. 54 MIN. 36 SEC. E A DISTANCE OF 1086.54 FEET TO A POINT, THENCE N 79 DEG. 49 MIN. 57 SEC. E A DISTANCE OF 204.87 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 4 (SARASOTA COUNTY). SEGMENT 5: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 17-84-B16 AND RUN THENCE S 71 DEG. 44 MIN. 11 SEC. E A DISTANCE OF 1812.04 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 27 DEG. 44 MIN. 19 SEC. W A DISTANCE OF 126.28 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 66 DEG. 52 MIN. 49 SEC. W A DISTANCE OF 438.08 FEET TO A POINT, THENCE S 35 DEG. 50 MIN. 45 SEC. E A DISTANCE OF 482.64 FEET TO A POINT, THENCE S 30 DEG. 37 MIN. 02 SEC. E A DISTANCE OF 1016.77 FEET TO A POINT, THENCE S 23 DEG. 52 MIN. 14 SEC. E A DISTANCE OF 838.51 FEET TO A POINT, THENCE S 21 DEG. 24 MIN. 41 SEC. E A DISTANCE OF 805.62 FEET TO A POINT, THENCE S 20 DEG. 10 MIN. 55 SEC. E A DISTANCE OF 617.30 FEET TO A POINT, THENCE S 19 DEG. 10 MIN. 53 SEC. E A DISTANCE OF 659.49 FEET TO A POINT, THENCE S 18 DEG. 53 MIN. 24 SEC. E A DISTANCE OF 977.87 FEET TO A POINT, THENCE S 36 DEG. 33 MIN. 23 SEC. W A DISTANCE OF 89.29 FEET TO A POINT, THENCE S 08 DEG. 58 MIN. 42 SEC. E A DISTANCE OF 89.61 FEET TO A POINT, THENCE S 15 DEG. 21 MIN. 09 SEC. E A DISTANCE OF 943.16 FEET TO A POINT, THENCE S 17

DEG. 01 MIN. 02 SEC. E A DISTANCE OF 890.63 FEET TO A POINT, THENCE S 16 DEG. 43 MIN. 48 SEC. E A DISTANCE OF 935.16 FEET TO A POINT, THENCE S 15 DEG. 21 MIN. 46 SEC. E A DISTANCE OF 960.35 FEET TO A POINT, THENCE S 28 DEG. 20 MIN. 33 SEC. E A DISTANCE OF 1000.94 FEET TO A POINT, THENCE S 15 DEG. 48 MIN. 50 SEC. E A DISTANCE OF 988.24 FEET TO A POINT, THENCE S 15 DEG. 14 MIN. 30 SEC. E A DISTANCE OF 1009.54 FEET TO A POINT, THENCE N 69 DEG. 20 MIN. 11 SEC. E A DISTANCE OF 244.38 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 5 (SARASOTA COUNTY). SEGMENT 6: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 17-84-C10 AND RUN THENCE S 54 DEG. 52 MIN. 51 SEC. E A DISTANCE OF 193.81 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 31 DEG. 53 MIN. 59 SEC. E A DISTANCE OF 1024.53 FEET TO A POINT, THENCE S 31 DEG. 41 MIN. 56 SEC. E A DISTANCE OF 996.69 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 60 DEG. 54 MIN. 05 SEC. W A DISTANCE OF 60.01 FEET TO A POINT, THENCE S 30 DEG. 00 MIN. 45 SEC. E A DISTANCE OF 1012.93 FEET TO A POINT, THENCE S 30 DEG. 38 MIN. 01 SEC. E A DISTANCE OF 867.38 FEET TO A POINT, THENCE S 29 DEG. 46 MIN. 23 SEC. E A DISTANCE OF 1132.40 FEET TO A POINT, THENCE S 28 DEG. 30 MIN. 01 SEC. E A DISTANCE OF 1021.00 FEET TO A POINT, THENCE S 29 DEG. 40 MIN. 50 SEC. E A DISTANCE OF 923.02 FEET TO A POINT, THENCE S 30 DEG. 01 MIN. 15 SEC. E A DISTANCE OF 945.96 FEET TO A POINT, THENCE S 29 DEG. 01 MIN. 04 SEC. E A DISTANCE OF 1134.82 FEET TO A POINT, THENCE S 28 DEG. 06 MIN. 07 SEC. E A DISTANCE OF 1018.48 FEET TO A POINT, THENCE S 25 DEG. 55 MIN. 17 SEC. E A DISTANCE OF 983.50 FEET TO A POINT, THENCE S 26 DEG. 35 MIN. 58 SEC. E A DISTANCE OF 972.71 FEET TO A POINT, THENCE S 25 DEG. 58 MIN. 43 SEC. E A DISTANCE OF 1029.98 FEET TO A POINT, THENCE S 24 DEG. 18 MIN. 34 SEC. E A DISTANCE OF 903.55 FEET TO A POINT, THENCE S 22 DEG. 40 MIN. 38 SEC. E A DISTANCE OF 979.82 FEET TO A POINT, THENCE S 22 DEG. 52 MIN. 25 SEC. E A DISTANCE OF 997.60 FEET TO A POINT, THENCE S 23 DEG. 37 MIN. 14 SEC. E A DISTANCE OF 1017.71 FEET TO A POINT, THENCE S 24 DEG. 28 MIN. 23 SEC. E A DISTANCE OF 994.42 FEET TO A POINT, THENCE S 23

DEG. 47 MIN. 56 SEC. E A DISTANCE OF 901.23 FEET TO A POINT, THENCE S 23 DEG. 09 MIN. 55 SEC. E A DISTANCE OF 1045.38 FEET TO A POINT, THENCE S 24 DEG. 33 MIN. 22 SEC. E A DISTANCE OF 1053.41 FEET TO A POINT, THENCE S 25 DEG. 13 MIN. 05 SEC. E A DISTANCE OF 995.98 FEET TO A POINT, THENCE S 27 DEG. 01 MIN. 43 SEC. E A DISTANCE OF 999.37 FEET TO A POINT, THENCE S 29 DEG. 47 MIN. 03 SEC. E A DISTANCE OF 937.06 FEET TO A POINT, THENCE S 32 DEG. 31 MIN. 29 SEC. E A DISTANCE OF 1060.01 FEET TO A POINT, THENCE S 28 DEG. 13 MIN. 54 SEC. E A DISTANCE OF 924.83 FEET TO A POINT, THENCE S 35 DEG. 57 MIN. 40 SEC. E A DISTANCE OF 1023.67 FEET TO A POINT, THENCE S 31 DEG. 56 MIN. 29 SEC. E A DISTANCE OF 961.50 FEET TO A POINT, THENCE S 33 DEG. 20 MIN. 51 SEC. E A DISTANCE OF 960.68 FEET TO A POINT, THENCE S 31 DEG. 48 MIN. 49 SEC. E A DISTANCE OF 912.00 FEET TO A POINT, THENCE S 30 DEG. 46 MIN. 14 SEC. E A DISTANCE OF 1114.75 FEET TO A POINT, THENCE S 30 DEG. 27 MIN. 27 SEC. E A DISTANCE OF 916.92 FEET TO A POINT, THENCE S 31 DEG. 27 MIN. 39 SEC. E A DISTANCE OF 1017.82 FEET TO A POINT, THENCE S 30 DEG. 03 MIN. 54 SEC. E A DISTANCE OF 989.78 FEET TO A POINT, THENCE S 29 DEG. 24 MIN. 10 SEC. E A DISTANCE OF 897.84 FEET TO A POINT, THENCE S 29 DEG. 25 MIN. 50 SEC. E A DISTANCE OF 1009.15 FEET TO A POINT, THENCE S 29 DEG. 13 MIN. 26 SEC. E A DISTANCE OF 1034.13 FEET TO A POINT, THENCE S 27 DEG. 28 MIN. 59 SEC. E A DISTANCE OF 757.84 FEET TO A POINT, THENCE S 27 DEG. 28 MIN. 59 SEC. E TO THE INTERSECTION OF THE SARASOTA-CHARLOTTE COUNTY LINE. THENCE RUN EASTERLY ALONG THE SARASOTA-CHARLOTTE COUNTY LINE TO A POINT LOCATED ON THE COASTAL CONSTRUCTION CONTROL LINE, SAID POINT BEING THE TERMINUS POINT OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 6 (SARASOTA COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History—New _____.

62B-34.180 Manatee County.

The legal description for the Manatee County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded August 6, 1987 in "record Plat Book #10, Pages 1 through 7", of the public records of Manatee County, Florida, said General Permit Line being more particularly described as follows:

NORTH SEGMENT: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE

MONUMENT (PRM) 13-85-A04 AND RUN THENCE N 82 DEG. 42 MIN. 50 SEC. E A DISTANCE OF 172.73 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 70 DEG. 25 MIN. 06 SEC. W A DISTANCE OF 109.47 FEET TO A POINT, THENCE S 35 DEG. 30 MIN. 32 SEC. E A DISTANCE OF 898.30 FEET TO A POINT, THENCE S 39 DEG. 32 MIN. 58 SEC. W A DISTANCE OF 52.11 FEET TO A POINT, THENCE S 35 DEG. 25 MIN. 46 SEC. E A DISTANCE OF 1186.59 FEET TO A POINT, THENCE S 54 DEG. 33 MIN. 19 SEC. W A DISTANCE OF 25.09 FEET TO A POINT, THENCE S 35 DEG. 25 MIN. 08 SEC. E A DISTANCE OF 913.10 FEET TO A POINT, THENCE S 48 DEG. 16 MIN. 03 SEC. E A DISTANCE OF 1078.28 FEET TO A POINT, THENCE N 58 DEG. 14 MIN. 42 SEC. E A DISTANCE OF 25.71 FEET TO A POINT, THENCE S 44 DEG. 09 MIN. 33 SEC. E A DISTANCE OF 922.18 FEET TO A POINT, THENCE S 45 DEG. 39 MIN. 10 SEC. E A DISTANCE OF 1070.64 FEET TO A POINT, THENCE S 42 DEG. 19 MIN. 51 SEC. E A DISTANCE OF 1102.52 FEET TO A POINT, THENCE S 34 DEG. 04 MIN. 22 SEC. W A DISTANCE OF 25.74 FEET TO A POINT, THENCE S 41 DEG. 56 MIN. 56 SEC. E A DISTANCE OF 1009.28 FEET TO A POINT, THENCE S 37 DEG. 12 MIN. 02 SEC. E A DISTANCE OF 992.41 FEET TO A POINT, THENCE S 35 DEG. 57 MIN. 02 SEC. E A DISTANCE OF 1228.76 FEET TO A POINT, THENCE S 35 DEG. 37 MIN. 39 SEC. E A DISTANCE OF 842.57 FEET TO A POINT, THENCE S 32 DEG. 18 MIN. 51 SEC. E A DISTANCE OF 1039.25 FEET TO A POINT, THENCE S 33 DEG. 22 MIN. 49 SEC. E A DISTANCE OF 922.22 FEET TO A POINT, THENCE S 28 DEG. 05 MIN. 57 SEC. E A DISTANCE OF 1059.36 FEET TO A POINT, THENCE S 28 DEG. 23 MIN. 32 SEC. E A DISTANCE OF 955.03 FEET TO A POINT, THENCE S 27 DEG. 53 MIN. 20 SEC. E A DISTANCE OF 1134.66 FEET TO A POINT, THENCE S 23 DEG. 42 MIN. 57 SEC. E A DISTANCE OF 967.80 FEET TO A POINT, THENCE S 21 DEG. 13 MIN. 29 SEC. E A DISTANCE OF 935.82 FEET TO A POINT, THENCE S 24 DEG. 44 MIN. 56 SEC. E A DISTANCE OF 1028.07 FEET TO A POINT, THENCE S 69 DEG. 34 MIN. 32 SEC. W A DISTANCE OF 24.96 FEET TO A POINT, THENCE S 22 DEG. 35 MIN. 35 SEC. E A DISTANCE OF 965.92 FEET TO A POINT, THENCE S 20 DEG. 23 MIN. 50 SEC. E A DISTANCE OF 1221.69 FEET TO A POINT, THENCE S 16 DEG. 21 MIN. 48 SEC. E A DISTANCE OF 805.42 FEET TO A POINT, THENCE S 15 DEG. 01 MIN. 26 SEC. E A DISTANCE OF 997.14 FEET TO A POINT, THENCE S 23 DEG. 17 MIN. 15 SEC. E A DISTANCE OF 1410.18 FEET TO A POINT, THENCE S 19 DEG. 27 MIN. 57 SEC. E A DISTANCE OF 882.78 FEET TO A POINT, THENCE S 17 DEG. 23 MIN. 22 SEC. E A

DISTANCE OF 1110.86 FEET TO A POINT, THENCE S 16 DEG. 17 MIN. 49 SEC. E A DISTANCE OF 928.75 FEET TO A POINT, THENCE S 16 DEG. 32 MIN. 40 SEC. E A DISTANCE OF 920.64 FEET TO A POINT, THENCE S 17 DEG. 07 MIN. 20 SEC. E A DISTANCE OF 1095.23 FEET TO A POINT, THENCE S 17 DEG. 56 MIN. 48 SEC. E A DISTANCE OF 961.83 FEET TO A POINT, THENCE S 12 DEG. 47 MIN. 39 SEC. E A DISTANCE OF 492.34 FEET TO A POINT, THENCE S 29 DEG. 51 MIN. 05 SEC. E A DISTANCE OF 439.05 FEET TO A POINT, THENCE N 69 DEG. 47 MIN. 42 SEC. E A DISTANCE OF 207.15 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE (NORTH SEGMENT). SOUTH SEGMENT: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 13-84-B06 AND RUN THENCE S 77 DEG. 53 MIN. 23 SEC. W A DISTANCE OF 1194.68 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 26 DEG. 12 MIN. 28 SEC. E A DISTANCE OF 1157.06 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 29 DEG. 52 MIN. 36 SEC. W A DISTANCE OF 190.04 FEET TO A POINT, THENCE S 55 DEG. 12 MIN. 01 SEC. E A DISTANCE OF 914.35 FEET TO A POINT, THENCE S 46 DEG. 58 MIN. 54 SEC. E A DISTANCE OF 1096.50 FEET TO A POINT, THENCE S 41 DEG. 04 MIN. 55 SEC. E A DISTANCE OF 833.80 FEET TO A POINT, THENCE S 44 DEG. 58 MIN. 27 SEC. E A DISTANCE OF 1556.75 FEET TO A POINT, THENCE S 52 DEG. 08 MIN. 20 SEC. E A DISTANCE OF 955.55 FEET TO A POINT, THENCE S 60 DEG. 47 MIN. 52 SEC. E A DISTANCE OF 996.98 FEET TO A POINT, THENCE S 54 DEG. 43 MIN. 19 SEC. E A DISTANCE OF 916.23 FEET TO A POINT, THENCE S 46 DEG. 38 MIN. 23 SEC. E A DISTANCE OF 1156.33 FEET TO A POINT, THENCE S 38 DEG. 11 MIN. 30 SEC. E A DISTANCE OF 927.87 FEET TO A POINT, THENCE S 36 DEG. 04 MIN. 22 SEC. E A DISTANCE OF 472.39 FEET TO A POINT, THENCE S 43 DEG. 34 MIN. 08 SEC. E A DISTANCE OF 1490.35 FEET TO A POINT, THENCE S 41 DEG. 46 MIN. 26 SEC. E A DISTANCE OF 782.64 FEET TO A POINT, THENCE S 41 DEG. 45 MIN. 32 SEC. E A DISTANCE OF 985.17 FEET TO A POINT, THENCE S 39 DEG. 45 MIN. 28 SEC. E A DISTANCE OF 917.80 FEET TO A POINT, THENCE S 38 DEG. 26 MIN. 33 SEC. E A DISTANCE OF 991.54 FEET TO A POINT, THENCE S 34 DEG. 38 MIN. 54 SEC. E A DISTANCE OF 1017.28 FEET TO A POINT, THENCE S 32 DEG. 57 MIN. 07 SEC. E A DISTANCE OF

1221.01 FEET TO A POINT, THENCE S 31 DEG. 26 MIN. 48 SEC. E A DISTANCE OF 944.75 FEET TO A POINT, THENCE S 34 DEG. 15 MIN. 18 SEC. E A DISTANCE OF 1087.07 FEET TO A POINT, THENCE S 35 DEG. 31 MIN. 29 SEC. E A DISTANCE OF 975.52 FEET TO A POINT, THENCE S 34 DEG. 03 MIN. 58 SEC. E A DISTANCE OF 1090.87 FEET TO A POINT, THENCE S 33 DEG. 39 MIN. 59 SEC. E A DISTANCE OF 861.93 FEET TO A POINT, THENCE S 31 DEG. 18 MIN. 06 SEC. E A DISTANCE OF 544.61 FEET TO A POINT, THENCE S 31 DEG. 18 MIN. 06 SEC. E TO THE INTERSECTION OF THE MANATEE-SARASOTA COUNTY LINE, THENCE RUN EASTERLY ALONG THE MANATEE-SARASOTA COUNTY LINE TO A POINT LOCATED ON THE COASTAL CONSTRUCTION CONTROL LINE, SAID POINT BEING THE TERMINUS POINT OF THE HEREIN DESCRIBED GENERAL PERMIT LINE (NORTH SEGMENT).

Rulemaking Authority 161.053(21) F.S. Law Implemented 161.053(5), (19), (22) F.S. History—New _____.

62B-34.190 Charlotte County.

The legal description for the Charlotte County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded January 29, 1985 in "setback Book 1, Pages 1A through 1G" of the public records of Charlotte County, Florida, said General Permit Line being more particularly described as follows:

COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 01-82-A01 AND RUN THENCE S 18 DEG. 09 MIN. 56 SEC. W A DISTANCE OF 244.71 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 27 DEG. 16 MIN. 46 SEC. W TO THE INTERSECTION OF THE CHARLOTTE-SARASOTA COUNTY LINE, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: WESTERLY ALONG THE CHARLOTTE-SARASOTA COUNTY LINE TO A POINT, THENCE S 26 DEG. 18 MIN. 22 SEC. E TO A POINT, SAID POINT BEING S 03 DEG. 38 MIN. 55 SEC. E A DISTANCE OF 823.63 FEET FROM PRM 01-82-A01, THENCE S 68 DEG. 12 MIN. 52 SEC. W A DISTANCE OF 25.06 FEET TO A POINT, THENCE S 25 DEG. 35 MIN. 18 DEC. E A DISTANCE OF 1009.86 FEET TO A POINT, THENCE S 28 DEG. 30 MIN. 19 SEC. E A DISTANCE OF 1022.79 FEET TO A POINT, THENCE S 27 DEG. 28 MIN. 19 SEC. E A DISTANCE OF 982.43 FEET TO A POINT, THENCE N 65 DEG. 51 MIN. 08 SEC. E A DISTANCE OF 25.04 FEET TO A POINT, THENCE S 27 DEG. 49 MIN. 58 SEC. E A

DISTANCE OF 960.27 FEET TO A POINT, THENCE S 27 DEG. 57 MIN. 03 SEC. E A DISTANCE OF 946.03 FEET TO A POINT, THENCE S 29 DEG. 11 MIN. 15 SEC. E A DISTANCE OF 1016.05 FEET TO A POINT, THENCE S 29 DEG. 09 MIN. 25 SEC. E A DISTANCE OF 877.72 FEET TO A POINT, THENCE S 29 DEG. 52 MIN. 38 SEC. E A DISTANCE OF 1130.05 FEET TO A POINT, THENCE S 26 DEG. 41 MIN. 55 SEC. E A DISTANCE OF 991.32 FEET TO A POINT, THENCE S 27 DEG. 43 MIN. 00 SEC. E A DISTANCE OF 1070.94 FEET TO A POINT, THENCE S 26 DEG. 51 MIN. 45 SEC. E A DISTANCE OF 1024.00 FEET TO A POINT, THENCE S 29 DEG. 32 MIN. 19 SEC. E A DISTANCE OF 1080.49 FEET TO A POINT, THENCE N 63 DEG. 02 MIN. 33 SEC. E A DISTANCE OF 77.87 FEET TO A POINT, THENCE S 22 DEG. 43 MIN. 00 SEC. E A DISTANCE OF 986.10 FEET TO A POINT, THENCE S 38 DEG. 38 MIN. 23 SEC. E A DISTANCE OF 327.67 FEET TO A POINT, THENCE N 58 DEG. 59 MIN. 32 SEC. E A DISTANCE OF 18.53 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE (CHARLOTTE COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History—New _____.

62B-34.200 Bay County.

The legal description for the Bay County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded February 7, 1997 in “O.R. book 1687, Pages 1048 through 1065 “, and in “Coastal Construction Control Line Book 2, Pages 1 through 12”, of the public records of Bay County, Florida, said General Permit Line being more particularly described as follows:

SEGMENT 1: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNRI) PERMANENT REFERENCE MONUMENT (PRM) 46-76-B03 AND RUN THENCE S 51 DEG. 17 MIN. 40 SEC. E A DISTANCE OF 404.71 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 63 DEG. 42 MIN. 18 SEC. W A DISTANCE OF 500.53 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 26 DEG. 17 MIN. 42 SEC. W A DISTANCE OF 28.83 FEET TO A POINT, THENCE S 63 DEG. 23 MIN. 14 SEC. E A DISTANCE OF 493.90 FEET TO A POINT, THENCE S 61 DEG. 04 MIN. 12 SEC. E A DISTANCE OF 860.30 FEET TO A POINT, THENCE S 65 DEG. 01 MIN. 52 SEC. E A DISTANCE OF 993.55 FEET TO A POINT, THENCE S 62

DEG. 41 MIN. 01 SEC. E A DISTANCE OF 996.14 FEET TO A POINT, THENCE S 63 DEG. 44 MIN. 00 SEC. E A DISTANCE OF 436.13 FEET TO A POINT, THENCE N 27 DEG. 06 MIN. 21 SEC. E A DISTANCE OF 42.51 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 1, (BAY COUNTY). SEGMENT 2: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNRI) PERMANENT REFERENCE MONUMENT (PRM) 46-91-DA16 AND RUN THENCE S 60 DEG. 03 MIN. 31 SEC. E A DISTANCE OF 575.74 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 61 DEG. 22 MIN. 35 SEC. W A DISTANCE OF 673.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 28 DEG. 37 MIN. 25 SEC. W A DISTANCE OF 102.13 FEET TO A POINT, THENCE S 61 DEG. 57 MIN. 41 SEC. E A DISTANCE OF 668.59 FEET TO A POINT, THENCE S 61 DEG. 22 MIN. 14 SEC. E A DISTANCE OF 911.20 FEET TO A POINT, THENCE S 62 DEG. 58 MIN. 23 SEC. E A DISTANCE OF 1006.41 FEET TO A POINT, THENCE S 60 DEG. 42 MIN. 07 SEC. E A DISTANCE OF 762.07 FEET TO A POINT, THENCE N 27 DEG. 32 MIN. 07 SEC. E A DISTANCE OF 114.45 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE, SEGMENT 2 (BAY COUNTY). SEGMENT 3: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNRI) PERMANENT REFERENCE MONUMENT (PRM) 46-91-DA14 AND RUN THENCE N 68 DEG. 36 MIN. 06 SEC. W A DISTANCE OF 118.52 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 58 DEG. 23 MIN. 48 SEC. W A DISTANCE OF 64.06 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 31 DEG. 36 MIN. 12 SEC. W A DISTANCE OF 94.05 FEET TO A POINT, THENCE S 58 DEG. 04 MIN. 48 SEC. E A DISTANCE OF 1036.71 FEET TO A POINT, THENCE S 57 DEG. 54 MIN. 03 SEC. E A DISTANCE OF 650.15 FEET TO A POINT, THENCE N 32 DEG. 58 MIN. 17 SEC. E A DISTANCE OF 88.70 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND

BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE, SEGMENT 3 (BAY COUNTY). SEGMENT 4: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 46-76-B16 AND RUN THENCE S 55 DEG. 45 MIN. 19 SEC. E A DISTANCE OF 615.75 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 56 DEG. 25 MIN. 35 SEC. E A DISTANCE OF 1042.34 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 36 DEG. 07 MIN. 15 SEC. W A DISTANCE OF 105.07 FEET TO A POINT, THENCE S 57 DEG. 06 MIN. 51 SEC. E A DISTANCE OF 1000.02 FEET TO A POINT, THENCE S 56 DEG. 30 MIN. 43 SEC. E A DISTANCE OF 1000.63 FEET TO A POINT, THENCE N 31 DEG. 51 MIN. 14 SEC. E A DISTANCE OF 67.76 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE, SEGMENT 4 (BAY COUNTY). SEGMENT 5: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 46-76-B23 AND RUN THENCE S 06 DEG. 12 MIN. 52 SEC. W A DISTANCE OF 236.84 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 55 DEG. 07 MIN. 58 SEC. E A DISTANCE OF 771.85 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 34 DEG. 52 MIN. 02 SEC. W A DISTANCE OF 61.33 FEET TO A POINT, THENCE S 55 DEG. 13 MIN. 31 SEC. E A DISTANCE OF 1097.33 FEET TO A POINT, THENCE N 53 DEG. 18 MIN. 32 SEC. E A DISTANCE OF 53.80 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE, SEGMENT 5, (BAY COUNTY). SEGMENT 6: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 46-91-DA12 AND RUN THENCE S 00 DEG. 02 MIN. 01 SEC. W A DISTANCE OF 78.03 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 53 DEG. 54 MIN. 23 SEC. E A DISTANCE OF 858.37 FEET TO A

POINT, THENCE S 53 DEG. 01 MIN. 32 SEC. E A DISTANCE OF 317.30 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 36 DEG. 58 MIN. 28 SEC. W A DISTANCE OF 60.32 FEET TO A POINT, THENCE S 52 DEG. 06 MIN. 52 SEC. E A DISTANCE OF 842.76 FEET TO A POINT, THENCE S 52 DEG. 20 MIN. 04 SEC. E A DISTANCE OF 406.06 FEET TO A POINT, THENCE N 37 DEG. 26 MIN. 22 SEC. E A DISTANCE OF 75.15 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 6 (BAY COUNTY). SEGMENT 7: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 46-91-DA09 AND RUN THENCE S 88 DEG. 42 MIN. 41 SEC. W A DISTANCE OF 1181.49 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 51 DEG. 09 MIN. 08 SEC. W A DISTANCE OF 68.71 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 38 DEG. 50 MIN. 52 SEC. W A DISTANCE OF 114.18 FEET TO A POINT, THENCE S 51 DEG. 43 MIN. 32 SEC. E A DISTANCE OF 84.36 FEET TO A POINT, THENCE S 48 DEG. 59 MIN. 08 SEC. E A DISTANCE OF 918.97 FEET TO A POINT, THENCE N 40 DEG. 02 MIN. 12 SEC. E A DISTANCE OF 128.67 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE, SEGMENT 7 (BAY COUNTY). SEGMENT 8: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 46-91-DA07 AND RUN THENCE S 87 DEG. 30 MIN. 41 SEC. W A DISTANCE OF 949.57 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 49 DEG. 06 MIN. 57 SEC. E A DISTANCE OF 283.80 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 40 DEG. 53 MIN. 03 SEC. W A DISTANCE OF 61.10 FEET TO A POINT, THENCE S 47 DEG. 46 MIN. 24 SEC. E A DISTANCE OF 530.34 FEET TO A POINT THENCE S 46 DEG. 59 MIN. 54 SEC. E A DISTANCE OF

1066.87 FEET TO A POINT, THENCE S 47 DEG. 02 MIN. 07 SEC. E A DISTANCE OF 863.22 FEET TO A POINT, THENCE S 46 DEG. 14 MIN. 07 SEC. E A DISTANCE OF 1860.34 FEET TO A POINT, THENCE N 43 DEG. 31 MIN. 52 SEC. E A DISTANCE OF 68.87 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE, SEGMENT 8 (BAY COUNTY). SEGMENT 9: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 46-76-A09 AND RUN THENCE N 32 DEG. 41 MIN. 52 SEC. W A DISTANCE OF 494.98 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 73 DEG. 50 MIN. 54 SEC. E A DISTANCE OF 828.60 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 16 DEG. 09 MIN. 06 SEC. W A DISTANCE OF 129.75 FEET TO A POINT, THENCE S 76 DEG. 55 MIN. 51 SEC. E A DISTANCE OF 694.76 FEET TO A POINT, THENCE S 70 DEG. 27 MIN. 41 SEC. E A DISTANCE OF 1007.84 FEET TO A POINT, THENCE S 63 DEG. 38 MIN. 27 SEC. E A DISTANCE OF 1060.55 FEET TO A POINT, THENCE S 63 DEG. 38 MIN. 27 SEC. E A DISTANCE OF 261.00 FEET TO A POINT, THENCE S 59 DEG. 13 MIN. 25 SEC. E A DISTANCE OF 769.54 FEET TO A POINT, THENCE S 56 DEG. 37 MIN. 10 SEC. E A DISTANCE OF 1016.66 FEET TO A POINT, THENCE S 56 DEG. 51 MIN. 40 SEC. E A DISTANCE OF 1027.45 FEET TO A POINT, THENCE S 55 DEG. 35 MIN. 00 SEC. E A DISTANCE OF 51.83 FEET TO A POINT, THENCE N 34 DEG. 19 MIN. 25 SEC. E A DISTANCE OF 24.70 FEET TO A POINT, THENCE S 55 DEG. 32 MIN. 13 SEC. E A DISTANCE OF 955.81 FEET TO A POINT, THENCE S 36 DEG. 08 MIN. 38 SEC. W A DISTANCE OF 25.01 FEET TO A POINT, THENCE S 52 DEG. 10 MIN. 02 SEC. E A DISTANCE OF 1187.53 FEET TO A POINT, THENCE S 52 DEG. 20 MIN. 24 SEC. E A DISTANCE OF 949.44 FEET TO A POINT, THENCE S 50 DEG. 09 MIN. 07 SEC. E A DISTANCE OF 1034.47 FEET TO A POINT, THENCE S 48 DEG. 20 MIN. 33 SEC. E A DISTANCE OF 995.57 FEET TO A POINT, THENCE S 46 DEG. 51 MIN. 16 SEC. E A DISTANCE OF 992.54 FEET TO A POINT, THENCE S 46 DEG. 02 MIN. 31 SEC. E A DISTANCE OF 1010.53 FEET TO A POINT, THENCE S 45 DEG. 45 MIN. 57 SEC. E A DISTANCE OF 998.22 FEET TO A POINT, THENCE S 44 DEG. 20 MIN. 13 SEC. E A DISTANCE OF 1005.10 FEET TO A POINT, THENCE S 43 DEG. 09 MIN. 24 SEC. E A DISTANCE OF 935.59 FEET TO A POINT, THENCE S 42 DEG. 52 MIN. 00 SEC. E A DISTANCE OF

492.61 FEET TO A POINT, THENCE S 42 DEG. 52 MIN. 00 SEC. E TO THE INTERSECTION OF THE BAY-GULF COUNTY LINE, THENCE RUN NORTHERLY ALONG THE BAY-GULF COUNTY LINE TO A POINT LOCATED ON THE COASTAL CONSTRUCTION CONTROL LINE, SAID POINT BEING THE TERMINUS POINT OF THE HEREIN DESCRIBED GENERAL PERMIT LINE, SEGMENT 9 (BAY COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History—New _____.

62B-34.210 Escambia County.

The legal description for the Escambia County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded June 19, 1986 in "Plat book 13, Page 23, sheets A through O, inclusive", of the public records of Escambia County, Florida, said General Permit Line being more particularly described as follows:

COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 48-84-B17 AND RUN THENCE S 18 DEG. 12 MIN. 25 SEC. W A DISTANCE OF 605.80 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 79 DEG. 06 MIN. 05 SEC. E A DISTANCE OF 615.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 09 DEG. 44 MIN. 27 SEC. E A DISTANCE OF 101.78 FEET TO A POINT, THENCE N 79 DEG. 40 MIN. 33 SEC. E A DISTANCE OF 1977.20 FEET TO A POINT, THENCE S 10 DEG. 11 MIN. 35 SEC. E A DISTANCE OF 25.00 FEET TO A POINT, THENCE N 79 DEG. 23 MIN. 06 SEC. E A DISTANCE OF 1069.52 FEET TO A POINT, THENCE N 82 DEG. 23 MIN. 25 SEC. E A DISTANCE OF 853.09 FEET TO A POINT, THENCE N 80 DEG. 05 MIN. 29 SEC. E A DISTANCE OF 950.36 FEET TO A POINT, THENCE N 79 DEG. 25 MIN. 53 SEC. E A DISTANCE OF 1984.01 FEET TO A POINT, THENCE N 76 DEG. 37 MIN. 33 SEC. E A DISTANCE OF 944.05 FEET TO A POINT, THENCE N 79 DEG. 12 MIN. 36 SEC. E A DISTANCE OF 1013.13 FEET TO A POINT, THENCE N 79 DEG. 08 MIN. 06 SEC. E A DISTANCE OF 1693.07 FEET TO A POINT, THENCE N 08 DEG. 49 MIN. 00 SEC. W A DISTANCE OF 25.02 FEET TO A POINT, THENCE N 79 DEG. 01 MIN. 38 SEC. E A DISTANCE OF 200.66 FEET TO A POINT, THENCE N 79 DEG. 04 MIN. 30 SEC. E A DISTANCE OF 1122.57 FEET TO A POINT, THENCE N 78 DEG. 05 MIN. 53 SEC. E A DISTANCE OF 755.95 FEET TO A POINT, THENCE S 14

DEG. 16 MIN. 06 SEC. E A DISTANCE OF 25.02 FEET TO A POINT, THENCE N 78 DEG. 05 MIN. 53 SEC. E A DISTANCE OF 175.73 FEET TO A POINT, THENCE N 78 DEG. 11 MIN. 47 SEC. E A DISTANCE OF 1018.19 FEET TO A POINT, THENCE N 78 DEG. 00 MIN. 31 SEC. E A DISTANCE OF 925.54 FEET TO A POINT, THENCE N 08 DEG. 40 MIN. 43 SEC. W A DISTANCE OF 143.47 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE.

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History--New _____.

62B-34.220 Franklin County.

The legal description for the Franklin County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded April 30, 1984 in the "CCCL Book", Pages 1 through 10, of the public records of Franklin County, Florida, said General Permit Line being more particularly described as follows:

COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 49-80-B12 AND RUN THENCE S 60 DEG. 51 MIN. 46 SEC. E A DISTANCE OF 369.12 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 64 DEG. 42 MIN. 53 SEC. E A DISTANCE OF 968.27 FEET TO A POINT, THENCE N 65 DEG. 22 MIN. 40 SEC. E A DISTANCE OF 1130.82 FEET TO A POINT, THENCE N 67 DEG. 33 MIN. 16 SEC. E A DISTANCE OF 530.25 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 22 DEG. 26 MIN. 46 SEC. E A DISTANCE OF 139.40 FEET TO A POINT, THENCE N 67 DEG. 19 MIN. 01 SEC. E A DISTANCE OF 585.74 FEET TO A POINT, THENCE N 67 DEG. 45 MIN. 25 SEC. E A DISTANCE OF 991.53 FEET TO A POINT, THENCE N 68 DEG. 31 MIN. 40 SEC. E A DISTANCE OF 1042.20 FEET TO A POINT, THENCE N 70 DEG. 38 MIN. 56 SEC. E A DISTANCE OF 1065.53 FEET TO A POINT, THENCE N 70 DEG. 07 MIN. 00 SEC. E A DISTANCE OF 1021.05 FEET TO A POINT, THENCE N 72 DEG. 04 MIN. 17 SEC. E A DISTANCE OF 1017.10 FEET TO A POINT, THENCE N 72 DEG. 38 MIN. 48 SEC. E A DISTANCE OF 1040.36 FEET TO A POINT, THENCE N 70 DEG. 42 MIN. 49 SEC. E A DISTANCE OF 980.46 FEET TO A POINT, THENCE N 72 DEG. 27 MIN. 48 SEC. E A DISTANCE OF 715.05 FEET TO A POINT, THENCE N 17 DEG. 36 MIN. 40 SEC. W A DISTANCE OF 126.20 FEET TO A POINT, SAID POINT BEING LOCATED ON THE

AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE.

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History--New _____.

62B-34.230 Gulf County.

The legal description for the Gulf County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded February 5, 1986 in the "Misc. Plat Book 1, Pp 12, Pages 1 through 13", of the public records of Gulf County, Florida, said General Permit Line being more particularly described as follows:

NORTH SEGMENT: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 46-76-A03 AND RUN THENCE N 46 DEG. 32 MIN. 52 SEC. E A DISTANCE OF 139.81 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 42 DEG. 20 MIN. 13 SEC. W TO THE GULF-BAY COUNTY LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE SOUTHERLY ALONG THE GULF-BAY COUNTY LINE TO A POINT, THENCE S 42 DEG. 38 MIN. 14 SEC. E TO A POINT, SAID POINT BEING S 42 DEG. 54 MIN. 32 SEC. E A DISTANCE OF 995.98 FEET FROM P.R.M. 46-76-A03, THENCE S 43 DEG. 03 MIN. 17 SEC. E A DISTANCE OF 1021.95 FEET TO A POINT, THENCE S 41 DEG. 33 MIN. 12 SEC. E A DISTANCE OF 1018.28 FEET TO A POINT, THENCE S 39 DEG. 58 MIN. 58 SEC. E A DISTANCE OF 1022.51 FEET TO A POINT, THENCE S 40 DEG. 11 MIN. 01 SEC. E A DISTANCE OF 1005.36 FEET TO A POINT, THENCE S 40 DEG. 09 MIN. 04 SEC. E A DISTANCE OF 986.56 FEET TO A POINT, THENCE S 39 DEG. 15 MIN. 27 SEC. E A DISTANCE OF 1020.99 FEET TO A POINT, THENCE S 39 DEG. 33 MIN. 44 SEC. E A DISTANCE OF 1016.62 FEET TO A POINT, THENCE S 39 DEG. 17 MIN. 50 SEC. E A DISTANCE OF 997.29 FEET TO A POINT, THENCE S 38 DEG. 26 MIN. 59 SEC. E A DISTANCE OF 1003.32 FEET TO A POINT, THENCE S 36 DEG. 26 MIN. 40 SEC. E A DISTANCE OF 977.19 FEET TO A POINT, THENCE S 35 DEG. 46 MIN. 08 SEC. E A DISTANCE OF 1000.45 FEET TO A POINT, THENCE S 36 DEG. 50 MIN. 13 SEC. E A DISTANCE OF 1004.02 FEET TO A POINT, THENCE S 32 DEG. 06 MIN. 44 SEC. E A DISTANCE OF 996.49 FEET TO A POINT, THENCE S 31 DEG. 11 MIN. 16 SEC. E A DISTANCE OF 911.37 FEET TO A POINT, THENCE N 58 DEG. 54 MIN. 17 SEC. E A DISTANCE OF 150.50 FEET TO A POINT, SAID POINT BEING LOCATED ON THE

AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE, NORTH SEGMENT (GULF COUNTY). SOUTH SEGMENT: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 51-83-B33 AND RUN THENCE S 10 DEG. 31 MIN. 17 SEC. E A DISTANCE OF 770.35 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 59 DEG. 08 MIN. 27 SEC. E A DISTANCE OF 1048.58 FEET TO A POINT, THENCE N 67 DEG. 01 MIN. 56 SEC. E A DISTANCE OF 998.66 FEET TO A POINT, THENCE N 66 DEG. 51 MIN. 52 SEC. E A DISTANCE OF 1037.78 FEET TO A POINT, THENCE N 71 DEG. 48 MIN. 29 SEC. E A DISTANCE OF 391.80 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 18 DEG. 11 MIN. 31 SEC. E A DISTANCE OF 73.43 FEET TO A POINT, THENCE N 71 DEG. 21 MIN. 19 SEC. E A DISTANCE OF 736.39 FEET TO A POINT, THENCE N 72 DEG. 33 MIN. 59 SEC. E A DISTANCE OF 939.41 FEET TO A POINT, THENCE N 76 DEG. 13 MIN. 16 SEC. E A DISTANCE OF 1001.91 FEET TO A POINT, THENCE N 77 DEG. 04 MIN. 17 SEC. E A DISTANCE OF 1072.96 FEET TO A POINT, THENCE N 78 DEG. 39 MIN. 10 SEC. E A DISTANCE OF 1069.79 FEET TO A POINT, THENCE N 80 DEG. 08 MIN. 04 SEC. E A DISTANCE OF 1009.83 FEET TO A POINT, THENCE N 82 DEG. 54 MIN. 01 SEC. E A DISTANCE OF 131.45 FEET TO A POINT, THENCE N 08 DEG. 10 MIN. 02 SEC. W A DISTANCE OF 102.82 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE, SOUTH SEGMENT (GULF COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History—New _____.

62B-34.240 Brevard County.

The legal description for the Brevard County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded December 4, 1986 in "Survey Book 2A, Pages 29 through 42". Of the public records of Brevard County, Florida, said General Permit Line being more particularly described as follows: SEGMENT 1: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM)

70-80-A03 AND RUN THENCE S 45 DEG. 21 MIN. 31 SEC. W A DISTANCE OF 417.78 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 13 DEG. 23 MIN. 54 SEC. W A DISTANCE OF 387.82 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 76 DEG. 36 MIN. 06 SEC. E A DISTANCE OF 109.79 FEET TO A POINT, THENCE S 13 DEG. 27 MIN. 05 SEC. W A DISTANCE OF 487.57 FEET TO A POINT, THENCE S 13 DEG. 02 MIN. 37 SEC. W A DISTANCE OF 959.33 FEET TO A POINT, THENCE S 14 DEG. 18 MIN. 03 SEC. W A DISTANCE OF 939.49 FEET TO A POINT, THENCE S 13 DEG. 35 MIN. 24 SEC. W A DISTANCE OF 993.71 FEET TO A POINT, THENCE S 12 DEG. 29 MIN. 25 SEC. W A DISTANCE OF 966.67 FEET TO A POINT, THENCE S 12 DEG. 10 MIN. 05 SEC. W A DISTANCE OF 982.29 FEET TO A POINT, THENCE S 11 DEG. 27 MIN. 15 SEC. W A DISTANCE OF 934.49 FEET TO A POINT, THENCE S 10 DEG. 22 MIN. 30 SEC. W A DISTANCE OF 996.11 FEET TO A POINT, THENCE S 10 DEG. 28 MIN. 05 SEC. W A DISTANCE OF 1016.11 FEET TO A POINT, THENCE S 11 DEG. 14 MIN. 16 SEC. W A DISTANCE OF 957.15 FEET TO A POINT, THENCE S 09 DEG. 14 MIN. 47 SEC. W A DISTANCE OF 822.08 FEET TO A POINT, THENCE S 09 DEG. 09 MIN. 44 SEC. W A DISTANCE OF 989.25 FEET TO A POINT, THENCE S 08 DEG. 38 MIN. 28 SEC. W A DISTANCE OF 975.21 FEET TO A POINT, THENCE S 08 DEG. 29 MIN. 33 SEC. W A DISTANCE OF 1040.29 FEET TO A POINT, THENCE S 04 DEG. 39 MIN. 43 SEC. W A DISTANCE OF 885.87 FEET TO A POINT, THENCE S 06 DEG. 43 MIN. 56 SEC. W A DISTANCE OF 859.33 FEET TO A POINT, THENCE S 88 DEG. 00 MIN. 13 SEC. W A DISTANCE OF 103.03 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 1, (BREVARD COUNTY). SEGMENT 2: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 70-80-A11 AND RUN THENCE S 83 DEG. 02 MIN. 01 SEC. E A DISTANCE OF 896.25 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 06 DEG. 40 MIN. 02 SEC. W A DISTANCE OF 772.90 FEET TO A POINT, THENCE S 03 DEG. 51 MIN. 42 SEC. W A DISTANCE OF 958.36 FEET TO A POINT, THENCE S 04 DEG. 33 MIN. 18 SEC. W A DISTANCE OF 969.56 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL

CONSTRUCTION CONTROL LINE RUN: THENCE N 87 DEG. 53 MIN. 19 SEC. E A DISTANCE OF 102.13 FEET TO A POINT, THENCE S 04 DEG. 14 MIN. 39 SEC. W A DISTANCE OF 1019.51 FEET TO A POINT, THENCE S 02 DEG. 34 MIN. 51 SEC. W A DISTANCE OF 973.06 FEET TO A POINT, THENCE S 01 DEG. 26 MIN. 40 SEC. W A DISTANCE OF 991.81 FEET TO A POINT, THENCE S 02 DEG. 37 MIN. 31 SEC. W A DISTANCE OF 971.62 FEET TO A POINT, THENCE S 00 DEG. 57 MIN. 37 SEC. W A DISTANCE OF 805.57 FEET TO A POINT, THENCE S 02 DEG. 46 MIN. 56 SEC. W A DISTANCE OF 930.29 FEET TO A POINT, THENCE S 01 DEG. 08 MIN. 08 SEC. W A DISTANCE OF 905.31 FEET TO A POINT, THENCE S 00 DEG. 17 MIN. 50 SEC. E A DISTANCE OF 877.53 FEET TO A POINT, THENCE S 00 DEG. 07 MIN. 52 SEC. W A DISTANCE OF 1075.89 FEET TO A POINT, THENCE S 02 DEG. 03 MIN. 20 SEC. E A DISTANCE OF 1007.95 FEET TO A POINT, THENCE S 01 DEG. 21 MIN. 38 SEC. E A DISTANCE OF 941.70 FEET TO A POINT, THENCE S 01 DEG. 37 MIN. 42 SEC. E A DISTANCE OF 954.02 FEET TO A POINT, THENCE S 02 DEG. 51 MIN. 53 SEC. E A DISTANCE OF 998.51 FEET TO A POINT, THENCE S 01 DEG. 54 MIN. 19 SEC. E A DISTANCE OF 962.35 FEET TO A POINT, THENCE S 01 DEG. 02 MIN. 45 SEC. E A DISTANCE OF 987.45 FEET TO A POINT, THENCE S 02 DEG. 30 MIN. 44 SEC. E A DISTANCE OF 991.91 FEET TO A POINT, THENCE S 02 DEG. 01 MIN. 51 SEC. E A DISTANCE OF 960.29 FEET TO A POINT, THENCE S 06 DEG. 17 MIN. 00 SEC. E A DISTANCE OF 1000.77 FEET TO A POINT, THENCE S 03 DEG. 13 MIN. 38 SEC. E A DISTANCE OF 940.96 FEET TO A POINT, THENCE S 03 DEG. 53 MIN. 15 SEC. E A DISTANCE OF 1028.50 FEET TO A POINT, THENCE S 04 DEG. 00 MIN. 36 SEC. E A DISTANCE OF 954.23 FEET TO A POINT, THENCE S 05 DEG. 14 MIN. 43 SEC. E A DISTANCE OF 912.64 FEET TO A POINT, THENCE S 03 DEG. 09 MIN. 48 SEC. E A DISTANCE OF 945.63 FEET TO A POINT, THENCE S 03 DEG. 56 MIN. 01 SEC. E A DISTANCE OF 720.06 FEET TO A POINT, THENCE S 86 DEG. 12 MIN. 00 SEC. W A DISTANCE OF 116.31 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 2, (BREVARD COUNTY). SEGMENT 3: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 70-80-A25 AND RUN THENCE N 7 DEG. 29 MIN. 47 SEC. W A DISTANCE OF 315.43 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 06 DEG. 55 MIN. 12 SEC. E A DISTANCE OF 369.26 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING

OF THE HEREIN DESCRIBED GENERAL PERMIT LINE: THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 89 DEG. 49 MIN. 38 SEC. E A DISTANCE OF 231.16 FEET TO A POINT, THENCE S 06 DEG. 51 MIN. 31 SEC. E A DISTANCE OF 635.87 FEET TO A POINT, THENCE S 06 DEG. 53 MIN. 49 SEC. E A DISTANCE OF 847.78 FEET TO A POINT, THENCE S 08 DEG. 04 MIN. 36 SEC. E A DISTANCE OF 1007.33 FEET TO A POINT, THENCE S 07 DEG. 06 MIN. 16 SEC. E A DISTANCE OF 994.76 FEET TO A POINT, THENCE S 08 DEG. 21 MIN. 20 SEC. E A DISTANCE OF 1021.59 FEET TO A POINT, THENCE S 09 DEG. 41 MIN. 11 SEC. E A DISTANCE OF 877.69 FEET TO A POINT, THENCE N 88 DEG. 44 MIN. 33 SEC. W A DISTANCE OF 169.16 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 3, (BREVARD COUNTY). SEGMENT 4: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) JLR 532 1965 AND RUN THENCE S 11 DEG. 46 MIN. 12 SEC. E A DISTANCE OF 147.49 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 11 DEG. 40 MIN. 10 SEC. E A DISTANCE OF 994.27 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 81 DEG. 10 MIN. 36 SEC. E A DISTANCE OF 177.55 FEET TO A POINT, THENCE S 11 DEG. 56 MIN. 40 SEC. E A DISTANCE OF 734.60 FEET TO A POINT, THENCE S 12 DEG. 29 MIN. 40 SEC. E A DISTANCE OF 991.72 FEET TO A POINT, THENCE S 13 DEG. 29 MIN. 36 SEC. E A DISTANCE OF 872.88 FEET TO A POINT, THENCE S 12 DEG. 28 MIN. 50 SEC. E A DISTANCE OF 1134.17 FEET TO A POINT, THENCE S 12 DEG. 54 MIN. 39 SEC. E A DISTANCE OF 886.13 FEET TO A POINT, THENCE S 10 DEG. 49 MIN. 39 SEC. E A DISTANCE OF 623.18 FEET TO A POINT, THENCE S 11 DEG. 56 MIN. 22 SEC. E A DISTANCE OF 893.94 FEET TO A POINT, THENCE S 13 DEG. 44 MIN. 06 SEC. E A DISTANCE OF 893.98 FEET TO A POINT, THENCE S 13 DEG. 32 MIN. 12 SEC. E A DISTANCE OF 997.00 FEET TO A POINT, THENCE S 12 DEG. 44 MIN. 09 SEC. E A DISTANCE OF 997.21 FEET TO A POINT, THENCE S 15 DEG. 14 MIN. 04 SEC. E A DISTANCE OF 772.10 FEET TO A POINT, THENCE S 12 DEG. 21 MIN. 24 SEC. E A DISTANCE OF 940.77 FEET TO A POINT, THENCE S 13 DEG. 18 MIN. 47 SEC. E A DISTANCE OF 931.99 FEET TO A POINT, THENCE S 12 DEG. 45 MIN. 23 SEC. E A DISTANCE OF 1002.85 FEET TO A POINT, THENCE S 11

DEG. 57 MIN. 54 SEC. E A DISTANCE OF 960.21 FEET TO A POINT, THENCE S 12 DEG. 40 MIN. 04 SEC. E A DISTANCE OF 994.45 FEET TO A POINT, THENCE S 12 DEG. 59 MIN. 52 SEC. E A DISTANCE OF 997.53 FEET TO A POINT, THENCE S 12 DEG. 47 MIN. 56 SEC. E A DISTANCE OF 977.41 FEET TO A POINT, THENCE S 14 DEG. 09 MIN. 22 SEC. E A DISTANCE OF 998.28 FEET TO A POINT, THENCE S 13 DEG. 45 MIN. 37 SEC. E A DISTANCE OF 902.76 FEET TO A POINT, THENCE S 13 DEG. 10 MIN. 13 SEC. E A DISTANCE OF 672.64 FEET TO A POINT, THENCE S 13 DEG. 16 MIN. 32 SEC. E A DISTANCE OF 1297.01 FEET TO A POINT, THENCE S 13 DEG. 24 MIN. 57 SEC. E A DISTANCE OF 955.41 FEET TO A POINT, THENCE S 13 DEG. 30 MIN. 32 SEC. E A DISTANCE OF 917.03 FEET TO A POINT, THENCE S 14 DEG. 20 MIN. 06 SEC. E A DISTANCE OF 2082.05 FEET TO A POINT, THENCE S 14 DEG. 33 MIN. 34 SEC. E A DISTANCE OF 836.12 FEET TO A POINT, THENCE S 13 DEG. 13 MIN. 37 SEC. E A DISTANCE OF 1017.14 FEET TO A POINT, THENCE S 15 DEG. 43 MIN. 05 SEC. E A DISTANCE OF 894.60 FEET TO A POINT, THENCE S 15 DEG. 38 MIN. 40 SEC. E A DISTANCE OF 897.43 FEET TO A POINT, THENCE S 15 DEG. 09 MIN. 50 SEC. E A DISTANCE OF 1146.42 FEET TO A POINT, THENCE S 15 DEG. 17 MIN. 23 SEC. E A DISTANCE OF 753.36 FEET TO A POINT, THENCE S 16 DEG. 02 MIN. 49 SEC. E A DISTANCE OF 939.80 FEET TO A POINT, THENCE S 16 DEG. 13 MIN. 34 SEC. E A DISTANCE OF 970.24 FEET TO A POINT, THENCE S 16 DEG. 04 MIN. 07 SEC. E A DISTANCE OF 964.56 FEET TO A POINT, THENCE S 16 DEG. 38 MIN. 52 SEC. E A DISTANCE OF 910.01 FEET TO A POINT, THENCE S 17 DEG. 15 MIN. 38 SEC. E A DISTANCE OF 1055.90 FEET TO A POINT, THENCE S 17 DEG. 08 MIN. 21 SEC. E A DISTANCE OF 834.76 FEET TO A POINT, THENCE S 16 DEG. 09 MIN. 04 SEC. E A DISTANCE OF 945.26 FEET TO A POINT, THENCE S 16 DEG. 45 MIN. 15 SEC. E A DISTANCE OF 1020.29 FEET TO A POINT, THENCE S 17 DEG. 36 MIN. 43 SEC. E A DISTANCE OF 996.32 FEET TO A POINT, THENCE S 18 DEG. 18 MIN. 38 SEC. E A DISTANCE OF 994.26 FEET TO A POINT, THENCE S 18 DEG. 39 MIN. 27 SEC. E A DISTANCE OF 841.17 FEET TO A POINT, THENCE S 19 DEG. 33 MIN. 53 SEC. E A DISTANCE OF 843.76 FEET TO A POINT, THENCE S 19 DEG. 33 MIN. 15 SEC. E A DISTANCE OF 1067.27 FEET TO A POINT, THENCE S 19 DEG. 26 MIN. 58 SEC. E A DISTANCE OF 984.44 FEET TO A POINT, THENCE S 20 DEG. 08 MIN. 16 SEC. E A DISTANCE OF 895.95 FEET TO A POINT, THENCE S 20 DEG. 13 MIN. 41 SEC. E A DISTANCE OF 780.98 FEET TO A POINT, THENCE S 21 DEG. 55 MIN. 34 SEC. E A DISTANCE OF 1096.69 FEET TO A POINT, THENCE S 21 DEG. 09 MIN. 03 SEC. E A DISTANCE OF 1031.42 FEET TO A POINT, THENCE S 21 DEG. 26 MIN. 16 SEC. E A DISTANCE OF 968.97 FEET TO A POINT, THENCE S 21

DEG. 45 MIN. 15 SEC. E A DISTANCE OF 1009.44 FEET TO A POINT, THENCE S 22 DEG. 09 MIN. 00 SEC. E A DISTANCE OF 734.96 FEET TO A POINT, THENCE S 22 DEG. 23 MIN. 01 SEC. E A DISTANCE OF 1175.38 FEET TO A POINT, THENCE S 22 DEG. 23 MIN. 17 SEC. E A DISTANCE OF 1117.72 FEET TO A POINT, THENCE S 21 DEG. 23 MIN. 29 SEC. E A DISTANCE OF 756.24 FEET TO A POINT, THENCE S 22 DEG. 13 MIN. 08 SEC. E A DISTANCE OF 1021.45 FEET TO A POINT, THENCE S 21 DEG. 05 MIN. 15 SEC. E A DISTANCE OF 777.41 FEET TO A POINT, THENCE S 22 DEG. 17 MIN. 09 SEC. E A DISTANCE OF 987.92 FEET TO A POINT, THENCE S 23 DEG. 20 MIN. 12 SEC. E A DISTANCE OF 947.71 FEET TO A POINT, THENCE S 23 DEG. 08 MIN. 38 SEC. E A DISTANCE OF 875.26 FEET TO A POINT, THENCE S 22 DEG. 43 MIN. 21 SEC. E A DISTANCE OF 992.73 FEET TO A POINT, THENCE S 25 DEG. 32 MIN. 02 SEC. E A DISTANCE OF 985.76 FEET TO A POINT, THENCE S 23 DEG. 28 MIN. 01 SEC. E A DISTANCE OF 1127.34 FEET TO A POINT, THENCE S 67 DEG. 35 MIN. 10 SEC. W A DISTANCE OF 163.53 FEET TO A POINT, CCCL SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 4, (BREVARD COUNTY). SEGMENT 5: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 70 80 A51 AND RUN THENCE S 24 DEG. 18 MIN. 54 SEC. E A DISTANCE OF 198.46 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 24 DEG. 04 MIN. 50 SEC. E A DISTANCE OF 1222.67 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 67 DEG. 34 MIN. 58 SEC. E A DISTANCE OF 144.60 FEET TO A POINT, THENCE S 23 DEG. 40 MIN. 52 SEC. E A DISTANCE OF 956.48 FEET TO A POINT, THENCE S 24 DEG. 06 MIN. 12 SEC. E A DISTANCE OF 1150.53 FEET TO A POINT, THENCE S 24 DEG. 45 MIN. 16 SEC. E A DISTANCE OF 825.97 FEET TO A POINT, THENCE S 24 DEG. 38 MIN. 04 SEC. E A DISTANCE OF 1021.71 FEET TO A POINT, THENCE S 23 DEG. 46 MIN. 56 SEC. E A DISTANCE OF 941.31 FEET TO A POINT, THENCE S 24 DEG. 49 MIN. 21 SEC. E A DISTANCE OF 1006.33 FEET TO A POINT, THENCE S 25 DEG. 34 MIN. 05 SEC. E A DISTANCE OF 1025.52 FEET TO A POINT, THENCE S 25 DEG. 37 MIN. 51 SEC. E A DISTANCE OF 924.78 FEET TO A POINT, THENCE S 25 DEG. 50 MIN. 35 SEC. E A DISTANCE OF 918.63 FEET TO A POINT, THENCE S 27 DEG. 20 MIN. 29 SEC. E A DISTANCE OF 1050.72 FEET TO A POINT,

THENCE S 27 DEG. 34 MIN. 00 SEC. E A DISTANCE OF 989.36 FEET TO A POINT, THENCE S 27 DEG. 32 MIN. 31 SEC. E A DISTANCE OF 205.85 FEET TO A POINT, THENCE S 61 DEG. 56 MIN. 17 SEC. W A DISTANCE OF 153.27 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 5. (BREVARD COUNTY) SEGMENT 6: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 70-80-A57 AND RUN THENCE S 44 DEG. 16 MIN. 12 SEC. E A DISTANCE OF 460.11 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 26 DEG. 41 MIN. 30 SEC. W A DISTANCE OF 1060.95 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 70 DEG. 40 MIN. 25 SEC. E A DISTANCE OF 154.10 FEET TO A POINT, THENCE S 26 DEG. 30 MIN. 35 SEC. E A DISTANCE OF 1037.46 FEET TO A POINT, THENCE S 25 DEG. 37 MIN. 15 SEC. E A DISTANCE OF 926.75 FEET TO A POINT, THENCE S 25 DEG. 53 MIN. 18 SEC. E A DISTANCE OF 922.93 FEET TO A POINT, THENCE S 25 DEG. 38 MIN. 53 SEC. E A DISTANCE OF 1061.18 FEET TO A POINT, THENCE S 26 DEG. 16 MIN. 7 SEC. E A DISTANCE OF 995.69 FEET TO A POINT, THENCE S 26 DEG. 18 MIN. 29 SEC. E A DISTANCE OF 1019.75 FEET TO A POINT, THENCE S 27 DEG. 39 MIN. 0 SEC. E A DISTANCE OF 704.20 FEET TO A POINT, THENCE S 26 DEG. 45 MIN. 41 SEC. E A DISTANCE OF 940.50 FEET TO A POINT, THENCE S 26 DEG. 42 MIN. 13 SEC. E A DISTANCE OF 982.49 FEET TO A POINT, THENCE S 27 DEG. 22 MIN. 50 SEC. E A DISTANCE OF 1026.15 FEET TO A POINT, THENCE S 25 DEG. 59 MIN. 8 SEC. E A DISTANCE OF 944.95 FEET TO A POINT, THENCE S 27 DEG. 34 MIN. 14 SEC. E A DISTANCE OF 995.75 FEET TO A POINT, THENCE S 27 DEG. 36 MIN. 38 SEC. E A DISTANCE OF 1039.09 FEET TO A POINT, THENCE S 27 DEG. 17 MIN. 58 SEC. E A DISTANCE OF 982.87 FEET TO A POINT, THENCE S 27 DEG. 28 MIN. 37 SEC. E A DISTANCE OF 979.11 FEET TO A POINT, THENCE S 27 DEG. 7 MIN. 1 SEC. E A DISTANCE OF 1014.91 FEET TO A POINT, THENCE S 27 DEG. 39 MIN. 37 SEC. E A DISTANCE OF 1016.40 FEET TO A POINT, THENCE S 28 DEG. 4 MIN. 55 SEC. E A DISTANCE OF 1062.69 FEET TO A POINT, THENCE S 27 DEG. 17 MIN. 11 SEC. E A DISTANCE OF 863.69 FEET TO A POINT, THENCE S 28 DEG. 21 MIN. 20 SEC. E A DISTANCE OF 1100.18 FEET TO A POINT, THENCE S 28 DEG. 30 MIN. 50 SEC. E A DISTANCE OF 604.49 FEET TO

A POINT, THENCE S 61 DEG. 43 MIN. 21 SEC. W A DISTANCE OF 176.33 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 6. (BREVARD COUNTY). SEGMENT 7: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 70-80-A63 AND RUN THENCE S 50 DEG. 16 MIN. 08 SEC. E A DISTANCE OF 377.45 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 28 DEG. 05 MIN. 09 SEC. W A DISTANCE OF 701.63 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 61 DEG. 54 MIN. 51 SEC. E A DISTANCE OF 142.58 FEET TO A POINT, THENCE S 27 DEG. 33 MIN. 51 SEC. E A DISTANCE OF 677.26 FEET TO A POINT, THENCE S 27 DEG. 20 MIN. 59 SEC. E A DISTANCE OF 1021.50 FEET TO A POINT, THENCE S 27 DEG. 37 MIN. 10 SEC. E A DISTANCE OF 984.19 FEET TO A POINT, THENCE S 26 DEG. 26 MIN. 50 SEC. E A DISTANCE OF 1009.82 FEET TO A POINT, THENCE S 26 DEG. 50 MIN. 27 SEC. E A DISTANCE OF 936.55 FEET TO A POINT, THENCE S 26 DEG. 53 MIN. 48 SEC. E A DISTANCE OF 1123.70 FEET TO A POINT, THENCE S 25 DEG. 19 MIN. 44 SEC. E A DISTANCE OF 1033.42 FEET TO A POINT, THENCE S 27 DEG. 10 MIN. 35 SEC. E A DISTANCE OF 614.61 FEET TO A POINT, THENCE S 26 DEG. 21 MIN. 43 SEC. E A DISTANCE OF 604.47 FEET TO A POINT, THENCE S 68 DEG. 27 MIN. 29 SEC. W A DISTANCE OF 145.33 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 7. (BREVARD COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History—New _____.

62B-34.250 Indian River County.

The legal description for the Indian River County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded March 5, 1987 in "Plat Book 12, pages 32 through 32H" of the public records of Indian River County, Florida, said General Permit Line being more particularly described as follows:

SEGMENT 1: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 88-78-A06 AND RUN THENCE S 76 DEG. 45 MIN. 35 SEC. E A DISTANCE OF 174.25 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 26 DEG. 04 MIN. 41 SEC. E A DISTANCE OF 312.85 FEET TO A POINT SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 63 DEG. 55 MIN. 19 SEC. E A DISTANCE OF 54.05 FEET TO A POINT, THENCE S 25 DEG. 33 MIN. 52 SEC. E A DISTANCE OF 501.02 FEET TO A POINT, THENCE S 24 DEG. 53 MIN. 45 SEC. E A DISTANCE OF 998.91 FEET TO A POINT, THENCE S 25 DEG. 15 MIN. 38 SEC. E A DISTANCE OF 987.87 FEET TO A POINT, THENCE S 24 DEG. 05 MIN. 55 SEC. E A DISTANCE OF 973.78 FEET TO A POINT, THENCE S 23 DEG. 38 MIN. 48 SEC. E A DISTANCE OF 1012.33 FEET TO A POINT, THENCE S 24 DEG. 38 MIN. 11 SEC. E A DISTANCE OF 915.92 FEET TO A POINT, THENCE S 44 DEG. 18 MIN. 56 SEC. W A DISTANCE OF 86.84 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 1, (INDIAN RIVER COUNTY). SEGMENT 2: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 88-78-A15 AND RUN THENCE N 76 DEG. 54 MIN. 42 SEC. E A DISTANCE OF 265.38 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 20 DEG. 16 MIN. 31 SEC. E A DISTANCE OF 1033.97 FEET TO A POINT, THENCE S 20 DEG. 26 MIN. 25 SEC. E A DISTANCE OF 342.99 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 69 DEG. 33 MIN 36 SEC. E A DISTANCE OF 90.16 FEET TO A POINT, THENCE S 19 DEG. 49 MIN. 20 SEC. E A DISTANCE OF 676.02 FEET TO POINT, THENCE S 18 DEG. 10 MIN. 30 SEC. E A DISTANCE OF 983.64 FEET TO A POINT THENCE S 17 DEG. 12 MIN. 18 SEC. E A DISTANCE OF 1036.45 FEET TO A POINT, THENCE S 11 DEG. 32 MIN. 42 SEC. E A DISTANCE OF 1006.61 FEET TO A POINT, THENCE S 13 DEG. 14 MIN. 48 SEC. E A DISTANCE OF 971.92 FEET TO A POINT, THENCE S 15 DEG. 31 MIN. 11 SEC. E A DISTANCE OF 997.22 FEET TO A POINT, THENCE S 17 DEG. 48 MIN. 15 SEC. E A DISTANCE OF 928.23 FEET TO

A POINT, THENCE S 14 DEG. 37 MIN. 08 SEC. E A DISTANCE OF 985.71 FEET TO A POINT, THENCE S 15 DEG. 06 MIN. 52 SEC. E A DISTANCE OF 991.77 FEET TO A POINT, THENCE S 18 DEG. 50 MIN. 41 SEC. E A DISTANCE OF 1159.82 FEET TO A POINT, THENCE S 21 DEG. 18 MIN. 22 SEC. E A DISTANCE OF 961.40 FEET TO A POINT, THENCE S 16 DEG. 51 MIN. 46 SEC. E A DISTANCE OF 1002.21 FEET TO A POINT, THENCE S 15 DEG. 36 MIN. 30 SEC. E A DISTANCE OF 982.26 FEET TO A POINT, THENCE S 16 DEG. 08 MIN. 21 SEC. E A DISTANCE OF 1103.92 FEET TO A POINT, THENCE S 18 DEG. 46 MIN. 40 SEC. E A DISTANCE OF 495.74 FEET TO A POINT, THENCE S 18 DEG. 46 MIN. 40 SEC. E A DISTANCE OF 436.34 FEET TO A POINT, THENCE S 18 DEG. 02 MIN. 41 SEC. E A DISTANCE OF 1026.61 FEET TO A POINT, THENCE S 19 DEG. 48 MIN. 40 SEC. E A DISTANCE OF 922.91 FEET TO A POINT, THENCE S 17 DEG. 48 MIN. 27 SEC. E A DISTANCE OF 979.34 FEET TO A POINT, THENCE S 19 DEG. 18 MIN. 16 SEC. E A DISTANCE OF 1138.25 FEET TO A POINT, THENCE S 19 DEG. 53 MIN. 42 SEC. E A DISTANCE OF 1031.58 FEET TO A POINT, THENCE S 13 DEG. 54 MIN. 00 SEC. E A DISTANCE OF 1102.98 FEET TO A POINT, THENCE S 12 DEG. 01 MIN. 21 SEC. E A DISTANCE OF 986.38 FEET TO A POINT, THENCE S 16 DEG. 22 MIN. 57 SEC. E A DISTANCE OF 942.41 FEET TO A POINT, THENCE S 15 DEG. 32 MIN. 29 SEC. E A DISTANCE OF 1066.92 FEET TO A POINT, THENCE S 14 DEG. 46 MIN. 13 SEC. E A DISTANCE OF 649.06 FEET TO A POINT, THENCE N 78 DEG. 46 MIN. 28 SEC. E A DISTANCE OF 25.38 FEET TO A POINT, THENCE S 14 DEG. 43 MIN. 58 SEC. E A DISTANCE OF 500.19 FEET TO A POINT, THENCE S 17 DEG. 39 MIN. 15 SEC. E A DISTANCE OF 888.60 FEET TO A POINT, THENCE S 18 DEG. 14 MIN. 52 SEC. E A DISTANCE OF 992.95 FEET TO A POINT, THENCE S 10 DEG. 21 MIN. 07 SEC. E A DISTANCE OF 1029.75 FEET TO A POINT, THENCE S 11 DEG. 50 MIN. 19 SEC. E A DISTANCE OF 936.75 FEET TO A POINT, THENCE S 18 DEG. 13 MIN. 27 SEC. E A DISTANCE OF 1183.42 FEET TO A POINT, THENCE S 16 DEG. 41 MIN. 16 SEC. E A DISTANCE OF 892.59 FEET TO A POINT, THENCE S 14 DEG. 20 MIN. 12 SEC. E A DISTANCE OF 979.55 FEET TO A POINT, THENCE S 15 DEG. 00 MIN. 01 SEC. E A DISTANCE OF 947.30 FEET TO A POINT, THENCE S 14 DEG. 32 MIN. 48 SEC. E A DISTANCE OF 1138.23 FEET TO A POINT, THENCE S 15 DEG. 52 MIN. 55 SEC. E A DISTANCE OF 812.58 FEET TO A POINT, THENCE S 15 DEG. 34 MIN. 51 SEC. E A DISTANCE OF 994.58 FEET TO A POINT, THENCE N 89 DEG. 52 MIN. 39 SEC. W A DISTANCE OF 115.31 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 2

(INDIAN RIVER COUNTY). SEGMENT 3: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 88-86-A28-2 AND RUN THENCE N 77 DEG. 44 MIN. 17 SEC. E A DISTANCE OF 1559.34 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 13 DEG. 41 MIN. 53 SEC. E A DISTANCE OF 32.87 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 80 DEG. 50 MIN. 54 SEC. E A DISTANCE OF 83.63 FEET TO A POINT, THENCE S 12 DEG. 56 MIN. 35 SEC. E A DISTANCE OF 928.70 FEET TO A POINT, THENCE S 16 DEG. 58 MIN. 05 SEC. E A DISTANCE OF 1078.52 FEET TO A POINT, THENCE S 20 DEG. 42 MIN. 52 SEC. E A DISTANCE OF 974.91 FEET TO A POINT, THENCE S 22 DEG. 33 MIN. 49 SEC. E A DISTANCE OF 1033.31 FEET TO A POINT, THENCE S 24 DEG. 18 MIN. 55 SEC. E A DISTANCE OF 974.49 FEET TO A POINT, THENCE S 28 DEG. 01 MIN. 09 SEC. E A DISTANCE OF 963.61 FEET TO A POINT, THENCE S 33 DEG. 41 MIN. 27 SEC. E A DISTANCE OF 392.17 FEET TO A POINT, THENCE S 58 DEG. 16 MIN. 27 SEC. W A DISTANCE OF 99.85 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 3 (INDIAN RIVER COUNTY). SEGMENT 4: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) 88-78-A37 AND RUN THENCE N 85 DEG. 07 MIN. 00 SEC. E A DISTANCE OF 743.08 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 88 DEG. 00 MIN. 52 SEC. E A DISTANCE OF 196.88 FEET TO A POINT, THENCE S 10 DEG. 44 MIN. 51 SEC. E A DISTANCE OF 1020.90 FEET TO A POINT, THENCE S 11 DEG. 09 MIN. 24 SEC. E A DISTANCE OF 964.88 FEET TO A POINT, THENCE S 09 DEG. 20 MIN. 49 SEC. E A DISTANCE OF 1172.84 FEET TO A POINT, THENCE S 10 DEG. 52 MIN. 29 SEC. E A DISTANCE OF 698.61 FEET TO A POINT, THENCE S 11 DEG. 21 MIN. 40 SEC. E A DISTANCE OF 1324.00 FEET TO A POINT, THENCE S 14 DEG. 21 MIN. 44 SEC. E A DISTANCE OF 413.41 FEET TO A POINT, THENCE S 89 DEG. 07 MIN. 41 SEC. W A DISTANCE OF 200.12 FEET TO A POINT, SAID POINT BEING LOCATED ON THE

AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 4 (INDIAN RIVER COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History--New _____.

62B-34.260 Martin County.

The legal description for the Martin County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded July 9, 1985 in "Plat Book 9, Page 99" of the public records of Martin County, Florida, said General Permit Line being more particularly described as follows:

NORTH SEGMENT: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES [DNR]) PERMANENT REFERENCE MONUMENT (PRM) MI 103 1984 AND RUN THENCE N 73 DEG. 11 MIN. 19 SEC. E A DISTANCE OF 93.65 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 26 DEG. 12 MIN. 17 SEC. W A DISTANCE OF 163.34 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 63 DEG. 47 MIN. 43 SEC. E A DISTANCE OF 56.13 FEET TO A POINT, THENCE S 26 DEG. 36 MIN. 56 SEC. E A DISTANCE OF 512.75 FEET TO A POINT, THENCE S 26 DEG. 16 MIN. 27 SEC. E A DISTANCE OF 900.38 FEET TO A POINT, THENCE S 26 DEG. 12 MIN. 11 SEC. E A DISTANCE OF 899.83 FEET TO A POINT, THENCE S 27 DEG. 35 MIN. 10 SEC. E A DISTANCE OF 368.21 FEET TO A POINT, THENCE S 26 DEG. 45 MIN. 04 SEC. E A DISTANCE OF 568.86 FEET TO A POINT, THENCE S 26 DEG. 51 MIN. 35 SEC. E A DISTANCE OF 838.68 FEET TO A POINT, THENCE S 26 DEG. 19 MIN. 52 SEC. E A DISTANCE OF 935.81 FEET TO A POINT, THENCE S 25 DEG. 33 MIN. 48 SEC. E A DISTANCE OF 917.00 FEET TO A POINT, THENCE S 27 DEG. 13 MIN. 42 SEC. E A DISTANCE OF 910.22 FEET TO A POINT, THENCE S 24 DEG. 43 MIN. 27 SEC. E A DISTANCE OF 906.48 FEET TO A POINT, THENCE S 27 DEG. 14 MIN. 37 SEC. E A DISTANCE OF 894.50 FEET TO A POINT, THENCE S 29 DEG. 37 MIN. 07 SEC. E A DISTANCE OF 911.52 FEET TO A POINT, THENCE S 27 DEG. 37 MIN. 40 SEC. E A DISTANCE OF 897.62 FEET TO A POINT, THENCE S 28 DEG. 23 MIN. 02 SEC. E A DISTANCE OF 887.47 FEET TO A POINT, THENCE S 28 DEG. 55 MIN. 59 SEC. E A DISTANCE OF 555.31 FEET TO A POINT, THENCE S 59 DEG. 34 MIN. 47 SEC. W A DISTANCE OF 78.15 FEET TO A POINT, SAID POINT

BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE NORTH SEGMENT (MARTIN COUNTY). SOUTH SEGMENT: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 89-84-A01 AND RUN THENCE S 57 DEG. 09 MIN. 10 SEC. W A DISTANCE OF 233.10 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 30 DEG. 23 MIN. 10 SEC. E A DISTANCE OF 405.49 FEET TO A POINT, THENCE S 29 DEG. 15 MIN. 40 SEC. E A DISTANCE OF 267.55 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 60 DEG. 44 MIN. 18 SEC. E A DISTANCE OF 168.35 FEET TO A POINT, THENCE S 28 DEG. 32 MIN. 51 SEC. E A DISTANCE OF 674.90 FEET TO A POINT, THENCE S 28 DEG. 24 MIN. 5 SEC. E A DISTANCE OF 899.88 FEET TO A POINT, THENCE S 27 DEG. 42 MIN. 26 SEC. E A DISTANCE OF 904.63 FEET TO A POINT, THENCE S 27 DEG. 34 MIN. 31 SEC. E A DISTANCE OF 904.87 FEET TO A POINT, THENCE S 26 DEG. 51 MIN. 43 SEC. E A DISTANCE OF 902.79 FEET TO A POINT, THENCE S 24 DEG. 34 MIN. 25 SEC. E A DISTANCE OF 898.99 FEET TO A POINT, THENCE S 20 DEG. 35 MIN. 37 SEC. E A DISTANCE OF 1138.67 FEET TO A POINT, THENCE S 19 DEG. 43 MIN. 1 SEC. E A DISTANCE OF 743.84 FEET TO A POINT, THENCE S 15 DEG. 46 MIN. 38 SEC. E A DISTANCE OF 1089.05 FEET TO A POINT, THENCE S 20 DEG. 51 MIN. 38 SEC. E A DISTANCE OF 638.63 FEET TO A POINT, THENCE S 28 DEG. 59 MIN. 8 SEC. E A DISTANCE OF 793.67 FEET TO A POINT, THENCE S 25 DEG. 19 MIN. 47 SEC. E A DISTANCE OF 1017.71 FEET TO A POINT, THENCE S 25 DEG. 25 MIN. 56 SEC. E A DISTANCE OF 971.04 FEET TO A POINT, THENCE S 24 DEG. 5 MIN. 38 SEC. E A DISTANCE OF 430.42 FEET TO A POINT, THENCE S 68 DEG. 59 MIN. 58 SEC. W A DISTANCE OF 24.91 FEET TO A POINT, THENCE S 23 DEG. 56 MIN. 50 SEC. E A DISTANCE OF 401.75 FEET TO A POINT, THENCE S 24 DEG. 15 MIN. 43 SEC. E A DISTANCE OF 886.51 FEET TO A POINT, THENCE S 21 DEG. 47 MIN. 12 SEC. E A DISTANCE OF 897.61 FEET TO A POINT, THENCE S 20 DEG. 33 MIN. 11 SEC. E A DISTANCE OF 896.17 FEET TO A POINT, THENCE S 20 DEG. 54 MIN. 47 SEC. E A DISTANCE OF 901.65 FEET TO A POINT, THENCE S 19 DEG. 59 MIN. 56 SEC. E A DISTANCE OF 869.39 FEET TO A POINT, THENCE S 20 DEG. 46 MIN. 14 SEC. E A DISTANCE OF 1097.90 FEET TO A POINT, THENCE S 22 DEG. 37 MIN. 10 SEC. E A DISTANCE OF 698.89 FEET TO

A POINT, THENCE S 21 DEG. 14 MIN. 23 SEC. E A DISTANCE OF 900.82 FEET TO A POINT, THENCE S 23 DEG. 3 MIN. 7 SEC. E A DISTANCE OF 1144.10 FEET TO A POINT, THENCE S 21 DEG. 52 MIN. 1 SEC. E A DISTANCE OF 795.52 FEET TO A POINT, THENCE S 23 DEG. 9 MIN. 24 SEC. E A DISTANCE OF 888.84 FEET TO A POINT, THENCE S 21 DEG. 0 MIN. 34 SEC. E A DISTANCE OF 890.24 FEET TO A POINT, THENCE S 19 DEG. 26 MIN. 54 SEC. E A DISTANCE OF 883.24 FEET TO A POINT, THENCE S 18 DEG. 58 MIN. 39 SEC. E A DISTANCE OF 896.21 FEET TO A POINT, THENCE S 17 DEG. 42 MIN. 7 SEC. E A DISTANCE OF 517.06 FEET TO A POINT, THENCE S 17 DEG. 46 MIN. 13 SEC. E A DISTANCE OF 402.34 FEET TO A POINT, THENCE S 18 DEG. 31 MIN. 37 SEC. E A DISTANCE OF 851.10 FEET TO A POINT, THENCE S 16 DEG. 55 MIN. 29 SEC. E A DISTANCE OF 889.76 FEET TO A POINT, THENCE S 17 DEG. 56 MIN. 33 SEC. E A DISTANCE OF 893.76 FEET TO A POINT, THENCE S 16 DEG. 34 MIN. 46 SEC. E A DISTANCE OF 863.49 FEET TO A POINT, THENCE S 12 DEG. 28 MIN. 50 SEC. E A DISTANCE OF 1784.22 FEET TO A POINT, THENCE S 13 DEG. 26 MIN. 8 SEC. E A DISTANCE OF 894.42 FEET TO A POINT, THENCE S 11 DEG. 28 MIN. 16 SEC. E A DISTANCE OF 889.86 FEET TO A POINT, THENCE S 11 DEG. 34 MIN. 41 SEC. E A DISTANCE OF 892.98 FEET TO A POINT, THENCE S 7 DEG. 20 MIN. 36 SEC. E A DISTANCE OF 888.41 FEET TO A POINT, THENCE S 5 DEG. 17 MIN. 32 SEC. E A DISTANCE OF 897.38 FEET TO A POINT, THENCE S 5 DEG. 24 MIN. 10 SEC. E A DISTANCE OF 904.22 FEET TO A POINT, THENCE S 16 DEG. 43 MIN. 9 SEC. E A DISTANCE OF 902.88 FEET TO A POINT, THENCE S 19 DEG. 13 MIN. 20 SEC. E A DISTANCE OF 886.16 FEET TO A POINT, THENCE S 20 DEG. 22 MIN. 8 SEC. E A DISTANCE OF 501.40 FEET TO A POINT, THENCE S 88 DEG. 8 MIN. 7 SEC. W A DISTANCE OF 55.02 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SOUTH SEGMENT (MARTIN COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History—New _____.

62B-34.270 Palm Beach County.

The legal description for the Palm Beach County General Permit Line is based on the Official Map of Record of the Coastal Construction Control Line (CCCL), previously established in compliance with Section 161.053, F.S., and recorded August 22, 1997 in "CCCL Book 80 Pages 137 through 155" and in "O.R. Book 9951 Pages 85 through 108" of the public records of Palm Beach County, Florida, said General Permit Line being more particularly described as follows:

SEGMENT 1: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 06 78 C05-2 AND RUN THENCE N 44 DEG. 33 MIN. 04 SEC. W A DISTANCE OF 488.13 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 74 DEG. 18 MIN. 44 SEC. E A DISTANCE OF 74.49 FEET TO A POINT, THENCE S 10 DEG. 13 MIN. 28 SEC. E A DISTANCE OF 877.21 FEET TO A POINT, THENCE S 8 DEG. 57 MIN. 26 SEC. E A DISTANCE OF 968.54 FEET TO A POINT, THENCE S 4 DEG. 16 MIN. 18 SEC. E A DISTANCE OF 658.92 FEET TO A POINT, THENCE S 13 DEG. 54 MIN. 42 SEC. E A DISTANCE OF 671.08 FEET TO A POINT, THENCE S 10 DEG. 48 MIN. 36 SEC. E A DISTANCE OF 1348.64 FEET TO A POINT, THENCE S 12 DEG. 28 MIN. 1 SEC. E A DISTANCE OF 1205.11 FEET TO A POINT, THENCE S 13 DEG. 59 MIN. 14 SEC. E A DISTANCE OF 1022.74 FEET TO A POINT, THENCE S 13 DEG. 56 MIN. 58 SEC. E A DISTANCE OF 1585.63 FEET TO A POINT, THENCE S 74 DEG. 24 MIN. 19 SEC. W A DISTANCE OF 25.36 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 1 (PALM BEACH COUNTY). SEGMENT 2: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 06 78 D04 AND RUN THENCE S 55 DEG. 38 MIN. 25 SEC. W A DISTANCE OF 74.12 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 78 DEG. 18 MIN. 38 SEC. E A DISTANCE OF 32.42 FEET TO A POINT, THENCE S 06 DEG. 25 MIN. 43 SEC. E A DISTANCE OF 1082.60 FEET TO A POINT, THENCE S 06 DEG. 36 MIN. 07 SEC. E A DISTANCE OF 1010.80 FEET TO A POINT, THENCE S 05 DEG. 39 MIN. 50 SEC. E A DISTANCE OF 1121.84 FEET TO A POINT, THENCE S 06 DEG. 35 MIN. 07 SEC. E A DISTANCE OF 1344.13 FEET TO A POINT, THENCE S 04 DEG. 34 MIN. 08 SEC. E A DISTANCE OF 1311.24 FEET TO A POINT, THENCE S 06 DEG. 25 MIN. 06 SEC. E A DISTANCE OF 1206.72 FEET TO A POINT, THENCE S 03 DEG. 26 MIN. 30 SEC. E A DISTANCE OF 972.17 FEET TO A POINT, THENCE S 02 DEG. 48 MIN. 39 SEC. E A DISTANCE OF 898.91 FEET TO A POINT, THENCE S 02

DEG. 34 MIN. 15 SEC. E A DISTANCE OF 1298.03 FEET TO A POINT, THENCE S 00 DEG. 18 MIN. 26 SEC. W A DISTANCE OF 977.51 FEET TO A POINT, THENCE S 02 DEG. 01 MIN. 15 SEC. W A DISTANCE OF 937.59 FEET TO A POINT, THENCE S 00 DEG. 06 MIN. 39 SEC. E A DISTANCE OF 1048.83 FEET TO A POINT, THENCE S 04 DEG. 22 MIN. 33 SEC. E A DISTANCE OF 1131.17 FEET TO A POINT, THENCE S 06 DEG. 01 MIN. 04 SEC. E A DISTANCE OF 1255.67 FEET TO A POINT, THENCE S 06 DEG. 55 MIN. 54 SEC. E A DISTANCE OF 1081.42 FEET TO A POINT, THENCE S 09 DEG. 13 MIN. 24 SEC. E A DISTANCE OF 1100.10 FEET TO A POINT, THENCE S 01 DEG. 48 MIN. 34 SEC. E A DISTANCE OF 1618.79 FEET TO A POINT, THENCE S 00 DEG. 45 MIN. 28 SEC. E A DISTANCE OF 744.33 FEET TO A POINT, HENCE S 04 DEG. 06 MIN. 05 SEC. E A DISTANCE OF 1279.02 FEET TO A POINT, THENCE S 02 DEG. 11 MIN. 19 SEC. E A DISTANCE OF 1206.22 FEET TO A POINT, THENCE S 02 DEG. 33 MIN. 49 SEC. W A DISTANCE OF 1167.70 FEET TO A POINT, THENCE S 02 DEG. 49 MIN. 23 SEC. W A DISTANCE OF 989.12 FEET TO A POINT, THENCE S 02 DEG. 23 MIN. 21 SEC. W A DISTANCE OF 1198.04 FEET TO A POINT, THENCE S 02 DEG. 51 MIN. 50 SEC. W A DISTANCE OF 1099.09 FEET TO A POINT, THENCE S 03 DEG. 00 MIN. 46 SEC. W A DISTANCE OF 246.69 FEET TO A POINT, THENCE S 15 DEG. 47 MIN. 19 SEC. W A DISTANCE OF 346.17 FEET TO A POINT, THENCE S 07 DEG. 28 MIN. 52 SEC. W A DISTANCE OF 467.40 FEET TO A POINT, THENCE S 06 DEG. 45 MIN. 49 SEC. W A DISTANCE OF 1264.70 FEET TO A POINT, THENCE S 06 DEG. 47 MIN. 56 SEC. W A DISTANCE OF 1218.60 FEET TO A POINT, THENCE S 03 DEG. 41 MIN. 06 SEC. W A DISTANCE OF 1158.82 FEET TO A POINT, THENCE N 89 DEG. 27 MIN. 49 SEC. W A DISTANCE OF 105.94 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 2 (PALM BEACH COUNTY). SEGMENT 3: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) R-111 PM BH 1989 AND RUN THENCE S 89 DEG. 52 MIN. 05 SEC. W A DISTANCE OF 195.22 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 02 DEG. 49 MIN. 03 SEC. E A DISTANCE OF 605.38 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 87 DEG. 10 MIN. 57 SEC. E A DISTANCE OF 144.39 FEET TO A POINT, THENCE S 04 DEG. 13 MIN. 23 SEC. W A DISTANCE OF 599.69 FEET TO A POINT,

THENCE S 00 DEG. 03 MIN. 21 SEC. E A DISTANCE OF 1138.24 FEET TO A POINT, THENCE S 02 DEG. 21 MIN. 39 SEC. W A DISTANCE OF 1038.85 FEET TO A POINT, THENCE S 03 DEG. 06 MIN. 59 SEC. W A DISTANCE OF 427.53 FEET TO A POINT, THENCE S 02 DEG. 13 MIN. 57 SEC. E A DISTANCE OF 590.86 FEET TO A POINT, THENCE S 01 DEG. 20 MIN. 22 SEC. W A DISTANCE OF 1108.00 FEET TO A POINT, THENCE S 02 DEG. 25 MIN. 49 SEC. W A DISTANCE OF 965.13 FEET TO A POINT, THENCE S 04 DEG. 51 MIN. 26 SEC. W A DISTANCE OF 489.99 FEET TO A POINT, THENCE N 88 DEG. 00 MIN. 01 SEC. W A DISTANCE OF 100.80 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 3 (PALM BEACH COUNTY). SEGMENT 4: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 06 78 E07 AND RUN THENCE N 66 DEG. 49 MIN. 38 SEC. W A DISTANCE OF 170.69 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 02 DEG. 30 MIN. 39 SEC. E A DISTANCE OF 1022.85 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE N 85 DEG. 07 MIN. 43 SEC. E A DISTANCE OF 42.30 FEET TO A POINT, THENCE S 01 DEG. 54 MIN. 22 SEC. E A DISTANCE OF 1009.56 FEET TO A POINT, THENCE S 03 DEG. 08 MIN. 57 SEC. E A DISTANCE OF 1260.79 FEET TO A POINT, THENCE S 01 DEG. 57 MIN. 44 SEC. E A DISTANCE OF 1182.31 FEET TO A POINT, THENCE S 00 DEG. 29 MIN. 42 SEC. E A DISTANCE OF 1142.02 FEET TO A POINT, THENCE S 01 DEG. 13 MIN. 05 SEC. E A DISTANCE OF 923.70 FEET TO A POINT, THENCE S 00 DEG. 33 MIN. 58 SEC. E A DISTANCE OF 1175.26 FEET TO A POINT, THENCE S 00 DEG. 07 MIN. 41 SEC. W A DISTANCE OF 1390.13 FEET TO A POINT, THENCE S 00 DEG. 38 MIN. 01 SEC. W A DISTANCE OF 1311.24 FEET TO A POINT, THENCE S 00 DEG. 48 MIN. 01 SEC. E A DISTANCE OF 1080.49 FEET TO A POINT, THENCE S 00 DEG. 41 MIN. 30 SEC. E A DISTANCE OF 1311.34 FEET TO A POINT, THENCE S 01 DEG. 31 MIN. 49 SEC. W A DISTANCE OF 1173.10 FEET TO A POINT, THENCE S 03 DEG. 02 MIN. 40 SEC. W A DISTANCE OF 1310.62 FEET TO A POINT, THENCE S 01 DEG. 07 MIN. 07 SEC. W A DISTANCE OF 965.42 FEET TO A POINT, THENCE S 03 DEG. 13 MIN. 06 SEC. W A DISTANCE OF 981.99 FEET TO A POINT, THENCE S 03 DEG. 20 MIN. 36 SEC. W A DISTANCE OF 609.70 FEET TO A POINT, THENCE S 03 DEG. 23 MIN. 54 SEC. W A DISTANCE OF 1308.31 FEET TO A POINT,

THENCE S 03 DEG. 20 MIN. 00 SEC. W A DISTANCE OF 1064.70 FEET TO A POINT, THENCE S 03 DEG. 52 MIN. 45 SEC. W A DISTANCE OF 1038.92 FEET TO A POINT, THENCE S 05 DEG. 15 MIN. 30 SEC. W A DISTANCE OF 1036.20 FEET TO A POINT, THENCE S 05 DEG. 52 MIN. 33 SEC. W A DISTANCE OF 1018.70 FEET TO A POINT, THENCE S 11 DEG. 16 MIN. 28 SEC. W A DISTANCE OF 973.49 FEET TO A POINT, THENCE S 13 DEG. 25 MIN. 39 SEC. W A DISTANCE OF 1130.48 FEET TO A POINT, THENCE S 12 DEG. 02 MIN. 00 SEC. W A DISTANCE OF 1085.69 FEET TO A POINT, THENCE N 78 DEG. 52 MIN. 15 SEC. W A DISTANCE OF 21.94 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 4 (PALM BEACH COUNTY). SEGMENT 5: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) HAULOVER 1929 N03 1970 AND RUN THENCE N 37 DEG. 25 MIN. 13 SEC. W ADISTANCE OF 459.21 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE;THENCE S 03 DEG. 45 MIN. 44 SEC. W A DISTANCE OF 400.95 FEET TO A POINT,THENCE N 84 DEG. 57 MIN. 53 SEC. W A DISTANCE OF 227.88 FEET TO A POINT,THENCE S 12 DEG. 02 MIN. 58 SEC. W A DISTANCE OF 41.87 FEET TO A POINT,SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN:THENCE S 80 DEG. 14 MIN. 49 SEC. E A DISTANCE OF 172.01 FEET TO A POINT, THENCE S 12 DEG. 30 MIN. 00 SEC. W A DISTANCE OF 425.55 FEET TO A POINT, THENCE S 15 DEG. 6 MIN. 03 SEC. W A DISTANCE OF 1325.34 FEET TO A POINT,THENCE S 14 DEG. 29 MIN. 39 SEC. W A DISTANCE OF 1014.72 FEET TO A POINT,THENCE S 12 DEG. 40 MIN. 58 SEC. W A DISTANCE OF 1047.75 FEET TO A POINT,THENCE S 89 DEG. 38 MIN. 27 SEC. W A DISTANCE OF 101.63 FEET TO A POINT,SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 5 (PALM BEACH COUNTY). SEGMENT 6: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) HAULOVER-B 1991 AND RUN THENCE S 32 DEG. 05 MIN. 25 SEC. E A DISTANCE OF 202.03 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE;SAID POINT BEING THE POINT OF BEGINNING

OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 86 DEG. 36 MIN. 25 SEC. E A DISTANCE OF 86.30 FEET TO A POINT, THENCE S 08 DEG. 09 MIN. 07 SEC. W A DISTANCE OF 1005.24 FEET TO A POINT, THENCE S 05 DEG. 14 MIN. 51 SEC. W A DISTANCE OF 706.38 FEET TO A POINT, THENCE S 06 DEG. 18 MIN. 54 SEC. W A DISTANCE OF 695.34 FEET TO A POINT, THENCE S 07 DEG. 13 MIN. 10 SEC. W A DISTANCE OF 1192.02 FEET TO A POINT, THENCE S 08 DEG. 05 MIN. 15 SEC. W A DISTANCE OF 864.33 FEET TO A POINT, THENCE S 08 DEG. 36 MIN. 51 SEC. W A DISTANCE OF 1151.85 FEET TO A POINT, THENCE S 10 DEG. 46 MIN. 00 SEC. W A DISTANCE OF 1089.08 FEET TO A POINT, THENCE S 10 DEG. 52 MIN. 36 SEC. W A DISTANCE OF 1131.10 FEET TO A POINT, THENCE S 09 DEG. 59 MIN. 40 SEC. W A DISTANCE OF 991.73 FEET TO A POINT, THENCE S 07 DEG. 43 MIN. 57 SEC. W A DISTANCE OF 1182.55 FEET TO A POINT, THENCE S 06 DEG. 20 MIN. 40 SEC. W A DISTANCE OF 917.39 FEET TO A POINT, THENCE S 04 DEG. 38 MIN. 14 SEC. W A DISTANCE OF 1036.36 FEET TO A POINT, THENCE S 08 DEG. 52 MIN. 50 SEC. W A DISTANCE OF 341.20 FEET TO A POINT, THENCE S 10 DEG. 32 MIN. 33 SEC. W A DISTANCE OF 776.97 FEET TO A POINT, THENCE S 04 DEG. 56 MIN. 21 SEC. W A DISTANCE OF 326.93 FEET TO A POINT, THENCE S 02 DEG. 40 MIN. 42 SEC. W A DISTANCE OF 1071.68 FEET TO A POINT, THENCE S 08 DEG. 27 MIN. 58 SEC. W A DISTANCE OF 1124.46 FEET TO A POINT, THENCE S 07 DEG. 32 MIN. 10 SEC. W A DISTANCE OF 1006.99 FEET TO A POINT, THENCE S 07 DEG. 36 MIN. 08 SEC. W A DISTANCE OF 1187.58 FEET TO A POINT, THENCE S 07 DEG. 28 MIN. 05 SEC. W A DISTANCE OF 1015.95 FEET TO A POINT, THENCE S 08 DEG. 00 MIN. 08 SEC. W A DISTANCE OF 1328.30 FEET TO A POINT, THENCE S 09 DEG. 06 MIN. 00 SEC. W A DISTANCE OF 935.91 FEET TO A POINT, THENCE S 07 DEG. 58 MIN. 27 SEC. W A DISTANCE OF 1247.13 FEET TO A POINT, THENCE N 85 DEG. 59 MIN. 36 SEC. W A DISTANCE OF 78.71 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 6 (PALM BEACH COUNTY). SEGMENT 7: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 93 89 A21 AND RUN THENCE S 43 DEG. 20 MIN. 44 SEC. W A DISTANCE OF 291.79 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE N 03 DEG. 54 MIN. 43 SEC. E A DISTANCE OF 850.09 FEET TO A POINT, SAID POINT BEING THE POINT OF

BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 85 DEG. 20 MIN. 02 SEC. E A DISTANCE OF 50.03 FEET TO A POINT, THENCE S 03 DEG. 20 MIN. 30 SEC. W A DISTANCE OF 832.98 FEET TO A POINT, THENCE S 03 DEG. 38 MIN. 23 SEC. W A DISTANCE OF 1123.15 FEET TO A POINT, THENCE S 02 DEG. 47 MIN. 20 SEC. W A DISTANCE OF 906.36 FEET TO A POINT, THENCE S 04 DEG. 38 MIN. 27 SEC. W A DISTANCE OF 1024.54 FEET TO A POINT, THENCE S 04 DEG. 45 MIN. 57 SEC. W A DISTANCE OF 1114.45 FEET TO A POINT, THENCE S 05 DEG. 32 MIN. 12 SEC. W A DISTANCE OF 1173.28 FEET TO A POINT, THENCE S 03 DEG. 45 MIN. 31 SEC. W A DISTANCE OF 1103.36 FEET TO A POINT, THENCE S 04 DEG. 59 MIN. 53 SEC. W A DISTANCE OF 841.88 FEET TO A POINT, THENCE S 88 DEG. 25 MIN. 35 SEC. W A DISTANCE OF 87.83 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 7 (PALM BEACH COUNTY). SEGMENT 8: COMMENCE AT FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FORMERLY FLORIDA DEPARTMENT OF NATURAL RESOURCES (DNR)) PERMANENT REFERENCE MONUMENT (PRM) 93 89 A27 AND RUN THENCE N 89 DEG. 05 MIN. 14 SEC. W A DISTANCE OF 187.87 FEET TO A POINT ON THE COASTAL CONSTRUCTION CONTROL LINE; THENCE S 06 DEG. 38 MIN. 04 SEC. W A DISTANCE OF 727.00 FEET TO A POINT, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED GENERAL PERMIT LINE; THENCE LEAVING SAID COASTAL CONSTRUCTION CONTROL LINE RUN: THENCE S 83 DEG. 21 MIN. 56 SEC. E A DISTANCE OF 113.74 FEET TO A POINT, THENCE S 08 DEG. 52 MIN. 37 SEC. W A DISTANCE OF 653.69 FEET TO A POINT, THENCE S 11 DEG. 43 MIN. 41 SEC. W A DISTANCE OF 1007.53 FEET TO A POINT, THENCE S 11 DEG. 13 MIN. 38 SEC. W A DISTANCE OF 910.17 FEET TO A POINT, THENCE S 06 DEG. 50 MIN. 48 SEC. W A DISTANCE OF 1031.91 FEET TO A POINT, THENCE S 06 DEG. 37 MIN. 08 SEC. W A DISTANCE OF 970.79 FEET TO A POINT, THENCE S 88 DEG. 00 MIN. 32 SEC. W A DISTANCE OF 29.33 FEET TO A POINT, SAID POINT BEING LOCATED ON THE AFOREMENTIONED COASTAL CONSTRUCTION CONTROL LINE AND BEING THE POINT OF TERMINUS OF THE HEREIN DESCRIBED GENERAL PERMIT LINE SEGMENT 8 (PALM BEACH COUNTY).

Rulemaking Authority 161.053(21) FS. Law Implemented 161.053(5), (19), (22) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mimi Drew
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Michael Sole
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 26, 2009
DATE NOTICES OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: December 21, 2007, March 7, 2008,
April 17, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-1.007 List of Approved Forms;
 Incorporation

PURPOSE AND EFFECT: The proposed rule amendments are intended to address the revised application forms for licensure.

SUMMARY: The proposed rule amendments incorporate the revised application forms into the forms rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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

RULEMAKING AUTHORITY: 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 4456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.007 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are listed as follows and are hereby adopted and incorporated by reference, and can be obtained from the Board

office by writing to the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753, or by telephoning (850)245-4131:

(1) through (16) No change.

(17) DH-MQA 1087, entitled "Application for Licensure as an Anesthesiologist Assistant," (10/09) (~~1/09~~).

(18) through (21) No change.

(22) DH-MQA 2000, entitled "Application for Licensure as a Physician Assistant," (10/09) (~~1/09~~).

(23) through (25) No change.

Rulemaking Authority 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.3124(6), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.3475, 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.3475, 458.348, 458.351, 465.0276 FS. History--New 4-17-01, Amended 11-20-01, 8-13-02, 11-10-02, 3-19-03, 6-4-03, 11-17-03, 4-19-04, 1-31-05, 9-29-05, 6-29-06, 12-26-06, 4-2-07, 6-25-08, 1-18-09, 3-17-09, 5-20-09, 10-7-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rules Committee, Board of Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 23, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:
64B8-30.003 Physician Assistant Licensure

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application for licensure as a physician assistant in the application rule.

SUMMARY: The proposed rule amendment incorporates the revised application for licensure as a physician assistant in the application rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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

RULEMAKING AUTHORITY: 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS.

LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.003 Physician Assistant Licensure.

(1) Requirements for Licensure. All applicants for licensure as physician assistants shall submit an application to the Department. The application shall be made on Form DH-MQA 2000, entitled "Application for Licensure as a Physician Assistant," (revised 10/09 1/09), hereby adopted and incorporated by reference, and can be obtained from the Board of Medicine's website at http://www.doh.state.fl.us/mqa/PhysAsst/index.html. The applicant must meet all of the requirements of Section 458.347(7) or 459.022(7), F.S., and the applicant must submit two personalized and individualized letters of recommendation from physicians. Letters of recommendation must be composed and signed by the applicant's supervising physician, or, for recent graduates, the preceptor physician, and give details of the applicant's clinical skills and ability. Each letter must be addressed to and directed to the Council on Physician Assistants and must have been written no more than six months prior to the filing of the application.

(2) through (5) No change.

Rulemaking Authority 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS. Law Implemented 456.013, 456.017, 456.031, 456.033, 458.347 FS. History--New 4-28-76, Amended 11-15-78, 10-23-80, 12-4-85, Formerly 21M-17.03, Amended 5-13-87, 11-15-88, 11-15-90, 1-9-92, 5-6-93, Formerly 21M-17.003, Amended 9-21-93, Formerly 61F6-17.003, Amended 9-8-94, 11- 30-94, 10-25-95, 3-25-96, Formerly 59R-30.003, Amended 6-7-98, 8-19-99, 5-28- 00, 3-3-02, 5-19-03, 10-19-03, 11-17-03, 9-5-05, 12-12-05, 10-30-06, 2-25-07, 5-20-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.012
RULE TITLE: Physician Assistant Performance

PURPOSE AND EFFECT: The proposed rule amendment is intended to delete the requirement for co-signing medical charts pursuant to recent legislation removing the requirement.

SUMMARY: The proposed rule amendment deletes the requirement for co-signing medical charts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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

RULEMAKING AUTHORITY: 458.309, 458.347(4)(a), (13) FS.

LAW IMPLEMENTED: 458.347(2), (3), (4), (13) 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin # C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-30.012 Physician Assistant Performance.

(1) through (2) No change.

(3) All tasks and procedures performed by the physician assistant must be documented in the appropriate medical record. ~~During the initial six months of supervision of each physician assistant all documentation by the physician assistant in a medical chart must be reviewed, signed and dated by a supervising physician within seven days. Subsequent thereto, a supervising physician must review, sign and date all documentation by a physician assistant in medical charts within 30 days.~~

(4) No change.

Rulemaking Specific Authority 458.309, 458.347(4)(a), (13) FS. Law Implemented 458.347(2), (3), (4), (13) FS. History--New 5-13-87, Amended 7-7-87, 11-15-88, 9-15-92, Formerly 21M-17.012, Amended 11-4-93, Formerly 61F6-17.012, 59R-30.012, Amended 10-13-98, 3-28-99, 11-17-03,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 28, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-31.003
 RULE TITLE: Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application form for anesthesiologist assistants.

SUMMARY: The proposed rule amendment incorporates the revised application form for anesthesiologist assistants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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

RULEMAKING AUTHORITY: 458.309, 458.3475 FS.

LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 458.3475 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-31.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants.

(1) Application for Licensure.

(a) All persons applying for licensure as an anesthesiologist assistant shall submit an application to the Department. The application shall be made on Form DH-MQA 1087, entitled "Application for Licensure and Licensure Requirements for Anesthesiologist Assistants," (revised 10/09 4/09), hereby adopted and incorporated by reference, and can be obtained from the Board of Medicine's website at http://www.doh.state.fl.us/mqa/Anes/aa_applicant.html.

(b) through (c) No change.

(2) Requirements for Licensure.

(a) through (c) No change.

(d) The applicant must provide documentation of the completion following:

~~1. Completion of three hours of all Category I, American Medical Association Continuing Medical Education which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome: the disease and its~~

~~spectrum of clinical manifestations; epidemiology of the disease; related infections including TB; treatment, counseling, and prevention; clinical management; transmission from healthcare worker to patient and patient to healthcare worker; universal precautions and isolation techniques; and legal issues related to the disease. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.~~

~~2. Completion of one hour of continuing medical education on domestic violence which includes information on the number of patients in that professional's practice who are likely to be victims of domestic violence and the number who are likely to be perpetrators of domestic violence, screening procedures for determining whether a patient has any history of being either a victim or a perpetrator of domestic violence, and instruction on how to provide such patients with information on, or how to refer such patients to, resources in the local community, such as domestic violence centers and other advocacy groups, that provide legal aid, shelter, victim counseling, batterer counseling, or child protection services, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education. Home study courses approved by the above agencies will be acceptable. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.~~

~~3. Completion of two hours of continuing medical education relating to prevention of medical errors which includes a study of root cause analysis, error reduction and prevention, and patient safety, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education. One hour of a two hour course which is provided by a facility licensed pursuant to Chapter 395, F.S., for its employees may be used to partially meet this requirement.~~

(e) No change.

(3) No change.

Rulemaking Specific Authority 458.309, 458.3475 FS. Law Implemented 456.013(7), 456.031, 456.033, 458.3475 FS. History--New 8-2-05, Amended 5-20-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Anesthesiologist Assistant Committee

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 2, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-42.001 **RULE TITLE:** Licensure by Endorsement
PURPOSE AND EFFECT: The Board proposes the rule amendments to incorporate changes to the application forms.
SUMMARY: The Board proposes the rule amendments to incorporate changes to the application forms.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.
RULEMAKING AUTHORITY: 468.507 FS.
LAW IMPLEMENTED: 468.507, 468.513 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: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-42.001 Licensure by Endorsement.

Each applicant for certification as a dietitian/nutritionist by endorsement shall file the Application for Dietitian/Nutritionist Licensure, DOH Form DH-MQA 1161, ND APP, Rev. 10/2009 ~~12/2008~~, incorporated by reference, which can be accessed at www.doh.state.fl.us/mqa, and demonstrate the following:

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

Rulemaking Authority 468.507 FS. Law Implemented 468.507, 468.513 FS. History–New 4-9-89, Formerly 21M-48.001, 61F6-48.001, 59R-42.001, Amended 5-31-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Council
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 21, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 9, 2009

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-42.002 **RULE TITLE:** Licensure by Examination
PURPOSE AND EFFECT: The Board proposes the rule amendments to incorporate changes to the application forms.
SUMMARY: The Board proposes the rule amendments to incorporate changes to the application forms.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.
RULEMAKING AUTHORITY: 456.017(1), 468.507 FS.
LAW IMPLEMENTED: 456.027, 468.509 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: Allen Hall, Executive Director, Dietetics and Nutrition Council/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-42.002 Licensure by Examination.

Each applicant for certification by examination shall file the Application for Dietitian/Nutritionist Licensure, DOH Form DH-MQA 1161, ND APP, Rev. 10/2009 ~~12/2008~~, which can be accessed at www.doh.state.fl.us/mqa, and demonstrate the following:

- (a)1. through (b)1. No change.
- (2) through (5) No change.

Rulemaking Authority 456.017(1), 468.507 FS. Law Implemented 456.027, 468.509 FS. History–New 4-9-89, Amended 11-28-90, 3-24-91, 11-9-92, 5-6-93, Formerly 21M-48.002, Amended 11-4-93, 6-9-94, Formerly 61F6-48.002, Amended 11-12-95, Formerly 59R-42.002, Amended 8-19-99, 3-9-08, 5-31-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Dietetics and Nutrition Council
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 21, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 9, 2009

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-3.014
 RULE TITLE: Graduates From Foreign or Non-NCSBN Jurisdictions

PURPOSE AND EFFECT: The purpose of this amendment is to decrease the program hours held in foreign nursing programs to reflect equivalency to approved programs, and to incorporate amendments to Section 464.019, F.S.

SUMMARY: The amendment decreases the program hours held in foreign nursing programs to reflect equivalency to approved programs, and to incorporate amendments of Section 464.019, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 464.006 FS.

LAW IMPLEMENTED: 456.013(1), 464.008 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: Rick Garcia, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3252

THE FULL TEXT OF THE PROPOSED RULE IS:

64B9-3.014 Graduates From Foreign or Non-NCSBN Jurisdictions.

(1) Graduates of foreign nursing programs or nursing programs in jurisdictions which are not members of the National Council of State Boards of Nursing (NCSBN) must submit an evaluation from a credentialing agency approved by the Board.

(2) Approved credentialing agencies must meet the following criteria:

(a) The credentialing agency must be a member of a national credentialing organization that sets performance standards for the industry, and must adhere to those standards.

(b) The credentialing agency's standards must be monitored by an external committee of credentialing experts and nursing educators.

(c) The credentialing agency must demonstrate the ability to accurately analyze academic and licensure credentials in terms of U.S. comparability, with course-by-course analysis for nursing academic records.

(d) The credentialing agency must manage the translation of original documents into English.

(e) The credentialing agency will inform the Board of Nursing in the event applicant documents are found to be fraudulent.

(f) The credentialing agency must have been in the business of evaluating nursing education for a minimum of 10 years.

(3) Credentials evaluation report.

(a) The references used in the evaluation must be cited in the credentials report.

(b) The credentials report must state the language of nursing instruction and the language of textbooks for nursing education.

(c) The credentialing agency must use only original source documentation in evaluating nursing education.

(d) The report must state the comparability of the foreign education to U.S. and to Florida Board of Nursing standards.

(e) The report must detail course clock hours for theory and clinical components of nursing education.

(4) In order for the applicant to meet the educational requirements of Section 464.008, F.S., the credentials report and transcripts must include all courses set forth in Section 464.019, F.S. Rules 64B9-2.006 and 64B9-2.015, F.A.C.; and must demonstrate, at a minimum, the following hours of theoretical and clinical instruction:

(a) Registered nursing programs:

1. 70 ~~144~~ theory hours and 127 ~~341~~ clinical hours in medical nursing;

2. 45 ~~91~~ theory hours and 104 ~~294~~ clinical hours in surgical nursing;

3. 31 ~~32~~ theory hours and 44 ~~87~~ clinical hours in obstetrical nursing;

4. 32 theory hours and 43 ~~84~~ clinical hours in pediatric nursing; and

5. 34 ~~30~~ theory hours and 53 ~~51~~ clinical hours in psychiatric/mental health nursing; and

~~6. 16 theory hours and 18 clinical hours in community/public health nursing.~~

(b) Practical nursing programs:

1. 87 ~~131~~ theory hours and 115 ~~216~~ clinical hours in medical nursing;

2. 76 ~~82~~ theory hours and 103 ~~186~~ clinical hours in surgical nursing;

3. 34 theory hours and 47 ~~46~~ hours in obstetrics nursing; and

4. 27 ~~30~~ theory hours and 38 ~~42~~ clinical hours in pediatrics nursing.

(c) Registered and practical nursing programs must meet the requirement of Section 464.019(1)(g) and (h), F.S.

Rulemaking Authority 464.006 FS. Law Implemented 456.013(1), 464.008 FS. History--New 4-19-00, Amended 10-22-07, 5-31-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Nursing
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Nursing
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 5, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: September 18, 2009

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.003
RULE TITLE: Physician Assistant Licensure
PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application for licensure as a physician assistant in the application rule.

SUMMARY: The proposed rule amendment incorporates the revised application for licensure as a physician assistant in the application rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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

RULEMAKING AUTHORITY: 458.347(7), 459.005, 459.022 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 459.022 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.003 Physician Assistant Licensure.

(1) Requirements for Licensure. All applicants for licensure as physician assistants shall submit an application to the Department. The application shall be made on Form DH-MQA 2000, entitled "Application for Licensure as a Physician Assistant," (revised 10/09 ~~1/09~~), hereby adopted and incorporated by reference, and can be obtained from the Board of Medicine's website at <http://www.doh.state.fl.us/mqa/PhysAsst/index.html>. The applicant must meet all of the requirements of Section 458.347(7) or 459.022(7), F.S., and the applicant must submit two personalized and individualized

letters of recommendation from physicians. Letters of recommendation must be composed and signed by the applicant's supervising physician, or, for recent graduates, the preceptor physician, and give details of the applicant's clinical skills and ability. Each letter must be addressed to and directed to the Council on Physician Assistants and must have been written no more than six months prior to the filing of the application.

(2) through (5) No change.

Rulemaking Authority 458.347(7), 459.005, 459.022 FS. Law Implemented 456.013, 456.031, 456.033, 459.022 FS. History—New 10-18-77, Formerly 21R-6.03, Amended 10-28-87, 4-21-88, 4-18-89, 9-26-90, 5-20-91, 10-28-91, 3-16-92, Formerly 21R-6.003, Amended 11-4-93, 3-29-94, Formerly 61F9-6.003, Amended 2-1-95, Formerly 59W-6.003, Amended 6-7-98, 3-10-02, 2-23-04, 10-30-06, 2-25-07, 5-20-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council on Physician Assistants

NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: November 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 30, 2009

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.010
RULE TITLE: Physician Assistant Performance

PURPOSE AND EFFECT: The proposed rule amendment is intended to delete the requirement for co-signing medical charts pursuant to recent legislation removing the requirement.

SUMMARY: The proposed rule amendment deletes the requirement for co-signing medical charts.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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

RULEMAKING AUTHORITY: 459.005, 459.022(4)(a), (13) FS.

LAW IMPLEMENTED: 459.022(2), (3), (4), (13) 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-6.010 Physician Assistant Performance.

(1) through (2) No change.

(3) All tasks and procedures performed by the physician assistant must be documented in the appropriate medical record. ~~During the initial six months of supervision of each physician assistant all documentation by the physician assistant in a medical chart must be reviewed, signed and dated by a supervising physician within seven days. Subsequent thereto, a supervising physician must review, sign and date all documentation by a physician assistant in medical charts within 30 days.~~

(4) No change.

Rulemaking Specific Authority 459.005, 459.022(4)(a), (13) FS. Law Implemented 459.022(2), (3), (4), (13) FS. History—New 10-28-87, Amended 4-18-89, 9-26-90, Formerly 21R-6.010, 61F9-6.010, Amended 3-13-96, Formerly 59W-6.010, Amended 10-13-98, 3-17-99, 1-12-04, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Council on Physician Assistants

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 28, 2009

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.003
RULE TITLE: Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate the revised application form for anesthesiologist assistants.

SUMMARY: The proposed rule amendment incorporates the revised application form for anesthesiologist assistants.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board has determined that the proposed rule amendments will not have an impact on small business.

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

RULEMAKING AUTHORITY: 459.023, 459.005 FS.

LAW IMPLEMENTED: 459.023, 456.013(7), 456.031, 456.033 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

THE FULL TEXT OF THE PROPOSED RULE IS:

64B15-7.003 Application for Licensure and Licensure Requirements for Anesthesiologist Assistants.

(1) Application for Licensure.

(a) All persons applying for licensure as an anesthesiologist assistant shall submit an application to the Department. The application shall be made on Form DH-MQA 1087, entitled “Application for Licensure and Licensure Requirements for Anesthesiologist Assistants.” (revised 10/09 4/09), hereby adopted and incorporated by reference, and can be obtained from the Board of Medicine’s website at http://www.doh.state.fl.us/mqa/Anes/aa_applicant.html.

(b) through (c) No change.

(2) Requirements for Licensure.

(a) through (c) No change.

(d) The applicant must provide documentation of the completion following:

~~1. Completion of three hours of all Category I, American Medical Association Continuing Medical Education or American Osteopathic Association approved Category I-A continuing education related to the practice of osteopathic medicine or under osteopathic auspices which includes the topics of Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome: the disease and its spectrum of clinical manifestations; epidemiology of the disease; related infections including TB; treatment, counseling, and prevention; clinical management; transmission from healthcare worker to patient and patient to healthcare worker; universal precautions and isolation techniques; and legal issues related to the disease. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.~~

~~2. Completion of one hour of continuing medical education on domestic violence which includes information on the number of patients in that professional’s practice who are likely to be victims of domestic violence and the number who are likely to be perpetrators of domestic violence, screening procedures for determining whether a patient has any history of being either a victim or a perpetrator of domestic violence, and instruction on how to provide such patients with information~~

~~on, or how to refer such patients to, resources in the local community, such as domestic violence centers and other advocacy groups, that provide legal aid, shelter, victim counseling, batterer counseling, or child protection services, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education or American Osteopathic Association approved Category I-A continuing education related to the practice of osteopathic medicine or under osteopathic auspices. Home study courses approved by the above agencies will be acceptable. If the applicant has not already completed the required continuing medical education, upon submission of an affidavit of good cause, the applicant will be allowed six months to complete this requirement.~~

3. ~~Completion~~ of two hours of continuing medical education relating to prevention of medical errors which includes a study of root cause analysis, error reduction and prevention, and patient safety, and which is approved by any state or federal government agency, or nationally affiliated professional association, or any provider of Category I or II American Medical Association Continuing Medical Education or American Osteopathic Association approved Category I-A continuing education related to the practice of osteopathic medicine or under osteopathic auspices. One hour of a two hour course which is provided by a facility licensed pursuant to Chapter 395, F.S., for its employees may be used to partially meet this requirement.

- (e) No change.
- (3) No change.

Rulemaking Authority 459.023, 459.005 FS. Law Implemented 459.023, 456.013(7), 456.031, 456.033 FS. History--New 8-2-05, Amended 5-20-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Anesthesiologist Assistant Committee
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Osteopathic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 13, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 2009

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE NO.: RULE TITLE:
64F-16.006 Sliding Fee Scale

PURPOSE AND EFFECT: The Department proposes to amend the existing language in this chapter.

SUMMARY: The rule amendments makes substantive changes to the sliding fee scale for purposes of family planning.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 154.011(5) FS.

LAW IMPLEMENTED: 154.011 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: Margaret Rankin, Infant Maternal and Reproductive Health, 4052 Bald Cypress Way, Bin #A-13, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64F-16.001 Sliding Fee Scale.

(1) Persons with net family incomes between 101 and 200 percent of the Federal Office of Management and Budget poverty guidelines shall be charged a fee on a sliding scale based on the following increments. For family planning services only, persons with incomes between 101 percent ~~200~~ and 250 percent of poverty shall be charged on a sliding fee scale as described in paragraph 64F-16.006(3)(h), F.A.C., below:

(3) This sliding fee scale applies to recipients of integrated family health and communicable disease control services, with the following exceptions:

(a) through (e) No change.

(f) Clients served by CHDs and their subcontractors shall not be denied family planning services for failure or inability to pay a prescribed fee, regardless of their income; however certain family planning methods ~~the family planning services of inserting Norplant, and, including~~ male and female sterilization, shall be limited depending on the availability of funds to pay for these services.

(g) Clients shall not be denied pregnancy testing for failure or inability to pay a fee.

(h) For family planning services only, persons with net family incomes between 101 percent and 250 ~~200~~ percent of the Federal Office of Management and Budget poverty guidelines shall be charged a fee on a sliding scale based on the following increments:

1. Persons with incomes at or below 100 percent of the OMB poverty guidelines shall pay no fee. Persons with incomes at 200 to 224 percent of the OMB poverty guidelines shall pay 90 percent of the full fee for family planning services.

2. Persons with incomes at 101 to 129 percent of the OMB poverty guidelines shall pay 17 percent of the full fee. Persons with incomes at 225 to 249 percent of the OMB poverty guidelines shall pay 95 percent of the full fee for family planning services.

3. Persons with incomes at 130 to 159 percent of the OMB poverty guidelines shall pay 33 percent of the full fee. Persons with incomes at or above 250 percent of the OMB poverty guidelines shall pay the full fee for family planning services.

4. Persons with incomes at 160 to 189 percent of the OMB poverty guidelines shall pay 50 percent of the full fee.

5. Persons with incomes at 190 to 219 percent of the OMB poverty guidelines shall pay 67 percent of the full fee.

6. Persons with incomes at 220 to 250 percent of the OMB poverty guidelines shall pay 83 percent of the full fee.

7. Persons with incomes at or above 251 percent of the OMB poverty guidelines shall pay the full fee.

(4) Persons with net family incomes above 200 percent of the OMB poverty guidelines shall be charged the full fee promulgated by the department or the relevant board of county commissioners, with the exception of those groups listed in subsections (a) through (h) above.

Rulemaking Specific Authority 154.011(5) FS. Law Implemented 154.011 FS. History—New 10-14-93, Amended 8-2-94, 4-29-96, Formerly 10D-121.007, Amended 6-24-02, 6-17-03, 8-31-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Margaret Rankin

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Dr. Ana Viamonte Ros, State Surgeon General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 12, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 2, 2009

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-2.024
RULE TITLE: Construction Materials Mining Activities

PURPOSE AND EFFECT: The purpose of the rule amendment is to provide additional notice of intended blasting activity to local government. In addition to the written notice required 20 days in advance of the initial blasting activity, written notice must be provided five days in advance of intended blasting activity following permit renewal.

SUMMARY: The State Fire Marshal has authority to regulate statewide vibration limits relating to the use of explosives in conjunction with commercial mining of limestone and sand suitable for production of construction aggregates, sand, cement, and road base materials. However, the authority is

limited to adopting the limits established by the United States Bureau of Mines; therefore, the State Fire Marshal does not retain discretion with regard to setting ground vibration limits. Population growth has resulted in increased concern about ground vibrations. The rule provides additional notice requirements so that people can be prepared for the blasting vibrations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will not have an impact on small business. A SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 552.30, 552.38 FS.

LAW IMPLEMENTED: 552.30, 552.38 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, December 21, 2009, 1:00 p.m. – 5:00 p.m.

PLACE: Third Floor Conference Room, Atrium Building, 325 John Knox Road, 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: Casia.Sinco@myfloridacfo.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 IS: Casia.Sinco@myfloridacfo.com, Program Manager, Bureau of Fire Prevention, Division of State Fire Marshal. Phone: (850)413-3670

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-2.024 Construction Materials Mining Activities.

(1) through (7) No change.

(8) Local Government Notice.

(a) Each person permitted to engage engaged in construction materials mining activity shall submit written notification to the county and or municipality in which construction materials mining activity is to be conducted. The initial notice shall be provided after the issuance of the permit and give at least 20 days notice prior to the initial blast for any blasting.

(b) Subsequent notices shall be provided following the annual permit date and give at least five days notice prior to the first blast following annual permit date.

(c)(b) As soon as practical, but no later than one hour prior to the time when a blast is scheduled to take place, the person or firm engaged in construction materials mining activity shall, if requested, notify the county or municipality of any revisions to the notice.

(9) through (15) No change.

Rulemaking Specific Authority 552.30, 552.38 FS. Law Implemented 552.20, 552.38 FS. History--New 11-25-01, Amended 6-24-02, Formerly 4A-2.024, Amended 10-27-04,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jim Goodloe, Chief, Bureau of Fire Prevention
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 11, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 3, 2009

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-170.0155
RULE TITLE: Forms
PURPOSE AND EFFECT: This rule is being amended to adopt a revised version of Office of Insurance Regulation form OIR-B1-1802, “Uniform Mitigation Verification Inspection Form”. This form is being revised based on changes to the My Safe Florida Home program and the experience of the Office of Insurance Regulation, insurers and policyholders with the form since its last revision in July 2007.

SUMMARY: Section 627.711, Florida Statutes, required the Office to develop a form to be used by home inspectors to verify the presence of windstorm-mitigation features on policyholder’s property so the insurer can calculate appropriate discounts. This form, OIR-B1-1802, first developed in July 2007, is being revised to use terminology commonly used in the construction industry in describing the construction features to be inspected and to require the inspector and homeowner to verify the inspector actually conducted the inspection.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 624.308, 627.711 FS.
LAW IMPLEMENTED: 215.5586, 627.711 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: December 21, 2009, 9:00 a.m.
PLACE: 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 days before the workshop/meeting by contacting: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flor.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 IS: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flor.com

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 (k) No change.
- (l) OIR-B1-1802, “Uniform Mitigation Verification Inspection Form,” (Rev. 9/09 ~~New 7/07~~).
- (m) through (n) No change.
- (2) No change.

Rulemaking Specific Authority 624.308(1), 627.711, 627.736 FS. Law Implemented 215.5586, 624.307(1), 624.424, 627.062, 627.0629, 627.0645, 627.711, 627.736 FS. History--New 6-19-03, Formerly 4-170.0155, Amended 2-23-06, 12-26-06, 6-12-07, 7-17-07, 9-5-07, 3-13-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flor.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 26, 2008.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.: 690-170.0155
RULE TITLE: Forms
PURPOSE AND EFFECT: This rule is being amended to adopt a revised version of Office of Insurance Regulation form OIR-B1-1655, “Notice of Premium Discounts for Hurricane Loss Mitigation”. This form is being revised based on changes to the My Safe Florida Home program and the experience of the Office of Insurance Regulation, insurers and policyholders with the form since its last revision in July 2007.

SUMMARY: Section 627.711, Florida Statutes, required the Office to develop a form to be used by insurers to provide policyholders information about available windstorm mitigation discounts. Because the free inspections and the grants offered by the My Safe Florida Home program are no longer available, Form OIR-B1-1655 is being revised to remove references to these programs.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 624.308, 627.711 FS.

LAW IMPLEMENTED: 215.5586, 627.711 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: December 21, 2009, 9:00 a.m.

PLACE: 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 days before the workshop/meeting by contacting: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flor.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 IS: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flor.com

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) OIR-B1-1655, "Notice of Premium Discounts for Hurricane Loss Mitigation," (Rev. ~~09/09 7/07~~).

(1) through (2) No change.

Rulemaking Specific Authority 624.308(1), 627.711, 627.736 FS. Law Implemented 215.5586, 624.307(1), 624.424, 627.062, 627.0629, 627.0645, 627.711, 627.736 FS. History—New 6-19-03, Formerly 4-170.0155, Amended 2-23-06, 12-26-06, 6-12-07, 7-17-07, 9-5-07, 3-13-08, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, Bureau of Property and Casualty, Office of Insurance Regulation, E-mail michael.milnes@flor.com.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 31, 2009

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
690-236.001	Purpose
690-236.002	Definitions
690-236.003	Methodology
690-236.004	Limitations and Exclusions
690-236.005	Data Sources

PURPOSE AND EFFECT: To adopt the annual report card to be used by the Office of the Consumer Advocate, as required by Section 627.0613, Florida Statutes.

SUMMARY: Section 627.0613(4), Florida Statutes, requires the Consumer Advocate's office to prepare an annual report card for each authorized personal residential property (homeowners) insurer, on a form and using a letter-grade scale developed by the Commission. The rule being proposed sets out the procedure by which the insurers would be graded and adopts the form by which the results are presented.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: 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.

RULEMAKING AUTHORITY: 627.0613 FS.

LAW IMPLEMENTED: 627.0613 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: January 4, 2010, 9:30 a.m.

PLACE: 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 days before the workshop/meeting by contacting: Debra Seymour, Office of Insurance Regulation, E-mail debra.seymour@flor.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 RULES IS: Debra Seymour, Office of Insurance Regulation, E-mail debra.seymour@floir.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69O-236.001 Purpose.

The purpose of the rules is to establish procedures to be used by the Office of the Insurance Consumer Advocate in preparing an annual report card for each personal residential property insurer. The rules do not apply to eligible surplus lines insurers or to insurers that do not write any homeowner's, mobile home owner's, dwelling, tenant's, condominium unit owner's, cooperative unit owner's, or similar personal residential property insurance.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History--New _____.

69O-236.002 Definitions.

(1) "Complaint" means any written communication that expresses dissatisfaction with a specific personal residential property insurer subject to regulation under Florida's insurance laws. An oral communication which is subsequently converted to a written form meets the definition of a complaint for this purpose.

(2) "Division" means the Division of Consumer Services of the Department of Financial Services.

(3) "Experience period" means the latest five calendar years for the purpose of evaluating complaints and the latest five calendar-accident years for the purpose of evaluating time to pay claims.

(4) "Personal residential property insurer" means an insurer that writes personal residential property insurance such as homeowner's, mobile home owner's, dwelling, tenant's, condominium unit owner's, cooperative unit owner's and similar policies and includes an insurer that, in addition to writing personal residential property insurance policies, also writes commercial residential property insurance policies such as condominium association, cooperative association, apartment building and similar policies.

(5) "Qualifying premium" means a personal residential property insurer's total direct written personal and commercial residential property insurance premiums in this state during the experience period excluding the latest year's premium.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History--New _____.

69O-236.003 Methodology.

(1) The Division currently divides complaints into numerous specific categories. For the purposes of the Insurer Report Card, complaints received by the Division will be grouped as follows: premium related complaints, loss related complaints and valid complaints. Premium related complaints

and loss related complaints are mutually exclusive. Valid complaints are a subset of premium related complaints and loss related complaints.

(2) A complaint is not valid if the disposition is categorized by the Division as one of the following:

- (a) Agent Position Upheld;
- (b) Company Position Upheld;
- (c) Complaint Withdrawn;
- (d) Contractual Provision;
- (e) Coverage Explained;
- (f) F-map Information;
- (g) Information Provided;
- (h) Insufficient Information;
- (i) Missing;
- (j) No Jurisdiction;
- (k) Not Eligible for Mediation;
- (l) Pamphlet Request;
- (m) Referred To FIGA;
- (n) Referred To Proper Agency;
- (o) Sent To Proper Agency.

(3) For the first annual Insurer Report Card, each insurer will receive a separate grade for each year in the experience period and for the 5-year experience period overall. The grade will be based on a percentage rank in accordance with subsections (4) and (5). The percentage rank will be determined for each insurer for each year in the experience period and for the 5-year experience period overall based on the following four factors:

(a) The insurer's market share of all premium related complaints (valid and invalid) compared to its market share of in-force policies on a calendar year basis;

(b) The insurer's market share of all loss related complaints (valid and invalid) compared to its share of the prior year's in-force policies on a calendar year basis;

(c) The insurer's market share of valid complaints compared to its share of the average of the latest year's and the prior year's in-force policies on a calendar year basis; and

(d) The insurer's average number of months to pay claims compared to the median number of months to pay claims of all insurers on a calendar-accident year basis.

(4) Based on the insurer's percentage rank, each insurer will receive a letter grade in accordance with the following:

(a) A grade of A if the insurer's percentage rank is in the top 15%;

(b) A grade of B if the insurer's percentage rank is in the next 20%;

(c) A grade of C if the insurer's percentage rank is in the next 30%;

(d) A grade of D if the insurer's percentage rank is in the next 20%; and

(e) A grade of E if the insurer's percentage rank is in the last 15%.

(5) Each insurer is assigned an overall grade based upon a weighted average determined as follows:

(a) 10% weight to premium related complaints grade;

(b) 10% weight to loss related complaints grade;

(c) 30% weight to valid complaints grade; and

(d) 50% weight to average number of months to pay claims grade.

(6) To provide appropriate incentives for the second and subsequent years' annual Insurer Report Cards, each insurer will be graded on absolute scales developed from the first annual Insurer Report Card experience period. Absolute grading scales will reflect higher expected complaint ratios in hurricane years.

(7) The Office of the Insurance Consumer Advocate will issue an annual report card on a form that provides the name of each insurer followed by a letter grade for:

(a) Overall score;

(b) Premium related complaint score;

(c) Loss related complaint score;

(d) Valid complaint score; and

(e) Score for time to pay claims.

(8) Form CA-01, "Annual Report Card of the Insurance Consumer Advocate of Residential Property Insurers" is incorporated herein and adopted.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History--New _____.

690-236.004 Limitations and Exclusions.

(1) Complaints are classified as loss related, premium related and valid based upon an objective evaluation of the reason and disposition descriptions given to each complaint. Complaints will be evaluated based on the reason and disposition descriptions in the complaint files as of April 1 of the year following the experience period that is being graded.

(2) All complaints for which the complete insurer name is missing from the complaint file are excluded.

(3) Open complaint files or complaints for which the complaint disposition description is missing are treated as invalid complaints, except for complaints for which the reason description is judged to describe a valid complaint.

(4) Missing complaint reason descriptions are treated as premium related complaints.

(5) All flood complaints are excluded.

(6) Claims are assumed to be paid on average in the middle of the calendar year in which they close.

(7) For calendar-accident years in which a company had fewer than 50 paid claims as of the end of the latest calendar year, such claims are assumed to have been paid in the industry average number of months.

(8) Insurers with less than \$30 million in qualifying premium are graded on each of the four factors but are given an overall grade of "I" for "insufficient complaint history" due to a lack of actuarial credibility.

(9) Insurers with less than 5 years of experience are only graded for those years for which they had experience.

(10) Insurers with less than \$100,000 in qualifying premium in the latest calendar year will not be graded.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History--New _____.

690-236.005 Data Sources.

The insurer report card will be based on data obtained from the following sources:

(1) Complaint data from the Division of Consumer Services, Florida Department of Financial Services;

(2) Paid claim data from the Statutory Annual Statements, Schedule P, Part 5A, Section 1, filed by insurers with the Office of Insurance Regulation; and

(3) In-force policy and direct written premium data from the Quarterly Summary Reports (QSR) of the Florida Office of Insurance Regulation.

Rulemaking Authority 624.308(1), 627.0613(4) FS. Law Implemented 627.0613(4) FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Debra Seymour, Office of Insurance Regulation, E-mail
debra.seymour@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 17, 2009

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.:

RULE TITLE:

69V-40.003

Electronic Filing of Forms and Fees

PURPOSE AND EFFECT: The proposed rule amendment simplifies the process of requesting an exemption from the requirement that forms and fees be filed electronically through the Office of Financial Regulation's Regulatory Enforcement and Licensing (REAL) System. This rule pertains to persons and businesses required to be licensed under Chapter 494, Florida Statutes, relating to mortgage brokering and mortgage lending.

SUMMARY: The proposed rule amendment simplifies the process of requesting an exemption from the requirement that forms and fees be filed electronically through the Office of Financial Regulation's Regulatory Enforcement and Licensing

(REAL) System. This rule pertains to persons and businesses required to be licensed as under Chapter 494, Florida Statutes, relating to mortgage brokering and mortgage lending.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory cost has been prepared and may be obtained by contacting: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

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

RULEMAKING AUTHORITY: 494.0011 FS.

LAW IMPLEMENTED: 494.0011 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: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-40.003 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, "REAL System" means the Office of Financial Regulation's Regulatory Enforcement and Licensing System, which is accessible through the Office of Financial Regulation's website at www.flofr.com.

(2) All forms adopted under paragraphs 69V-40.002(1)(a) through (d) and (f) through (h), F.A.C., must be filed with the Office of Financial Regulation through the REAL system.

(3) All fees required to be filed with the Office of Financial Regulation under Chapter 69V-40, F.A.C., must be filed through the REAL System.

(4) Any person may request an exemption from the petition for a waiver of the requirement of electronic filing requirements of this rule by submitting a written request to: Office of Financial Regulation, Division of Finance, Bureau of Regulatory Review, 200 E. Gaines Street, Tallahassee, Florida 32399-0351. The request must set forth the person's technological or financial hardship that makes it difficult for the person to file forms and pay fees electronically. The request must be legible and include the applicant's or licensee's name, contact person, address and telephone number. The Office of Financial Regulation will provide any person granted an exemption under this subsection with instructions on how to file forms and fees in paper format of any form or fee under

~~Chapter 69V-40, F.A.C., by filing a petition under Rule 28-106.301, F.A.C. The petition must demonstrate a technological or financial hardship that entitles the person to file the form or fees in a paper format. The Office of Financial Regulation will provide any person granted a waiver under this subsection a hardcopy version of the applicable form.~~

Rulemaking Specific Authority 494.0011 FS. Law Implemented 494.0011 FS. History--New 10-21-08, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 2, 2009

FINANCIAL SERVICES COMMISSION

Finance

RULE NO.: 69V-560.1013 **RULE TITLE:** Electronic Filing of Forms and Fees

PURPOSE AND EFFECT: The proposed rule amendment simplifies the process of requesting an exemption from the requirement that forms and fees be filed electronically through the Office of Financial Regulation's Regulatory Enforcement and Licensing (REAL) System. This rule pertains to persons and businesses required to be licensed as money services businesses under Chapter 560, Florida Statutes.

SUMMARY: The proposed rule amendment simplifies the process of requesting an exemption from the requirement that forms and fees be filed electronically through the Office of Financial Regulation's Regulatory Enforcement and Licensing (REAL) System. This rule pertains to persons and businesses required to be licensed as money services businesses under Chapter 560, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory cost has been prepared and may be obtained by contacting: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

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

RULEMAKING AUTHORITY: 560.105 FS.
 LAW IMPLEMENTED: 560.105 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

THE FULL TEXT OF THE PROPOSED RULE IS:

69V-560.1013 Electronic Filing of Forms and Fees.

(1) For purposes of this rule, "REAL System" means the Office of Financial Regulation's Regulatory Enforcement and Licensing System, which is accessible through the Office's website at www.flofr.com.

(2) All forms adopted under paragraphs 69V-560.1012(1)(a) through (1)(g), F.A.C., must be filed electronically with the Office through the REAL system.

(3) All fees required to be filed with the Office under Chapter 69V-560, F.A.C., must be paid electronically through the REAL System.

(4) Any person may request an exemption from the petition for a waiver of the requirement of electronic filing requirements of this rule by submitting a written request to: Office of Financial Regulation, Division of Finance, Bureau of Regulatory Review, 200 E. Gaines Street, Tallahassee, Florida 32399-0351. The request must set forth the person's technological or financial hardship that makes it difficult for the person to file forms and pay fees electronically. The request must be legible and include the applicant's or licensee's name, contact person, address and telephone number. The Office of Financial Regulation will provide any person granted an exemption under this subsection with instructions on how to file forms and fees in paper format of any form or fee under Chapter 69V-560, F.A.C., by filing a petition under Rule 28-106.301, F.A.C. The petition must demonstrate a technological or financial hardship that entitles the person to file the form or fees in a paper format. The Office will provide any person granted a waiver under this subsection a hardcopy version of the applicable form.

Rulemaking Specific Authority 560.105 FS. Law Implemented 560.105 FS. History--New 1-13-09, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Gregory C. Oaks, Chief, Bureau of Regulatory Review, Finance, Division of Finance, Office of Financial Regulation, 200 East Gaines Street, Tallahassee, FL 32399-0376, phone (850)410-9805, Facsimile (850)410-9914, E-mail: Greg.Oaks@flofr.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2009
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 2, 2009

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-1.09401 Student Performance Standards
 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. 35, No. 41, October 16, 2009 issue of the Florida Administrative Weekly.

Subsection (2) is amended to read:

(2) ~~No less than~~ Every twelve (12) years from the effective date of the last amendment of the standards for a subject area, the Commissioner shall convene an expert group ~~to shall~~ review the standards and make recommendations to the Commissioner for their review and revision. The Commissioner shall determine whether revisions are necessary based on the recommendations of the expert group, and shall propose such revisions to the State Board for adoption. The Commissioner may initiate expert review of a set of standards after a period of less than twelve (12) years, if the Commissioner determines that developments have occurred in that subject area such as to make existing standards inadequate.

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

Suwannee River Water Management District

RULE NOS.:	RULE TITLES:
40B-2.025	Processing of Water Use Permit Applications
40B-2.041	Permits Required
40B-2.101	Content of Application
40B-2.301	Conditions for Issuance of Permits
40B-2.321	Duration of Permits
40B-2.331	Modification of Permits
40B-2.341	Revocation of Permits

40B-2.351	Transfer of Permits
40B-2.381	Limiting Conditions
40B-2.441	Temporary Water Use Permits

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. 35, No. 33, August 21, 2009 issue of the Florida Administrative Weekly.

Notice is hereby given that these rules and provisions of the proposed Water Use Permitting Guide ("Guide"), which is proposed to be incorporated by reference in Rule 40B-2.301(3), F.A.C., published in the Florida Administrative Weekly, Volume 35, Number 33, on August 21, 2009, have been changed to reflect comments received from interested persons. These changes were approved by the Governing Board of SRWMD on October 13 and November 12, 2009. The changes to provisions of the Guide are summarized as follows: Paragraph 1.8.1 requires applicants to provide reasonable assurance of the ability to operate and maintain the withdrawal and/or diversion facilities; provides that demonstration of intent to exercise eminent domain authority is sufficient to meet this requirement; and specifies that this provision does not apply to projects permitted under the Power Plant Siting Act. In sub-paragraph 3.6.1.A, a reference to the subsection of the rule in which the application form is incorporated has been included. The language was changed from permissive to mandatory in sub-paragraph 3.6.1.P concerning permit modifications when a change in water use is proposed that may alter the permit allocations. In subsection 5.4, language regarding letter modifications has been revised for consistency with changes to Rule 40B-2.331, F.A.C. In addition to these changes to the Guide, the application forms incorporated by reference in Rule 40B-2.041, F.A.C., have been changed for consistency with the changes to paragraph 1.8.1 of the Guide. When changed, the specified rules shall read as noted below:

40B-2.025 Processing of Water Use Permit Applications.

(1) Water use permit applications will be processed pursuant to Section 120.60, F.S. and Chapter 28-107, F.A.C., Part II of Chapter 373, F.S. and this chapter, and Part VII of Chapter 40B-1, F.A.C. Water use permit applications are available at District headquarters and on the District's website at www.mysuwanneeriver.com.

(2) Proposed uses of water associated with an electrical power plant as defined in subsection 403.503(14), FS, that are within the scope of the Florida Power Plant Siting Act, are processed in accordance with such Act and Part I, Chapter 62-17, F.A.C.

40B-2.041 Permits Required.

(1) No change.

(2) The District issues three types of water use permits: minor water use permit by rule, general water use permit, and individual water use permit.

Minor Water Use Permit by Rule

(a) To obtain a minor water use permit by rule, water users must qualify and comply with the conditions specified in subsection (3) below. Permittees who wish to modify a general or individual water use permit to a minor water use permit by rule as provided in subsection (3) below, or who wish to abandon a water use permit, must complete and submit Form 40B-2.041A: Water Use Permit Status Form, effective DATE, which is hereby incorporated by reference. This form is available at District headquarters and on the District's website at www.mysuwanneeriver.com.

(b) To obtain a permit for water uses that require a general or individual permit, the applicant must complete and submit one of the following forms, as appropriate, which are hereby incorporated by reference:

1. Form 40B-2.041B Application for Water Use Permit Agricultural Use, effective DATE;
2. Form 40B-2.041C Application for Water Use Permit Augmentation/Other Use, effective DATE;
3. Form 40B-2.041D Application for Water Use Permit Commercial Use, effective DATE; and
4. Form 40B-2.041E Application for Water Use Permit Potable Water Supply Use, effective DATE.

These application forms are available at District headquarters and on the District's website at www.mysuwanneeriver.com.

(3) Minor Water Use Permit by Rule.

(a) Except as provided in subsections (4) and (5) paragraphs (b), (c) and (d) below, a minor water use permit by rule is hereby granted for the following ~~withdrawal~~ classes of water uses as referenced in paragraphs 40B-2.501(3)(a) through (e), F.A.C.: agriculture, commercial, potable water supply, augmentation and other uses, provided they meet the criteria specified below:

1. through 6. No change.

(b) Except as provided in subsections (4) and (5) paragraphs (d) and (e) below, a minor permit by rule is hereby granted for landscape irrigation uses, provided they meet the criteria specified below:

1. through 2. No change.

Any landscape irrigation uses that deviate from these criteria shall be required to obtain a permit in accordance with subsections (4) and (5) paragraphs (d) and (e) below.

(c) No change.

(4) General Water Use Permit

Except as provided in subsection (3) above or (5) below paragraph (a) and (b) above or (d) below, a general water use permit is required under the general permit procedures in paragraph 40B-1.703(1)(c), F.A.C., for all withdrawals or

diversions which are less than ten million gallons per day maximum daily rate of withdrawal and less than ~~two~~ one million gallons per day average daily rate of withdrawal. Either the Executive Director, the Assistant Executive Director, or the Deputy Executive Director shall approve general permit applications under this paragraph without a hearing, except that any application recommended for denial shall be presented to the Governing Board for final agency action.

(5) Individual Water Use Permit.

An individual water use permit is required under the individual permit procedures in subsection 40B-1.703(2), F.A.C., for all withdrawals or diversions which exceed the limits established in subsection (4) above paragraph 40B-2.041(2)(d), F.A.C., and for all bottled water uses regardless of the quantity of the withdrawal or diversion.

~~(6)(3)~~ In the event the proposed water use is associated with a project that requires a water well permit under Chapter 373, Part III, F.S., and District rules, the water well application will be deemed part of the water use application and processed as one application under the WUP procedures.

40B-2.101 Content of Application.

Applications for permits required by this chapter shall be filed with the District and ~~shall~~ contain the following:

(1) No change.

(2) The appropriate application form ~~hereby~~ incorporated by reference in Rule 40B-2.041, F.A.C., which is available at District headquarters and on the District's website at www.mysuwanneeriver.com, as follows:

~~(a) 40B-2.101A Application for Water Use Permit Agricultural Use (DATE);~~

~~(b) 40B-2.101B Application for Water Use Permit Augmentation/Other Use (DATE);~~

~~(c) 40B-2.101C Application for Water Use Permit Commercial Use (DATE); and~~

~~(d) 40B-2.101D Application for Water Use Permit Potable Water Supply Use (DATE).~~

(3) Best available technical and other supporting information sufficient to demonstrate that the use meets the conditions for issuance as specified in subsection 373.223(1), F.S., and Rule 40B-2.301, F.A.C. Any supporting information or calculations required to be prepared by a professional regulated under Florida law shall bear the certification of such professional.

~~(4) Any supporting information or calculations required to be prepared by a profession regulated under Florida law shall bear the certification of such professional.~~

~~(4)(5)~~ The relevant information required by section 2.0, Water Use Permitting Guide.

40B-2.301 Conditions for Issuance of Permits.

(1) through (2) No change.

(3) The standards and criteria set forth in the Water Use Permitting Guide, effective _____, hereby incorporated published by reference and incorporated into this chapter, if met, will must be used to provide the reasonable assurances required in this section. This A current version of this document is available at District headquarters and on the District's website at www.mysuwanneeriver.com and at its headquarters.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.185, 373.219, 373.223, 373.226, ~~373.236~~, 373.227, 373.228, 373.229, 373.232, 373.236, 373.239, 373.250 FS. History--New 10-1-82, Amended 5-1-83, _____.

40B-2.321 Duration of Permits.

(1) No change.

(a) The District shall may issue permits with up to a 50-year duration to a municipality or other governmental body, or to a public works or public service corporation, when required to provide for the retirement of bonds for the construction of waterworks or waste disposal facilities.

(b) The District shall issue permits with at least a 20-year duration when the permit is approved for the development of alternative water supplies. The District shall extend the duration of such permits up to 50 years when the following conditions are met:

1. The permittee has issued bonds for construction of the alternative water supply project;

2. The permittee submits a written request to extend the duration of the permit to the District prior to the permit expiration date; and

3. The Governing Board determines that the water use will continue to meet the conditions for issuance in Rule 40B-2.301, F.A.C., for such additional time as is required for the retirement of the issued bonds.

(c) When a private, rural landowner contributes greater than fifty percent (50%) of the land or funding needed to makes an extraordinary contribution of land or construction funding to enable the expeditious implementation of an alternative water supply development project, the District shall may issue permits with up to a 50-year duration to a municipality, county, special district, regional water supply authority, multi-jurisdictional water supply entity, and public or private utilities. However, this provision does not apply to public or private utilities created for or by a private landowner after April 1, 2008. An applicant that requests a longer duration permit under this paragraph must have an agreement with the landowner to efficiently pursue an alternative public water supply development project identified in the District's regional water supply plan and meeting the water demands of both the applicant and the landowner. In addition, reasonable assurances must be provided that the District's conditions for issuance will be met for the duration of the permit. All such permits will require submittal of a compliance report every five

years to maintain reasonable assurance that the conditions for permit issuance applicable at the time of review of the compliance report are met, following which the Governing Board may modify the permit as necessary to ensure that the use meets the conditions for issuance.

(d) through (4) No change.

40B-2.331 Modification of Permits.

~~(+) A permittee may seek modification of any terms of an unexpired permit as follows and consistent with Rule 40B-1.709, F.A.C.: Either the Executive Director, the Assistant Executive Director, or the Deputy Executive Director shall approve proposed modifications without a hearing, in the following circumstances, except that any request for modification recommended for denial shall be presented to the Governing Board for final agency action:~~

~~(1) A permittee may apply for modification by letter to the District: ~~(a) if the proposed modification involves an increase of water use of less than 100,000 gallons per day provided that the type of permit required does not change, and such modification does not change the water use class; and or~~~~

~~(a) A change in conditions has resulted in the water allowed under the permit becoming inadequate for the permittee's need; or~~

~~(b) The If the proposed modification would result in a more efficient use of water than is possible under the existing permit; or~~

~~(c) if the proposed modification is for replacement of the source with an alternative water supply source, and~~

~~(d) If the expiration date of the permit is not changed and the location of the withdrawal is not changed pursuant to Section 373.239, Florida Statutes.~~

~~Either the Executive Director, the Assistant Executive Director, or the Deputy Executive Director shall approve qualifying proposed letter modifications under this subsection without a hearing, except that any request for modification recommended for denial shall be presented to the Governing Board for final agency action.~~

~~(2) All other permit modification applications other than under subsection (1) above shall comply with the requirements of Section 373.229, F.S., and shall contain all of the information required by the permit conditions and by Rule 40B-2.101, F.A.C. This shall include all permits that have been previously considered by the Governing Board for issuance.~~

~~(3) through (4) No change.~~

~~(5) The Governing Board shall may issue an order to modify an existing use when conditions warrant such action in order to obtain the most beneficial use of the water resources of the state and to protect the public health, safety, and welfare and the interests of the water users affected. Such order must include a finding by the Governing Board that the use proposed to be modified is detrimental to other water users or to the water resources of the state.~~

40B-2.341 Revocation of Permits.

~~(1) The Governing Board shall initiate proceedings to may revoke a permit in whole or in part, permanently or for a lesser period, as provided in subsections 373.243(1), (2) and (3), F.S., for any material false statement, a willful violation of a permit condition, or a violation of any provision of this Chapter 373, F.S., when such action is willful, flagrant, repeated, continuing, or when an emergency exists, or significant off-site impacts or environmental harm is occurring or threatens to occur.~~

~~(2) No change.~~

~~(3) The Governing Board shall revoke a permit permanently and in whole upon receiving written consent from the permittee to revoke the permit permanently and in whole. The permittee may formally request, in writing, the Governing Board to revoke the permit permanently and in whole.~~

~~(4) The Governing Board shall may revoke a permit when it finds that the water use has ceased to be reasonable or beneficial as the use is detrimental to other water users or to the water resources of the state.~~

40B-2.351 Transfer of Permits.

~~Water Use Permit Transfer Form: Form Number 40B-2.351A, effective DATE. Water Use Permit Transfer Form is hereby incorporated by reference. This form is available at District headquarters and on the District's website at www.mysuwanneeriver.com.~~

~~(1) Persons who wish to continue a permitted water use and who have acquired the ability to operate and maintain the withdrawal and/or diversion facilities ownership of the land on which facilities are located, shall apply to the District within 90 days of acquiring ownership of such ability land, to transfer the permit. Such persons must provide reasonable assurances of the ability to operate and maintain the withdrawal and/or diversion facilities for the duration of the permit in accordance with the permit terms and conditions. Permit transfer requests shall be The applicant shall request such transfer by letter or submittal of the above referenced form and shall reference the permit number in the letter. The District shall transfer the permit provided the previously permitted use remains the same.~~

~~(2) Notwithstanding the provisions of subsection (1) above, the District will notify the current owner in writing of the need to transfer the permit in order to continue the water use upon discovery of a change in property ownership. The owner must request permit transfer within 90 days of receipt of notification from the District. The permit will be transferred in accordance with this section.~~

~~(2)(3) Persons who apply to transfer a permit under subsection (1) above and propose to change the source, use, or withdrawal quantity or source quality from those specified in the permit, must follow the procedures for modification in 40B-2.331, F.A.C.~~

~~(3)(4) All water use under a transferred permit must comply with the terms and conditions of that permit.~~

~~(4)(5)~~ A permit not transferred as prescribed herein shall be void without any further action by the District.

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented ~~373.219, 373.239~~ FS. History--New 10-1-82, Amended _____.

40B-2.381 Limiting Conditions.

(1) The Governing Board ~~shall~~ ~~may~~ impose such reasonable conditions upon any water use permit as are necessary to assure that the proposed use of water is consistent with the overall objectives, policy, and purpose of the District ~~as set forth in Chapter 373, F.S.,~~ and will not be harmful to the water resources of the District.

(2) through (3) No change.

40B-2.441 Temporary Water Use Permits.

~~(1) In order for a temporary permit to be necessary prior to final action on the application, there must exist a serious set of unforeseen or unforeseeable circumstances. Temporary permits expire on the day following the next regular meeting of the Governing Board.~~

~~(1)(2)~~ The Governing Board hereby delegates to the Executive Director the authority to issue temporary permits ~~in accordance with Section 373.244(1), Florida Statutes,~~ provided that an application for a water use permit is pending pursuant to Sections 373.219 and 373.229, F.S. Such temporary permits expire on the day following the next regular meeting of the Governing Board.

~~(a) an application for a water use permit is pending;~~

~~(2) At the next regular meeting of the Governing Board, the Governing Board shall consider:~~

~~(a)(b) Whether the proposed use is a appears reasonable-beneficial use, will not interfere with any presently existing legal use, and is consistent with the public interest based on information submitted by the applicant at the time of the request for the temporary water use permit; and~~

~~(b)(e) Whether a temporary permit is necessary prior to final action on the application. In order for a temporary permit to be necessary prior to final action on the application, there must exist a serious set of unforeseen or unforeseeable circumstances. Such temporary permits expire on the day following the next regular meeting of the Governing Board.~~

~~(3) The Governing Board shall review temporary permits at each regular meeting and either summarily extend the term of a temporary permit for a subsequent period of time to expire on the day following the next regular meeting of the Governing Board, or terminate or refuse to extend a temporary permit. In deciding whether to refuse to extend a temporary permit, the Governing Board shall consider. In accordance with 373.244, F.S., the Governing Board shall consider the following in determining whether to either extend, modify or terminate a temporary permit:~~

(a) Whether the proposed use is a reasonable-beneficial use, will not interfere with any presently existing use, and is consistent with the public interest; or the water use appears reasonable-beneficial; or

(b) Whether adverse effects are occurring as a result of the water use; or

(c) Whether the water use is no longer required ~~an~~ emergency.

A copy of the Water Use Permitting Guide may be obtained from Linda Welch, Rules Coordinator, SRWMD, 9225 CR 49, Live Oak, Florida 32060, (386)362-1001.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

RULE NO.:	RULE TITLE:
40C-1.1101	Amendments to and Releases of Regulatory Conservation Easements

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. 35, No. 28, July 17, 2009 issue of the Florida Administrative Weekly.

40C-1.1101 Amendments to and Releases of Conservation Easements.

(1) This section establishes the terms and conditions under which the District shall agree to amend or release all or part of a conservation easement conveyed to it, pursuant to Section 704.06, Florida Statutes, solely for mitigation or in compliance with other regulatory requirements of the District or another governmental entity. It does not apply to conservation easements that were acquired by the District partly through purchase and partly through a regulatory program. The District's decision to release or amend a conservation easement is a proprietary decision and does not result in any waiver of regulatory requirements. Property owners shall be responsible for obtaining all necessary permits for their construction activities, including any dredging or filling of wetlands. A request for the release or amendment of a conservation easement shall include a copy of the recorded conservation easement; a copy of any conservation easement over other property offered in exchange for the requested release or amendment; and a map showing the location of the recorded conservation easement and any conservation easement offered in exchange. For the District to agree to release or amend a conservation easement, the request for release or amendment shall satisfy the conditions of any one of the following six categories and the general condition in paragraph 40C-1.1101(1)(g), F.A.C.:

(a) On-site Adjustments. The District shall release or amend a conservation easement under this category when:

1. through 2. No change.

3. The District shall use the Uniform Mitigation Assessment Method (UMAM) in Chapter 62-345, F.A.C. (September 12, 2007), to establish ecological values.

4. No change.

(b) Conservation Easements not needed to meet Regulatory Requirements. The District shall release or amend a conservation easement under this category when:

1. through 2. No change.

3. The permittee has not commenced construction under the permit that required the conservation easement and has obtained a permit modification approving different mitigation, provided that the release or amendment shall not adversely affect the ecological value of other conservation lands or interests in lands, ~~owned by the District~~; or

4. For a mitigation bank or a permitted bank phase, no bank credits have been sold or used from the bank or permitted phase, as applicable; and the relevant permit for the mitigation bank or permitted phase has been surrendered to the District or to the Department of Environmental Protection for mitigation banks permitted by that agency.

(c) Public Projects. For the purpose of this paragraph, public projects are projects proposed or contracted by, or implemented on behalf of, an entity with the power of eminent domain to condemn the conservation easement, and may include linear facilities such as electric transmission and distribution facilities, pipeline transmission and distribution facilities, or public transportation corridors. For public projects, the District shall voluntarily negotiate for a voluntary release or amend amendment of the conservation easement under the following terms and conditions:

1. The entity making the request shall provide an analysis that demonstrates the public project cannot practicably be located in a manner that will avoid the conservation easement. If the analysis demonstrates that avoiding the easement is not technically capable of being done, is not economically feasible ~~viable~~, or will adversely affect public safety through the endangerment of lives or property, location of the project in a manner that will avoid the easement shall not be considered "practicable" under paragraph 40C-1.1101(1)(c), F.A.C.

2. If the public project cannot be located to avoid the conservation easement pursuant to subparagraph 40C-1.1101(1)(c)1., F.A.C., the public project, to the extent practicable, shall be located, and hence the release area shall be identified, within the conservation easement as follows:

a. Adjacent to or within existing utility rights-of-way, along the boundary of the existing conservation easement, or adjacent to or within existing firelines or roadways;

b. To avoid wetlands or uplands encumbered by the existing conservation easement that are used by the bald eagle (*Haliaeetus leuccephalus*) or listed wildlife species as defined in subsection 40C-4.021(20), F.A.C.;

c. To avoid a plant community within the existing conservation easement that has been classified by a state rank of three (3) or lower in the document titled "FNAI [Florida Natural Areas Inventory] – Element Tracking Summary" (October 1, 2008); ~~and~~

d. To minimize impacts to wetlands and other surface waters located within the existing conservation easement; and

e. To avoid fragmentation of habitat and protect corridors for wildlife movement.

3. In exchange for the release or amendment, the entity making the request must provide the District with a conservation easement having substantially similar terms over other lands within the same drainage basin that have equivalent or greater ecological and monetary value to the area being released or amended. Alternatively, for public projects that are expansions of existing projects facilities, but are not extensions of linear facilities, the entity making the request may, ~~in exchange~~ for the release or amendment, provide credits from a mitigation bank with equivalent or greater ecological and monetary value, but no less than 0.01 credits, or participate in a regional off-site mitigation area (ROMA) sponsored by the Department or the District with equivalent or greater ecological and monetary value, located within the same drainage basin as the conservation easement being released or amended.

a. No change.

b. To establish monetary values, the District shall obtain an appraisal ~~and a review appraisal~~ for the conservation easement to be released or amended in accordance with subsection 40C-1.1101(3), F.A.C. If a conservation easement is proposed in exchange for the release or amendment, the District shall obtain an appraisal ~~and review appraisal~~ for the conservation easement offered in exchange and shall compare the values of the two conservation easements. The cost of measures taken to reduce environmental impacts as required solely by avoid and minimize impacts under subparagraphs 40C-1.1101(1)(c)1. and 2., F.A.C., shall be considered as part of the monetary consideration for the release or amendment value in the exchange. If mitigation bank credits or participation in a ROMA are offered ~~in exchange~~ for the release or amendment of conservation easement, the person requesting the release or amendment must provide the District with a written quote from a mitigation bank for the mitigation credits needed to provide equivalent or greater monetary and ecological value or an analysis from the government entity implementing the ROMA of what portion of the ROMA shall be attributed to the financial contribution proposed.

(d) No change.

(e) Single-Family Lots. The District shall release up to 6,000 square feet from a conservation easement located on a single-family lot in exchange for credits from a mitigation bank or participation in a government-sponsored regional

off-site mitigation area (ROMA), located in the same drainage basin as the conservation easement to be released or amended when:

1. The mitigation bank credits or ROMA participation have equivalent or greater monetary and ecological value to the conservation easement being released or amended.

~~a. The District shall develop an opinion of monetary value based upon the best available information for the conservation easement area to be released or amended. If this opinion of value is not acceptable to the person requesting the release or amendment, the District shall obtain an appraisal and review appraisal of the conservation easement area to be released or amended in accordance with subsection 40C-1.1103(3), F.A.C.~~

b. through c. No change.

~~2. The owner of the single-family lot requesting the release or amendment demonstrates that the configuration of the conservation easement on the lot precludes construction of a residence and associated residential improvements consistent with the improvements present within lots in the same subdivision, phase or unit of a residential development. In no case shall the release of a conservation easement result in more than 6,000 square feet of buildable area excluding any setback areas required by local governments. The District shall release the minimum area of conservation easement needed for the lot owner to have a buildable area of up to 6,000 square feet on the lot, where buildable area means the portion of lot available for a residence and other improvements, excluding any setback areas required by local governments.~~

3. through 5. No change.

6. The 6,000 square foot limit in this paragraph (e) shall not apply to the following activities:

a. A residence and associated residential improvements that were constructed on the lot by a previous owner and the current owner requesting the release or amendment, despite the exercise of due diligence, was unaware that the construction by the previous owner breached the terms of the conservation easement; or

b. A residence and associated residential improvements constructed prior to November 10, 2009.

(f) through (g) No change.

(2) Notice of Receipt of Request to Release or Amend.

(a) Except as otherwise provided in this subsection, for any release of conservation easement greater than 1,000 square feet or amendment affecting more than 1,000 square feet of the conservation easement, the person requesting the release or amendment must provide the District with the names and addresses of all persons who own property abutting the conservation easement area proposed to be released or amended. In addition, the District shall provide notice to all persons who were "interested persons" regarding the permit that caused the conservation easement to be conveyed to the District. An "interested person" is a person, other than the permit applicant, that requested notice of agency action

regarding the specific permit application. The District shall also provide notice to commanders of Department of Defense (DOD) installations located within a five mile radius of the conservation easement proposed to be released or amended. The District shall provide notice by U.S. Mail, or e-mail when an e-mail address is available, and provide a 30 day 14-day comment period from the date of the notice before taking action.

(b) through (d) No change.

(3) Appraisals.

(a) For the District to proceed with an appraisal, the person requesting a release or amendment shall provide: a title report for the property to be encumbered by conservation easement in exchange for a release or amendment to the District. The title report shall include

1. A an adequate legal description by metes and bounds of the property to be encumbered by conservation easement in exchange for a release or amendment to the District that also states the size of the property; and

2. A title report that identifies shall contain sufficient information to inform the District and the appraiser of the status of ownership, encumbrances, exceptions, and reservations on the property and;

3. The amount of wetlands and uplands on the property.

(b) If mitigation bank credits or participation in a ROMA are being proposed in exchange for the release or amendment, only an appraisal of the conservation easement area to be released or amended is required.

(c) Except as otherwise provided in this paragraph sub-subparagraph 40C-1.1101(1)(e)1.a., F.A.C., one appraisal ~~and a review appraisal~~ shall be prepared for each parcel to be released or amended and for each parcel offered in exchange for the release or amendment in order to establish monetary value. Two appraisals shall be required when the estimated value of the conservation easement to be released or amended exceeds \$1 million.

(d) All appraisals ~~and review appraisals~~ shall be prepared by appraisers certified under Chapter 475, F.S. in accordance with the 2008-2009 edition of the Uniform Standards of Professional Appraisal Practice developed by the Appraisal Foundation ("USPAP").

1. Appraisals for Public Projects.

a. The appraisal assignment shall be to provide an opinion of market value of the District conservation easement over the release or amendment area and of the conservation easement offered in exchange. The market value of the conservation easement over the release or amendment area shall be based on the difference between the full fee simple valuation after the release or amendment and the value of the interests remaining with the person seeking the release before the release or amendment. The market value of the conservation easement over the area offered in exchange shall be based on the difference between the value of the full fee simple valuation

before the conveyance of a conservation easement and the value of the interest remaining with the grantor of the easement after conveyance of the conservation easement.

2. Single Family Lots.

a. The appraisal assignment shall be to provide an opinion of market value of the District conservation easement over the release or amendment area. The market value of the conservation easement over the release or amendment area shall be based on the difference between the value of the single-family lot after the conservation easement is released or amended and the value of the single-family lot without the conservation easement release or amendment.

(e) All appraisals ~~and review appraisals~~ shall be prepared by an appraiser selected and retained by the District.

(f) The person requesting the release or amendment shall pay the District for the cost of any appraisal ~~and any review appraisal~~, and payment for the cost of the appraisal(s) ~~and review appraisal~~ shall be made before the District proceeds with the appraisal(s).

Rulemaking Specific Authority 373.044, 373.113, 373.088 FS. Law Implemented 373.096, 373.089, 373.139(2), 373.088 FS. History–New_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Veronika Thiebach, Sr. Asst. General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4488
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the St. Johns River Water Management District
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 18, 2008

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-2.051	Exemptions
40E-2.061	No-Notice General Permit by Rule
40E-2.091	Publications Incorporated by Reference
40E-2.331	Modification of Permits

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. 45, November 7, 2008 issue of the Florida Administrative Weekly.

40E-2.051 Exemptions.

(1) through (2) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.171, FS. Law Implemented 373.219 FS. History–New 9-3-81, Formerly 16K-2.025, Amended 2-24-85, 4-20-94,_____.

40E-2.061 No-Notice General Permit by Rule.

(1) The Board hereby grants a general water use permit by rule to each person that does not otherwise require a consumptive use permit, within the District to use, withdraw, or divert water at a single family dwelling or duplex including but not limited to home lawn and ornamental irrigation, car washing, and other incidental outdoor uses provided that water is obtained from a single on-site ~~one~~ withdrawal facility, such as a private irrigation well or surface water diversion, for each single family dwelling or duplex, provided that landscape irrigation is conducted in accordance with Chapters 40E-21 and 40E-24, F.A.C., or with any approved variance, and that the amount of water used is limited to only that necessary for efficient utilization.

(2) No change.

(3) When reclaimed water is available, the use of a private irrigation well or surface water diversion for home lawn and ornamental irrigation is not authorized under this section. Reclaimed water is deemed available when reclaimed water is provided by a utility through a point of connection at the property boundary. As a condition of this permit, each person issued pursuant to this rule, each person shall comply with Chapters 40E-21 and 40E-24, F.A.C.

(4) No change.

(5) This no notice general permit by rule does not apply to domestic uses of water, such as water used for household purposes of drinking, bathing, cooking, sanitation, or other indoor uses, at single family dwellings and duplexes, which are addressed by subsection 40E-2.051(1), F.A.C.

Rulemaking Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.118, 373.219, 373.223 FS. History–New _____.

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – _____ July 2, 2009”, is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

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

“Basis of Review for Water Use Permit Applications Within the South Florida Water Management District”, incorporated by reference in Rule 40E-2.091, F.A.C.

Section 2.6.1(A)

All public water supply utilities applying for an individual permit are required to develop and implement a water conservation plan. The water conservation elements of each plan need to be identified as part of the application. A

timetable outlining the implementation schedule of each of the required water conservation elements will be required to be submitted or shown to already exist prior to issuance or renewal of a public water supply water use permit. The conservation plan shall be prepared and implemented for the service area incorporating, at a minimum, the following mandatory components. For those components which require ordinance adoption, such ordinance should incorporate the entire boundary of the enacting jurisdiction. The Permittee shall provide a copy of the ordinances for each of the mandatory elements for which ordinances are adopted. The mandatory water conservation elements are as follows:

A. The limitation of all lawn and ornamental irrigation to the hours and days specified in Rule 40E-24.201, F.A.C., or alternative landscape irrigation conservation measures ~~which have been approved by the District~~ pursuant to Rule 40E-24.301, F.A.C.

B. through I. No change.

40E-2.331 Modification of Permits.

(1) through 4.(b) No change.

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.223, 373.229, 373.239 FS. History–New 9-31-81, Formerly 16K-2.09(1), Amended 4-20-94, 7-11-96, 4-9-97, 12-10-97, 8-1-02, 4-23-07, 2-13-08, 7-2-09,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-20.091	Publications Incorporated by Reference
40E-20.331	Modification of Permits

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. 45, November 7, 2008 issue of the Florida Administrative Weekly.

40E-20.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – _____ July 2, 2009”, is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

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

(See Rule 40E-2.091, F.A.C., for changes to the “Basis of Review for Water Use Permit Applications Within the South Florida Water Management District”)

40E-20.331 Modification of Permits.

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

Rulemaking Specific Authority 373.044, 373.113 FS. Law Implemented 373.223, 373.229, 373.239 FS. History–New 4-20-94, Amended 7-11-96, 4-9-97, 12-10-97, 8-14-02, 8-31-03, 4-23-07, 2-13-08, 7-2-09,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NOS.:	RULE TITLES:
40E-24.011	Policy and Purpose
40E-24.101	Definitions
40E-24.201	Year-Round Landscape Irrigation Conservation Measures
40E-24.301	Local Government Option
40E-24.401	Enforcement
40E-24.501	Variations and Waivers

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. 45, November 7, 2008 issue of the Florida Administrative Weekly.

40E-24.011 Policy and Purpose.

(1) This chapter comprises the Mandatory Year-Round Landscape Irrigation Conservation Measures within the boundaries of the South Florida Water Management District (District). These mandatory conservation measures are intended to provide a framework for consistent implementation to ensure the long-term sustainability of the water resources of the region, increase water use efficiency and prevent and curtail wasteful water use practices through regulatory means for landscape irrigation by all users. Water savings achieved by public and private water supply utilities through conservation may be used to extend the availability of all water sources to meet future demands and defer the need for additional capital investment in alternative water supplies, subject to compliance with Chapters 40E-2 and 40E-20, F.A.C. Local governments are encouraged to implement these conservation measures through the adoption of ordinances that would include these measures, variance and enforcement provisions. These measures are in addition to Chapters 40E-2 and 40E-20, F.A.C., provisions and non-regulatory measures, such as education and incentive programs, which are also utilized by the District to promote water conservation. These conservation measures prohibit landscape irrigation during those periods of the day when irrigation efficiency significantly decreases, and limit landscape irrigation water use to a maximum number of two days per week, except as unless specified otherwise herein. Users are encouraged to apply no more than 3/4-inch to 1-inch of water per week on their lawns and landscapes and only as needed to supplement rainfall. However, provisions have been

made in this Chapter to allow landscape irrigation up to three days per week in designated counties to address utility operational, health, and safety and landscape concerns.

(2) through (3) No change.

(4) In concert with the establishment of the year round landscape irrigation conservation measures of this Chapter, the District commits to the following activities:

(a) Coordinate with stakeholders to develop and implement a water conservation partnership plan to further promote conservation and efficient use of water;

(b) On at least an annual basis, evaluate the implementation and effectiveness of the District’s water conservation partnership plan; and,

(c) No later than five years from the effective date of this Chapter, District staff shall provide the Governing Board with recommendations based on a comprehensive evaluation of this Chapter and its implementation. The Governing Board may revise this Chapter at any time, as it deems appropriate.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.219, 373.223, 373.227 FS. History–New 6-12-03, Amended _____.

40E-24.101 Definitions.

When used in this chapter:

(1) through (4) No change.

(5) “Existing landscaping” means any landscaping which has been ~~which has been~~ planted and in the ground for more than ninety (90) sixty (60) days.

(6) through (10) No change.

(11) “New landscaping” means any landscaping which has been planted and in the ground for ninety (90) sixty (60) days or less.

(12) through (13) No change.

~~(14) “Supplemented reclaimed water” and “blended reclaimed water” means reclaimed water which has been commingled with other sources of water, such as potable water, groundwater, surface water, and water treatment process by product by a public or private utility.~~

~~(14)(15) “User” means any person, individual, firm, association, organization, partnership, business trust, corporation, company, agent, employee or other legal entity whether natural or artificial, the United States of America, and the State and all political subdivisions, regions, districts, municipalities, and public agencies thereof, which directly or indirectly takes water from the water resource, including uses from private or public utility systems, uses under water use permits issued pursuant to Chapter 40E-2 or 40E-20, F.A.C., or uses from individual wells or pumps.~~

~~(15)(16) “Wasteful and unnecessary” means allowing water to be dispersed without any practical purpose to the water use; for example, excessive landscape irrigation, leaving an unattended hose on a driveway with water flowing, allowing water to be dispersed in a grossly inefficient manner,~~

regardless of the type of water use; for example, allowing landscape irrigation water to unnecessarily fall onto pavement, sidewalks and other impervious surfaces; allowing water flow through a broken or malfunctioning water delivery or landscape irrigation system.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.219, 373.223, 373.227 FS. History–New 6-12-03, Amended _____.

40E-24.201 Year-Round Landscape Irrigation Conservation Measures.

(1) The year-round landscape irrigation conservation measures contained in this chapter are applicable to all users as defined in Subsection 40E-24.101(14)(16), F.A.C., including permitted ~~and exempt~~ users under Chapters 40E-2 and 40E-20, F.A.C., unless indicated otherwise herein. These conservation measures apply to all water sources, except that the use of reclaimed water, which may or may not be supplemented from another source, is allowed anytime landscape irrigation accomplished using reclaimed water and/or supplemented reclaimed water is subject to only paragraphs (5)(a), (1) and (5)(b), (1) of this section. In addition to the requirements of this section, all permitted users under Chapters 40E-2 and 40E-20, F.A.C., are required to maintain compliance with all CUP conditions and terms, including those designed to require the implementation of water conservation practices.

(2) through (3) No change.

(4) In addition to the specific conservation measures enumerated below, all wasteful and unnecessary water use as defined in Subsection 40E-24.101(15)(40), F.A.C., is prohibited.

(5) The following requirements or exceptions shall apply to all users unless specified otherwise herein:

~~(a)±. Landscape irrigation shall be prohibited daily between the hours of 10:00 a.m. and 4:00 p.m., except as otherwise provided herein.~~

~~2. Even addresses, installations with irrigation systems that irrigation both even and odd addresses within the same zones, including multi-family units and homeowners’ associations, and right-of-way or other locations with no address as defined in Rule subsection 40E-24.101(4), F.A.C., may accomplish necessary landscape irrigation only on Thursday and/or Sunday.~~

~~3. Odd addresses as defined in subsection 40E-24.101(13), F.A.C., and right-of-way or other locations without an address may accomplish necessary landscape irrigation only on Wednesday and/or Saturday.~~

(b) Irrigation of new landscaping shall comply with the following provisions:

~~1. Irrigation of new landscaping shall be prohibited daily between the hours of 10:00 a.m. and 4:00 p.m., except as otherwise provided herein.~~

1.2. On the day the new landscaping is installed, the new landscaping may be irrigated once without regard to the normally allowable watering days and times. Irrigation of the soil immediately prior to the installation of the new landscaping is also allowable without regard to the normal allowable watering days and times.

2.3. The ninety (90) sixty (60) day period begins the day the new landscaping is installed. The new landscaping shall be installed within a reasonable time from the date of purchase, which may be demonstrated with a dated receipt or invoice.

3.4. Irrigation of new landscaping which has been in place for thirty (30) days or less may be accomplished on Monday, Tuesday, Wednesday, Thursday, Saturday, and/or Sunday.

4.5. Irrigation of new landscaping which has been in place for thirty-one (31) to ninety (90) days sixty (60) may be accomplished on Monday, Wednesday, Thursday, and/or Saturday.

5.6. Irrigation of the new landscaping is limited to areas containing the new landscaping only. An entire zone of an irrigation system shall only be utilized for landscape irrigation under this paragraph if the zone in question is for an area that contains at least 50% new landscaping. If a zone contains less than 50% new landscaping, or if the new landscaping is in an area that will not typically be irrigated by an irrigation system, only the individual new plantings are eligible for additional irrigation under this paragraph. Targeted watering may be accomplished by low volume hand watering, or any appropriate method which isolates and waters only the new landscaping.

(c) No change.

(d) Landscape irrigation for the purpose of watering-in fertilizers, insecticides, pesticides, fungicides and herbicides, where such watering-in is recommended by the manufacturer, or by federal, state or local law, or best management practices, shall be allowed under the following conditions:

1. No change.

2. Such watering-in shall be accomplished during normally allowable watering days and times set forth in paragraphs (5)(a), (6) and (7) and (5)(b) unless a professional licensed applicator has posted a temporary sign containing the date of application and the date(s) of needed watering-in activity.

(e) Any plant material may be watered using low volume irrigation, micro-irrigation, low-volume hand watering methods, and rain barrels, cisterns, or other similar rain-harvesting devices without regard to the watering days or times allowed pursuant to this section.

(6) Except as authorized in paragraph (7) below, irrigation of existing landscaping shall comply with the following provisions:

(a) Even addresses, installations with irrigation systems that irrigate both even and odd addresses within the same zones, such as multi-family units and homeowners'

associations, and rights-of-way or other locations with no address as defined in subsection 40E-24.101(4), F.A.C., shall have the opportunity to accomplish necessary landscape irrigation only on Thursday and/or Sunday.

(b) Odd addresses as defined in subsection 40E-24.101(12), F.A.C., shall have the opportunity to accomplish necessary landscape irrigation only on Wednesday and/or Saturday.

(7) Users located in Broward, Collier, Glades, Hendry, Lee, Martin, Miami-Dade, Monroe, Palm Beach, and St. Lucie counties shall irrigate existing landscaping in accordance with the provisions set forth in paragraph (6) above, or as provided below.

(a) Even addresses, installations with irrigation systems that irrigate both even and odd addresses within the same zones, such as multi-family units and homeowners' associations, and rights-of-way or other locations with no address as defined in subsection 40E-24.101(4), F.A.C., shall have the opportunity to accomplish necessary landscape irrigation only on Tuesday and/or Thursday and/or Sunday.

(b) Odd addresses as defined in subsection 40E-24.101(12), F.A.C., shall have the opportunity to accomplish necessary landscape irrigation only on Monday and/or Wednesday and/or Saturday.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.219, 373.223, 373.227 FS. History--New 6-12-03, Amended _____.

40E-24.301 Local Government Option.

(1) Local governments that wish to enforce alternative landscape irrigation conservation measures, shall be considered to be in substantial compliance with this rule upon the enactment of an ordinance establishing landscape irrigation conservation measures which achieve water conservation and which allow no more cumulative days and time for landscape irrigation than subsections 40E-24.201(5)-(7), F.A.C. Such ordinance shall provide for variance and enforcement procedures which do not diminish the ~~intent and effectiveness~~ of the measures ~~and which do not conflict with the District's authority under Chapter 373, F.S., and District rules.~~

(2) No change.

(3) Local governments with a jurisdiction divided between the South Florida Water Management District and another water management district may enact an ordinance providing for alternative ~~propose an alternative schedule of~~ landscape irrigation conservation measures as necessary for the local government to achieve a uniform schedule within its jurisdiction.

(4) At least thirty (30) days prior to the adoption of an ordinance for alternative landscape irrigation conservation measures, the local government shall submit the proposed

ordinance to the District ~~to review for consistency with Chapter 373, F.S., and District rules and approval. The ordinance must be adopted as approved by the District.~~

(5) In order to evaluate the effectiveness of the approved alternative landscape irrigation conservation measures, such local governments shall provide an annual report to the District which includes any variances granted or denied, enforcement actions taken and any measures proposed to be amended in the next reporting period. Each annual report shall be submitted to the District no later than September 20th of each year following the adoption of this Chapter.

(6) Users within the jurisdiction or customers of such local governments shall comply with the alternative landscape irrigation conservation measures contained within the ordinance implementing that program and are not subject to the measures contained in subsections 40E-24.201(5)-(7), F.A.C.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.171, 373.219, 373.223, 373.227, 373.609 FS. History–New 6-12-03, Amended _____.

40E-24.401 Enforcement.

(1) No change.

(2) A local government is strongly encouraged to ~~may~~ enforce Rule 40E-24.201, F.A.C., within its jurisdiction by adopting an ordinance that incorporates ~~incorporating~~ the provisions set forth in Rule 40E-24.201, F.A.C. specified herein. At least thirty (30) days prior to the adoption of an ordinance to enforce Rule 40E-24.201, F.A.C., the local government shall submit the proposed ordinance to the District ~~to review for consistency with Chapter 373, F.S., and District rules and approval. The ordinance must be adopted as approved by the District.~~

(3) No change.

Rulemaking Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.119, 373.171, 373.175(4), 373.219, 373.227, 373.246(7), 373.603, 373.609 FS. History–New 6-12-03, Amended _____.

40E-24.501 Variances and Waivers.

(1) Users may request relief from the provisions of this Chapter by filing a petition for variance or waiver pursuant to Section 120.542, F.S. Florida Statutes, and Rule 28-104, F.A.C. Examples of circumstances, which, subject to the above-referenced statute and rule and the provisions below, may be candidates for the issuance of a variance, include but are not limited to:

(a) through (b) No change.

(c) User maintains an irrigation system that uses soil moisture sensors with remote monitoring and adjustment capabilities that satisfies the requirements set forth in Section

373.62(7). F.S. A property utilizing modern, properly maintained and highly efficient irrigation technologies, including but not limited to soil moisture sensors and weather/evapotranspiration-based irrigation controllers.

(2) No change.

(3) Where a local government has adopted an ordinance incorporating the provisions set forth in Rule 40E-24.201, F.A.C., or alternative landscape irrigation measures pursuant to Rule 40E-24.301, F.A.C., the local government may grant a variance from the specific day or days for landscape irrigation identified in the ordinance, or the specific day or days for landscape irrigation identified in the ordinance adopting the alternative landscape irrigation measures, provided that the applicant demonstrates with particularity that compliance with the schedule of days for landscape irrigation will result in a substantial hardship on the applicant requesting the variance or those served by the applicant. If granted, the applicant shall be required to post a notice at each parcel to which the variance pertains users requiring relief from such landscape irrigation conservation measures must petition that local government for relief.

Rulemaking Authority 120.542, 373.044, 373.113, 373.171, 373.62 FS. Law Implemented 120.542, 373.119, 373.171, 373.175(4), 373.219, 373.227, 373.246(7), 373.603, 373.609, 373.62 FS. History–New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.:	RULE TITLE:
61G15-19.004	Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

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. 35, No. 13, April 3, 2009 issue of the Florida Administrative Weekly.

61G15-19.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) No change.

(2) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules:

VIOLATION	PENALTY RANGE	
	FIRST VIOLATION	SECOND AND SUBSEQUENT VIOLATIONS
(a) Violating any provision of Section 455.227(1), 471.025 or 471.031, F.S., or any other provision of Chapter 471, F.S., or rule of the Board or Department (Sections 471.033(1)(a) and 455.227(1)(b), (q), F.S)	<u>Reprimand and \$1,000 fine, to One (1) year suspension, two (2) years probation and \$5,000 fine</u>	<u>One (1) year suspension, two (2) years probation and \$5,000 fine to Revocation</u>
1. Failure to sign, seal or date documents (Section 471.025(1), F.S.)	<u>Reprimand to one (1) year probation</u>	<u>Reprimand and one (1) year probation to Revocation</u>
2. Sealing any document after license has expired or been revoked or suspended, or failure to surrender seal if the license has been revoked or suspended (Section 471.025(2), F.S.)	<u>Suspended license: Revocation and \$1,000 fine</u> <u>Revoked license: Referral to State's Attorney's office</u>	<u>Suspended license: Revocation and \$5,000 fine</u> <u>Revoked license: Referral to State's Attorney's office</u>
3. Signing or sealing any document that depicts work the licensee is not licensed to perform or which is beyond his or her profession or specialty therein or practicing or offering to practice beyond the scope permitted by law or accepting and performing responsibilities the licensee is not competent to perform (Sections 471.025(3), 455.227(1)(o), F.S., paragraphs 61G15-19.001(6)(c), (d), F.A.C.)	<u>Reprimand, one (1) year probation and \$1,000 fine; to \$5,000 fine, one (1) year suspension and two (2) years probation</u>	<u>Reprimand, \$5,000 fine, one (1) year suspension and two (2) years probation to Revocation</u>
4. Firm practicing without certificate of authorization (Section 471.023, F.S. and subsection 61G15-19.001(3), F.A.C.)	<u>Reprimand, \$1,000 fine to one (1) year suspension and \$5,000 fine</u>	<u>Reprimand, one (1) year suspension and \$5,000 fine to Revocation</u>
5. Failure to complete continuing education (Section 471.017(3), F.S. and Rule 61G15-22.001, F.A.C.)	<u>Reprimand and \$1,000 fine, to Suspend until licensee demonstrates compliance</u>	<u>Suspend until licensee demonstrates compliance to Revocation</u>
6. Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer (Sections 471.031(1)(a), (b), F.S.)	<u>\$1,000 fine to \$5,000 fine</u>	<u>\$5,000 fine to \$10,000 fine to referral to State Attorney's Office</u>
7. Presenting as his or her own the license of another (Section 471.031(1)(c), F.S.)	<u>\$1000 fine to \$5,000 fine</u>	<u>\$5,000 fine to \$10,000 fine and referral to State Attorney's Office</u>
8. Giving false or forged evidence to the Board or concealing information relative to violations of this chapter (Sections 471.031(1)(d), (g), F.S.)	<u>\$1,000 fine to \$5,000 fine and suspension</u>	<u>Reprimand and \$5,000 fine to Revocation</u>

9. Employing unlicensed persons to practice engineering or aiding, assisting, procuring, employing unlicensed practice or practice contrary to Chapter 455 or 471, F.S. (Sections 471.031(1)(f) and 455.227(1)(j), F.S.)	<u>\$1,000 fine and reprimand; to \$5,000 and suspension</u>	<u>Reprimand and \$5,000 fine to Revocation</u>
10. Having been found liable for knowingly filing a false complaint against another licensee (Section 455.227(1)(g), F.S.)	<u>\$1,000 fine and reprimand; to \$5,000 per count and suspension</u>	<u>Reprimand and \$5,000 fine to Revocation</u>
11. Failing to report a person in violation of Chapter 455, Chapter 471, F.S., or the rules of the Board or the Department (Section 455.227(1)(i), F.S.)	<u>Reprimand to \$5,000 and suspension for one (1) year</u>	<u>Reprimand and \$5,000 fine to Revocation</u>
12. Failing to perform any statutory or legal obligation (Section 455.227(1)(k), F.S.)	<u>Depending on the severity of the offense, from a Reprimand to Revocation</u>	<u>Depending on the severity of the offense, from a Reprimand to Revocation</u>
13. Exercising influence on a client for financial gain (Section 455.227(1)(n), F.S.)	<u>Reprimand to one (1) year suspension and \$5,000 fine</u>	<u>Reprimand and \$5,000 fine to Revocation</u>
14. Improper delegation of professional responsibilities (Section 455.227(1)(p), F.S.)	<u>\$1,000 fine and probation for one (1) year, to suspension</u>	<u>Reprimand and \$5,000 fine to Revocation</u>
15. Improperly interfering with an investigation or inspection or disciplinary proceeding (Section 455.227(1)(r), F.S.)	<u>\$1,000 fine and probation for one (1) year; to suspension</u>	<u>Reprimand and \$5,000 fine to Revocation</u>
(b) Attempting to procure a license by bribery, fraudulent misrepresentation, or error of the Board or Department (Sections 471.033(1)(b) and 455.227(1)(h), F.S.)	<u>One (1) years suspension and \$1,000 fine, to Revocation if licensed; if not licensed, denial of license and referral to State Attorney</u>	<u>Revocation and \$5,000 fine if licensed; if not licensed, denial of license and referral to State Attorney</u>
(c) Having a license to practice engineering acted against or denied by another jurisdiction (Sections 471.033(1)(c) and 455.227(1)(f), F.S.)	<u>Same penalty as imposed in other jurisdiction or as close as possible to penalties set forth in Florida Statutes</u>	<u>Same penalty as imposed in other jurisdiction or as close as possible to penalties set forth in Florida Statutes</u>
(d) Being convicted or found guilty of, or entering a plea of nolo contendere to a crime which relates to the practice or ability to practice (Sections 471.033(1)(d) and 455.227(1)(c), F.S.)	<u>Depending on the severity of the crime, from Reprimand \$1,000 fine, and one (1) year probation, to Revocation</u>	<u>Depending on the severity of the crime, from One (1) year suspension with 2 years probation to Revocation</u>

2. Conviction of crime related to building code inspection or plans examination (paragraph 61G15-19.001(7)(a), F.A.C.)	<u>Reprimand \$1,000 fine, and one (1) year probation.</u>	<u>One (1) year suspension with 2 years probation to Revocation</u>
(e) Knowingly making or filing a false report or record, failing to file a report or record required by law, impeding or obstructing such filing (Sections 471.033(1)(e), 455.227(1)(l), F.S. and paragraph 61G15-19.001(7)(c), F.A.C.)	<u>Reprimand and \$1,000 fine to one (1) year suspension, two (2) years probation.</u>	<u>One (1) year suspension, 2 years probation, and \$1,000 fine, to Revocation and \$5,000 fine</u>
(f) Fraudulent, false, deceptive or misleading advertising (Sections 471.033(1)(f), F.S. and subsection 61G15-19.001(2), F.A.C.)	<u>Reprimand to one (1) year probation and \$5,000 fine</u>	<u>One (1) year probation and \$5,000 fine to Revocation</u>
(g) Fraud, deceit, negligence, incompetence or misconduct (Sections 471.033(1)(g) and 455.227(1)(a), (m), F.S.)		
1. Fraud or deceit	<u>Reprimand, two (2) years probation and \$1,000 fine, to one (1) years suspension and \$5,000 fine.</u>	<u>One (1) year suspension and \$5,000 fine to Revocation</u>
2.a. Negligence (subsection 61G15-19.001(4), F.A.C.)	<u>Reprimand, two (2) years probation and \$1,000 fine, to \$5,000 fine, five (5) year suspension and ten (10) years probation</u>	<u>Two (2) years probation and \$1,000 fine, to \$5,000 fine and Revocation</u>
b. Negligence in procedural requirements (61G15-30.003(2), (3) and (5), F.A.C.; 61G15-30.005 and 61G15-30.006, F.A.C.)	<u>Reprimand to two (2) years probation and \$1,000 fine.</u>	<u>Two (2) years probation and \$1,000 fine, to \$5,000 fine and Revocation</u>
c. As a special inspector	<u>Reprimand, two (2) years probation and \$1,000 fine, to \$5,000 fine.</u>	<u>Two (2) years probation and \$1,000 fine, to \$5,000 fine and Revocation</u>
3. Incompetence (subsection 61G15-19.001(5), F.A.C.)	<u>Two (2) year probation to Suspension until ability to practice proved followed by two (2) year probation</u>	<u>Suspension until ability to practice proved followed by two (2) year probation, to Revocation</u>
4. Misconduct (subsection 61G15-19.001(6), F.A.C.)	<u>Reprimand and \$1,000 fine to one (1) year suspension</u>	<u>One (1) year suspension to Revocation and \$5,000 fine.</u>
a. Expressing an opinion publicly on an engineering subject without being informed as to the facts and being competent to form a sound opinion (paragraph 61G15-19.001(6)(a), F.A.C.)	<u>Reprimand and \$1,000 fine to one (1) year suspension</u>	<u>One (1) year suspension to Revocation and \$5,000 fine.</u>

b. Being untruthful, deceptive or misleading in any professional report, statement or testimony or omitting relevant and pertinent information from such report, statement or testimony when the result or such omission would or reasonably could lead to a fallacious conclusion (paragraph 61G15-19.001(6)(b), F.A.C.)	<u>Reprimand and \$1,000 fine to one (1) year suspension</u>	<u>One (1) year suspension to Revocation and \$5,000 fine.</u>
c. Offering directly or indirectly any bribe or commission or tendering any gift to obtain selection or preferment for engineering employment other than the payment of the usual commission for securing salaried positions through licensed employment agencies (paragraph 61G15-19.001(6)(e), F.A.C.)	<u>Reprimand, \$5,000 fine per count and suspension for five (5) years, to Revocation</u>	<u>Five (5) years suspension to Revocation</u>
d. Soliciting or accepting gratuities without client knowledge (paragraphs 61G15-19.001(6)(g), (h), F.A.C.)	<u>Reprimand, one (1) year probation and \$1,000 fine, to one (1) year suspension, two (2) years probation and \$5,000 fine</u>	<u>One (1) year suspension, two (2) years probation and \$5,000 fine to Revocation</u>
e. Failure to preserve client's confidence (paragraph 61G15-19.001(6)(r), F.A.C.)	<u>Reprimand, one (1) year probation and \$1,000 fine, to one (1) year suspension, two (2) years probation (if pecuniary benefit accrues to engineer)</u>	<u>One (1) year suspension, two (2) years probation and \$5,000 fine to Revocation</u>
f. Professional judgment overruled by unqualified person (paragraph 61G15-19.001(6)(i), F.A.C.)	<u>Reprimand, one (1) year probation and \$1,000 fine, to one (1) year suspension, two (2) years probation and \$5,000 fine</u>	<u>One (1) year suspension, two (2) years probation and \$5,000 fine to Revocation</u>
g. Use of name/firm in fraudulent venture (paragraph 61G15-19.001(6)(k), F.A.C.)	<u>Reprimand, one (1) year probation and \$1,000 fine, to \$5,000 fine, one (1) year suspension and two (2) years probation</u>	<u>One (1) year suspension, two (2) years probation and \$5,000 fine to Revocation</u>
h. Undisclosed conflict of interest (paragraphs 61G15-19.001(6)(f), (p), F.A.C.)	<u>Reprimand, \$1,000 fine and two (2) years probation, to Revocation and \$5,000 fine</u>	<u>One (1) year suspension, two (2) years probation and \$5,000 fine to Revocation</u>
(h) Violating any provision of Chapter 455, F.S. (Sections 471.033(1)(h) and 455.227(1)(q), F.S.)	<u>Depending on the severity of the violation, Reprimand and \$1,000 fine per count, to \$5,000 fine and revocation</u>	<u>Depending on the severity of the violation, One (1) year suspension, two (2) years probation and \$5,000 fine to Revocation</u>
(i) Practicing on a revoked, suspended, inactive or delinquent license (Sections 471.033(1)(i) and 471.031(1)(e), F.S.)		
1. Delinquent license	<u>Fine based on length of time in practice while inactive; \$100/month or \$1,000 maximum, renewal of license or cease practice</u>	

2. Inactive license	<u>Fine based on length of time in practice while inactive; \$100/month or \$1,000 maximum, renewal of license or cease practice</u>	
3. Suspended license	<u>Revocation and \$1,000 fine</u>	
4. Revoked license	<u>Referral to State Attorney</u>	<u>Referral to State Attorney</u>
(j) Affixing or permitting to be affixed his or her seal, name, or digital signature to any documents that were not prepared by him or her or under his or her responsible supervision, direction or control (Section 471.033(1)(j), F.S. and paragraphs 61G15-19.001(6)(j), (q), F.A.C.)	<u>Reprimand, one (1) year probation and \$1,000 fine, to \$5,000 fine, one (1) year suspension and two (2) years probation</u>	<u>One (1) year suspension, two (2) years probation and \$5,000 fine to Revocation</u>
(k) Violating any order of the board or department (Sections 471.033(1)(k), 455.227(1)(q), F.S. and paragraph 61G15-19.001(6)(o), F.A.C.)	<u>Depending on the severity of the violation, from Suspension until compliant with the order of the Board and \$1,000 fine, to Revocation and \$5,000 fine</u>	<u>Depending on the severity of the violation, Suspension until compliant with the order of the Board and \$1,000 fine, to Revocation and \$5,000 fine</u>
(l) Aiding, assisting, procuring, employing unlicensed practice or practice contrary to Chapter 455 or 471, F.S. (Section 455.227(1)(j), F.S.)	<u>\$1,000 fine and probation for one (1) year, to \$5,000 fine and suspension</u>	<u>Reprimand and \$5,000 fine to Revocation</u>
<u>(m) Failing to report in writing a conviction or plea of nolo contendere, a crime in any jurisdiction (Section 455.227(1)(t), F.S.)</u>	<u>Reprimand to \$5,000 fine</u>	<u>Six (6) month suspension to \$5,000 fine and Revocation</u>

(3) No change.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE CHANGE AND A COPY OF THE RULE, IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-4.010
 RULE TITLE: Supervision and Training of Registered Trainee Appraisers

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 17, May 1, 2009 issue of the Florida Administrative Weekly.

Although the Notice of Proposed Rulemaking stated that a Statement of Estimated Regulatory Costs (SERC) had been prepared and was available, the Notice did not summarize the SERC. The following is a Summary of the Statement of Estimated Regulatory Costs:

- The estimate of the number of individuals likely to be required to comply with this rule amendment is approximately 14,978, consisting of registered trainee appraisers, certified residential appraisers, and certified general appraisers.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: 61H1-19.008
 RULE TITLE: Committees

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 35, No. 31, August 7, 2009 issue of the Florida Administrative Weekly has been withdrawn.

- The type of individuals likely to be affected by the rule are individuals who are currently licensed as registered trainee appraisers and are applying to sit for the exam to become certified under federal criteria and those persons who are their designated supervisory appraisers.

- The department implementing the proposed rule will incur no additional costs because the department intends to enforce the proposed rule within its current workload with existing staff.

- There will be minimal costs to be incurred by individuals and entities, including local governmental entities required to comply with the requirements of the proposed rule.

- Only small business that employs registered trainee appraisers will be impacted. The determining factor to the overall costs to a small business would be the volume of approved reports completed by the trainee appraiser.

- There is no small county or small city that will be impacted by the proposed rule.

This correction does not affect the substance of the rule as it appeared in the Florida Administrative Weekly as outlined above.

THE PERSON TO BE CONTACTED REGARDING THE ABOVE CORRECTION IS: Thomas W. O’Bryant, Jr., Deputy 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 Pharmacy

RULE NO.: 64B16-26.350
 RULE TITLE: Requirements for Pharmacy Technician Registration

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. 35, No. 38, September 25, 2009 issue of the Florida Administrative Weekly.

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

1. Subsection (1) shall now read as follows:

(1) All applicants for registration must be made on form DH-MQA PH1183, “Pharmacy Technician Registration Application and Instructions” effective September 2009, which is incorporated by reference. Contact the Board of Pharmacy at 4052 Bald Cypress Way, Bin #C04, Tallahassee, FL 32399-3254, or (850)488-0595 to request an application or

download the application from the board’s website at <http://www.doh.state.fl.us/mqa/pharmacy>. The application must be accompanied with a non-refundable application fee and an initial registration fee set forth in Rules 64B16-26.1001 and 64B16-26.1002, F.A.C.

2. Subsection (2)(b) shall now read as follows:

(b) Worked as a registered pharmacy technician for a minimum of 1500 hours under the supervision of a pharmacist; or

3. Subsection (3) shall now read as follows:

(3) Applicants applying for registration after January 1, 2011 must submit proof of completion of a Board approved training course as outlined in Rule 64B16-26.351, F.A.C.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.351
 RULE TITLE: Standards for Approval of Registered Pharmacy Technician Training Programs

NOTICE OF PUBLIC HEARING

The Board of Pharmacy announces a hearing regarding the above rule, as noticed in Vol. 35, No. 38, September 25, 2009 Florida Administrative Weekly.

DATE AND TIME: Tuesday, December 8, 2009, 10:00 a.m., or as soon thereafter as can be heard

PLACE: Hilton University of Florida Conference Center, 1714 S.W. 34th Street, Gainesville, Florida 32607

GENERAL SUBJECT MATTER TO BE CONSIDERED: A continuation from the November 16, 2009 rule hearing for Rule 64B16-26.351, F.A.C.

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: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-26.1005
 RULE TITLE: Retired License Election; Renewal; Fees

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 35, September 4, 2009 issue of the Florida Administrative Weekly.

This correction is pursuant to a request made by the Joint Administrative Procedures Committee for a corrected Purpose and Effect and Summary. The corrections are as follows:

(1) The Purpose and Effect shall be corrected to read as follows:

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirements for an inactive pharmacist applying for an active Florida licensure by endorsement.

(2) The Summary shall be corrected to read as follows:

SUMMARY: Requirements for an inactive pharmacist applying for an active Florida licensure by endorsement will be clarified.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.:	RULE TITLES:
64B16-27.100	Display of Current License; Pharmacist and Intern Identification
64B16-27.1001	Practice of Pharmacy
64B16-27.300	Standards of Practice – Continuous Quality Improvement Program
64B16-27.430	Responsibilities of the Pharmacist
64B16-27.440	Policies and Procedures

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 35, September 4, 2009 issue of the Florida Administrative Weekly.

The correction is as follows:

Due to the amendment of Section 3, Ch. 2008-216, Laws of Florida (465.014, Florida Statutes), the rules cannot become effective until January 1, 2010, and as such the above-referenced rules will become effective on January 1, 2010.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:	RULE TITLE:
64B16-27.410	Pharmacy Technician 1:1 Ratio

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 35, September 4, 2009 issue of the Florida Administrative Weekly.

This correction is pursuant to a request made by the Joint Administrative Procedures Committee for a corrected Purpose and Effect and Summary and effective date. The corrections are as follows:

(1) The Purpose and Effect shall be corrected to read as follows:

PURPOSE AND EFFECT: The Board proposes the rule amendment to provide instructions regarding the ratio for registered pharmacy technicians to pharmacists.

(2) The Summary shall be corrected to read as follows:

SUMMARY: Instructions for the ratio for registered pharmacy technicians to pharmacists will be provided.

(3) Due to the amendment of Section 3, Ch. 2008-216, Laws of Florida (Section 465.014, Florida Statutes), the rule cannot become effective until January 1, 2010, and as such the above-referenced rule will become effective on January 1, 2010.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.:	RULE TITLE:
64B16-27.797	Standards of Practice for Compounding Sterile Preparations (CSPs)

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 38, September 25, 2009 issue of the Florida Administrative Weekly.

The correction is as follows:

The Rule Development publication date listed in the Notice of Proposed Rulemaking should read:

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: March 27, 2009

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NOS.:	RULE TITLES:
64B16-28.141	Requirements for an Automated Pharmacy System in a Community Pharmacy
64B16-28.451	Pharmacy Common Database
64B16-28.605	Class II Institutional Pharmacies – Automated Distribution and Packaging
64B16-28.607	Automated Pharmacy System – Long-Term Care, Hospice or Prison
64B16-28.830	Special – Closed System Pharmacy
64B16-28.901	Nuclear Pharmacy – General Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 35, September 4, 2009 issue of the Florida Administrative Weekly.

The correction is as follows:

Due to the amendment of Section 3, Ch. 2008-216, Laws of Florida (465.014, Florida Statutes), the rules cannot become effective until January 1, 2010, and as such the above-referenced rules will become effective on January 1, 2010.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Rebecca Poston, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
65C-20	Family Day Care Standards and Large Family Child Care Homes
RULE NOS.:	RULE TITLES:
65C-20.009	Staffing Requirements
65C-20.013	Large Family Child Care Homes

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. 35, No. 20, May 22, 2009, issue of Florida Administrative Weekly.

These changes are being made to address changes requested during public hearings, written material received by the Child Care Program Office, technical changes and written comments received from the Joint Administrative Procedures Committee. The proposed rule changes will have no transactional cost impact on small employers as defined in Section 288.703, F.S. Pursuant to Section 120.54(3)(b)1., F.S., the department's prepared a statement of estimated regulatory costs.

65C-20.009 Staffing Requirements.

(1) through (4) No change.

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

~~(d) The operator's children under the age of 13 shall be included in the home's capacity. However, supervision of the operator's children shall be left to the discretion of the operator.~~

65C-20.013 Large Family Child Care Homes (LFCCH).

(1) through (4) No change.

(5) No change.

(a) No change.

1. No change.

2. "Begin training for child care personnel" refers to a candidate's commencement of at least one (1) of the child care training courses listed in paragraph 65C-20.0013(5)(c), F.A.C. Section 402.305(2)(d), F.S. This may be accomplished by classroom attendance in a department-approved training course, acquiring an educational exemption from a department-approved training course, beginning a department-approved online child care training course, or by receiving results from completion of a department-approved competency examination within the first 90 days of employment in the child care industry in any licensed Florida family day care home or large family child care home. The large family child care home is responsible for obtaining documentation from child care personnel.

3. through 13. No change.

(b) through (d) No change.

(6) through (10) No change.

Rulemaking Specific Authority 402.309, 402.3131 FS. Law Implemented 402.302, 402.302(13), 402.305, 402.309, 402.3131 FS. History—New 5-21-00, Amended 1-4-01, 7-13-03, 9-12-04, 4-12-07, 5-1-08, _____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Mental Health Program

RULE NOS.:	RULE TITLES:
65E-20.002	Definitions
65E-20.014	Seclusion and Restraint for Emergency Behavior Management Purposes

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. 35, No. 35, September 4, 2009 issue of the Florida Administrative Weekly.

November 16, 2009

Proposed Revisions to 65E-20 Forensic Client Services Act Regulation

65E-20.002 Definitions.

(1) No change.

(2) Advanced Registered Nurse Practitioner: as defined in Section 464.003(7), Florida Statutes.

(2) through (12) renumbered (3) through (13) No change.

(10) Restraint: ~~for behavior management purposes~~ is defined in Section 916.106(14)(a), Florida Statutes. A drug used as a restraint is defined in Section 916.106(14)(b), Florida Statutes. Physically holding a person during a procedure to forcibly administer psychotropic medication is a physical restraint. ~~It is the intent of the legislature to minimize and achieve an on-going reduction in the use of restraint.~~

(11) Seclusion: ~~for behavior management purposes~~ is defined in Section 916.106(16), Florida Statutes. ~~It is the intent of the legislature to minimize and achieve an on-going reduction in the use of seclusion.~~

(14) Walking Restraint: a type of restraint device that allows an individual limited mobility but still prevents harm to self or others. It is intended as a less restrictive form of restraint (also referred to as an “ambulatory” restraint).

Rulemaking Specific Authority 916.1093, 916.1093(2) FS. Law Implemented 916.106, 916.106(14), 916.106(16) FS. History--New 9-29-86, Amended 7-1-96, Formerly 10E-20.002, Amended _____.

Florida Administrative Code 65E-20 is amended by creating 65E-20.014:

65E-20.014 Seclusion and Restraint for Emergency Behavior Management Purposes.

(1) General Standards.

(a) through (b) No change.

(c) Seclusion or restraint shall be employed only in emergency situations when necessary to prevent an individual from seriously injuring self or others, and less restrictive techniques have been tried and failed, or it has been clinically determined that the danger is of such immediacy that less restrictive techniques cannot be safely applied.

(e) Seclusion or restraint shall be employed:

1. Only in emergency situations;

2. When necessary to prevent an individual from seriously injuring self or others; and

3. Less restrictive techniques have been tried and failed, or it has been clinically determined that the danger is such that less restrictive techniques cannot be safely applied.

(d) through (l) No change.

(m) Seclusion and restraint may not be used simultaneously for children less than 18 years of age. For adults age 18 and over individuals over the age of 18, simultaneous seclusion and restraint is only permitted if the individual is continually monitored face-to-face by an assigned, trained staff member or if the individual is continually monitored by trained staff using both audio and video equipment. Staff providing this monitoring must be in close proximity to the individual.

(3) Prior to the Implementation of Seclusion or Restraint.

(a) Prior intervention shall include individualized therapeutic actions identified in a personal safety plan that address individual triggers leading to psychiatric crisis. Recommended form CF-MH 3124, Feb. 05, “Personal Safety Plan,” which is incorporated herein by reference, may be used for the purpose of guiding individualized techniques. Recommended form CF-MH 3124 may be accessed from the department’s website at “http://www.dcf.state.fl.us/mental health/laws.”

(7) Reporting.

(a) All civil and forensic state mental health treatment facilities serving individuals committed pursuant to Chapter 916, F.S., are required to report each seclusion and restraint event to the Department of Children and Families. This reporting shall be done electronically using the Department’s web-based application, either directly via the data input screens, or indirectly via the File Transfer Protocol batch process. The required reporting elements include: provider tax identification number; individual’s social security number and identification number; date and time the seclusion or restraint event was initiated; discipline of the individual ordering the seclusion or restraint; discipline of the individual implementing the seclusion or restraint; reason seclusion or restraint was initiated; type of restraint used; whether significant injuries were sustained by the individual; and date and time seclusion or restraint was terminated. Facilities shall report seclusion and restraint events to the Department on a monthly basis. Events that result in death or significant injury, either to a staff member or individual, shall be reported to the department’s web-based system as required by the department. The purpose of collecting protected health information, such as social security number, is to uniquely identify each person served for treatment, payment, and health care operation as authorized by the HIPAA privacy and security standards, as referenced in 45 CFR 164.506 in accordance with department operating procedures and must also be reported according to the department’s incident reporting procedure.

(b) All facilities that are subject to the Conditions of Participation for Hospitals, 42 Code of Federal Regulations, part 482, under the Centers for Medicare and Medicaid Services (CMS), must report to CMS any death that occurs in the following circumstances:

1. While an individual is restrained or secluded;

2. Within 24 hours after release from seclusion or restraint;

OR

3. Within one week after seclusion or restraint, where it is reasonable to assume that use of the seclusion or restraint contributed directly or indirectly to the individual’s death.

Each death described in (7)(b) shall be reported to CMS by telephone no later than the close of business the next business day following knowledge of the individuals’ death. A report shall simultaneously be submitted to the Director of Mental Health/Designee in the Mental Health Program Office

Headquarters in Tallahassee, FL. The address is: 1317 Winewood Blvd., Tallahassee, FL 32399-0700. Facilities that are not required to report these deaths to CMS shall report the death to the Director of Mental Health/Designee in the Mental Health Program Office Headquarters at the address above to the department in accordance with Departmental operating procedures.

Rulemaking Specific Authority 916.1093(2) FS. Law Implemented 916.105(4), 916.107(4)(b), 916.1093(2) FS. History--New _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of Consumer Services

RULE NO.: RULE TITLE:

69J-123.002 Procedures

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 39, October 2, 2009 issue of the Florida Administrative Weekly.

This notice is to correct the “name of agency head who approved the proposed rule” section to read as follows:

NAME OF PERSON ORIGINATING PROPOSED RULE:
Greg Thomas, Chief of Education, Advocacy & Research, Division of Consumer Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Alex Sink, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 14, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 5, 2009

**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 CITRUS

RULE NO.: RULE TITLE:
20ER09-1 Oranges: 2009-2010 Anhydrous Acid Maturity Standards

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Section 120.54(4)(b), Florida Statutes, states that those rules pertaining to perishable agricultural commodities shall be included in the definition of rules relating to the public health, safety, or welfare.

Due to adverse climactic conditions through periods of this growing season significant amounts of the Florida navel citrus crop in the 2009-2010 season will have an acid content below the 0.4 minimum established in Section 601.19, Florida Statutes. Strict enforcement of the anhydrous acid content requirements, which were adopted largely to control abuse of plant growth regulators which are no longer in use, could cause economic waste by allowing good and safe food to be ruled immature.

After taking testimony and discussing the matter at a public meeting and hearing in Lakeland, Florida on November 10, 2009, the Florida Citrus Commission found that there exist unusual growing conditions which could cause a substantial portion of the orange crop to fail minimum acid requirements. They voted to adopt Emergency Rule 20ER09-1, adjusting the percentage of anhydrous citric acid requirement for oranges for fresh and processed use from .40 to .36, for a 90 day period.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: Adequate notice procedures were used by the Department of Citrus to inform the public and the Florida citrus industry of the pending adoption of Emergency Rule 20ER09-1 adjusting the percentage of anhydrous citric acid requirements for oranges, in that notice was made via email and/or fax of the meeting notice on November 9, 2009 to members of the Florida Citrus Commission, all industry organizations, the Florida Press Corps and other interested persons.

SUMMARY: Emergency Rule 20ER09-1 adjusts the percentage of anhydrous citric acid requirement for oranges from .40 to .36 for a period of 90 days.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Alice P. Wiggins, License & Regulation Specialist, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148 or awiggins@citrus.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

20ER09-1 (20-13.0011) Oranges: ~~2009-2010~~ ~~2004-2005~~ Anhydrous Acid Maturity Standards.

(1) During the period beginning ~~November 12, 2009~~ ~~October 29, 2004~~ up to and including ~~February 10, 2010~~ ~~July 31, 2005~~ oranges shall be deemed mature when the juice sample contains not less than .36 percent of anhydrous citric acid.

(2) No change.

Rulemaking Specific Authority 601.10(1),(7), 601.11, 601.19 FS. Law Implemented 601.111, 601.19 FS. History--New 3-14-93, Amended 2-12-95, 1-17-96, 5-1-02, 2-19-03, 3-22-05, ~~11-12-09~~.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 12, 2009

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER09-62
RULE TITLE: Holiday MILLIONAIRE RAFFLE™

SUMMARY: This emergency rule describes the on-line game "Holiday MILLIONAIRE RAFFLE," for which the Department of the Lottery will sell tickets beginning November 13, 2009.

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

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER09-62 Holiday MILLIONAIRE RAFFLE™.

(1) How to Play Holiday MILLIONAIRE RAFFLE™.

(a) Holiday MILLIONAIRE RAFFLE is an on-line number match game.

(b) Each Holiday MILLIONAIRE RAFFLE ticket costs \$20.

(c) Holiday MILLIONAIRE RAFFLE tickets will go on sale on Friday, November 13, 2009. Sales of Holiday MILLIONAIRE RAFFLE tickets will cease immediately after the 1,000,000th ticket is sold or at midnight on December 30, 2009, whichever occurs first.

(d) Each Holiday MILLIONAIRE RAFFLE ticket will contain a unique ticket number that will be entered automatically into the Holiday MILLIONAIRE RAFFLE drawing. Holiday MILLIONAIRE RAFFLE tickets will automatically print from the terminal with ticket numbers issued in sequential order from 0000001 to 1000000 as they are sold around the state. Each Holiday MILLIONAIRE RAFFLE ticket will contain only one ticket number. Players cannot select their own ticket numbers.

(e) The overall odds of winning a prize in the Holiday MILLIONAIRE RAFFLE game depend upon the number of tickets sold and are 1 in 492 if all 1,000,000 tickets are sold.

(f) Holiday MILLIONAIRE RAFFLE tickets cannot be cancelled.

(2) Holiday MILLIONAIRE RAFFLE Drawing and Prizes.

(a) A random computerized drawing from among all Holiday MILLIONAIRE RAFFLE ticket numbers issued during the sales period will be held on December 31, 2009 to select 2,034 numbers. Prizes will be awarded in the order drawn. The first through ninth numbers drawn will win \$1 million cash. The 10th through 19th numbers drawn will win \$50,000 and will be alternates in the order drawn for a \$1 million prize in the event a top prize is not claimed within the 180-day claim period. The 20th through 34th numbers drawn will each win \$5,000 and the 35th through 2,034th numbers drawn will each win \$250.

(b) The Holiday MILLIONAIRE RAFFLE drawing shall be public and witnessed by an accountant employed by an independent certified public accounting firm, as required by paragraph 24.105(2)(d), F.S.

(c) The results of the drawing will be revealed on December 31, 2009, and will be available after the drawing on the Lottery's website at www.flalottery.com. The winning numbers in the top prize category will also be available by phone at (850)921-PLAY (529), [TDD (850)487-7784], and the winning numbers in the top three prize categories will be available at lottery retailers.

(3) How to Claim a Holiday MILLIONAIRE RAFFLE Prize.

(a) Holiday MILLIONAIRE RAFFLE prizes must be claimed by submitting the winning ticket for validation at a Lottery office or retailer within 180 days from the date of the drawing (June 29, 2010) and, if the prize is not paid at that time, by submitting the winning ticket for payment at a Florida Lottery office as required by the Lottery's rule governing payment of prizes. Tickets winning \$1 million must be submitted for payment at Lottery Headquarters. Failure of a prizewinner to claim a Holiday MILLIONAIRE RAFFLE prize by submitting the winning ticket for validation and payment in accordance with the Lottery's rule governing payment of prizes shall result in forfeiture of the prize. Information about procedures for filing a claim can be obtained by calling (850)487-7777 [TDD (850)487-7784]. Holiday MILLIONAIRE RAFFLE tickets are the only valid receipts to redeem a prize.

(b) A claim filed for a \$50,000 prize shall also be a contingent claim for a \$1 million prize. If a winning Holiday MILLIONAIRE RAFFLE ticket bearing any of the first nine winning numbers is not submitted for validation and payment in accordance with the Lottery's rule governing payment of prizes, the 10th through 19th prizewinners who have submitted their tickets for validation and payment in accordance with the Lottery's rule governing payment of prizes constitute contingent winners for the \$1 million prize and will be used in the order in which they were drawn to select a winner for the \$1 million top prize. The contingent winner will be awarded the cash difference between the \$50,000 prize and the \$1 million prize.

If applicable, the Lottery will attempt to notify, for a period of two weeks, the first contingent winner drawn in the \$50,000 prize category. If the Lottery is unable to contact the first contingent winner, the Lottery will attempt to notify, for a period of two weeks, the second contingent winner drawn. This process will continue until a contingent winner is contacted or the Lottery has exhausted the list of available contingent winners, in which case the \$1 million prize will not be awarded.

(c) Payment of federal, state and/or local taxes will be the responsibility of the winner. Federal withholding taxes will be deducted from the \$1 million and \$50,000 prizes.

(4) General Information.

(a) Players must be at least 18 years of age. Persons prohibited by Section 24.116, F.S., from purchasing a Florida Lottery ticket are not eligible to play.

(b) All Holiday MILLIONAIRE RAFFLE prizes are subject to the provisions of Chapter 24, F.S., and rules promulgated thereunder. Prizes will be paid in accordance with the rule 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.

Rulemaking Authority 24.105(9), 24.109(1) FS. Law Implemented 24.105(9), 24.115(1) FS. History—New 11-9-09.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 9, 2009

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER09-63
 RULE TITLE: Holiday MILLIONAIRE RAFFLE™ Retailer Incentive Program

SUMMARY: The Department of the Lottery will conduct a “Holiday Millionaire Raffle Retailer Incentive” program, in which certain retailers will receive bonus commissions during the promotion period.

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:

53ER09-63 Holiday MILLIONAIRE RAFFLE™ Retailer Incentive Program.

(1) Holiday MILLIONAIRE RAFFLE™ is an on-line number match game. Holiday MILLIONAIRE RAFFLE tickets will go on sale Friday, November 13, 2009. Sales of Holiday MILLIONAIRE RAFFLE tickets will cease immediately after the 1,000,000th ticket is sold or at midnight on December 30, 2009, whichever occurs first.

(2) Each Holiday MILLIONAIRE RAFFLE ticket will contain a unique ticket number that will be entered automatically into the Holiday MILLIONAIRE RAFFLE drawing. A random computerized drawing from among all Holiday MILLIONAIRE RAFFLE ticket numbers issued during the sales period will be held on December 31, 2009. A

total of 2,034 prizes will be awarded. Prizes will be awarded in the order drawn. The first through ninth numbers drawn will win \$1 million cash. The 10th through 19th numbers drawn will win \$50,000 and will be alternates in the order drawn for a \$1 million prize. The 20th through 34th numbers drawn will win \$5,000 and the 35th through 2,034th numbers drawn will win \$250.

(3) A retailer who sells a winning \$1 million Holiday MILLIONAIRE RAFFLE ticket will receive a bonus commission of \$5,000 in addition to the regular five percent sales commission set forth in Rule 53ER05-14, F.A.C.

(4) Award of a bonus commission is not dependent upon the winning Holiday MILLIONAIRE RAFFLE ticket being claimed by the winner. Retailers who sell winning \$50,000 Holiday MILLIONAIRE RAFFLE tickets that subsequently become alternate winners of a \$1 million prize will not be eligible for a bonus commission.

(5) Retailers whose Florida Lottery contracts are terminated or inactivated prior to the bonus commission award shall be paid the bonus commission provided the termination or inactivation was not due to non-compliance with Florida Lottery laws, rules or contract terms.

(6) A bonus commission will be considered compensation to the retailer for Internal Revenue Service purposes. The Florida Lottery reserves the right to apply the bonus commission earned against a retailer’s outstanding debt to the Florida Lottery.

(7) This emergency rule is effective upon filing. Holiday MILLIONAIRE RAFFLE bonus sales commissions are subject to availability of funds appropriated for retailer incentives. This Promotion is subject to cancellation by future emergency rule if retailer incentive funding is not appropriated or if the Florida Lottery determines that it is no longer in the state’s best interest to use such funds for this purpose.

Rulemaking Authority 24.105(9), 24.109(1), 24.112(1) FS. Law Implemented 24.105(9), 24.112(1) FS. History—New 11-9-09.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 9, 2009

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

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65GER09-2	Tier Waivers
65GER09-3	Tier One Waiver
65GER09-4	Tier Two Waiver
65GER09-5	Tier Three Waiver
65GER09-6	Tier Four Waiver

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: 1) The First District Court of Appeal found the Agency’s Rules 65G-4.0021, 0022, 0023, 0024, and 0025, F.A.C. invalid in *Moreland v APD*, 34 FLA L. Weekly D1715 (1st DCA, August 21, 2009) Reh.Den. October 8, 2009.

2) The Agency provides essential medical, adaptive and behavioral services through a Home and Community Based (HCBS) Medicaid waiver program to 31,000 individuals with developmental disabilities.

3) All 31,000 individuals served by the Agency meet a level of need qualifying them for placement in an institution. The HCBS waiver provides these individuals an opportunity to remain at home or other non-institutional community settings.

4) In 2007, the Florida Legislature amended Section 393.0661, F.S., to create a four-tiered waiver system to deliver the medicaid waiver services provided through the HCBS waiver by this Agency.

5) Paragraph 393.0661(3)(e), F.S., directed the Agency and the Agency for Health Care Administration (ACHA), the State Medicaid Administrator, to implement the four-tiered system and provided authority to adopt any rules necessary to administer the four-tiered waiver system.

6) Paragraph 393.0661(3)(e), F.S., also directed AHCA to seek federal waivers consistent with the four-tiered waiver system.

7) The federal waivers consistent with the four-tiered system of 393.0661 were approved by the Centers for Medicare and Medicaid Services. The waivers serve as the Agency’s authority to provide HCBS waiver services to individuals with developmental disabilities.

8) The population APD serves through its Home and Community Based Services Waivers (referred to as “HCBS”) program includes some of Florida’s most vulnerable citizens. The service needs of these individuals change over time, often increasing, and the service need can change rapidly.

The emergency rules adopted today by APD are of critical need for the preservation of the health, safety, and welfare of this vulnerable population because, without them, APD lacks the capability and legal authority to adequately respond to changes in service needs and, as a result, APD is unable to provide certain services that have been established to be medically necessary, and that would otherwise be available through the HCBS Waiver.

As mandated by Section 393.0661(3), F.S., the majority of the individuals served by the waiver program have been assigned to tiers. Three of the tiers have spending limitations. Although APD’s tier rules were invalidated by the First DCA in *Moreland*, the statutory tier system remains in place. Thus, APD has no rules for the day-to-day operations that are affected by the tier system. APD uses an emergency protocol for delivery of services, but this protocol cannot be used until an emergency for the client exists. Thus, APD cannot act until a client’s health, safety or welfare is in jeopardy. It is the waiting until a client is in an emergency situation to deliver essential services that creates a danger to the health, safety and welfare of the vulnerable clients served by APD.

This is a significant problem. To access additional waiver services, an APD client must apply for Prior Service Authorization which determines that (1) the service is medically necessary and (2) the cost of the service is within the client’s budget allocated within the tier system. If the service cannot be added within the budget of the client’s present tier assignment, that client’s tier assignment must be reevaluated to determine whether that service can be added within the parameters of the tier system.

There are more than 1,000 HCBS Waiver clients who have requested Prior Service Authorizations for new or additional services, which cannot be provided without reevaluating their tier assignment. Many of these services have been determined to be medically necessary. However, due to the absence of tier assignment rules in place, APD cannot consider whether to approve any of these services until the lack of their provision develops into an emergency situation, triggering APD’s emergency 30-day protocol. Further, if the emergency protocol is triggered, a client cannot retain those services if no emergency situation continues to exist at the end of the 30-days. APD will then have to wait for a new crisis or emergency situation to develop before those services can again be provided.

In sum, absent tier rules, these clients cannot get medically necessary services implemented. Those services are not available through the tier system unless and until the lack of provision of these services develops into a crisis requiring the agency to respond on an emergency basis. This means that individuals’ needs are not met and this creates a significant and immediate danger to their health and safety. The individuals whose needs are not served will have deterioration in their health and safety. Further, the inability of APD to respond to changes in circumstances poses an immediate danger to the welfare of every member of the population subject to expenditure or service limitations. Thus, APD’s present inability to make changes to a client’s services results in clients not receiving medically necessary services that would otherwise be available through the HCBS Waiver program and

has therefore created a significant and immediate danger to the health, safety, and welfare of this vulnerable population that will continue until rules are in place.

As a specific example, one client served by the waiver recently lost his provision of personal care assistance (“PCA”), which had been provided to him through the state Medicaid program, as a result of his attaining the age of 21. He requires this service because he is totally disabled and is unable to bathe, toilet, or feed himself. Because the client was living at home and receiving PCA services through the state Medicaid plan, he was assigned to Tier 4. Because of the service limitations in Tier 4, this individual can no longer receive his necessary PCA services. Without tier rules in place, APD is without a framework to reevaluate the appropriate tier assignment for this individual in response to his change of circumstances. Thus, although he now has a life-long need for service, APD only has rules in place that authorize this service to the extent that it can be approved on a thirty-day emergency basis.

Similarly, another young individual became extremely physically aggressive at home. As a result, he cannot return home. Intensive behavior residential habilitation was recommended as the appropriate housing to address his behavior needs. This individual is currently assigned to Tier 3. Because of the spending limitation of Tier 3, he cannot receive the needed intensive behavioral residential habilitation. Without tier rules in place, he is only able to receive his necessary housing to the extent it can be approved on a thirty-day emergency basis.

Another specific example is an individual who recently had surgery. Her recovery for surgery is taking longer than expected. She cannot leave her home. She needs additional personal care assistance for this recovery period. Her health and safety are compromised without this additional service. However, her current tier assignment cannot accommodate this additional need. Without a tier rule in place, she can only get this additional service to the extent it can be approved on a thirty-day emergency basis.

The inability to approve medically necessary services in the regular course of APD’s operations threatens the health, safety and welfare of every one of the more than 20,000 individuals receiving services through the HCBS Waiver who have been assigned to tiers with spending limitations, as required by Section 393.0661(3), F.S. As explained above, individuals within this vulnerable population experience changing needs, and the absence of tier rules in place leaves APD helpless to respond to those changes unless and until changes in circumstances attain emergency status. APD’s inability to respond to changing circumstances for many members of this population endangers the health, welfare, and safety of every member of the population subject to limitations resulting from APD’s implementation of Section 393.0661(3), F.S.

There is a danger to the public welfare related to the appropriations for the operation of the HCBS Waiver services. APD was charged by state law with the duty to implement the Medicaid Waiver agreement between the state and CMS on behalf of the federal government. APD was directed by the Legislature to “mak[e] any other adjustment necessary to comply with the availability of moneys and any limitations or directions provided for in the General Appropriations Act.” Section 393.0661(7), F.S. Without tier rules the Agency cannot perform its statutory duties and its inability to act on any basis other than an emergency endangers the public welfare as described above.

9) Without administrative rules to operate the four-tiered waiver system, the State of Florida may have to provide institutional beds for thousands of individuals. This possibility contravenes the Legislative intent of Chapter 393, F.S.:

Section 393.62, F.S., Legislative findings and declaration of intent. – The Legislature finds and declares that existing state programs for the treatment of individuals with developmental disabilities, which often unnecessarily place clients in institutions, are unreasonably costly, are ineffective in bringing the individual client to his or her maximum potential, and are in fact debilitating to many clients. A re-direction in state treatment programs for individuals with developmental disabilities is necessary if any significant amelioration of the problems faced by such individuals is ever to take place. Such redirection should place primary emphasis on programs that prevent or reduce the severity of developmental disabilities. Further, the greatest priority shall be given to the development and implementation of community-based services that will enable individuals with developmental disabilities to achieve their greatest potential for independent and productive living, enable them to live in their own homes or in residences located in their own communities, and permit them to be diverted or removed from unnecessary institutional placements. . .

For the reasons stated above, the Agency finds that an immediate danger to the public health, safety, and welfare exists and requires immediate action.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: 1. The emergency action by the Agency uses the rules previously adopted and amends only those portions of rule specifically addressed by the Moreland case.

2. The proposed rules take only the action necessary to ensure that necessary services remain in place to protect the vulnerable, individuals with developmental disabilities served by the Agency.

3. Specifically, the following changes to the originally promulgated rules, consistent with the Moreland, opinion are contained in the emergency rules: Rule 65G-4.0021, F.A.C., identifies the Agency assessment instruments; Rule 65G-4.0024, F.A.C., no longer references any age limits; and Rule 65G-4.0025, F.A.C., deletes reference to client age limits,

and no longer includes reference to clients who received services under the Family and Supported Living waiver prior to the implementation of the four-tiered waiver system, or clients who are dependent children residing in residential facilities licensed by DCF.

SUMMARY: These emergency rules replace recently invalidated rules. They are necessary for the administration and continued implementation of Subsection 393.0661(3), F.S., which created a four-tiered waiver system. These rules are essential for the public health, safety, and welfare because without rules in place, the delivery system of Medicaid services cannot provide medically necessary services to 31,000 affected individuals in the manner prescribed by statute.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULES IS: Celeste Sanders, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399, (850)922-0371

THE FULL TEXT OF THE EMERGENCY RULES IS:

65GER09-2 Tier Waivers.

(1) The Agency for Persons with Disabilities will assign clients of home and community-based waiver services for persons with developmental disabilities to one of the four Tier Waivers created by Section 393.0661, F.S. (2007). The Agency will determine the Tier Waiver for which each client is eligible and assign the client to that waiver based on the developmental disabilities waiver criteria and limitations contained in the following provisions: Sections 409.906(13) and 393.0661, F.S.; and Rules 59G-13.080 and 59G-13.083, F.A.C., and the following:

(a) The client's level of need in functional, medical, and behavioral areas, as determined through Agency evaluation of client characteristics, the Agency approved assessment process, and support planning information;

(b) The client's service needs as determined through the Agency's prior service authorization process to be medically necessary;

(c) The client's current living setting; and

(d) The availability of supports and services from other sources, including Medicaid state plan and other federal, state and local programs as well as natural and community supports.

(2) As part of the assessment process, the Individual Cost Guidelines (ICG) and the Questionnaire for Situational Information 4.0 (QSI) are hereby adopted by the Agency as valid and reliable assessment instruments. The ICG and the QSI are available at: <http://apd.myflorida.com/waiver/qsi-version-4.pdf>, or <http://apd.myflorida.com/waiver/>. The ICG is only valid through December 31, 2009. The QSI is valid in all other instances.

(3) The services described by the Developmental Disabilities Waiver Services Coverage and Limitations Handbook, July 2007 (available at <http://portal.flmmis.com/>

FLPublic/Portals/0/StaticContent/Public/HANDBOOKS/CL_08_070701_Waiver_DevSev_ver1%203%20(2).pdf or <http://apd.myflorida.com/waiver/>) (hereinafter referred to as the "DD Handbook"), adopted by Rule 59G-13.083, F.A.C. and incorporated herein by reference, are available to clients of the Developmental Disabilities Waiver (hereinafter called "the Tier One Waiver"), the Developmental Disabilities Tier Two Waiver (hereinafter called "the Tier Two Waiver"), and Developmental Disabilities Tier Three Waiver (hereinafter called "the Tier Three Waiver"). The following services described in the DD Handbook are available to clients assigned to the Tier Four Waiver (presently known as The Family and Supported Living Waiver):

(a) Adult Day Training;

(b) Behavior Analysis;

(c) Behavior Assistance;

(d) Consumable Medical Supplies;

(e) Durable Medical Equipment;

(f) Environmental Accessibility Adaptations;

(g) In-Home Support Service;

(h) Personal Emergency Response System;

(i) Respite Care;

(j) Support Coordination;

(k) Supported Employment;

(l) Supported Living Coaching; and

(m) Transportation.

(4) For all Tiers client must utilize all available State Plan Medicaid services including, but not limited to, personal care assistance, therapies, and medical services, that duplicate the waiver services proposed for the client. A client shall not be provided waiver services that duplicate available State Plan Medicaid Services including, but not limited to, personal care assistance, therapies, and medical services.

(5) The Agency will review a client's tier eligibility when a client has a significant change in circumstance or condition that impacts on the client's health, safety, or welfare or when a change in the client's plan of care is required to avoid institutionalization. The information identifying and documenting a significant change in circumstance or condition that necessitates additional or different services must be submitted by the client's Waiver Support Coordinator to the appropriate Agency Area office for determination.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 11-16-09.

65GER09-3 Tier One Waiver.

(1) The Tier One Waiver is limited to clients that the Agency has determined meet at least one of the following criteria:

(a) The client's needs for medical or adaptive services cannot be met in Tiers Two, Three, and Four and are essential for avoiding institutionalization, or

(b) The client possesses behavioral problems that are exceptional in intensity, duration, or frequency with resulting service needs that cannot be met in Tiers Two, Three, and Four, and the client presents a substantial risk of harm to themselves or others.

(2) Clients living in a licensed residential facility receiving any of the following services shall be assigned to the Tier One Waiver:

(a) Intensive behavioral residential habilitation services;

(b) Behavior focus residential habilitation services at the moderate or above level of support; or

(c) Standard residential habilitation at the extensive 1, or higher, level of support; or

(d) Special medical home care.

(3) Nursing service needs that can be met through the Tier Two, Tier Three, or Tier Four Waivers are not "services" or "service needs" that support assignment to the Tier One Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 11-16-09.

65GER09-4 Tier Two Waiver.

The total budget in a cost plan year for each Tier Two Waiver client shall not exceed \$55,000. The Tier Two Waiver is limited to clients who meet the following criteria:

(1) The client's service needs include placement in a licensed residential facility and authorization for a moderate level of support for standard residential habilitation services or a minimal level of support for behavior focus residential habilitation services; or

(2) The client is in supported living and is authorized to receive more than six hours a day of in-home support services.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 11-16-09.

65GER09-5 Tier Three Waiver.

The total budget in a cost plan year for each Tier Three Waiver client shall not exceed \$35,000. A client must meet at least one of the following criteria for assignment to the Tier Three Waiver:

(1) The client resides in a residential facility licensed by the Agency and is not eligible for the Tier One Waiver or the Tier Two Waiver; or

(2) The client resides in their own home and is authorized by the Agency to receive In-Home Support Services and is not eligible for the Tier One Waiver or the Tier Two Waiver and the need for these services cannot be met in Tier Four; or

(3) The client is authorized by the Agency to receive Personal Care Assistance services at the moderate level of support as defined in the DD Handbook.

(4) The client is authorized by the Agency to receive Skilled or Private Duty Nursing Services and is not eligible for the Tier One Waiver or the Tier Two Waiver; or

(5) The client is authorized by the Agency to receive services of a behavior analyst and/or a behavior assistant and the need for these services cannot be met in Tier Four.

(6) The client is authorized by the Agency to receive at least one of the following services:

(a) Occupational Therapy; or

(b) Physical Therapy; or

(c) Speech Therapy; or

(d) Respiratory Therapy.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 11-16-09.

65GER09-6 Tier Four Waiver.

(1) The total budget in a cost plan year for each Tier Four Waiver client shall not exceed \$14,792 per year.

(2) Clients who are not eligible for assignment to the Tier One Waiver, the Tier Two Waiver, or the Tier Three Waiver, shall be assigned to the Tier Four Waiver.

Rulemaking Authority 393.0661(3) FS. Law Implemented 393.0661(3) FS. History--New 11-16-09.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: November 16, 2009

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Department of Transportation has issued an order.

Morris-Depew Associates, Inc., shall be deemed qualified to perform work for the Department in Work Type Group 15: Landscape Architecture based upon the extensive experience, education, and qualifications of Vice-President, James M. McCord.

A copy of the Order may be obtained by contacting: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Department of Transportation, Haydon Burns Building, 605 Suwannee Street, Mail Stop #58, Tallahassee, Florida 32399-0458.

**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 on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Thomas P. Brantley, Leon County Court House Annex, Tallahassee, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until January 1, 2010 (VW 2009-133 and 158).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Lanny English, Imperial Cove Condo Assoc., Clearwater, FL, to not comply with Rules 3.11.3, 3.10.4(t) and 2.7.4, ASME A17.3, 1996 edition until September 30, 2011 (VW 2009-284).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Melvyn Van Dyke, Vantage Pointe and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-298).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Joseph W. La Rue, Lakeside at Delray Beach, Delray Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until May 3, 2010 (VW 2009-341).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Sara Sneen, Commercial Property, Tampa, FL, to not comply with Rules 2.7.4, ASME A17.3, 1996 edition and 2.27, ASME A17.1, 2004 edition until November 1, 2012 (VW 2009-367).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Michael McLaughlin, 2200 Building, Jacksonville, FL, to not comply with Rules 3.3.2 and 2.7.4, ASME A17.3, 1996 edition until December 1, 2009 (VW 2009-371).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Alex Cohen, Bermuda Cay Condo Assoc., Inc. and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-385 and 496).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, agent for Library Lakes Condos, St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition as the elevator exceeds the 25 feet by only 10 inches (VW 2009-395).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, agent for Library Lakes Condos, St. Petersburg, FL, to not comply with Rules 3.11.3, 2.7.4, 3.10.4(t), 3.9.1 and 3.3.2, ASME A17.3, 1996 edition until June 1, 2011 (VW 2009-396). A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Steven Grekowicz, Seaplace, Longboat, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 6, 2012 (VW 2009-397).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Marilyn Ward, Beau Monde, St. Pete Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until May 1, 2010 (VW 2009-398).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. The Request for Variance is withdrawn by the petitioner, Holly M. Jones, 800 Building, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-399).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner's request for variance does not meet the burden of demonstrating that public health safeguards provided by rule have otherwise been met, as submitted by: Richard Nickerson,

TamberLane Condo Assoc. and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-400).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Patricia Serley, National Flight Academy, Pensacola, FL, to not comply with Rules 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition to allow the installation of an Otis Gen2™ elevator (VW 2009-409).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Park at Barrington Apts., Indian Rocks Beach, FL, to not comply with Rules 3.11.1 and 2.7.4, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-418).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Park at Barrington Apartments, Indian Rocks Beach, FL, to not comply with Rules 3.11.3, 2.7.4, 3.3.2, 3.10.3 and 3.11.1, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-419).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Park at Barrington Apts., Indian Rocks Beach, FL, to not comply with Rules 2.7.4, 3.3.2, 3.10.3 and 3.11.1, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-420).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Christie Crosby, Maitland Building, Orlando, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-423).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Paul Komie, The Lands of the President Condo and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-428).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Paul Komie, Boca Raton Bridge Hotel, Boca Raton, FL, to not comply with Rule 2.7.2.1, ASME A17.1, 2005 edition to allow the prohibition against foreign wiring from being located in the machine room (VW 2009-429).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Tim Cleckner, Ormond Surfside Management Corp., Ormond Beach, FL, to not comply with Rules 3.11.3, 3.10.4(t) and 2.7.4, ASME A17.3, 1996 edition until August 1, 2012 (VW 2009-432).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner is requesting variance from routine maintenance items that can easily be in compliance within the 30 day time frame, as submitted by: Peter Marra, Imperial Cove Condominium IX Assoc. and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-433).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Dockery, Farris Bryant Building, Tallahassee, FL, to not comply with Rules 3.11.3 and 3.10.4(t), ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-438).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: John Nolan, Emerald Beach Apts., Marco Island, FL, to not comply with Rules 3.11.3, 3.11.1, 3.4.5 and 2.7.4, ASME A17.3, 1996 edition until January 1, 2010 (VW 2009-451).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Colleen Ansell, First United Methodist Church, Orlando, FL, to not comply with Rules 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition to allow the installation of an Otis Gen2TM elevator system (VW 2009-453).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Olsec B.

Fernandez, Tampa General Hospital, Tampa, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until September 4, 2011 (VW 2009-454).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: John McNaughton, Cove Cay Village I, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until February 15, 2011 (VW 2009-456).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Colleen Ansell, ORJH ACC Bridge, Orlando, FL, to not comply with Rules 2.20.1, 2.20.9 and 2.24.2, ASME A17.1, 2005 edition to allow the installation of an Otis Gen2™ elevator (VW 2009-460).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Peter Leone, Kalmia VII Condo Association, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2012 (VW 2009-461).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Edward B. Renneker, Ivy Association, St. Petersburg, FL, to not comply with Rules 3.11.3, 2.7.4 and 3.3.2, ASME A17.3, 1996 and 106.1e, ASME A17.1, 2005 edition until May 1, 2010 (VW 2009-462).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Charlie Wissemeier, Anchorage Condominium Association, Sarasota, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-464).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Sharon Dube, Monte Carlo Towers Assoc., Tampa, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 and 2.27.8, ASME A17.1, 2004 edition until June 1, 2011 (VW 2009-465).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Stacey Zuckman, Tequesta Financial Center, Tequesta, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until December 31, 2009 (VW 2009-466).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Monique Fisher, Fisher Tower, Sarasota, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-474).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Steven L.

Cohen, Old Port Cove Condo Assn., North Palm Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 1, 2012 (VW 2009-475).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Lynann Ballard, Monaco Beach Club, Naples, FL, to not comply with Rules 3.11.3 and 3.10.4(t), ASME A17.3, 1996 edition until November 30, 2012 (VW 2009-476).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Blair Newton, Sky Harbour, St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-478).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Joy McKenna, Kennedy Center Office Building, Tampa, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-482).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Marsha Crewe, Burlington Tower, St. Petersburg, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until June 1, 2010 (VW 2009-483).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Don Taliaferro, Santa Maria Resort/Condo Assn., Ft. Myers Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until October 1, 2010 (VW 2009-491).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Don Taliaferro, Island Reef, Ft. Myers Beach, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until October 1, 2010 (VW 2009-492).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Stephen E. Farley, El Caribe Resort & Conference Center, Daytona Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until February 1, 2011 (VW 2009-495).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Kenneth W. Brand, Midnight Cove II, Sarasota, FL, to not comply with Rules 2.7.4 and 3.10.4t, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-501).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Bob Smith, M&I Bank, Sarasota, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition and Chapter 3002.3, 2007 FBC until November 1, 2009 (VW 2009-502).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: James T. Childers, Horizon House, Naples, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until March 17, 2010 (VW 2009-505).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: James T. Childers, Venice Regional Medical Center, Venice, FL, to not comply with Rules 3.11.3, ASME A17.3, 1996 edition until March 17, 2010 (VW 2009-506).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Bernadette Massaro, Chateau Bayonne Condo Assoc., Oldsmar, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2010 (VW 2009-510).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Nancy R. Mead, Fairview Isles Condo Assoc., Inc., Ft. Myers Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until June 30, 2010, 2010 (VW 2009-515).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: David

Vondenberger, Cypress Cathedral Apts., Winter Haven, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until July 31, 2011 (VW 2009-526).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Steve Engelhardt, Enterprise Center, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-528).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Jo-Ann McNew, Island Gulf Resort Condo Assoc., Madeira Beach, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2010 (VW 2009-531).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Pinellas Co., Public Works Dept., Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-533).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Pinellas Co., Clearwater Courthouse, Clearwater, FL, to not comply with Rules 3.11.3 and 3.10.4t, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-534).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: William Snyder, Pinellas Co., Criminal Justice Center, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2011 (VW 2009-536).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Carole S. Bowden, Ironwood Fifth Condominium Assoc., Inc., Bradenton, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until April 30, 2012 (VW 2009-537).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Carole S. Bowden, Ironwood Fourth Condo Assoc., Inc., Bradenton, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until April 30, 2012 (VW 2009-538).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Carole S. Bowden, Ironwood Sixth Condo Assoc., Inc., Bradenton, FL, to not comply with Rules 3.11.3 and 2.7.4, ASME A17.3, 1996 edition until April 30, 2012 (VW 2009-539).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Weronika Giadla,

Ritz Resort Motel and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-583).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009 the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Keleigh A. Brouwer, Mercantile Bank Plaza, Winter Park, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until November 1, 2012 (VW 2009-601).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Lee Rigby, agent for Treasure Coast Medical Center and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-608).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Lee Rigby, Florentine Gardens and, as specified in Section 120.542, Florida Statutes, titled Petition for Variance and Waiver (VW 2009-609).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has received an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: Lee Rigby, FAMU, Coleman Library and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-627).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Avery Breeding, South Seas East Condominiums, Inc., Marco Island, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2009 (VW 2009-628).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Lorraine Armstrong, Synovus Bank, St. Petersburg, FL, to not comply with Rules 3.3.2 and 2.7.4, ASME A17.3, 1996 edition until December 31, 2009 (VW 2009-629).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 12, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Randall Saumier, Mansion of Tuckahoe, Stuart, FL, to not comply with Rules 2.8.3.4 and 2.7.4.1, ASME A17.1, 2005 edition to allow the prohibition against foreign piping from being located in the machine room and from providing 7 ft. of clearance in the machine room (VW 2009-634).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: John Townsell, Days Inn Tropical Sea's Hotel and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-648).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That the order is denied as the petitioner has not met its burden to meet the intent of the code within a reasonable period of time, as submitted by: James E. Elder, Village of Winterset and, as specified in Section 120.542, Florida Statutes, titled Petition for Variances and Waivers (VW 2009-659).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Patricia Del Villar, Lakeview Center, Tampa, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until August 1, 2010 (VW 2009-675).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Sherrie Hallock, Canton Bldg., Winter Park, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until December 31, 2011 (VW 2009-678).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety has issued an order. That order granted a variance to: Michael Dean, Amerilife Tower, Clearwater, FL, to not comply with Rule 3.11.3, ASME A17.3, 1996 edition until June 1, 2012 (VW 2009-686).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Shipwatch Two Condominium of Largo, Largo, FL,

and location of the Serial Numbers 34654-55, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Ernest Hepler, Board President (VW 2009-690).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Desoto Square Villas Owners Association, Inc., Bradenton, FL, and location of the Serial Numbers 31280-81, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Ellen Brown, CAM (VW 2009-691).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 29, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.3, 2.7.4 and 3.11.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Holiday Inn, Lakeland, FL, and location of the Serial Numbers 17565, 17566 and 17571, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: James W. Lewis, Jr., President (VW 2009-692).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Island House Condominium Association, Palm Beach, FL, and location of the Serial Numbers 15514-15, requests the variance for an extension of time to complete repairs and for economic/ financial hardship. The petition was received from: Paul Komie, Agent (VW 2009-693).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Mease Hospital, Dunedin, FL, and location of the Serial Numbers 28460 and 28442, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Ken Walker, Manager (VW 2009-694).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on October 30, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.1 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Christian Retreat, Bradenton, FL, and location of the Serial Numbers 26247-48, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Kathy Benham, Church Administrator (VW 2009-695).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Harbor House West Condominium Association, Inc., Sarasota, FL, and location of the Serial Number 7211, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Board of Directors (VW 2009-696).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety

received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, The Henderson Building, Tampa, FL, and location of the Serial Number 34423, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from William Snyder, Agent (VW 2009-697).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Marina View Condominium Association, Golden Point, Inc., Sarasota, FL, and location of the Serial Number 16447, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Board of Directors (VW 2009-698).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Sections 3.11.3 and 2.7.4, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, Pelican Harbour & Beach Club Association, Inc., Longboat Key, FL, and location of the Serial Number 31396, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: Jeanne Moschella, CAM (VW 2009-699).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, MLF Towers, St. Petersburg, FL, and location of the Serial Numbers 30853-54, requests the variance

for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: James M. Chadwick, Agent (VW 2009-700).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 4, 2009, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety received a petition for a temporary variance from A17.3, Section 3.11.3, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), F.A.C. The petitioner, SanSeair Condominium, Saint Pete Beach, FL, and location of the Serial Numbers 20985-86, requests the variance for an extension of time to complete repairs and for economic/financial hardship. The petition was received from: William Newton, Property Manager (VW 2009-701).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN THAT on November 17, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants has issued an order.

The Department received a Petition on November 13, 2009 for a Routine Variance for Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code, Paragraph 5-202.11(A), 2001 FDA Food Code, Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (5), (6), Florida Administrative Code, Paragraph 4-702.11, 2001 FDA Food Code, Paragraph 5-103.11(A)(B), 2001 FDA Food Code, subsection 61C-1.004(3), Florida Administrative Code, Paragraph 6-501.111, 2001 FDA Food Code from Mojito Grill, Miami, FL. The above referenced F.A.C., addresses the requirement that sewage shall be disposed of in a public sewage system or other approved sewage system, effective control measures shall be taken to protect against entrance of pests and physical facilities must meet Chapter 6, Food Code, as adopted by reference. They are requesting to utilize holding tanks for potable and waste water, conduct food preparation and warewashing in an open air food service establishment not protected against environmental contaminants.

The variance request was published in Vol. 35, No. 47, 11/25/09 and is contingent upon the Petitioner using a wastewater tank sized at least 15% larger in capacity than the potable water tank. The wastewater holding tank must be serviced in a timely manner so as not to create a sanitary

nuisance. The water source and hot water shall be of sufficient capacity to meet the peak demands of the food service establishment. During preparation, unpackaged/displayed food shall be protected from environmental sources of contamination and customers by way of sneeze guards. Roll down shutters will enclose the premises when not in operation or during inclement weather. Utensils and food contact surfaces shall be cleaned and sanitized to sight and touch prior to opening each day. Floors, roll down shutters and ceiling shall be maintained clean, free of dust and debris. Insects, rodents and other pests shall be effectively controlled. 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.

A copy of the Order may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for a Routine Variance for Section 509.221(1)(b), Florida Statutes, subsection 61C-1.004(1), paragraph 61C-1.004(1)(d), Florida Administrative Code, Paragraph 5-202.11(A), 2001 FDA Food Code, Subparagraph 3-305.11(A)(2), 2001 FDA Food Code, Paragraph 3-305.14, 2001 FDA Food Code, Paragraph 6-202.15, 2001 FDA Food Code, Paragraph 6-202.16, 2001 FDA Food Code, subsections 61C-4.010(1), (5), (6), Florida Administrative Code, Paragraph 4-702.11, 2001 FDA Food Code, Paragraph 5-103.11(A)(B), 2001 FDA Food Code, subsection 61C-1.004(3), Florida Administrative Code, Paragraph 6-501.111, 2001 FDA Food Code from Mojito Grill, Miami, FL. The above referenced F.A.C., addresses the requirement that sewage shall be disposed of in a public sewage system or other approved sewage system, effective control measures shall be taken to protect against entrance of pests and physical facilities must meet Chapter 6, Food Code, as adopted by reference. They are requesting to utilize holding tanks for potable and waste water, conduct food preparation and warewashing in an open air food service establishment not protected against environmental contaminants.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

NOTICE IS HEREBY GIVEN THAT on November 2, 2009, the Board of Accountancy, received a petition for Robert G. Livingston, seeking a variance or waiver of subsection 61H1-33.001(1), Florida Administrative Code, which requires

that each licensee complete on-line or mail completed answers to the examination on Chapters 455 and 473 F.S., and related administrative rules with a passing score of at least 80, on or before December 31, prior to the licensee's biennial renewal period.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Board of Accountancy, received a petition for M. Scott Meckley, seeking a variance from subsections 61H1-33.006(1) and (2), Florida Administrative Code, which requires that an applicant for reactivation complete the application process and demonstrate successful completion of the required number of continuing professional education hours.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on October 29, 2009, Board of Accountancy, received a petition for Brandy Wunker, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 N. W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

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 IS HEREBY GIVEN THAT on October 21, 2009, the Bureau of Beaches and Coastal Systems has issued an order. The Bureau received the petition for variance on October 30, 2008, and an amended petition on May 18, 2009, from Donald R. Combs. Notice of receipt of the petition was published in

the F.A.W. on May 29, 2009. The petitioner requested a variance from subsections 62B-33.002(18), (44), and (64), F.A.C., which provide the definitions of “Eligible Structures”, “Non-Conforming Structure” and “Vulnerable”, respectively. In addition the petitioner requested a variance from the requirements of subparagraphs 62B-33.0051(1)(a)1., 2., and 3., F.A.C., which provide the conditions where coastal armoring may be authorized. The property is located at 3870 Coastal Highway, St. Augustine, Florida. No public comment was received. The Order, file number SJ-1034 AR V, denied the variance petition because the petitioner failed to demonstrate that a strict application of the rule would result in substantial hardship to petitioner or would affect petitioner differently than other similarly situated applicants and because petitioner did not successfully fulfill the requirements of the underlying statute by other means.

A copy of the Order may be obtained by contacting: Rosaline Beckham, 3900 Commonwealth Blvd., MS #300, Tallahassee, FL 32299, (850)488-7815 or by e-mail: rosaline.beckham@dep.state.fl.us.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN THAT on November 13, 2009, the Board of Clinical Laboratory Personnel, received a petition for Ling Guo. Petitioner is seeking a variance or waiver of subsection 64B3-5.002(1), Florida Administrative Code, which requires for licensure as a supervisor, an applicant shall be licensed to meet the requirements for licensure as a technologist. Petitioner also seeks a variance or waiver of Rule 64B3-5.003, F.A.C., which lists the qualifications for a technologist in cytogenetics.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on the petition should be filed with the Board of Clinical Laboratory Personnel within 14 days of publication of this notice.

NOTICE IS HEREBY GIVEN THAT on November 16, 2009, the Department of Health has issued an order.

The order was issued in response to a petition for a variance filed on August 5, 2009, by Bill Najmark and Alice Listman, representing BujjaBujja, Inc. dba Ally’s Pizzeria, regarding the “BujjaBujja, Inc. dba Ally’s Pizzeria”. Petitioner sought a variance from subsection 64E-6.001(4), Florida Administrative Code, which requires onsite sewage treatment and disposal systems to be brought into compliance with new system standards when there is an increase in commercial wastewater flow. Notice of the petition was published in the August 21, 2009, edition of the Florida Administrative Weekly.

The Department found that the Petitioner demonstrated that the underlying intent of the statute could be achieved by alternative means and that strict application of the rules would

create a substantial hardship in the Petitioner’s particular circumstance. Therefore, pursuant to the requirements of Section 120.542(2), Florida Statutes, the Department GRANTED WITH STIPULATIONS Petitioner’s request for a variance.

A copy of the Order may be obtained by contacting: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703.

NOTICE IS HEREBY GIVEN THAT on October 26, 2009, the Department of Health, received a petition for variance from Richard Bruno, representing Hydrologex LLC. Specifically, the petitioner seeks a variance from subsection 64E-6.009(7), Florida Administrative Code, which requires that after innovative system testing is completed, requests for approval of system components and designs which are not specifically addressed in Chapter 64E-6, F.A.C., be submitted to the department’s Bureau of Onsite Sewage Program. Requests for approval are required to include empirical data showing the results of innovative system testing in the state of Florida.

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 32399-1703.

NOTICE IS HEREBY GIVEN THAT on November 6, 2009, the Florida Department of Health, Division of Emergency Medical Operations, Bureau of Emergency Medical Services (EMS) has issued an order.

A petition was filed by Florida State Hospital on behalf of Mohammed Rafi, M.D. with the Department of Health on August 14, 2009, and published in the Florida Administrative Weekly on August 28, 2009, requesting a waiver from paragraph 64J-1.004(3)(c), Florida Administrative Code, which requires medical directors of an emergency medical services (EMS) provider or training center to be board certified and active in a broad-based clinical medical specialty with demonstrated experience in prehospital care.

The Department of Health, Bureau of EMS has granted the request for waiver. The general basis for this decision was that Petitioner met the general requirements for waiver:

- (a) Dr. Rafi’s extensive experience and proven competence in the practice of emergency medicine and pre-hospital care demonstrates that he possesses the skills required to achieve the purpose of the underlying statute.
- (b) A substantial economic hardship would be placed upon Petitioner as it would be forced to recruit another physician to replace Dr. Rafi. Petitioner is located in a rural area and has difficulty employing board certified physicians to serve as Medical Director. Therefore,

Petitioner may be unable to continue providing ambulance services to both Florida State Hospital and the Agency for Persons with Disabilities.

Wherefore, based on the Findings of Fact and Conclusions of Law, the petition for waiver has been granted and allows Dr. Rafi to continue as Medical Director without board certification while employed by Florida State Hospital.

A copy of the Order may be obtained by contacting: Alexander Macy, Administrative Assistant, Bureau of Emergency Medical Services, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1738, Fax: (850)488-9408, email: alexander_macy@doh.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN THAT on November 10, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(2), Florida Administrative Code, from Children’s Home Society of Florida and Guillermo Oeding, assigned Case No. 09-029W. Subsection 65C-15.017(2), F.A.C. provides that staff or a licensed child placing agency who supervise case work services must have a bachelor’s degree in social work or related area of study and four years of human services or child welfare experience; a master’s degree in social work or related area and two years of relevant experience; a doctorate in social work or related area and one year of relevant experience.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on November 5, 2009, the Department of Children and Families, received a petition for waiver of paragraph 65C-13.032(3)(a), Florida Administrative Code, from Eckered Community Alternatives, assigned Case No. 09-037W. Paragraph 65C-13.032(3)(a), F.A.C. states assessment approvals for the rule of five or no more than two infants under twenty-four months shall be given prior to placement for the following situations and shall be approved personally and in writing by the Regional Administrator or the Chief Executive Officer for the Community Based Care Lead Agency.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

NOTICE IS HEREBY GIVEN THAT on November 9, 2009, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, assigned Case No. 09-038W, from Gulf

Coast Community Care and Tanja Proanovic. Subsection 65C-15.017(3), F.A.C., requires agency staff responsible for performing casework services shall have a bachelor’s or master’s degree in social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT on November 9, 2009, the Division of Funeral, Cemetery, and Consumer Services, operating under Chapter 497, Florida Statutes, received a petition for waiver, by Keystone America, Inc., of subsection 69K-18.004(3), F.A.C. In order to be approved as an embalmer intern training agency, a funeral establishment shall have performed at least 40 embalming cases per year for each intern it is applying to train in order to demonstrate its ability to provide such embalmer interest with the necessary intern training and experience.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Clerk, Division of Funeral, Cemetery and Consumer Services, 200 East Gaines Street, Tallahassee, Florida 32399-0361.

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

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces the following full Council meeting and telephone conference meeting which all persons are invited to attend.

Council on the Social Status of Black Men and Boys
 DATE AND TIME: December 7, 2009, 2:00 p.m. – 4:00 p.m.
 PLACE: Toll Free Dial in Number: 1(888)808-6959, Conference Code: 3321010629#

GENERAL SUBJECT MATTER TO BE CONSIDERED: 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 meeting agenda may be obtained by visiting: <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to

the meeting by contacting: 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). For more information, call: (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Agricultural Center and Horse Park Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 8, 2009, 5:00 p.m.

PLACE: Holiday Inn & Suites, Ocala Conference Center, 3600 S. W. 38th Ave., Ocala, Florida 33474

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is to discuss general board business.

A copy of the agenda may be obtained by contacting: Richard Gunnels at (850)488-3022 or email: gunnelr@doacs.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: Richard Gunnels at (850)488-3022 or email: gunnelr@doacs.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Division of Plant Industry** announces a hearing to which all persons are invited.

DATE AND TIME: December 9, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Doyle Conner Building Auditorium, 1911 Southwest 34th Street, Gainesville, FL 32608

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the requested public hearing is to solicit information from attendees regarding the proposed Chapter 5B-65, F.A.C., on Firewood and Unprocessed Wood Products.

A copy of the agenda may be obtained by contacting: Dr. Wayne N. Dixon, Assistant Director, Division of Plant Industry, P. O. Box 147100, Gainesville, Florida 32614-7100 or dixonw@doacs.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Dr. Wayne N. Dixon, Assistant Director, Division of Plant Industry, P. O. Box 147100, Gainesville, FL 32614-7100. 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 **Pest Control Enforcement Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 22, 2010, 9:30 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Eyster Auditorium, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)488-3731

GENERAL SUBJECT MATTER TO BE CONSIDERED: The business of the Council.

For more information, you may contact: Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)921-4177.

The Florida **Coordinating Council on Mosquito Control** announces a public meeting to which all persons are invited.

DATE AND TIME: February 9, 2010, 10:00 a.m.

PLACE: Florida Department of Agriculture and Consumer Services, Alachua Regional Service Center, East Building, 14101 Northwest Highway 441, Alachua, Florida 32615, (386)418-5500

GENERAL SUBJECT MATTER TO BE CONSIDERED: The business of the Council.

For more information, you may contact: Mr. Michael J. Page, Chief of Bureau of Entomology and Pest Control, 1203 Governors Square Boulevard, Suite 300, Tallahassee, Florida 32301, (850)921-4177.

The Florida **Department of Agriculture and Consumer Services, Division of Forestry (DOF)** and the Pine Log State Forest Management Plan Advisory Group announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 8, 2009, 5:30 p.m.

PLACE: 110 South Arnold Road, Panama City Beach, FL 32413

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting. To allow the Pine Log State Forest Management Plan Advisory Group to prepare for a public hearing the evening of December 8, 2009 and provide recommendations to the DOF to help in preparation of a management plan for the Pine Log State Forest.

DATE AND TIME: Tuesday, December 8, 2009, 6:00 p.m.

PLACE: 110 South Arnold Road, Panama City Beach, FL 32413

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing. To solicit comments on management of the Pine Log State Forest. Comments may be presented orally or in writing at the hearing. Written comments may also be submitted to: DOF's Pine Log State Forest, 715 West 15th Street, Panama City, FL 32401, to the Attention: Johnny Sabo and should be mailed so as to arrive at the office by the date of the public hearing.

DATE AND TIME: Wednesday, December 9, 2009, 5:30 p.m.

PLACE: 110 South Arnold Road, Panama City Beach, FL 32413

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting. To allow the Pine Log Forest Management Plan Advisory Group to review comments from the public hearing of December 8, 2009 and provide recommendations to the DOF to help in preparation of a management plan for the Pine Log State Forest.

A copy of the agenda may be obtained by contacting: Johnny Sabo at (850)747-5639. Copies of a working draft of the plan and the management prospectus are available by contacting: Pine Log State Forest, 715 West 15th Street, Panama City, FL 32401 or contacting Johnny Sabo at (850)747-5639.

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: DOF's Pine Log State Forest office at the above listed address. 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: Johnny Sabo at (850)747-5639.

DEPARTMENT OF EDUCATION

The Student Affairs Committee, **Board of Governors**, State University System of Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 3, 2009, 9:00 a.m. – 10:00 a.m.

PLACE: Room 1605, Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider proposed legislative language on “drink specials,” drafted by the vice presidents workgroup; brief update on the workplan for the SUS Task Force on Student Health Insurance; and other related matters.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Office of Access and Equity, DOE at (850)245-9532, Voice. 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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Board of Governors**, State University System of Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 10, 2009, 9:00 a.m.

PLACE: 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Update, Shared Services; Final Report, Medical Education Funding Workgroup; Final Approval: BOG Regulations 6.011, Student Ombudsman; 6.014, Student Governments; 6.017, Criteria for Awarding the Baccalaureate Degree; 7.001, Tuition and Associated Fees; 7.003, Fees, Fines and Penalties; 7.008, Waiver of Tuition and Fees; 21.111, Campus Master Plan Consistency with the State Comprehensive Plan and not in Conflict with Local Government Comprehensive Plans; Final approval, Repeal of BOG Regulation 21.213, Campus Master Plan Consistency with the State Comprehensive Plan and not in Conflict with Local Government Comprehensive Plans; Approve, Notice of Intent to Amend BOG Regulations 7.005, Student Residency; and 6.004, Admission of Undergraduate, Degree-seeking Transfer Students; Approve Notice of Intent to Repeal BOG Regulations 5.900, State University System General Personnel Policy; 6.005, Acceptance of College Credit by Examination; and 12.001, Florida Solar Energy Center; Approval, Articulation Coordinating Committee Credit-by-Examination Guidelines; Approve Resolution authorizing the issuance of Debt by the USF Financing Corporation to finance the construction of a Student Athletic District/Sports Complex; Approve Resolution authorizing FAU to Implement a Guaranteed Energy Performance Program at the Boca Raton Campus; Authorize Release of Funds from the University Concurrency Trust Fund in accordance with the Campus Development Agreement between the FAU Board of Trustees and the City of Boca Raton; Authorize naming of the Off-Grid Zero Emission Building to the “Kirby W. Kemper Off-Grid Zero Emissions Building” on the campus of FSU; and other related matters.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Office of Access and Equity, DOE at (850)245-9532, Voice. 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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Board of Governors Foundation, Inc.**, Board of Governors, State University System of Florida announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 10, 2009, 10:00 a.m.

PLACE: 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: Election, BOG Foundation Officers for 2010; Approve 2010 BOG Foundation Operating Budget; and other related matters.

A copy of the agenda may be obtained by contacting: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

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: Office of Access and Equity, DOE at (850)245-9532, Voice. 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: Mikey Bestebreurtje, Corporate Secretary, Board of Governors, 1614 Turlington Building, 325 W. Gaines St., Tallahassee, FL 32399-0400.

The **Education Practices Commission** announces a workshop to which all persons are invited.

DATE AND TIME: Training for New Commission Member, December 9, 2009, 2:30 p.m. or as soon thereafter

PLACE: Staybridge Suites, 1600 Summit Lake Drive, Tallahassee, Florida 32317, (850)219-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The new Commissioner will learn the procedures, processes, and administrative law necessary to consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Janice Harris or Kathleen M. Richards.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel, December 10, 2009, 9:00 a.m. or as soon thereafter as can be heard

PLACE: Staybridge Suites, 1600 Summit Lake Drive, Tallahassee, Florida 32317, (850)219-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Janice Harris or Kathleen M. Richards at (850)245-0455.

The **Education Practices Commission** announces a hearing to which all persons are invited.

DATES AND TIME: An Administrator Hearing Panel, December 11, 2009, 9:00 a.m. or as soon thereafter as can be heard; A Business Meeting, 9:45 a.m. or as soon thereafter

PLACE: Staybridge Suites, 1600 Summit Lake Drive, Tallahassee, Florida 32317, (850)219-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Education Practices Commission, 325 W. Gaines Street, 224 Turlington Building, Tallahassee, Florida 32399-0400.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Kathleen M. Richards at (850)245-0455. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Janice Harris or Kathleen M. Richards at (850)245-0455.

The **Florida Public Archaeology Network** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, December 5, 2009, 8:00 a.m. – 5:00 p.m. (EST)

PLACE: The Markland House, 102 King Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the Board of Directors in which the operation of the Network is to be reviewed. Strategic planning for the future of FPAN will be the main topic. An agenda for this meeting will be posted on this website (www.flpublicarchaeology.org) at least seven days in advance of the meeting and can also be obtained by contacting the FPAN as detailed below.

A copy of the agenda may be obtained by contacting: Cheryl Phelps, FPAN Office Administrator at (850)595-0050, Fax: (850)595-0052, email: cphelps@uwf.edu.

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: UWF ADA Office at (850)857-6114 (TTY) or

(850)473-7469. 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 Phelps, FPAN Office Administrator at (850)595-0050, Fax: (850)595-0052, email: cphelps@uwf.edu.

The Board of Trustees Endowment Investment Committee of the **Florida School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 4:00 p.m.

PLACE: Center for Leadership Development, Moore Hall, FSDB Campus, St. Augustine, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by contacting: L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084-2799, (904)827-2200.

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).

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: L. Daniel Hutto, President, at the aforementioned address.

The Board of Trustees of the Florida **School for the Deaf and the Blind** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 11, 2009, 9:00 a.m.

PLACE: Center for Leadership and Development – Moore Hall, Campus of the Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Matters pertaining to the Florida School for the Deaf and the Blind.

A copy of the agenda may be obtained by contacting: Mr. L. Daniel Hutto, President, Florida School for the Deaf and the Blind, 207 N. San Marco Avenue, St. Augustine, FL 32084.

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).

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: Mr. L. Daniel Hutto at the aforementioned address.

DEPARTMENT OF COMMUNITY AFFAIRS

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

DATES AND TIME: December 7, 8, 9, 10, 2009, 8:00 a.m. – completion

PLACE: Rosen Centre Hotel, 9840 International Drive, Orlando, Florida, (407)996-9840

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monday, December 7, 2009

- 8:00 a.m. Meeting of the Structural TAC
- 8:00 a.m. Manufactured Building Workshop
- 8:00 a.m. Meeting of the Accessibility Advisory Council
 Consider Accessibility Waiver Applications:
 Marquis, 1100 Biscayne Blvd., Miami, FL
 Stephen Sanders, 19546 Saturnia Lakes Drive,
 Boca Raton, FL
 Hialeah Race Track, 200 East 4th Avenue,
 Hialeah, FL
 ANF Group, Inc., 12277 S. W. 55 Street, Suite
 901, Cooper City, FL
 Southern Manatee Fire & Rescue Station #3, 7611
 Prospect Road, Sarasota, FL
 East Manatee Fire Rescue Station #6, 3200
 Lakewood Ranch Boulevard, Bradenton, FL
 Dr. P. Phillips Orlando Performing Arts Center,
 Magnolia Avenue, Orlando, FL
 The Pink House, 501 S. W. Akron Avenue, Stuart,
 FL
 Adventist Health Systems, 111 North Orlando
 Avenue, Winter Park, FL
 Staples Fulfillment Center, 10701 Central Port
 Drive, Orlando, FL
 Pestana Hotel and Resorts, 1817-1839 James
 Avenue, Miami Beach, FL
 Xixon Restaurant, 2103 Coral Way, Miami, FL
 National Hotel Cabana Building, 1677 Collins
 Avenue, Miami Beach, FL
 Latitude 30, 10370 Phillips Highway, Jacksonville,
 FL
 Pine Creek Sporting Club, 23721 N. E. 48th
 Avenue, Okeechobee, FL

- 1:00 p.m. Meeting of the Structural TAC
- 1:00 p.m. Meeting of the Accessibility TAC
- 1:30 p.m. Meeting of the Accessibility Code Work Group
- Tuesday, December 8, 2009
- 8:00 a.m. Meeting of the Product Approval POC
- 8:00 a.m. Meeting of the Mechanical TAC
- 10:00 a.m. Meeting of the Plumbing TAC
- 1:00 p.m. AC Equipment Workshop
- 1:00 p.m. Meeting of the Plumbing TAC
- 3:00 p.m. Meeting of the Mechanical TAC
- Wednesday, December 9, 2009
- 8:00 a.m. Plenary session meeting of the Florida Building
 Commission
 Review and Approve Agenda
 Review and Approve August 11, 2009 Meeting
 Minutes as Revised, September 21, 2009
 Teleconference Report and October 13, 2009
 Meeting Minutes and Facilitator’s Reports
 Chair’s Discussion Issues and Recommendations
 Update of the Commission Workplan
 Consider Accessibility Waiver Applications:
 Marquis, 1100 Biscayne Blvd., Miami, FL
 Stephen Sanders, 19546 Saturnia Lakes Drive,
 Boca Raton, FL
 Hialeah Race Track, 200 East 4th Avenue,
 Hialeah, FL
 ANF Group, Inc., 12277 S. W. 55 Street, Suite
 901, Cooper City, FL
 Southern Manatee Fire & Rescue Station #3, 7611
 Prospect Road, Sarasota, FL
 East Manatee Fire Rescue Station #6, 3200
 Lakewood Ranch Boulevard, Bradenton, FL
 Dr. P. Phillips Orlando Performing Arts Center,
 Magnolia Avenue, Orlando, FL
 The Pink House, 501 S. W. Akron Avenue, Stuart,
 FL
 Adventist Health Systems, 111 North Orlando
 Avenue, Winter Park, FL
 Staples Fulfillment Center, 10701 Central Port
 Drive, Orlando, FL
 Pestana Hotel and Resorts, 1817-1839 James
 Avenue, Miami Beach, FL
 Xixon Restaurant, 2103 Coral Way, Miami, FL
 National Hotel Cabana Building, 1677 Collins
 Avenue, Miami Beach, FL
 Latitude 30, 10370 Phillips Highway, Jacksonville,
 FL
 Pine Creek Sporting Club, 23721 N. E. 48th
 Avenue, Okeechobee, FL
 Consider Applications for Product and Entity
 Approval

Consider Applications for Accreditor and Course Approval

Consider Binding Interpretations:

Consider Petitions for Declaratory Statement:

Second Hearing:

DCA09-DEC-259 by Robert S. Fine Counsel for Malibu Lodging Investments, LLC.

DCA09-DEC-269 by Thomas Ford, RA of Bhamani, Ford & Associates, Inc.

First Hearing:

DCA09-DEC-309 by Alan Plante of Orange County Division of Building Safety

DCA09-DEC-341 by Stephen Hailine of Life Time Products LLC (withdrawn)

DCA09-DEC-351 by Joseph Belcher, Code Consultant

DCA09-DEC-347 by George Merlin of George Merlin Associates Inc.

Consider Committee Reports and Recommendations: Accessibility Code Work Group; Accessibility TAC; Air Conditioning Equipment Workshop; Code Administration TAC; Education POC; Electrical TAC; Energy Code Workgroup; Hurricane Research Advisory Committee;

Manufactured Building Workgroup; Mechanical TAC; Plumbing TAC; Product Approval POC;

Special Occupancy TAC; Structural TAC; Swimming Pool Sub-Committee to Plumbing TAC

Rule Adoption Hearing on Rule 9B-72.130, F.A.C., Product Approval, Application Limitations

Commission Recommendations and Report to the 2010 Florida Legislature

Commission Member Comments and Issues

General Public Comment

Review Committee Assignments and Issues for the February 1, 2 and 3, 2010 Commission Meeting

Summary Review of Meeting Work Products

Adjourn

Wednesday, December 9, 2009

1:00 p.m. Meeting of the Energy Code Workgroup

Thursday, December 10, 2009

8:00 a.m. Meeting of the Roofing TAC

A copy of the agenda may be obtained by contacting: Ms. Jennifer Drake, 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 go to the website: www.floridabuilding.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824, 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).

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

For more information, you may contact: Ms. Jennifer Drake, 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, Fax: (850)414-8436 or go to the website: www.floridabuilding.org.

The Florida **Department of Community Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 14, 2009, 9:00 a.m. (Central Time)

PLACE: Panama City Beach City Council Hall, 110 South Arnold Road, Panama City Beach, Florida 32413

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking a nonprofit organization to administer the Community Services Block Grant (CSBG) and the CSBG American Recovery and Reinvestment Act (ARRA) in Bay and/or Gulf Counties. 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 a broad range of services designed to eliminate poverty and foster self-sufficiency. The entity must be interested in becoming a CSBG eligible entity and must be willing to meet the requirements of 42 U.S.C. 9901, Section 676 A and 9B-22.011, F.A.C. concerning the structure and operations of the CSBG board. Special consideration will be given to any community action agency or other public or nonprofit entity which has demonstrated effectiveness in providing services consistent with the goals and purposes of CSBG.

The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving CSBG 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.

Only one entity for each county will be funded. The entity must be capable and willing to provide services to all eligible low-income citizens in the designated county.

The DCA will review the submitted applications, and make a decision regarding each applicant's eligibility to provide CSBG services to Bay and/or Gulf Counties. Recommendations will then be prepared by Department staff for the selected entity for subsequent consideration and approval or disapproval by the Department's Secretary.

A copy of the agenda may be obtained by contacting: Requests for a copy of the agenda, application criteria and additional information or questions may be addressed to: Ms. Hilda Frazier, Manager, Community Services Block Grant (CSBG), Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax: (850)488-2488 or e-mail: hilda.frazier@dca.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. 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. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). 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.

Requests for a copy of the agenda, application criteria and additional information or questions may be addressed to: Ms. Hilda Frazier, Manager, Community Services Block Grant (CSBG), Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax: (850)488-2488 or e-mail: hilda.frazier@dca.state.fl.us.

The Florida **Department of Community Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME: December 14, 2009, 2:00 p.m. (Eastern Time)

PLACE: Gulf County Commission Chambers, Robert M. Moore Administration Building, 1000 Cecil G. Costin Sr., Boulevard, Port St. Joe, Florida 32456

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Community Affairs (DCA) is seeking a nonprofit organization to administer the Community Services Block Grant (CSBG) and the CSBG American Recovery and Reinvestment Act (ARRA) in Bay and/or Gulf Counties. 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 a broad range of services designed to eliminate poverty and foster self-sufficiency. The entity must be interested in becoming a CSBG eligible entity and must be willing to meet the requirements of 42 U.S.C. 9901, Section 676 A and 9B-22.011, F.A.C. concerning the structure and operations of the CSBG board. Special consideration will be given to any community action agency or other public or nonprofit entity which has demonstrated effectiveness in providing services consistent with the goals and purposes of CSBG.

The following qualities will be reviewed: (1) the extent to which the past or current program achieved or is achieving CSBG 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.

Only one entity for each county will be funded. The entity must be capable and willing to provide services to all eligible low-income citizens in the designated county.

A copy of the agenda may be obtained by contacting: Requests for a copy of the agenda, application criteria and additional information or questions may be addressed to: Ms. Hilda Frazier, Manager, Community Services Block Grant (CSBG), Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax: (850)488-2488 or e-mail: hilda.frazier@dca.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting. 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. Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact: 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, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD). 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.

Requests for a copy of the agenda, application criteria and additional information or questions may be addressed to: Ms. Hilda Frazier, Manager, Community Services Block Grant (CSBG), Florida Department of Community Affairs, Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)488-7541, Fax: (850)488-2488 or e-mail: hilda.frazier@dca.state.fl.us.

DEPARTMENT OF LAW ENFORCEMENT

The **Criminal and Juvenile Justice Information Systems** (CJJIS) Council Technical Committee WebEx announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 1, 2009, 9:00 a.m.

PLACE: Individuals interested in participating in the WebEx should contact: Rachel Truxell at (850)410-7116 or RachelTruxell@fdle.state.fl.us no later than November 27th to obtain login instructions

GENERAL SUBJECT MATTER TO BE CONSIDERED: Various topics related to the criminal justice community.

A copy of the agenda may be obtained by contacting: Rachel Truxell at (850)410-7116 or racheltruxell@fdle.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Rachel Truxell at (850)410-7116 or racheltruxell@fdle.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rachel Truxell at (850)410-7116 or racheltruxell@fdle.state.fl.us.

The **Criminal Justice Standards and Training Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2009, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, Headquarters, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-8600

GENERAL SUBJECT MATTER TO BE CONSIDERED: The above meeting will be held to determine whether or not probable cause exists to pursue disciplinary action against the certification of sworn correctional, law enforcement, or correctional probation officers.

A copy of the agenda may be obtained by contacting: Lori Morea at (850)410-8625, e-mail: lorimorea@fdle.state.fl.us or Glen Hopkins at (850)410-8645, e-mail: glenhopkins@fdle.state.fl.us.

For more information, you may contact: Lori Morea at (850)410-8625, e-mail: lorimorea@fdle.state.fl.us or Glen Hopkins at (850)410-8645, e-mail: glenhopkins@fdle.state.fl.us.

DEPARTMENT OF REVENUE

The **Department of Revenue** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2009, during a regular meeting of the Governor and Cabinet, which begins at 9:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Approval to publish a Notice of Proposed Rule scheduling a public hearing at which the partial repeal of rule provisions in Rule Chapter 12D-10, F.A.C. (Value Adjustment Board), will be discussed.

A copy of the agenda may be obtained by contacting: Janice Forrester, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, (850)922-7945, ForrestJ@dor.state.fl.us.

DEPARTMENT OF TRANSPORTATION

The **Florida Transportation Commission** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 30, 2009, 4:00 p.m. – until conclusion of business

PLACE: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Nominating Committee for FTC 2010 Officers (*This notice is an amendment to F.A.W., Issue 35, No. 46*).

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the

agency at least 48 hours before the workshop/meeting by contacting: Lisa O. Stone at (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399-0450, (850)414-4105.

The Florida **Department of Transportation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2009, at 8:00 a.m. – 4:30 p.m. (registration and exhibits open at 8:00 a.m.)

PLACE: Rosen Shingle Creek, 9939 Universal Boulevard, Orlando, Florida 32819

GENERAL SUBJECT MATTER TO BE CONSIDERED: All parties interested in responding to potential procurements related to this Program should plan to attend. The meeting is open to the public; no fee is required.

At the forum, FDOT will provide a briefing on the American Recovery and Reinvestment Act (ARRA) Track 2 Application for the Tampa-Orlando-Miami Corridor. Implementation schedules and procurement opportunities will be described, understanding that all aspects of the Florida High Speed Rail Program are fully dependent on successful receipt of federal funds.

FDOT is also seeking input from prospective proposers. On December 2, 3 and 4 (if necessary), individual meetings between prospective proposing entities or teams and the FDOT staff/consultants will be held at the Florida DOT, District 5 Urban Office, 133 South Semoran Blvd., Orlando, Florida.

To request an individual meeting, please contact: Nazih Haddad, FDOT Manager for Passenger Rail Development at (850)414-4534 on or before November 20, 2009.

A dedicated website has been established to disseminate project-related information at: www.floridahighspeedrail.org.

Pre-registration for the industry forum: If possible, please notify FDOT of your intent to attend the industry forum on or before November 20, 2009 by visiting the website noted above, clicking on the “Industry Forum” tab on the website Home page, and completing the electronic pre-registration form.

A copy of the agenda may be obtained by contacting: Nazih Haddad, FDOT Manager for Passenger Rail Development at (850)414-4534 or www.floridahighspeedrail.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Alicia Waldrop at (850)414-5246. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATE AND TIME: December 3, 2009, 12:30 p.m. – until conclusion of business

PLACE: Florida Department of Transportation, 605 Suwannee Street, Executive Conference Room, Tallahassee, Florida 32399-0450

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Transportation Commission Meeting.

A copy of the agenda may be obtained by contacting: Lisa O. Stone at (850)414-4316.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Lisa O. Stone at (850)414-4316. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Transportation Commission, 605 Suwannee Street, MS #9, Room 176, Tallahassee, Florida 32399-0450.

The Florida **Department of Transportation** – District Four announces a public meeting to which all persons are invited.

Meeting logistics for the specific counties are listed below.

BROWARD COUNTY:

DATE AND TIME: Thursday, December 10, 2009, 1:30 p.m.

PLACE: Broward County Governmental Center, Conference Room 329F, 115 South Andrews Avenue, Fort Lauderdale, Florida 33301

PALM BEACH COUNTY:

DATE AND TIME: Monday, December 7, 2009, 1:30 p.m.

PLACE: Palm Beach County Vista Center, 1st Floor, Hearing Room 1W-47 & 1W-50, 2300 North Jog Road, West Palm Beach, Florida 33411

MARTIN, ST. LUCIE AND INDIAN RIVER COUNTIES:

DATE AND TIME: Wednesday, December 2, 2009, 5:00 p.m.

PLACE: Port St. Lucie Council Chambers, 121 S. W. Port St. Lucie Blvd., Port St. Lucie, Florida 34984-5042

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation District Four Tentative Work Program, Fiscal Years July 1, 2010 through June 30, 2015.

The Florida Department of Transportation, District Four, announces public hearings to which all interested persons are invited to attend. Specific notice is provided to the Broward

County, Palm Beach County, Martin County (Stuart), St. Lucie County and Indian River County (Vero Beach), Metropolitan Planning Organizations.

These public hearings are being conducted pursuant to Section 339.135(4)(c), Florida Statutes, as amended. The purpose of these public hearings is to present the Department's Tentative Five Year Work Program for Fiscal Years 2010/11-2014/15, which contains a listing of Project Phases to be undertaken during that time frame. These Hearings also will include consideration of proposed projects for Florida's Turnpike Enterprise System as applicable.

All Interested person are invited to attend and be heard. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact: Antonette Adams at 1(866)336-8435, ext. 4624 or email: Antonette.adams@dot.state.fl.us; Julie Lucas at 1(866)336-8435, ext. 4631 or email: Julie.lucas@dot.state.fl.us. You may also choose to contact either party at: Florida Department of Transportation, District 4, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421. Requests must be made at least ten (10) working days prior to the public hearings. Written comments from the Metropolitan Planning Organizations and other interested parties will be received by the Department at the public hearing and within a ten day period after the public hearing. Comments should be addressed to: Mr. James Wolfe, P.E., District Secretary, Florida Department of Transportation, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421.

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

The Florida **Commission on Hurricane Loss Projection Methodology** announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2009, 12:00 Noon – 2:00 p.m. (ET)

PLACE: This meeting will be held via teleconference from The Hermitage Centre Conference Room, Hermitage Centre, 1801 Hermitage Blvd., Tallahassee, Florida; Teleconference Call: 1(888)808-6959, Conference Code 4765251363#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will be for the purpose of considering a hurricane modeler's request for permission to submit a hurricane model

to the Commission for review outside of the Commission's every other year review cycle which is currently in effect, as well as to address other general business of the Commission.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund at (850)413-1349, or donna.sirmons@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Sirmons at the number or email listed 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).

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 8, 2009, 9:00 a.m. – until conclusion

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Monroe Street and Apalachee Parkway, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Trustees of the State Board of Administration, on December 8, 2009, will consider proposed amended rules and will be asked for permission to file for adoption. Rule 19-11.002, F.A.C., Beneficiary Designations for FRS Investment Plan; 19-11.003, F.A.C., Distributions from FRS Investment Plan Accounts; Rule 19-11.004, F.A.C., Excessive Trading in the FRS Investment Plan; Rule 19-11.007, F.A.C., Second Election Enrollment Procedures for the FRS Retirement Programs; and Rule 19-11.009, F.A.C., Reemployment with an FRS-covered Employer after Retirement, are being amended to reflect recent legislative and policy changes and to adopt revised forms. Notice of Proposed Rule for these rules was published in the F.A.W., on October 23, 2009. A rule hearing was offered on November 16, 2009, but was not held because it was not requested.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32303, (850)413-1253.

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: Tina Joanos, Agency Clerk, Office of the General Counsel, 1801 Hermitage Blvd., Suite 100, Tallahassee, FL 32308, (850)413-1197, tina.joanos@sbafla.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).

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: Ruth A. Smith, Assistant General Counsel, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308, (850)413-1182, ruth.smith@sbafla.com.

The Florida **Commission on Hurricane Loss Projection Methodology** announces a public meeting to which all persons are invited.

DATE AND TIME: December 18, 2009, 9:00 a.m. – 4:00 p.m. (ET)

PLACE: The Hermitage Centre, Conference Room, 1801 Hermitage Blvd., Tallahassee, Florida; Persons who wish to participate by telephone may call 1(888)808-6959, Conference Code 4765251363#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting will be for the purpose of discussing a draft report on recommendations for improving the process of assessing, determining and applying windstorm mitigation discounts, credits, rate differentials and other appropriate reductions in deductibles, as well as to address other general business of the Commission.

A copy of the agenda may be obtained by contacting: Donna Sirmons, Florida Hurricane Catastrophe Fund at (850)413-1349 or donna.sirmons@sbafla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Donna Sirmons at the number or email listed 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).

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: December 15, 2009, 9:30 a.m.

PLACE: Betty Easley Conference Center, Joseph P. Cresse Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

A copy of the agenda may be obtained by any person who requests a copy and pays the reasonable cost of the copy (\$1.00, see Copying Charges for Commission Records), by contacting: Office of Commission Clerk at (850)413-6770, Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850. The agenda and recommendations are also accessible on the PSC Website at: <http://www.floridapsc.com> at no charge.

Persons deciding to appeal any decisions made by the Commission with respect to any matter considered at this conference will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: December 15, 2009, Immediately following the Commission Conference which commences at 9:30 a.m. in Joseph P. Cresse Hearing Room 148.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation at this conference should contact the Office of Commission Clerk no later than 48 hours prior to the conference at (850)413-6770 or via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service. Assistive Listening Devices are available at the Office of Commission Clerk, Betty Easley Conference Center, Room 110.

*In the event of a change or cancellation, notice will be published at the earliest practicable time on the Commission's website at <http://www.psc.state.fl.us/agendas/internalaffairs/>.

NOTICE IS HEREBY GIVEN that the Florida **Public Service Commission** will conduct an informal workshop in Docket No. 000121A-TP – Investigation into the establishment of operations support systems permanent performance measures for incumbent local exchange telecommunications companies (AT&T Florida Track).

Workshop

DATES AND TIME: December 16-17, 2009, 9:30 a.m. (EST)
 PLACE: Room 140 (Internal Affairs Room), Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, FL 32399. Conference Call: 1(888)808-6959, Conference Code: 4136904#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the workshop is to discuss proposed revisions to AT&T's wholesale Performance Assessment Plan (Plan). Specifically, staff will address revisions to the SEEM portion of the Plan.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations is asked to advise the agency at least 48 hours prior to the workshop by contacting: Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For additional information, please contact: Jamie Morrow, Office of the General Counsel, at the above address, or telephone (850)413-6183.

The Florida **Public Service Commission** announces a public meeting in the following docket to which all persons are invited.

TITLE: Docket Number 090182-SU – Application for increase in wastewater rates in Pasco County by Ni Florida, LLC.

DATE AND TIME: Wednesday, December 16, 2009, 6:00 p.m.

PLACE: West Pasco Government Center, 7530 Little Rd., New Port Richey, FL 34654-5598

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket Number: 090182-SU – Application for increase in wastewater rates in Pasco County by Ni Florida, LLC. The purpose of this customer meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service the utility provides, the proposed rate increase, and to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in the meeting.

Emergency Cancellation of Customer Meeting: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely, direct notice to 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 meeting is asked to advise the agency at least 48 hours before the meeting by contacting: Office of Commission Clerk at (850)413-6770. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service at 1(800) 955-877 1 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Title Insurance Study Advisory Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 30, 2009, 9:30 a.m.

PLACE: 110 Senate Office Building, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida's title insurance laws.

A copy of the agenda may be obtained by contacting: <http://www.flgov.com/2008titleinsurancestudyadvisorycouncil>.

For more information, you may contact: Walter Liebrich at (850)922-4982.

The **Children and Youth Cabinet** announces a public meeting to which all persons are invited.

DATE AND TIME: December 1, 2009, 10:00 a.m. – 3:00 p.m.

PLACE: University of Florida, Emerson Alumni Hall, 1938 W. University Ave., Gainesville, FL 32603

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting is a continuation of the June 16, July 30, 2009 and September 16, 2009 meetings to help the Cabinet choose priority indicators from among those presented in The State of Florida's Child Report. The meeting will also provide information on next steps in an outcomes accountability process, and include Cabinet discussion on timeline and tasks for moving the process forward.

A copy of the agenda may be obtained by contacting: Sharon Read at (239)489-9063 or sharon.read@eog.myflorida.com.

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

The Governor's Commission on Volunteerism and Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, December 7, 2009, 8:00 a.m. – until all Commission business is complete

PLACE: Conference Call: 1(888)808-6959, Passcode: 1910815#

GENERAL SUBJECT MATTER TO BE CONSIDERED: general Commission business.

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 72 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).

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: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org.

The Governor's Commission on Volunteerism and Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 8:00 a.m. – until Commission business is complete

PLACE: Conference Call: 1(888)808-6959, Passcode: 1910815#

GENERAL SUBJECT MATTER TO BE CONSIDERED: general Commission business.

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 72 days before the workshop/meeting by contacting: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org.

The **Office of Drug Control** announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2009, 9:30 a.m. – 3:30 p.m.

PLACE: Conference Room 2103, The Capitol, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Implementation and Oversight Task Force.

A copy of the agenda may be obtained by contacting: Claude Shipley at (850)414-8820.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 day before the workshop/meeting by contacting: Claude Shipley at (850)414-8820. 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: Claude Shipley at (850)414-8820.

The Governor's Commission on Volunteerism and Community Service (Volunteer Florida) announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, December 14, 2009, 8:00 a.m. – until all Commission business is complete

PLACE: Conference Call: 1(888)808-6959, Passcode: 1910815#

GENERAL SUBJECT MATTER TO BE CONSIDERED: general Commission business.

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 72 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).

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: Kristin Mullikin at (850)921-5172 or kristin@volunteerflorida.org.

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2009, 5:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2009, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 S. W. Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2009, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The North Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: December 3, 2009, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Gainesville, Florida 32653-1603.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 business days before the workshop/meeting by contacting: (352)955-2200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Withlacoochee Regional Planning Council, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIMES: Thursday, December 10, 2009, Nominating Committee Meeting, 5:30 p.m.; Open House, 6:00 p.m.; Annual Meeting, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 Southwest 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Council including election of Council Officers for 2010.

A copy of the agenda may be obtained by contacting: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323.

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

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2009, 9:30 a.m.

PLACE: Polk County Extension Service Agriculture Center, 1702 US Hwy. 17, South, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting of the Council and/or its Executive Committee.

A copy of the agenda may be obtained by contacting: Kathryn Hall, Program Coordinator at (863)534-7130, ext. 120 or khall@cfrpc.org.

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

For more information, you may contact: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, psteed@cfrpc.org.

The **Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: December 16, 2009, 9:30 a.m.

PLACE: Sebring Civic Center, 355 West Center Avenue, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Transportation and Land Use Task Force of the Heartland 2060 Regional Visioning effort.

A copy of the agenda may be obtained by contacting: Shannon Brett, Senior Planner at (863)534-7130, ext. 132, sbrett@cfrpc.org.

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

For more information, you may contact: Patricia M. Steed, Executive Director, 555 East Church Street, Bartow, FL 33830, (863)534-7130, psteed@cfrpc.org.

The **Southwest Florida Regional Planning Council**, LEPC announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 4, 2009, 9:30 a.m.

PLACE: Covanta Energy Corporation – Lee County Waste-To-Energy Facility Complex, 10500 Buckingham Road, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Region IX – Local Emergency Planning Committee (LEPC) will discuss and implement provisions of the Emergency Planning and Community Right-To-Know Act.

A copy of the agenda may be obtained by contacting: Mr. John Gibbons at (239)338-2550, ext. 229 or jgibbons@swfrpc.org.

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

For more information, you may contact: www.swfrpc.org.

METROPOLITAN PLANNING ORGANIZATIONS

The **Metropolitan Planning Organization Advisory Council**, Policy and Technical Subcommittee announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2009, 10:00 a.m. – 4:00 p.m.

PLACE: Hillsborough County MPO Board Room (18th Floor), 601 E. Kennedy Blvd., Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues that pertain to the 26 Florida Metropolitan Planning Organizations in the state such as review comments on the SIS Strategic Plan Update, Transportation 2010 Legislative Policy Positions, the Transportation Revenue Study Scope of Work, L RTPs: cost/benefit, climate change and other issues.

A copy of the agenda may be obtained by contacting: Brigitte Messina at (850)414-4027 or by email: brigitte.messina@mpoac.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Brigitte Messina at (850)414-4027 or by email: brigitte.messina@mpoac.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Brigitte Messina at (850)414-4027 or by email: brigitte.messina@mpoac.org.

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: December 3, 2009, 7:00 p.m.
PLACE: Ranch Manager's residence, Cooks Hammock, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board of Directors meeting to discuss the development of equestrian facilities on Suwannee River Water Management District properties.

A copy of the agenda may be obtained by contacting: Mrs. Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Mrs. Pennie Flickinger, Administrative Assistant at (386)362-1001 or pff@srwmd.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mr. Brian Kauffman, Facilities Director at (386)362-1001 or bck@srwmd.org.

The **Suwannee River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2009, 9:00 a.m.
PLACE: Bronson Town Hall, 650 Oak Street, Bronson, FL 32621, (352)486-2354.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting – to consider District business, and conduct public hearings on regulatory and land acquisition matters. A workshop with the Levy County Commissioners will follow the Board meeting.

The Suwannee River Water Management District announces the following public hearing to which all interested persons are invited.

DATE AND TIME: December 8, 2009, 9:00 a.m.

PLACE: Bronson, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing is being held to offer interested persons the opportunity to provide comments concerning the annual revision and changes to the District's Florida Forever Work Plan.

A copy of the 2010 Florida Forever Work Plan may be obtained on the District website: www.mysuwanneeriver.com or by writing Gwendolyn Lord, Business Resource Specialist IV, SRWMD, 9225 CR 49, Live Oak, FL 32060.

The Suwannee River Water Management District announces the following public hearing to which all interested persons are invited.

DATE AND TIME: December 8, 2009, 9:00 a.m.

PLACE: Bronson, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public hearing in accordance with Section 373.59, F.S., concerning the proposed acquisition of the Chinquapin Farm LLC Conservation Easement, 6,345 acres +/-, Suwannee and Columbia Counties, with Funds from the Florida Forever Trust Fund; also the proposed acquisition of the Dixie County Board of County Commission Parcels, 20.5 acres +/-, Dixie County, with Funds from the Florida Forever Trust Fund. The Suwannee River Water Management District does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the District's functions, including one's access to, participation, employment, or treatment in its programs or activities.

A copy of the agenda may be obtained by contacting: Lisa Cheshire or Kristel Callahan at (386)362-1001 or 1(800)226-1066 (Florida Only), Fax: (386)362-1056, email: kjc@srwmd.org or on the District's website: www.mysuwanneeriver.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Lisa Cheshire HR, Governing Board Coordinator at (386)362-1001 or 1(800)226-1066 (Florida Only), Fax: (386)362-1056. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **St. Johns River Water Management District**, Projects & Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2009, 6:00 p.m.,
Projects and Land Committee Public Meeting

PLACE: Lakeside Inn, 100 N. Alexander Street, Mount Dora, FL 32757

DATE AND TIME: Friday, December 4, 2009, 9:00 a.m.,
Projects and Land Committee Tour

PLACE: St. Johns River Water Management Apopka Field Station, 25633 County Road 448-A, Mount Dora, FL 32757

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates and discussion on Upper Ocklawaha River Basin Restoration Program and Lake Apopka Basin Restoration Program by David Walker, Basin Program Manger, St. Johns River Water Management District.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347.

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: Heather Barnes at (386)329-4347. 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 Harris Chain of Lakes Restoration Council announces that 2 or more of its members will attend a public meeting of the **St. Johns River Water Management District**, Projects and Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2009, 6:00 p.m., Projects and Land Committee Public Meeting

PLACE: Lakeside Inn, 100 N. Alexander Street, Mount Dora, FL 32757

DATE AND TIME: Friday, December 4, 2009, 9:00 a.m., Projects and Land Committee Tour

PLACE: St. Johns River Water Management Apopka Field Station, 25633 County Road 448-A, Mount Dora, FL 32757

GENERAL SUBJECT MATTER TO BE CONSIDERED: Updates and discussion on Upper Ocklawaha River Basin Restoration Program and Lake Apopka Basin Restoration Program by David Walker, Basin Program Manager, St. Johns River Water Management District.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347.

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: Heather Barnes at (386)329-4347. 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 **St. Johns River Water Management District** announces a workshop to which all persons are invited.

DATE AND TIME: Monday, December 7, 2009, 1:00 p.m., Governing Board Workshop

PLACE: District Headquarters, Governing Board Room, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Informational workshop on Water Conservation Rule Concepts #2.

NOTE: One or more Governing Board members may attend and participate in the meeting by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Missy McDermont, 4049 Reid Street, Palatka, FL 32177, (386)329-4101 or by visiting the District's website: www.sjrwm.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **St. Johns River Water Management District**, Projects & Land Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 7, 2009, 5:00 p.m., Projects and Land Committee Business Meeting

PLACE: District Headquarters, Room 162, Executive Building, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Projects and Land Committee will discuss agenda items, followed by committee recommendations to be approved by the full Governing Board.

NOTE: In the event a quorum of the Committee is not available for the business meeting at the date, time and place set forth above, the Committee shall meet on Tuesday, December 8, 2009, 8:00 a.m., District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177. One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, (386)329-4347, or by visiting the District's website: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2009, 1:30 p.m.

PLACE: Holiday Inn Daytona, 2620 W. International Speedway Blvd., Daytona Beach, FL 32114

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agricultural Advisory Committee – Discussion of: (1) SJRWMD 2010 water supply plan irrigation component, (2) development of agricultural water conservation goals, (3) Dispersed water storage, and (4) The agricultural Environmental Resource Permit (ERP) exemption rule amendments.

A copy of the agenda may be obtained by contacting: Vince Singleton at (386)329-4197 or vsingleton@sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Vince Singleton at (386)329-4197 or vsingleton@sjrwmd.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 **St. Johns River Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIMES: Tuesday, December 8, 2009

8:15 a.m. Chairwoman's Meeting

9:00 a.m. Finance, Administration and Audit Committee

10:00 a.m. Regulatory Committee

1:00 p.m. Governing Board Meeting and Public Hearing on Land Acquisition.

PLACE: District Headquarters, 4049 Reid Street (Hwy. 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Marji Hightower, 4049 Reid Street, Palatka, Florida 32177, (386)329-4214, or by visiting the District's website: www.sjrwmd.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Southwest Florida Water Management District** (SWFWMD) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2009, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 US Hwy. 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Suwannee River Water Management District board discussion regarding establishment of water resource caution areas in north Florida. One or more SWFWMD Governing Board members may attend.

A copy of the agenda may be obtained by contacting: Steven Minnis, SRWMD at sam@srwmd.org, 1(800)226-1066 or (386)362-1001.

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

For more information, you may contact: Lou.kavouras@watermatters.org, 1(800)423-1476 or (352)796-7211, ext. 4606 (Ad Order# EXE0003).

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: December 9-10, 2009, 9:00 a.m. – completed

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in United States of

America v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case No. 88-1886-CIV-Moreno. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, K. Burns, J. Nutt.

Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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

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

For more information, you may contact: the District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: December 9-10, 2009, 9:00 a.m. – completed

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Friends of the Everglades, Inc. and Fishermen Against Destruction of the Environment, Inc. v. South Florida Water Management District, et al., United States Court of Appeals, Eleventh Circuit, Case No. 07-13829-HH; Miccosukee Tribe of Indians of Florida v. South Florida Water Management District, et al., United States District Court, Southern District of Florida, Case

No. 98-6056-CIV-Lenard/Klein; and Friends of the Everglades v. South Florida Water Management District, United States District Court, Southern District of Florida, Case No. 98-6057-CIV-Lenard/Klein. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt.

Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

A copy of the agenda may be obtained by contacting: District Clerk's Office at (561)682-2087 or www.sfwmd.gov.

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

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

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: December 9-10, 2009, 9:00 a.m. – completed

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in VIBID Group, Inc. v. Collier County and South Florida Water Management District, Twentieth Judicial Circuit, Collier County, Case No. 07-3329-CA. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, E. Artau, F. Bartolone, K. Williams.

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For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: December 9-10, 2009, 9:00 a.m. – completed

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Florida Wildlife Federation, et al. v. Johnson, et al., United States District Court, Northern District of Florida, Case No. 08-cv-00324-RH-WCS. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, J. Nutt, C. Pettit.

Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

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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: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces an attorney client session.

DATES AND TIME: December 9-10, 2009, 9:00 a.m. – completed

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Black & Veatch Corp. v. South Florida Water Management District, Fifteenth Judicial Circuit, Palm Beach County, Case No. 2009-CA-31734-AH. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, F. Mendez, E. Artau, J. Nutt.

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For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces an attorney client session.

DATE AND TIME: December 9, 2009, 9:00 a.m. – completed

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

DATE AND TIME: December 10, 2009, 9:00 a.m. – completed

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009), to discuss strategy related to litigation expenditures and/or settlement negotiations in Collier County v. South Florida Water Management District, Twentieth Judicial Circuit, Collier County, Case No. 09-7419-CA. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, E. Artau, F. Bartolone, K. Williams.

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contacting: District Clerk's Office at (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).

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For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces an attorney client session.

DATE AND TIME: December 9, 2009, 9:00 a.m. – completed

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

DATE AND TIME: December 10, 2009, 9:00 a.m. – completed

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in New Hope Sugar Co., et al. v. South Florida Water Management District, Florida Third District Court of Appeal, Case No. 3D09-2357 and South Florida Water Management District v. Miccosukee Tribe of Indians of Florida, et al., Supreme Court of Florida, Case No. SC09-1893. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, F. Bartolone, R. Hanna, C. Lamia, K. Artin, F. Springer, K. Burns, J. Nutt.

Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

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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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For more information, you may contact: District Clerk's Office at (561)682-2087.

The South Florida Water Management District announces an attorney client session.

DATES AND TIME: December 9-10, 2009, 9:00 a.m. – completed

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Attorney client session pursuant to Section 286.011(8), Florida Statutes (2009) to discuss strategy related to litigation expenditures and/or settlement negotiations in Miccosukee Tribe of Indians of Florida, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1817, and New Hope Sugar Company, et al. v. South Florida Water Management District, Supreme Court of Florida, Case No. SC09-1818. The subject matter shall be confined to the pending litigation. (All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of Governing Board members).

ATTENDEES: Governing Board Members E. Buermann, J. Collins, M. Collins, C. Dauray, S. Estenoz, R. Montgomery, K. Powers, P. Rooney; Executive Director C. Wehle; District attorneys S. Wood, S. Nall, C. Kowalsky, K. Rizzardi, F. Bartolone, R. Hanna, C. Lamia, K. Artin, F. Springer, K. Burns, J. Nutt.

Pursuant to Florida Law, the entire attorney client session shall be recorded by a certified court reporter. No portion of the session shall be off the record. A copy of the transcript will be made part of the public record at the conclusion of the litigation.

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For more information, you may contact: District Clerk's Office at (561)682-2087.

The South Florida Water Management District announces a public meeting to which all persons are invited.

Human Resources & Outreach Committee Meeting

DATE AND TIME: December 9, 2009, 10:30 a.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

Workshop Meeting

DATE AND TIME: December 9, 2009, 12:00 Noon

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

Regular Business Meeting

DATE AND TIME: December 10, 2009, 9:00 a.m.

PLACE: SFWMD Headquarters, B-1 Building, 3301 Gun Club Road, West Palm Beach, Florida 33406

All or part of these meetings may be conducted as a teleconference in order to permit maximum participation by Governing Board members. The Governing Board may take official action at the meeting on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes. If Workshop items are not discussed on 12/9, the items may be discussed on 12/10.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board to discuss and consider District business, including regulatory and non-regulatory matters, and may include an amendment to the District's Fiscal Year 2010 budget to revise revenues and expenditures.

A copy of the agenda may be obtained by contacting: Jacki McGorty at (561)682-2087, or at https://my.sfwmd.gov/portal/page/portal/pg_grp_sfwmd_governingboard/pg_sfwmd_governingboard_agendasminutes.

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: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: District Clerk's Office at (561)682-2087.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 15, 2009, 3:00 p.m.

PLACE: South Florida Water Management District, Building B-1, Bill Storch Conference Room, 3301 Gun Club Road, West Palm Beach, FL 33406

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Meeting to Discuss Regulatory Matters.

All or part of these meetings will be video-conferenced in order to permit maximum participation from the South Florida Water Management District Service Centers located at:

Lower West Coast Service Center
2301 McGregor Blvd.
Fort Myers, FL 33901
Martin/St. Lucie Service Center
780 S. E. Indian Street
Stuart, FL 34997
Orlando Service Center
1707 Orlando Central Parkway, Suite 200
Orlando, FL 32809

The meeting will also be webcast.

A copy of the agenda may be obtained by contacting: (7) days prior to the meeting date. You may obtain a copy of the agenda by going to our website at: www.sfwmd.gov.

- clicking the "SFWM D Permits" link in the right-hand column
- then the "News & Meetings" link on the left-hand column.

For additional information, you may also call our information line at (561)682-6207 or Florida toll-free 1(800)432-2045, ext. 6207.

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: District Clerk's Office at (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: District Clerk's Office at (561)682-2087.

EXPRESSWAY AUTHORITIES

The **Tampa-Hillsborough Expressway Authority** announces a hearing to which all persons are invited.

DATE AND TIME: Tuesday, December 15, 2009, 5:00 p.m. – 7:00 p.m.

PLACE: Tampa-Hillsborough Expressway Authority, 1104 E. Twiggs Street, Tampa, FL 33602

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Tampa-Hillsborough County Expressway Authority invites you to attend and participate in a public hearing for the project development and environment study for proposed improvements to the Selmon Expressway (SR 618) Downtown Viaduct from Florida Avenue to South 22nd Street in Hillsborough County, Florida; WPI Segment No: 416361 4.

PURPOSE: This public hearing is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements to the Selmon Expressway. The study evaluated possible user-financed improvements to the downtown viaduct from Florida Avenue to South 22nd Street, a distance of approximately 1.7 miles, in Tampa, FL. The preferred build alternative includes widening the existing roadway and bridge to add an additional lane in each direction, making the expressway a six-lane roadway.

The project reports and conceptual design plans by THEA will be available for public review from November 24, 2009 – December 29, 2009, The John F. German Regional Library, 900 North Ashley Drive, Tampa, FL. These materials also will be available at the hearing site from 5:00 p.m. – 7:00 p.m., on the day of the hearing. Persons wishing to submit written or oral comments may do so at the hearing or they may mail comments to: Sue Chrzan, Communications Manager, Tampa-Hillsborough Expressway Authority, 1104 E. Twiggs St., Suite 300, Tampa, FL 33602. All comments must be postmarked by December 29, 2009, to be included as part of the official public hearing record.

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: Mary Hall, Chief Administrative Officer at (813)272-6740. 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: Sue Chrzan, Communications Manager at (813)272-6740 or sue@tampaxway.com.

REGIONAL UTILITY AUTHORITIES

The **Tampa Bay Water Regional Water Supply Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 14, 2009, 9:00 a.m.

PLACE: 2575 Enterprise Road, Clearwater, FL 33763

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board Meeting immediately followed by a private Attorney/Client briefing session between the Tampa Bay Water Board of Directors and legal counsel pursuant to Section 286.011(8), Florida Statutes, to discuss possible litigation expenditures and/or settlement negotiations in Tampa Bay Water v. HDR Engineering, Inc. et al.

Attorney/Client Briefing Attendees: Board of Directors of Tampa Bay Water, General Manager Gerald Seeber, General Counsel Richard Lotspeich, Senior Assistant General Counsel Barrie Buenaventura, Richard Harrison, Esquire, Dave Forziano, Esquire, and a certified court reporter.

A copy of the agenda may be obtained by contacting: Tampa Bay Water Records Department at (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Tampa Bay Water Records Department at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Records Department at (727)796-2355.

DEPARTMENT OF THE LOTTERY

The **Department of the Lottery** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2009, 9:00 a.m. (Eastern Time) and continuing from day to day until completion of the agenda. Any changes in meeting dates and times will be posted on the Lottery's website at: <http://www.flalottery.com> at least 7 days prior to the meeting.

PLACE: Florida Lottery Headquarters, 250 Marriott Drive, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Evaluation Committee to evaluate and score Replies for ITN 09-09/10, Production Services & Related Commodities and Services. Should it be deemed necessary, the Evaluation Committee may continue this meeting from day to day or to a future date and time. Subsequent to the completion of scoring of Replies, the Issuing Officer will open and read aloud the vendors' Cost Replies.

A copy of the agenda may be obtained by contacting: Rhett Frisbie at (850)487-7710.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: ADA Coordinator at (850)487-7777, ext. 3700 (Voice). 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 Department 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.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs**, Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 4, 2009, 10:00 a.m. – 11:00 a.m. (EDT)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4142039#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of the initiatives that the advisory council and the department wish to undertake.

A copy of the agenda may be obtained by contacting: Whitney Hults-Richartz, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, email: hultsw@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Whitney Hults-Richartz, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, email: hultsw@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Whitney Hults-Richartz, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2000, email: hultsw@elderaffairs.org.

The **Department of Elder Affairs**, Communities for a Lifetime announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 15, 2009, 10:30 a.m. – 12:00 Noon (EST)

PLACE: City of Gretna City Hall, 14615 Main Street, Gretna, Florida 32332

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion will focus on the Communities for a Lifetime initiative and the involvement of Gadsden County's municipalities.

A copy of the agenda may be obtained by contacting: Janine R. Harris, Community Relations Manager, Communities for a Lifetime, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, email: harrisj@elderaffairs.org, (850)414-2373.

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 72 hours before the workshop/meeting by contacting: Janine R. Harris, Community Relations Manager, Communities for a Lifetime, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, email: harrisj@elderaffairs.org, (850)414-2373. 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: Janine R. Harris, Community Relations Manager, Communities for a Lifetime, Florida Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, FL 32399-7000, email: harrisj@elderaffairs.org, (850)414-2373.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program**, announces a public meeting to which all persons are invited.

DATE AND TIME: December 10, 2009, 2:00 p.m. – 3:00 p.m. (EST)

PLACE: United Way of Central Florida, 5605 US Hwy. 98 South, Highland City, FL 33846

GENERAL SUBJECT MATTER TO BE CONSIDERED: South Central District Long-Term Care Ombudsman Council business. (NOTE: This notice is a correction and replaces the notice that recently appeared in the Vol. 35, No. 43, October 30, 2009).

A copy of the agenda may be obtained by contacting: Tresa Johnston, Department of Elder Affairs, 200 N Kentucky Ave., #224, Lakeland, FL 33801, (863)413-2764 or email: johnstont@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Tresa Johnston, Department of Elder Affairs, 200 North Kentucky Ave., #224, Lakeland, FL 33801, (863)413-2764, email: johnstont@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Tresa Johnston, Department of Elder Affairs, 200 North Kentucky Ave., #224, Lakeland, FL 33801, (863)413-2764, email: johnstont@elderaffairs.org.

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2009, 10:00 a.m. – 11:00 a.m. (EST)

PLACE: First Presbyterian Church of Brandon, 121 Carver Ave., Room D, Brandon, FL 33510

GENERAL SUBJECT MATTER TO BE CONSIDERED: West Central District Long-Term Care Ombudsman Council business.

A copy of the agenda may be obtained by contacting: Robin Baker, Department of Elder Affairs, 701 W Fletcher Ave., Ste. C, Tampa, FL 33612, (813)558-5591, or email: baker@elderaffairs.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Robin Baker, Department of Elder Affairs, 701 W. Fletcher Ave., Ste. C, Tampa, FL 33612, (813)558-5591 or email: baker@elderaffairs.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Robin Baker, Department of Elder Affairs, 701 W Fletcher Ave., Ste. C, Tampa, FL 33612, (813)558-5591 or email: baker@elderaffairs.org.

AGENCY FOR HEALTH CARE ADMINISTRATION

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

DATE AND TIME: Thursday December 3, 2009, 10:00 a.m.

PLACE: Agency for Health Care Administration, Conference Room "A", 2727 Mahan Drive, Tallahassee, Florida. Any person interested in participating by telephone may dial (641)593-6241/Pass Code: 5384968#. If you have any difficulty accessing the teleconference, please call the Florida Center's main number at (850)922-5771.

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: Jennifer Green, 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. 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: Jennifer Green at (850)922-4381. 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: Jennifer Green at (850)922-4381.

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

DATE AND TIME: December 8, 2009, 10:30 a.m. – 11:30 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room C, Tallahassee, FL 32308. Those not able to attend in person may participate via Conference Call: 1(888)808-6959 and entering Conference Code: 8504885420#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Enhanced Benefits Panel will discuss issues related to the technical aspects of the Enhanced Benefits program, under Medicaid Reform.

A copy of the agenda may be obtained by contacting: Aldria White, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #8, Tallahassee, FL 32308, (850)488-3560.

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: Aldria White at the address and phone number given 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).

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.

DEPARTMENT OF MANAGEMENT SERVICES

The **Florida Black Business Investment Board** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2009, 9:30 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss operations, identify areas for future board priorities, receive reports from committees/task force, review/approve related issues and other business as needed.

A copy of the agenda may be obtained by contacting: FBBIB at (850)878-0826.

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: FBBIB at (850)878-0826.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Florida Barbers' Board** announces a public meeting to which all persons are invited.

DATE AND TIME: February 8, 2010, 9:00 a.m.

PLACE: Casa Monica Hotel, 95 Cordova Street, St. Augustine, Florida 32084, (904)819-6065

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

A copy of the agenda may be obtained by contacting: Florida Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-6096

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Florida Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)922-6096. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: December 1, 2009, 9:00 a.m. and 10:00 a.m.

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

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 agenda may be obtained by contacting: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

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: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. 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: Jeffrey J. Kelly, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

The **Florida Engineers Management Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 2, 2009, 8:30 a.m.

PLACE: Wingate Inn, 2516 West Lakeshore Drive, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Wendy Gregory at wgregory@fbpe.org.

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

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

For more information, you may contact: Wendy Gregory at wgregory@fbpe.org.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, December 2, 2009, 1:00 p.m.; Thursday December 3, 2009, 8:30 a.m.

PLACE: Wingate Inn, 2516 West Lakeshore Drive, Tallahassee, Florida 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Wendy Gregory at wgregory@fbpe.org.

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

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

For more information, you may contact: Wendy Gregory at wgregory@fbpe.org.

The **Board of Professional Geologists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2009, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9226020#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Application review and general board business.

A copy of the agenda may be obtained by contacting: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 days before the workshop/meeting by contacting: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399. 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: Richard Morrison, Executive Director, 1940 North Monroe Street, Tallahassee, FL 32399.

The **Building Code Administrators and Inspectors Board** announces a public meeting to which all persons are invited.

DATES AND TIME: February 9-12, 2010, 9:00 a.m. each day

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee meetings and general board business.

A copy of the agenda may be obtained by contacting: Building Code Administrators and Inspectors Board, 1940 N. Monroe Street, Tallahassee, FL 32399-2211.

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

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

The **Division of Real Estate** announces a hearing to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 9:00 a.m. or soonest thereafter

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Department – disciplinary proceedings regarding unlicensed activity.

The Hearing Officer for the Department will be participating via teleconference.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you

are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Deputy Clerk, Division of Real Estate, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

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

DATE AND TIME: Monday, December 14, 2009, 2:00 p.m. or the soonest thereafter (Portions of the probable cause proceedings are not open to the public)

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a private meeting to review cases to determine probable cause and to conduct a public meeting to review cases where probable cause was previously found.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772. Only public portions of the agenda are available upon request.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DATES AND TIME: Tuesday, December 15, 2009; Wednesday, December 16, 2009, 8:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of Commission – among topics included, but not limited to, are proposed legislation affecting Chapter 475, Part I, F.S., rule development workshops, Florida Administrative Code 61J2 rule amendments, budget

discussions, escrow disbursement requests, recovery fund claims, education issues, petitions for declaratory statement, petitions for rule variance/waiver, and disciplinary actions.

All or part of this meeting may be conducted as a teleconference in order to permit maximum participation of the Commission members or its counsel.

A copy of the agenda may be obtained by contacting: Deputy Clerk, Florida Real Estate Commission, 400 W. Robinson Street, Suite N801, Orlando, Florida 32801-1772.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Division of Real Estate at (407)481-5662. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Division of Real Estate at (407)481-5662.

The **Florida Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: December 15, 2009, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule 61J2-24.001, F.A.C., Disciplinary Guidelines. The proposed rule changes affect provisions relating to designated penalties in compliance with Section 455.2273, F.S.

A copy of the agenda may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

The **Florida Real Estate Commission** announces a workshop to which all persons are invited.

DATE AND TIME: December 15, 2009, 8:30 a.m. or soonest thereafter

PLACE: Division of Real Estate, Commission Meeting Room, N901, North Tower, 400 West Robinson Street, Orlando, FL 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: Biennial review of all rules of the Florida Real Estate Commission under Title 61J2, F.A.C.

A copy of the agenda may be obtained by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801. 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: Lori Crawford, Deputy Clerk, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N802, Orlando, Florida 32801.

The **Florida Mobile Home Relocation Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 9:30 a.m.

PLACE: Shady Lane Oaks, 15777 Bolesta Rd., Clearwater, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to

change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Janet Garrett at 1(888)862-7010.

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: Janet Garrett at 1(888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Janet Garrett, Executive Director, FMHRC, P. O. Box 3047 Tallahassee, FL 32315, 1(888)862-7010.

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."

The **Department of Environmental Protection** announces a public meeting to which all persons are invited.

DATE AND TIME: December 10, 2009, 10:30 a.m.

PLACE: City of Jacksonville, Jake Godbold Building, Fourth Floor, Conference Room, 407 N. Laura Street, Jacksonville, Florida 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lower St. Johns River Tributaries Basin Working Group was formed to provide a forum for stakeholders to provide recommendations to the Department of Environmental Protection regarding development of the Lower St. Johns River Tributaries Basin Management Action Plan (BMAP). The BMAP is the means for implementation of the Lower St. Johns River Tributaries Fecal Coliform Total Maximum Daily Loads (TMDLs). Topics for this meeting include a review of completed tributary assessments and discussion regarding future recommendations by the Basin Working Group.

A copy of the agenda may be obtained by contacting: Mrs. Amy Tracy, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Planning and Coordination Section, MS #3565, Tallahassee, Florida 32399-2400, (850)245-8506.

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: Mrs. Amy Tracy at (850)245-8506. 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** announces a public meeting to which all persons are invited.

DATE AND TIME: December 11, 2009, 9:00 a.m.

PLACE: Brevard County Ag Center, 3695 Lake Drive, Cocoa FL 32396

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is for the North, Central, and Banana River Basins in Indian River Lagoon (IRL) Basin Management Action Plan (BMAP). The primary topic for discussion is a review of the information used to develop the IRL Total Maximum Daily Loads and provide a forum for questions related to BMAP development.

A copy of the agenda may be obtained by contacting: Ms. Amy Tracy, 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)245-8506.

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: Mrs. Amy Tracy at (850)245-8506. 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 **Bureau of Beaches and Coastal Systems** announces a workshop to which all persons are invited.

DATE AND TIME: December 14, 2009, 7:00 p.m.

PLACE: Disney's Vero Beach Resort, Sea Grape Room, 9250 Island Grove Terrace, Vero Beach, FL 32963

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will discuss the proposed erosion control project known as Indian River County Sector 3 Beach and Dune Restoration, and the establishment of an Erosion Control Line for said project. This workshop is the public's opportunity to ask questions about, comment on, speak in support of, and object to the proposed beach restoration project and the proposed erosion control line. The location of the proposed erosion control project is as follows: Sections 3, 10, 14, 15, 23, 25, 26, & 36, Township 31 South, Range 39 East; Section 1 Township 32 South, Range 39 East; Section 6 Township 32 South, Range 40 East. If approved by the Board of Trustees the Erosion Control Line will be recorded in the County's Book of Plats and will become the boundary between private uplands and sovereign submerged lands owned by the state.

A copy of the agenda may be obtained by contacting: James Gray, County Coastal Engineer, 1801 27th Street, Vero Beach, FL 32960, (772)226-1344.

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: James Gray, as sited 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).

The **Bureau of Beaches and Coastal Systems** announces a hearing to which all persons are invited.

DATE AND TIME: December 14, 2009, immediately following the workshop held at 7:00 p.m.

PLACE: Disney's Vero Beach Resort, Sea Grape Room, 9250 Island Grove Terrace, Vero Beach, FL 32963

GENERAL SUBJECT MATTER TO BE CONSIDERED: The proposed establishment of an Erosion Control Line, pursuant to Section 161.161, Florida Statutes. This hearing will consider evidence bearing on the location of a proposed Erosion Control Line for the beach erosion control project known as Indian River County Sector 3 Beach and Dune Restoration. This hearing is the public's opportunity to comment on, speak in support of, object to, and submit for consideration materials relevant to the methodology used for locating the proposed Erosion Control Line and the location of the proposed Erosion Control Line. The location of the proposed Erosion Control Line is as follows: The proposed Erosion Control Line lies along Orchid Island fronting the Atlantic Ocean at the line of mean high water. The Erosion Control Line lies in Sections 3, 10, 14, 15, 23, 25, 26, & 36, Township 31 South, Range 39 East; Section 1 Township 32 South, Range 39 East; Section 6 Township 32 South, Range 40 East. After the Hearing, and if approved by the Board of Trustees, the Erosion Control Line will be recorded in the County's Official Records and will become the boundary between private uplands and sovereign submerged lands owned by the state. Written objections to, or inquires regarding, the proposed Erosion Control Line should be submitted: William Weeks, Environmental Specialist III, Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 3900 Commonwealth Boulevard, MS #300, Tallahassee, Florida 32399-3000, (850)922-7708, e-mail: william.weeks@dep.state.fl.us, prior to the date of hearing. 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.

A copy of the agenda may be obtained by contacting: William Weeks as cited above.

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: Mr. Weeks. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The **Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 3, 2009, 3:00 p.m.

PLACE: (850)245-4474 to inquire about call-in number

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel Meeting.

A copy of the agenda may be obtained by contacting: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, FL 32399-3258.

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

Those who are hearing or speech impaired, using TDD equipment, can call the Florida Dual Party Relay System, 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Boards of Medicine and Osteopathic Medicine Pain Management Clinic Standards of Practice Joint Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, December 19, 2009, 10:00 a.m.

PLACE: Marriott Tampa Airport, Tampa International Airport, Tampa, FL 33607. Hotel phone #: (813)879-5151

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss standards of practice for physicians practicing in pain management clinics subject to the provisions of SB 462. Please check the Board Web Site: www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Crystal Sanford at crystal_sanford@doh.state.fl.us or (850)245-4132.

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: Crystal Sanford at crystal_sanford@doh.state.fl.us or (850)245-4132. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The Florida **Board of Nursing**, North Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 10, 2009, 5:30 p.m. – 7:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Conference Code: 2454640#

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Rick García, Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

The **Board of Orthotists and Prosthetists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 10:00 a.m.

PLACE: Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Meet Me Number: 1(888)808-6959, Conference Code: 9849329103#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, Board of Orthotists and Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, FL 32399-3257 or accessing: www.doh.state.fl.us/mqa/orthPros/index.html.

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

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

The **Children's Medical Services** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 4, 2009, 1:00 p.m. – 4:00 p.m.

PLACE: Capital Circle Office Center, 4025 Esplanade Way, Room # 301, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida KidCare Coordinating Council, an advisory body appointed by the Florida Department of Health, will meet to discuss Florida KidCare, the state children's health insurance program. The Council is charged with making recommendations to the Department, the Governor and the Legislature, as well as other state government groups about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A copy of the agenda may be obtained by contacting: Gail Vail, Department of Health at (850)245-4200, ext. 2238, Gail_Vail@doh.state.fl.us.

The Florida **Department of Health**, Drugs Devices and Cosmetics Program announces a hearing to which all persons are invited.

DATE AND TIME: December 15, 2009, 10:00 a.m. – 12:00 Noon (EST)

PLACE: Teleconference: 1(888)808-6959, Conference Code: 9766152#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rule Hearing requested on Proposed Amended Rule 64F-12.012, F.A.C., Records of Drugs, Cosmetics and Devices.

The agenda and meeting materials will be placed on the Drugs, Devices, and Cosmetics website: www.doh.state.fl.us/mqa/DDC seven days in advance of the scheduled teleconference. If you need any other information, please call: (850)245-4292.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF CHANGE – The **Council on Homelessness** announces a CHANGE IN TIME for the Education and Training conference call meeting originally scheduled Friday, December 4, 2009, 10:00 a.m. – 11:00 a.m. The call has been RE-SCHEDULED FOR to 2:00 p.m. – 3:00 p.m.

DATE AND TIME: Friday, December 4, 2009, 2:00 p.m. – 3:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9229760#

A copy of the agenda for the conference call may be obtained by contacting: Office on Homelessness, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700, (850)922-4691.

Pursuant to Section 286.26, Florida Statutes, any disabled person wishing to access these meetings who may be in need of special assistance should contact: Office on Homelessness, (850)922-4691 at least 48 hours in advance of the meeting.

The **Adult Protective Services Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 2, 2009, 9:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4882881#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continuation of the review of all aspects of the Department's adult protection system and identify areas that need improvement.

A copy of the agenda may be obtained by contacting: Adult Protective Services Program at (850)488-2881.

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: Adult Protective Services Program at (850)488-2881. 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: Robert Anderson, State Director, Adult Protective Services at (850)488-2881.

The **Orange County Alliance for Children** announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2009, 12:15 p.m.

PLACE: Heart of Florida United Way, 1940 Traylor Blvd., Orlando, FL 32804

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues related to children and families.

A copy of the agenda may be obtained by contacting: Kristi Gray at (407)245-0400.

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: Kristi Gray at (407)245-0400.

The **Developmental Disabilities Prepaid Services Study Group** announces a public meeting to which all persons are invited.

DATE AND TIME: November 30, 2009, 10:30 a.m. – 12:30 p.m. or conclusion

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Legal Conference Room, Tallahassee, FL 32399. Conference Call: 1(888)808-6959, Conference Code: 9439484#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will serve as an opportunity of the Developmental Disabilities Prepaid Services Study Group Bill Drafting Sub-Committee to provide input and feedback on bill drafting.

A copy of the agenda may be obtained by contacting: There will be no formal agenda for this meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Deleah Sims at (850)488-9547 or by email: Deleah_Sims@apd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Mike Dunn at (850)414-5853 or by email: Mike_Dunn@apd.state.fl.us.

The **Agency for Persons with Disabilities** announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2009, 9:00 a.m. – 12:00 Noon

PLACE: Safety Harbor Resort and Spa, Four Springs Ballroom, 105 North Bayshore Drive, Safety Harbor, Florida 34695

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss possible revisions for the utilization of APD Medicaid Waiver Alternative Transportation Providers.

A copy of the agenda may be obtained by contacting: <http://apd.myflorida.com>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Kent Carroll, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8501. 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 Carroll, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-8501.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2009, 8:30 a.m. – until adjourned

PLACE: Hyatt Regency Orlando Airport, 9300 Airport Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.
4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.

16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the December 4, 2009, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, 2 days prior to the meeting, or by visiting the Corporation’s website: www.floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney, Florida Housing Finance Corporation at (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).

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

The **Florida Housing Finance Corporation II, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2009, 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned

PLACE: Hyatt Regency Orlando Airport, 9300 Airport Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Conduct business necessary for the organization of FHFC II, Inc.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC II, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.

6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC II, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the December 4, 2009, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, 2 days prior to the meeting or by visiting the Corporation's website: www.floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney, Florida Housing Finance Corporation at (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).

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

The **Florida Housing Finance Corporation III, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: December 4, 2009, 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned

PLACE: Hyatt Regency Orlando Airport, 9300 Airport Blvd., Orlando, FL 32827

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Conduct business necessary for the organization of FHFC III, Inc.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC III, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC III, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the December 4, 2009, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, 2 days prior to the meeting or by visiting the Corporation's website: www.floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney, Florida Housing Finance Corporation at (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).

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

The **Florida Housing Finance Corporation** announces a public meeting to which all persons are invited.

DATES AND TIMES: Monday, December 7, 2009, 10:00 a.m.; Friday, December 11, 2009, 2:00 p.m. (Eastern Time)

PLACE: Rick Seltzer Conference Room, Suite 6000, Florida Housing Finance Corporation, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: The first Review Committee meeting will be to discuss and evaluate the proposals submitted in response to Florida Housing Finance Corporation's Request for Proposals #2009-07 for Public Housing Mitigation Initiative. The second Review Committee meeting will be to give preliminary scores to the proposals.

A copy of the agenda may be obtained by contacting: Sherry Green at (850)488-4197 or sherry.green@floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sherry Green at (850)488-4197 or sherry.green@floridahousing.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF FINANCIAL SERVICES

The **Board of Funeral, Cemetery, and Consumer Services** operating under Chapter 497, Florida Statutes, announces a public meeting to which all persons are invited.

DATES AND TIME: By teleconference: January 7, 2010; March 4, 2010; May 6, 2010; June 3, 2010; July 15, 2010; September 2, 2010; November 4, 2010. In person, in Tallahassee: February 4, 2010; June 24, 2010; August 5, 2010; December 2, 2010. In person, in Orlando: April 1, 2010; October 7, 2010. All meetings will start at 10:00 a.m.

PLACE: All in-person meetings of the Board in Tallahassee will be held at Room 230A, Alexander Building, Tallahassee FL. All in-person meetings in Orlando will be held at: Hawthorne Suites Lake Buena Vista, 8303 Palm Parkway, Orlando FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Board business. The public may participate in teleconference meetings by attendance at the office of the Division of Funeral, Cemetery, and Consumer Services (Division), at room 2100, Alexander Building, 2020 Capital Circle, S.E., Tallahassee, FL. The Division will have a speaker phone connected to the teleconference by which the public can hear and address the Board. Any changes to the above meeting schedule will be published at least 10 days before the affected meeting, under the heading "Announcements," on the Division's webpage at the following web address: www.myfloridacfo.com/FuneralCemetery/.

A copy of the agenda may be obtained by contacting: LaTonya Bryant-Parker, (850)413-3039, at least 7 days before the 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 48 hours before the workshop/meeting by contacting: LaTonya Bryant-Parker at (850)413-3039. 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: LaTonya Bryant-Parker at LaTonya.Bryant-Parker@myfloridacfo.com or (850)413-3039.

FINANCIAL SERVICES COMMISSION

The **Financial Services Commission, Office of Insurance Regulation** announces a hearing to which all persons are invited.

DATE AND TIME: December 8, 2009, 9:00 a.m., during a regular meeting of the Financial Services Commission

PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the Final Public Hearing on the adoption of proposed amendments to Rule 69O-189.003, Florida Administrative Code, published on June 26, 2009, Vol. 35, No. 25, of the Florida Administrative Weekly.

A copy of the agenda may be obtained by contacting: Theresa Eaton, Office of Insurance Regulation at email: Theresa.Eaton@flor.com.

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

For more information, you may contact: Theresa Eaton, Office of Insurance Regulation at email: Theresa.Eaton@flor.com.

AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY

The **Agency for Enterprise Information Technology**, Chief Information Officers Council Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 8, 2009, 2:00 p.m. – 4:00 p.m.

PLACE: Florida Fish and Wildlife Conservation Commission, Bryant Bldg., 620 South Meridian Street, Room 272, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To enhance communication among the Chief Information Officers of all state agencies and assist in identifying critical statewide information technology issues.

A copy of the agenda may be obtained by contacting: Lauren Pope, Florida Fish and Wildlife Conservation Commission, Office of Information Technology at Lauren.Pope@MyFWC.com or (850)414-2870.

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: Lauren Pope. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA NETWORK OF YOUTH AND FAMILY SERVICES, INC.

The **Florida Network of Youth and Family Services, Inc.** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, December 3, 2009, 11:00 a.m. – 1:00 p.m.

PLACE: Florida Network Office, 2850 Pablo Avenue, Tallahassee, Florida. Conference Call: 1(888)808-6959, Passcode: 9224324#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Data and Research Committee will be meeting via conference call to discuss upcoming and potential research projects.

If you should have any questions or concerns you may contact: Karen Miller at (850)922-4324.

SMALL BUSINESS REGULATORY ADVISORY COUNCIL

The **Small Business Regulatory Advisory Council** announces a public meeting to which all persons are invited.

DATES AND TIME: December 4, 2009, 9:00 a.m. (Eastern Time) via teleconference; December 11, 2009 if needed

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4737801#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular business, rule reviews, and tentatively sunset review matters.

A copy of the agenda may be obtained by contacting: Vicky Baker at vicky.baker@floridasbrac.org or (850)473-7816.

For more information, you may contact: Vicky Baker at vicky.baker@floridasbrac.org or (850)473-7816.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 7, 2009, 1:30 p.m.

PLACE: AWI, Executive Conference Room 114, Caldwell Building, 107 East Madison Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Special meeting of the SSRC Board in conjunction with the SSRC Board's Operation and Finance Committee to discuss the methodology for cost allocation, rate setting and billing.

A copy of the agenda may be obtained by contacting: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Rick Mitchell at (850)488-9895, rick.mitchell@ssrc.myflorida.com.

GOVERNOR'S COMMISSION ON DISABILITIES'

The **Governor's Commission on Disabilities**, Education, Employment Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, December 8, 2009, 9:00 a.m. – 11:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#. 4030 Esplanade Way, Ste. 260, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to: commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Transportation, Independent Living Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2009, 10:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#. 4030 Esplanade Way, Ste. 260, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to: commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Legal, Civil Rights Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2009, 2:00 p.m. – 4:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#. 4030 Esplanade Way, Ste. 260, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to: commission@dms.myflorida.com.

The **Governor's Commission on Disabilities**, Healthcare Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 2:00 p.m. – 5:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 6101108#. 4030 Esplanade Way, Ste. 260, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee is meeting to fulfill the mandate of Executive Order 08-193.

A copy of the agenda may be obtained by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Stacia Woolverton at 1(877)232-4968 (Voice/TTY) or commission@dms.myflorida.com.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

Please be advised that if you intend to provide materials to the Commissioners for review, the materials must be available in alternative formats in advance of dispersal to the Commissioners. If you need assistance in converting files to alternative formats, please send them to: commission@dms.myflorida.com.

FLORIDA WORKERS' COMPENSATION JOINT UNDERWRITING ASSOCIATION, INC.

The **Florida Workers' Compensation Joint Underwriting Association, Inc.**, Annual Membership meeting and a **Board of Governors** meeting announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2009, 10:30 a.m.

PLACE: Hyatt Regency, Orlando International Airport, 9300 Airport Blvd., Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Agenda topics shall include 2008 overview with Q&A; approval of minutes; election of the vice chair & officers; 2010 meeting schedule; legislative update; bylaws; Operations Manual; operations report; financial report; and committee reports on: 2010 reinsurance program options; commutation matters; 2009 budget considerations; 2010 business plan & forecast; disaster recovery matters; travel policy; compliance review of the current investment portfolio; Audit Committee Charter procedures checklist; and executive compensation & benefits.

A copy of the agenda may be obtained by contacting: Kathleen Coyne at (941)378-7408 or from the FWCJUA's website: www.fwcjua.com.

SOIL AND WATER CONSERVATION DISTRICT

The **Glades Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2009, 1:00 p.m.

PLACE: Soil Conservation Office, Dallas B. Townsend Agr. Building, 1085 Pratt Blvd., LaBelle, Florida 33935

GENERAL SUBJECT MATTER TO BE CONSIDERED:
General scheduled board meeting.

ST. LUCIE TRANSPORTATION PLANNING ORGANIZATION

The **St. Lucie Transportation Planning Organization (TPO)** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 9, 2009, 2:00 p.m.

PLACE: St. Lucie County Walton Road Annex, 1664 S. E. Walton Road, Port St. Lucie, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular meeting of the St. Lucie Local Coordinating Board for the Transportation Disadvantaged (LCB).

A copy of the agenda may be obtained by contacting: Marceia Lathou, Senior Planner-Transit at (772)462-1593.

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: St. Lucie County Community Services Director at (772)462-1777. 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: Marceia Lathou, Senior Planner-Transit, St. Lucie TPO, 2300 Virginia Avenue, Fort Pierce, Florida, (772)462-1593.

FLORIDA DEVELOPMENTAL DISABILITIES COUNCIL, INC.

The **Florida Developmental Disabilities Council, Inc.** announces a public meeting to which all persons are invited.

DATES AND TIMES: December 10, 2009, 8:30 a.m. – 6:30 p.m.; December 11, 2009, 8:30 a.m. – 2:30 p.m.

PLACE: Celebration Hotel – Orlando, 700 Bloom Street, Celebration, Florida 34747

GENERAL SUBJECT MATTER TO BE CONSIDERED: Thursday, December 10, 2009

Committee Meetings 8:30 a.m. – 6:30 p.m.

Friday, December 11, 2009

Full Council Meeting 8:30 a.m. – 2:30 p.m.

A copy of the agenda may be obtained by contacting: Debra Dowds.

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: Debra Dowds. 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: Debra Dowds.

CITIZENS PROPERTY INSURANCE CORPORATION

The Audit Committee of **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 12:00 Noon

PLACE: Tampa Airport Marriott, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Not limited to, business before the Committee.

A copy of the agenda may be obtained by contacting: Betty Veal at (904)407-0440.

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: Betty Veal. 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 **Citizens Property Insurance Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 10, 2009, 3:30 p.m. (EDT)

PLACE: Tampa Airport Marriott, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance and Investment Committee Meeting. Items of discussion include, but are not limited to, Update of Investment Portfolio and 2010 Pre-Event Financing Program.

For additional information, please call: Jill Booker at 1(800)807-7647.

Special Accommodations: In accordance with the Americans with Disabilities Act, people with disabilities or physical impairments who require assistance to participate in this meeting are requested to contact Jill Booker at least five days prior to the meeting.

The **Citizens Property Insurance Corporation**, Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 11, 2009, 9:00 a.m. (EST)

PLACE: Tampa Airport Marriott, Tampa, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, committee updates.

A copy of the agenda may be obtained by contacting: www.citizensfla.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Barbara Walker at 1(800)807-7647, ext. 3744. 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: Barbara Walker.

FLORIDA LEAGUE OF CITIES

The **Florida Municipal Construction Insurance Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 10, 2009, 4:00 p.m.

PLACE: Trump International Beach Resort, 18001 Collins Avenue, Sunny Isles Beach, FL, (305)692-5636

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

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

The **Florida Municipal Insurance Trust** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 11, 2009, 8:30 a.m.

PLACE: Trump International Beach Resort, 18001 Collins Avenue, Sunny Isles Beach, FL, (305)692-5636

GENERAL SUBJECT MATTER TO BE CONSIDERED: Business meeting of the Board of Trustees.

A copy of the agenda may be obtained by contacting: Linda Bridges, Florida League of Cities, Inc., Tallahassee, FL, (850)222-9684.

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.

ABLE TRUST

The **Able Trust** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, December 11, 2009, 9:00 a.m. – conclusion

PLACE: Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Able Trust (Florida Governor's Alliance for the Employment of Citizens with Disabilities) will hold its quarterly Board of Directors meeting. The agenda will include review and approval of grants to assist in creating fair employment

opportunities for persons with disabilities; reviewing committee reports; presentation of financial reports; and other business that may come before the organization.

A copy of the agenda may be obtained by contacting: The Able Trust at (850)224-4493 or info@abletrust.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: The Able Trust. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The **Florida Birth-Related Neurological Injury Compensation Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 14, 2009, 12:00 Noon

PLACE: Hyatt Regency, Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32827, (407)825-1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

A copy of the agenda may be obtained by contacting: Minnie Patrick at (850)488-8191.

FLORIDA HEALTH CHOICES CORPORATION

The **Florida Health Choices Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 15, 2009, 12:00 Noon

PLACE: 301 East Pine Street, Suite 1400, Orlando, Florida 32801 or Conference Call 1(877)776-0428, Passcode: 8234840#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board and business meeting.

A copy of the agenda may be obtained by contacting: Lauren McCarthy at (850)222-0933 or lauren@myfloridachoice.com. For more information, you may contact: Lauren McCarthy at (850)222-0933 or lauren@myfloridachoice.com.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

The Investment Committee of the **Florida Workers' Compensation Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: December 16, 2009, 3:00 p.m. (EST)

PLACE: Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The FWCIGA Investment Committee will meet regarding general business of the Committee.

A copy of the agenda may be obtained by contacting: Veronica DeGraff at vdegraff@agfgroup.org or (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Veronica DeGraff at vdegraff@agfgroup.org or (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The Board of Directors of the **Florida Workers' Compensation Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: December 17, 2009, 9:00 a.m. (EST)

PLACE: Orlando, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet regarding the general business of the Association. Agenda items will include but not limited to: Claims Report, Assessment Update, Operations Report, Financial Report, and Legal Report.

A copy of the agenda may be obtained by contacting: Veronica DeGraff at vdegraff@agfgroup.org or (850)386-9200.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Veronica DeGraff at vdegraff@agfgroup.org or (850)386-9200. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WASHINGTON COUNTY BOARD OF COUNTY COMMISSIONER

The **Washington County Board of Commissioners** hereby announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, December 17, 2009, 1:00 p.m. (CST)

PLACE: Washington County Governmental Annex, 1331 South Boulevard, Chipley, FL 32428

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT Utility Accommodation Manual and Design Standards. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status. Persons who require special accommodations under the

Americans with Disabilities Act should contact: BOCC Secretary, (850)638-6200, at least 48 hours before the meeting date to make arrangements.

Comments should be addressed to: Mr. Peter Herbert, County Manager, 1331 South Boulevard, Suite 400, Chipley, FL 32428.

A copy of the agenda may be obtained by contacting: Washington County Commissioner Administration Office at (850)638-6200 or on website: www.washingtonfl.com.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, Board of Governors' announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 19, 2010, 9:00 a.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the FLSLO Board of Governors'. General business matters will be discussed.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.com one week prior to the 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: Georgie Barrett at gbarrett@fslso.com or 1(800)562-4496, ext. 101. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

The **Florida Surplus Lines Service Office**, Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 19, 2010, 11:00 a.m. or upon adjournment of the FLSLO Board of Governors meeting

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Pre-audit discussion for the FLSLO 2009 Financial Audit.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.com one week prior to 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: Georgie Barrett at gbarrett@fslso.com or

1(800)562-4496, ext. 101. 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).

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."

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN THAT the Agency for Health Care Administration has issued an order disposing of the petition for declaratory statement filed by Anthony Martin and Long Life Home Care, Inc., May 8, 2009. The following is a summary of the agency's disposition of the petition:

Petitioners filed an Amended Petition for Declaratory Statement on July 27, 2009 regarding the issue of what constitutes "identical controlling interests" for the purposes of Section 400.476(1)(a), Florida Statutes. Specifically, the issue was whether or not Anthony Martin could serve as administrator for four home health agencies of which he was a controlling interest. The Agency answered the question in the negative on the basis that the four home health agencies had different controlling interests because they were different licensees and because the ownership of the licensees was not identical among the four licensees.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Mark Hinely Agency for Health Care Administration Legal, MS #3, 2727 Mahan Drive, Tallahassee, FL 32308. Please refer all comments to: Mark Hinely.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Gary Latham, Petitioner/Unit Owner, In Re: Crane's Roost Village Condominium Association, Inc., Docket No. 2009058766. The

petition seeks the agency's opinion as to the applicability of Section 718.3026, Florida Statutes, as it applies to the petitioner.

Whether Crane's Roost Village Condominium Association, Inc. must comply with the bid requirements of Section 718.3026, Florida Statutes, in contracting for property insurance.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, 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 Condominiums, Timeshares, 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 the petition for declaratory statement from David C. Young, Building Official, Petitioner, regarding Orange County Public Schools. The petition seeks the agency's opinion as to the applicability of Section 633.0215, F.S., Florida Building Code, Section 553.73, F.S., Florida Fire Prevention Code as it applies to the petitioner.

Petitioner asks very specific questions that pertain to inspection of buildings and the review of building plans.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 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@myfloridacfo.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 AGRICULTURE AND CONSUMER SERVICES

Statement of Qualifications – Blackwater River State Forest
As a Civil Engineer, you are invited to submit an SOQ to the Florida Department of Agriculture and Consumer Services, Division of Forestry, hereinafter referred to as Owner.

The Department is seeking the professional services of a civil engineering firm for the design and construction of the civil drawings for an Off-Highway Vehicle riding area within Blackwater River State Forest at the Clear Creek/Whiting Field Tract. The project will also require the application to all required permitting agencies for the project. The total project budget is estimated at \$750,000.00.

PROJECT NAME AND LOCATION: The Blackwater River State Forest Office is located at 11650 Munson Hwy., Milton, FL 32570.

SOLICITATION DOCUMENT: The entire solicitation document, which includes specifications, may be viewed and downloaded from the Vendor Bid System at <http://myflorida.com>, click on Business, Doing Business with the State of Florida, Everything for Vendors and Customers, Vendor Bid System, Search Advertisements, Bid Number SOQ/DF-09/10-45, or by calling the Purchasing Office at (850)617-7181.

PUBLIC ENTITY CRIME INFORMATION STATEMENT: A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two for a period of 36 months from the date of being placed on the convicted vendor list.

DISCRIMINATION; DENIAL OR REVOCATION FOR THE RIGHT TO TRANSACT BUSINESS WITH PUBLIC ENTITIES: An entity or affiliate who had been placed on the discriminatory vendor list may not submit a bid on a contract to provide any goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity. Statements of Qualifications will be received and publicly opened:

DATE AND TIME: January 5, 2010, 2:00 p.m.

PLACE: Department of Agriculture and Consumer Services, 407 S. Calhoun Street, Room SB8, Mayo Building, Tallahassee, Florida 32399, (850)617-7181.

CONTRACT AWARD: The official Notice of Award Recommendation will be by electronic posting at http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu. Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes. If no protest is filed the contract will be awarded to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C. by the Owner.

DEPARTMENT OF EDUCATION**CALL FOR BIDS**

made by Florida A&M University (FAMU) for:

PROJECT NAME: CAMPUS WIDE ELECTRICAL UPGRADE / TECHNOLOGY INFRASTRUCTURE, PHASE-3. **PROJECT NUMBER:** BR-322; **LOCATION:** Florida A&M University (FAMU), Tallahassee, FL 32307. **PROJECT DESCRIPTION:** The work to be performed under this project consists of providing the labor, equipment and materials to replace a portion of the campus electrical distribution system – converting from 5kv to 15kv. Work includes new underground duct and manhole system with 15kv cable, transformers and pad-mounted switchgear. Provides new 15kv main switchgear in a new vault of concrete masonry construction with brick veneer and a metal roof at the south end of the campus. Also included are modification to the electrical service in several existing buildings, a campus power monitoring system with new power meters and fiber optic communication cable and other work as required for a complete and functional system. The estimated base construction budget is \$7,800,000.

QUALIFICATION: All Bidders must be qualified at the time of bid opening in accordance with the Instructions to Bidders, Article B-2 and the following:

1. The Contractor shall be a State of Florida Certified Electrical Contractor.
2. The Contractor shall be regularly engaged in, and shall have a minimum of 7 years experience in the Installation, Maintenance and Conversion of 15kV and up medium voltage systems. The Medium Voltage work must be handled by in-house forces and not a Sub-Contractor.
3. The Contractor shall have completed 3 projects over the past 5 years similar in size, Voltage class and complexity with each having a value between 3 and 5 million dollars.
4. The Contractor shall have an insurance company "Experience Modification Rate" (EMR) of less than 1.

Sealed bids will be received on:

DATE AND TIME: January 5, 2010 until 2:00 p.m. (Local Time).

PLACE: Plant Operations Facilities, Building A, Room 100, 2400 Wahnish Way, Florida A&M University, Tallahassee, FL, immediately after which time and place they will be publicly opened and read aloud down the hall in one of the Conference Rooms (Bid Tabulation will be posted back in Suite 100).

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the drawings and Project Manual, which may be obtained or examined at the office of the Architect/Engineer: Fred Wilson & Associates, Inc., 3970 Hendricks Avenue, Jacksonville, Florida 32207-5398, (904)398-8636, Fax: (904)398-8636.

PRE-SOLICITATION/PRE-BID MEETING: The Bidder is required to attend the pre-solicitation/pre-bid meeting. This mandatory meeting has been scheduled for:

DATE AND TIME: December 9, 2009, 2:00 p.m. (Local Time)

PLACE: Plant Operations Facilities, Building A, Room 100, 2400 Wahnish Way, Florida A&M University, Tallahassee, FL
DEPOSIT: \$150 per set of drawings and Project Manual is required with a limit of three (3) sets per general contractor or prime bidder; and one (1) set of drawings and Project Manuals for subcontractors.

REFUND: The deposit shall only be refunded to those general contractors, prime bidders, or plumbing, heating/ventilating/air conditioning and electrical contractors acting as either prime or subcontractors, who after having examined the drawings and specifications:

- a. Submit a bona fide bid, or
- b. Provide written evidence that they have submitted bids as subcontractors for plumbing, heating/ventilating/air conditioning, or electrical work, and who return the drawings and Project Manual in good condition within fifteen (15) days after receipt of bids.

PURCHASE: Full sets of bidding documents may be examined at the Architect/ Engineer's office and local plan rooms. Full sets may be purchased through the Engineer for \$150 per set for the printing and handling cost.

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 \$25,000 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list. Direct all project related question to: Engineer first, then to Clinton Smith, Project Manager at (850)412-7506.

NOTICE TO PROFESSIONAL CONSULTANTS

Florida A&M University (FAMU) announces that Professional Services in the discipline of Historical Architecture will be required for a Historic Preservation Grant Project funded by the National Park Service under the U.S. Department of the Interior in accordance with the American Recovery and Reinvestment Act of 2009 (ARRA/Recovery Act/Stimulus Bill) for the following project: George M. Sampson Hall, No.: 002748, Florida A&M University, Tallahassee, Florida.

This grant was awarded to Florida A&M University to support the preservation/rehabilitation and restoration of George M. Sampson Hall – a male residence hall which is a part of the University's Historic District. Specifically this project requires the professional services of a Historical Architect/Engineer to

replace approximately 146 windows in George M. Sampson Hall in a manner that will preserve the historic "Georgian Revival" architectural style and historical nuances of the structure, to the extent possible, while incorporating the requirements of energy-efficient construction/installation. The 4 1/2 story structure was built in 1938 and while there have been interior renovations over the years, George M. Sampson Hall has had little exterior alteration since its initial construction. Currently, many of the windows have deteriorated and have deteriorated or missing mullions, inoperable leaking sashes and deteriorated sills and jambs. The selected firm will provide design, construction / installation documents and administration for the referenced project. The estimated project budget is \$545,000. Blanket professional liability insurance will be required for this project in the amount of \$250,000 and will be provided as a part of Basic Services.

INSTRUCTIONS: Firms desiring to apply for consideration shall submit a letter of application.

The letter of application should have attached:

1. A completed "Professional Qualifications Supplement" (PQS); form is to be obtained from the FAMU Facilities Planning & Construction Office. Applications on any other form will not be considered.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be chartered by the Florida Department of State to operate in Florida.

Submit eight (8) ring, comb or spiral (no hard, solid or tack) bound copies of the requested data in the order listed above. Applications which do not comply with the above instructions may be disqualified. Application materials will not be returned. The plans and specifications for State University System 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 \$25,000 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 (PQS) forms, descriptive project information, and selection criteria may be obtained by contacting: Karen Brown, Associate Director, Office of Facilities Planning and Construction, Florida A&M University, Plant Operations Facility, Building A, Suite 100, 2400 Wahnish Way, Tallahassee, Florida 32307,

(850)599-8005 Fax: (850)561-2289, e-mail: karen.brown@famu.edu. Submittals must be received in the Office of Facilities Planning and Construction, by 10:00 a.m. (Local Time), December 18, 2009. Facsimile (FAX) submittals are not acceptable and will not be considered.

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."

EXPRESSWAY AUTHORITIES

NOTICE TO PROFESSIONAL CONSULTANTS ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY – REQUEST FOR LETTERS OF INTEREST – CONSTRUCTION ENGINEERING AND INSPECTION SERVICES – PROJECT NO. 253E

The Orlando-Orange County Expressway Authority requests Letters of Interest from qualified firms in connection with Construction Engineering and Inspection (CEI) services required by the Authority. Shortlist consideration will be given to only those firms who are qualified pursuant to law, and as determined by the Authority, and who have been prequalified by FDOT to perform the indicated Types of Work.

TYPES OF WORK: As a minimum, the consultant shall be prequalified by FDOT in the following types of work: Groups 10.1, Roadway CEI; 10.5.1, Major Bridge CEI-Concrete; 10.5.2, Major Bridge CEI-Steel. The consultant shall also be prequalified, on its own or through FDOT-approved subconsultants, in the following work type: 10.3, Construction Materials Inspection.

DESCRIPTION: The work consists of providing CEI services related to the construction of modifications to the S.R. 417/S.R. 408 interchange including: relocation of eastbound S.R. 408 to northbound S.R. 417 ramps; relocation of the southbound S.R. 417 to westbound S.R. 408 ramps; replacement of the S.R. 408/S.R. 417 spur with a local access road; widening of S.R. 408 from six to eight basic lanes; resurfacing and reconstruction of S.R. 408 from Chickasaw Trail to west of S.R. 417; roadway and bridge widening on S.R. 417 from four to six basic lanes; two lane ramp from southbound S.R. 417 westbound S.R. 408; two lane ramp from eastbound S.R. 408 to northbound S.R. 417.

LETTERS OF INTEREST SUBMITTAL REQUIREMENTS: Consultants wishing to be considered shall submit six (6) hardcopy sets of a Letter of Interest package and one electronic copy on compact disk. The letter shall be a maximum of ten (10) pages exclusive of attachments and resumes and shall be divided as follows:

Section 1: Similar Project Experience: Provide CEI project experience on no more than three current/completed projects within the past 5 years. Indicate project name, location, services provided and accurate reference names with phone numbers. All references will be checked.

Section 2: Project Approach: Provide a narrative describing the firm's approach to delivering the CEI services. In addition to the narrative, provide a proposed project organization chart including subconsultant personnel; a matrix summarizing proposed personnel experience on similar projects including registrations/certifications; detailed resumes identifying relevant experience on similar projects. Resumes shall include no more than three client/owner references for all proposed personnel for the past 5 years and availability date for each individual.

Section 3: Prequalification Documentation: Provide copies of FDOT certifications in the work groups identified above and Florida Department of Professional Regulation registration for prime consultant and subconsultants.

Section 4: Current and Projected Workload: Indicate ability of staff to manage a CEI assignment and indicate, as a percentage, the current/projected workload of current staff. Indicate the total number of firm's professional, technical and administrative personnel by discipline, location and office responsible for administering the contract.

Section 5: Project Team – Identify anticipated subconsultants and the roles that each will play in providing the required services. Resumes should be provided for subconsultants that may be involved in key roles;

Section 6: Office Location – The office assigned responsibility and its physical address shall be identified. It is required that the consultant have an office and key staff located within the Orlando area which includes Orange, Seminole, Lake and Osceola counties.

Failure to submit any of the above required information may be cause for rejection of the package as non-responsive.

SELECTION/NEGOTIATIONS: The Authority's Evaluation Committee will shortlist firms based on its evaluation and scoring of the Letters of Interest and qualifications information received. Scoring of the submittals will be as follows: Similar Project Experience – 25 points; Project Approach – 30 points; Prequalification Documentation – 10 points; Project Team – 25 points; Office Location – 10 points. A minimum of three firms with the highest ranking will be shortlisted.

Shortlisted firms will proceed to the next step in the process which includes preparation and submittal of a Technical Proposal and an oral presentation followed by a question and answer session. The Authority will provide the shortlisted firms with a Scope of Services for use in preparing the Technical Proposal. Each firm will be evaluated and ranked by the Authority's Evaluation Committee based on the Technical Proposal and oral presentation and question and answer session. As part of its evaluation process, the Committee will

also consider the consultant's willingness to meet time requirements, consultant's projected workload, and consultant's use of Minority/Women Owned Businesses.

CODE OF ETHICS: All consultants selected to work with the Authority are required to comply with the Authority's Code of Ethics, a copy of which may be viewed on the Authority's web site at www.expresswayauthority.com.

CONFLICT OF INTEREST: If selected, the consultant, during the term of its agreement with the Authority, will not be eligible to pursue any advertised construction engineering and inspection projects of the Authority as either a prime or subconsultant where the consultant participated in the design of the projects. Subconsultants are also ineligible to pursue construction engineering and inspection projects where they participated in the design of the projects.

EQUAL OPPORTUNITY STATEMENT: The Orlando-Orange County Expressway Authority, in accordance with the provisions of Title VI and Title VII of the Civil Rights Act of 1964, hereby notifies all firms and individuals that it will require affirmative efforts be made to ensure participation by minorities.

MINORITY/WOMEN/DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION: Minority / Women / Disadvantaged Business Enterprises will not be discriminated against on the basis of race, color, sex, or national origin in consideration for qualification or an award by the Authority.

NON-SOLICITATION PROVISION: From the first date of publication of this notice, no person may contact any Authority Board Member, Officer or Employee or any selection committee member, with respect to this notice or the services to be provided, except as related to the submittal requirements detailed above. Reference is made to the lobbying guidelines of the Authority for further information regarding this Non-Solicitation Provision.

LETTER OF RESPONSE DEADLINE:

December 11, 2009, 2:00 p.m. (Orlando local time)

AUTHORITY CONTACT PERSON:

Robert Johnson
 Manager of Procurement
 (407)690-5372

LETTER OF RESPONSE ADDRESS:

Orlando-Orange County Expressway Authority
 4974 ORL Tower Road
 Orlando, FL 32807
 Re: CEI Services
 Project No. 253E

ORLANDO-ORANGE COUNTY EXPRESSWAY
 AUTHORITY

Claude Miller
 Director of Procurement

DEPARTMENT OF MANAGEMENT SERVICES**PUBLIC ANNOUNCEMENT FOR CONSTRUCTION
CONTRACTORS TO PROVIDE CONSTRUCTION
MANAGEMENT AT RISK SERVICES**

REQUEST FOR QUALIFICATIONS (RFQ): The Department of Management Services, Division of Real Estate Development and Management, request qualifications for licensed general contractors, to submit for Construction Management at Risk services on the following project:

PROJECT NUMBER: DOE-28011000

PROJECT NAME: Construction of Technology Training Building and Roof Replacement, Daytona Beach Rehabilitation Center

LOCATION: Daytona Beach, Florida

ESTIMATED CONSTRUCTION BUDGET: \$2,500,000.00

For details please visit the Department's website listed below and click on "Search Advertisements – Division of Real Estate Development and Management." http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu.

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Departments Division of Real Estate Development and Management.

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."

CLARK CONSTRUCTION GROUP, LLC**LOWELL RECEPTION CENTER – INVITATION TO BID**

Clark Construction Group, LLC, the Construction Manager for the Lowell Reception Center project to be constructed in Marion County, Florida, will be receiving bids at Clark Construction's on-site field office located at 11496 N. W. Gainesville Road, Ocala, FL 34482, 10:00 a.m., Wednesday, December 16, 2009 for the following Bid Package:

Bid Package 13B – Potable Water Treatment System, including pumps, piping, controls, instrumentation, and one 25,000-gallon hydropneumatic tank.

ALL BIDS MUST BE HAND DELIVERED. Bids will be publicly opened.

Potential Bidders must be pre-qualified with Clark Construction no later than two weeks prior to the bid. Interested bidders may inquire about this project by contacting: Stacy Chuang via email: stacy.chuang@clarkconstruction.com or by phone at (813)636-4422.

Bidders will be required to furnish a Bid Bond/Bid Security in the amount of 5% of the bid value for all bids in the amount of \$100,000 or greater.

**Section XII
Miscellaneous****DEPARTMENT OF HIGHWAY SAFETY AND MOTOR
VEHICLES****Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population**

Pursuant to Section 320.642, Florida Statutes, notice is given that Fairplay Electric Cars, LLC, intends to allow the establishment of C4J Group, LLC d/b/a Cart Smarts of St. Augustine, as a dealership for the sale of low-speed vehicles manufactured by Fairplay Electric Cars, LLC (FPEC) at 71 South Dixie Highway, St. Augustine (St. Johns County), Florida 32084, on or after November 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of C4J Group, LLC d/b/a Cart Smarts of St. Augustine are dealer operator(s): Catherine Worley, 428 Fort Drum Court, St. Augustine, Florida 32092 and James W. Worley, 428 Fort Drum Court, St. Augustine, Florida 32092, principal investor(s): Catherine Worley, 428 Fort Drum Court, St. Augustine, Florida 32092 and James W. Worley, 428 Fort Drum Court, St. Augustine, Florida 32092

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, 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: Keith Andrews, Fairplay Electric Cars, LLC, 743 Horizon Court, Suite 333, Grand Junction, Colorado, 81506.

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, notice is given that Cruise Car, Inc., intends to allow the establishment of Central Florida Golf Cars, Inc., as a dealership for the sale of low-speed vehicles manufactured by Cruise Car, Inc. (CRUS) at 155 North Goldenrod Road, Orlando (Orange County) Florida 32807 on or after November 30, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Central Florida Golf Cars, Inc. are dealer operator(s): William Fierro, 155 North Goldenrod Road Orlando, Florida 32807; principal investor(s): William Fierro, 155 North Goldenrod Road Orlando, Florida 32807.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: William Kics, Cruise Car, Inc., 1712 Northgate Boulevard, Sarasota, Florida 34234.

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, notice is given that Fairplay Electric Cars, LLC, intends to allow the establishment of Custom Carts, Inc., as a dealership for the sale of low-speed vehicles manufactured by Fairplay Electric Cars, LLC (FPEC) at 2007 51st Street, Sarasota (Sarasota County), Florida 34234, on or after November 20, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Custom Carts, Inc. are dealer operator(s): Luis Hasbrouck, 20015 77th Street East, Bradenton, Florida 34202 and Jo Ellen Hasbrouck, 20015 77th Street, East, Bradenton, Florida 34202; principal investor(s):

Luis Hasbrouck, 20015 77th Street, East, Bradenton, Florida 34202 and Jo Ellen Hasbrouck, 20015 77th Street, East, Bradenton, Florida 34202.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Keith Andrews, Fairplay Electric Cars, LLC, 743 Horizon Court, Suite 333, Grand Junction, Colorado 81506.

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, notice is given that Chrysler Group Global Electric Motorcars, LLC, intends to allow the establishment of European Car Sales of America, Inc., as a dealership for the sale of low-speed vehicles manufactured by Chrysler Group Global Electric Motorcars, LLC (GEM) at 3850 South Dixie Highway, Miami (Dade County), Florida 33133, on or after November 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of European Car Sales of America, Inc. are dealer operator(s): Peter Kilissanly, 3850 South Dixie Highway, Miami, Florida 33133; principal investor(s): Peter Kilissanly, 3850 South Dixie Highway, Miami, Florida 33133 and Odalys Kilissanly, 3850 South Dixie Highway, Miami, Florida 33133.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Suzanne Rokke, Chrysler Group Global Electric Motorcars LLC, 1301 39th Street, North, Suite 2, Fargo, North Dakota 58102.

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, notice is given that JH Global Services, Inc., intends to allow the establishment of Golf & Electric Vehicles, Inc., as a dealership for the sale of low-speed vehicles manufactured by JH Global Services, Inc. (STAR) at 17051 Jean Street, Unit 1, Fort Myers (Lee County), Florida 33967, on or after November 4, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Golf & Electric Vehicles, Inc. are dealer operator(s): Roger Brownell, 17051 Jean Street, Unit 1, Fort Myers, Florida 33967; principal investor(s): Roger Brownell, 17051 Jean Street, Unit 1, Fort Myers, Florida 33967.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Jane Zhang, JH Global Services, Inc., 52 Pelham Davis Circle, Greenville, South Carolina 29615.

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, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of Clifton Warning, d/b/a Scooter King Motorsports as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co., Ltd. (DAIX) at 602 South State Street, Bunnell (Flagler County), Florida 32110, on or after November 16, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Clifton Warning d/b/a Scooter King Motorsports are dealer operator(s): Cliff Warning, 602 South State Street, Bunnell, Florida 32110, principal investor(s): Cliff Warning, 602 South State Street, Bunnell, Florida 32110.

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, 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: Wendy Yu, Pacific Rim International West, Inc., 2260 South Archibald Avenue, # E, 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 More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Nissan North America, Inc., Infiniti Division, intends to allow the establishment of Holman Automotive, Inc.

d/b/a Lauderdale Infiniti, as a dealership for the sale of automobiles manufactured by Nissan North America, Inc., Infiniti Division (INFI) at 900 East Sunrise Boulevard, Fort Lauderdale, (Broward County), Florida 33304, on or after December 15, 2009.

The name and address of the dealer operator(s) and principal investor(s) of Holman Automotive, Inc. d/b/a Lauderdale Infiniti are dealer operator(s): Glen A. Gardner, 10801 Blue Palm Street, Plantation, Florida 33324; principal investor(s): Joseph S. Holman, 309 Bridgeboro Road, Apartment 1231, Moorestown, New Jersey 08057, Melinda K. Holman, 14 Kendles Run Road, Moorestown, New Jersey 08057, Katherine A. Mullin, 747 Paddock Path, Moorestown, New Jersey 08057, Jeffrey S. Holman, 700 Clinton Avenue, Haddonfield, New Jersey 08033, Susan A. Moonan, 4 Rustic Drive, Pennington, New Jersey 08534 and Steven P. Holman, 169 Dogpatch Lane, Dorset, Vermont 05251.

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: Alison P. Y. Ryan, Nissan North America, Inc., Infiniti Division, One Nissan Way, Franklin, Tennessee 37067.

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

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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."

NOTICE OF INTENT TO ISSUE PROPOSED

MODIFICATION OF POWER PLANT CERTIFICATION

The Florida Department of Environmental Protection (Department) hereby provides notice of an intent to modify the Power Plant Conditions of Certification issued pursuant to the Florida Electrical Power Plant Siting Act, Section 403.501 et seq., Florida Statutes, concerning: Lee County Solid Waste Energy Recovery Facility (SWERF), Power Plant Siting Application No. PA90-30, OGC Case No. 09-2895. On June 2, 2009 the Department received a petition to modify the Conditions of Certification for the SWERF from Lee County pursuant to Section 403.516(1)(c), Florida Statutes, for the addition of a Construction and Demolition Debris Recycling Facility (CDRF) at the site. The Department proposes to modify the Conditions of Certification for the new CDRF, and to incorporate Department initiated updates. A copy of the proposed modification may be obtained by contacting: Michael P. Halpin, P.E., Administrator, Siting Coordination Office, Department of Environmental Protection, 3900 Commonwealth Boulevard, MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., Florida Statutes, parties to the certification proceeding have 45 days from issuance of notice to such party's last address of record in which to object to the requested modification. Failure of any of the parties to file a response will constitute a waiver of objection to the requested modification. Any person who is not already a party to the certification proceeding and whose substantial interest is affected by the requested modification has 30 days from the date of publication of this public notice to object in writing. The written objection must be filed (received) in: Office of General Counsel of the Department, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. If no objections are received, then a Final Order approving the modification shall be issued by the Department. If objections are raised and agreement can not be reached, then pursuant to Section 62-17.211, Florida Administrative Code, the applicant may file a petition for modification seeking approval of those portions of the request for modification to which written objections were timely filed. Mediation is not available in this proceeding.

NOTICE OF AVAILABILITY
FLORIDA FINDING OF NO SIGNIFICANT IMPACT
City of Belleview

The Florida Department of Environmental Protection has determined that the City of Belleview's project involving construction of water main extensions, a groundwater well, a ground storage tank and a pump station will not adversely affect the environment. The total cost of the project is estimated to be \$4,293,182. The project may qualify for a Drinking Water State Revolving Fund loan composed of federal funds and state funds.

A full copy of the Florida Finding of No Significant Impact can be obtained by writing: Venkata Panchakarla, Department of Environmental Protection, Bureau of Water Facilities Funding, 2600 Blair Stone Road, MS #3505, Tallahassee, Florida 32399-2400 or calling (850)245-8366.

FLORIDA STATE CLEARINGHOUSE

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://appprod.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

On November 6, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the License of David W. Webb, M.D. License #ME 16608. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On November 12, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the License of Ashley E. Croy, R.N., L.P.N. License #RN 9271939, LPN 5169724. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On November 6, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the License of Janelle Arlene Godkin, R.N. License #RN 1809282. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On November 6, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the License of Aura Liza Lynn, R.N. License #RN 9206904. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On November 16, 2009, Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, issued an Order of Emergency Suspension Order with regard to the License of Mary Kathryn Miller, R.N. License #RN 3359712. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes. The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES

DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION

THE QUALIFIED PUBLIC DEPOSITORY LISTED BELOW
HAS WITHDRAWN FROM THE FLORIDA PUBLIC
DEPOSITS PROGRAM AS OF THE DATE SHOWN.

TURNBERRY BANK 11/01/2009

NOTICE TO ALL POLICYHOLDERS, CREDITORS AND
CLAIMANTS HAVING BUSINESS WITH AMERICAN
KEYSTONE INSURANCE COMPANY

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL
CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
CASE NO.: 2009-3955

In Re: The Receivership of AMERICAN KEYSTONE
INSURANCE COMPANY, a Florida corporation.

NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND
CLAIMANTS HAVING BUSINESS WITH AMERICAN
KEYSTONE INSURANCE COMPANY

You are hereby notified that by order of the Circuit Court
of the Second Judicial Circuit, in and for Leon County, Florida,
entered the 9th day of October, 2009, the Department of
Financial Services of the State of Florida was appointed as
Receiver of AMERICAN KEYSTONE INSURANCE
COMPANY and was ordered to liquidate the assets located in
Florida of said company.

Policyholders, claimants, creditors, and other persons in
this State having claims against the assets of AMERICAN
KEYSTONE INSURANCE COMPANY, shall present such
claims to the Receiver on or before 11:59 p.m., Friday, October
8, 2010, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and
inquiries concerning this Receivership should be addressed to:
The Division of Rehabilitation and Liquidation of the Florida
Department of Financial Services, Receiver for AMERICAN
KEYSTONE INSURANCE COMPANY, Post Office Box
110, Tallahassee, Florida 32302-0110. Additional information
may be found at: www.floridainsurancereceiver.org.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation,
Division of Financial Institutions, has received the following
application. Comments may be submitted to: 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: 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., December 16, 2009):

APPLICATION AND PLAN FOR THE PURCHASE OF CERTAIN ASSETS AND ASSUMPTION OF CERTAIN LIABILITIES

Acquiring Entity: Florida Shores Bank – Southeast, Pompano
Beach, Florida

Selling Entity: Florida Capital Bank, NA (two branch offices
located in Boca Raton and Fort Lauderdale), Jacksonville,
Florida

Received: November 13, 2009

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN November 9, 2009
 and November 13, 2009

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

Sales and Use Tax

12A-19.080	11/12/09	12/2/09	35/31	
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STATE BOARD OF ADMINISTRATION

Florida Prepaid Postsecondary Education Expense Board

19B-4.002	11/10/09	11/30/09	35/40	
19B-5.001	11/10/09	11/30/09	35/40	
19B-5.002	11/10/09	11/30/09	35/40	
19B-9.002	11/10/09	11/30/09	35/40	
19B-9.003	11/10/09	11/30/09	35/40	
19B-9.004	11/10/09	11/30/09	35/40	
19B-9.005	11/10/09	11/30/09	35/40	
19B-11.001	11/10/09	11/30/09	35/40	

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

40D-24.001	11/10/09	11/30/09	35/40	
40D-24.010	11/10/09	11/30/09	35/40	
40D-24.020	11/10/09	11/30/09	35/40	
40D-24.030	11/10/09	11/30/09	35/40	

SPACEPORT FLORIDA AUTHORITY

57-50.001	11/9/09	11/29/09	35/33	
57-50.002	11/9/09	11/29/09	35/33	
57-50.003	11/9/09	11/29/09	35/33	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

61G3-21.009	11/12/09	12/2/09	35/41	
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

62-204.800	11/13/09	11/18/09	35/41	
62-731.030	11/9/09	11/29/09	35/32	35/38

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
62-731.050	11/9/09	11/29/09	35/32	
62-731.060	11/9/09	11/29/09	35/32	35/38

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

64B4-6.001	11/13/09	12/3/09	35/40	
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Board of Opticianry

64B12-16.003	11/9/09	11/29/09	35/35	
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Board of Athletic Training

64B33-2.005	11/13/09	12/3/09	35/40	
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DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Domestic Violence

65H-1.001	11/10/09	11/30/09	35/34	
65H-1.002	11/10/09	11/30/09	35/34	
65H-1.003	11/10/09	11/30/09	35/34	
65H-1.004	11/10/09	11/30/09	35/34	
65H-1.005	11/10/09	11/30/09	35/34	
65H-1.010	11/10/09	11/30/09	35/34	
65H-1.011	11/10/09	11/30/09	35/34	
65H-1.012	11/10/09	11/30/09	35/34	
65H-1.013	11/10/09	11/30/09	35/34	
65H-1.014	11/10/09	11/30/09	35/34	
65H-1.015	11/10/09	11/30/09	35/34	
65H-1.016	11/10/09	11/30/09	35/34	
65H-1.017	11/10/09	11/30/09	35/34	
65H-1.018	11/10/09	11/30/09	35/34	

NOTICE OF CORRECTION: The effective date of the following rule was listed incorrectly in Vol. 35, No. 45, November 13, 2009 issue of the FAW.

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

69B-162.011	10/26/09	12/25/09	35/20	35/32
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