

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Forestry

RULE NOS.:	RULE TITLES:
5I-4.002	Purpose and Definitions
5I-4.003	Vehicular, Animal and Pedestrian Control
5I-4.005	Protection of Managed Lands
5I-4.006	Recreational Activities and Facilities
5I-4.007	Garbage, Water Pollution and Glass Containers
5I-4.008	Vendors; Authorizations; Fees
5I-4.011	Penalties for Violations

PURPOSE AND EFFECT: The purpose and effect of this rule making is to modify the definition off-highway vehicle and add two new definitions, regulate a new off-highway trail system, change the title of and references to the Division of Forestry or Division to the Florida Forest Service or Service, and comply with the provisions of Section 790.33, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: This rulemaking adopts the statutorily revised definition of off-highway vehicles, adds two new definitions, adds a new location where off-highway vehicles can be operated on Florida Forest Service managed lands, changes the title of and references to the Division of Forestry to the Florida Forest Service, and eliminates provisions regarding the possession of firearms while visiting state forests and restates the law regarding the discharge of firearms in public.

RULEMAKING AUTHORITY: 570.07(23), 589.011(4), 589.071, 589.12 FS.

LAW IMPLEMENTED: 589.011(3), 589.071 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 Bohl, 3125 Conner Blvd., Tallahassee, FL 32399-1650, (850)414-9914

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

DEPARTMENT OF CITRUS

RULE NO.:	RULE TITLE:
20-69.002	Requirements for Use of Imported Products

PURPOSE AND EFFECT: Amendment ensuring imported products are safe for human consumption by request of USDA.
SUBJECT AREA TO BE ADDRESSED: Amendment ensuring imported products are safe for human consumption.

RULEMAKING AUTHORITY: 601.10(1), (7), 601.11 FS.

LAW IMPLEMENTED: 601.10(7), 601.11, 601.155 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: Alice Wiggins, License & Regulation Specialist, Florida Department of Citrus, P O Box 9010, Bartow, Florida 33831-9010 or at (863)537-3956 or awiggins@citrus.state.fl.us

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-1.1010	Point of Entry into Proceedings

PURPOSE AND EFFECT: The purpose of this rulemaking is to delete the requirement set forth in subsection 40D-1.1010(6), F.A.C., for certain permit applicants to publish notice of agency decision on their application. Based upon the Governor's directive to identify and delete or amend rules that are no longer necessary, duplicative of statute or unduly burdensome, the District has determined to delete this requirement. The effect will be to make publication of notices of agency action voluntary for permittees.

SUBJECT AREA TO BE ADDRESSED: Point of Entry Into Proceedings.

RULEMAKING AUTHORITY: 120.54(5), 373.044, 373.113 FS.

LAW IMPLEMENTED: 120.54(5), 120.60, 253.115, 373.079(4)(a), 373.083(5), 373.216, 373.219, 373.308, 373.309, 373.323, 373.413, 373.4136, 373.414, 373.416, 373.418, 373.421, 373.426, 373.427 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 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email to 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Martinez, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660 (OGC# 2011065)

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

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 lower Myakka River, pursuant to Section 373.042, F.S. For purposes of this rule, the lower Myakka River extends 33 miles from the outlet of Lower Myakka Lake to the mouth of the river at Charlotte Harbor.

SUBJECT AREA TO BE ADDRESSED: Establishment of Minimum Flows for the lower Myakka River.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702, TDD (FL only) 1(800)231-6103 or email to 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Barbara Martinez, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660 (OGC# 2008069)

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

DEPARTMENT OF ELDER AFFAIRS

Long-Term Care Ombudsman Program

RULE NO.: 58L-1.008
 RULE TITLE: Administrative Assessment

PURPOSE AND EFFECT: The Department proposes to adopt rules governing the procedures to follow in conducting an administrative assessment of long-term care facilities by ombudsmen.

SUBJECT AREA TO BE ADDRESSED: The proposed rules address the time frames for conducting administrative assessments and suggestions for an exit consultation with the long-term care facility to note needed improvements and to make recommendations.

RULEMAKING AUTHORITY: 400.0071 FS.

LAW IMPLEMENTED: 400.0060(1), 400.0071, 400.0074 FS.
 A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: February 16, 2012, 9:00 a.m. – 10:00 a.m.
 PLACE: Department of Elder Affairs, 4040 Esplanade Way, Conference Room 225F, Tallahassee, Florida 32399-7000

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: Demetria Ross at rossd@elderaffairs.org or (850)414-2114. 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: Susan Rice, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2113, rices@elderaffairs.org.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

58L-1.008 Administrative Assessment.

(1) An onsite administrative assessment should be conducted on long-term care facilities annually. The annual period for conducting an assessment shall be the federal reporting year, which is October 1 through September 30.

(2) By October 1 of each year, the district ombudsman manager (DOM), or designee, must identify all facilities within the local council's jurisdiction and develop a plan to conduct assessments by September 30 of the following year.

(3) Assessments may include observations, interviews with residents and other individuals, and a review of facility and resident records. The assessment must focus on factors affecting residents' rights, health, safety, and welfare as seen from the residents' perspectives.

(4) At the conclusion of the assessment visit, the ombudsman should:

(a) Identify the issues and concerns perceived by the residents or noted by the ombudsman;

(b) Identify those issues and concerns that were addressed or corrected by facility staff during the assessment visit;

(c) Identify those issues and concerns that remain to be addressed or corrected;

(d) Conduct an exit consultation with the facility administrator, or administrator designee, to discuss the issues and concerns and make recommendations for improvement, if any; and

(e) Submit the assessment to the DOM, or designee, after completing the exit consultation.

(5) After review of the assessment, the DOM, or designee, must submit a summary report to the facility administrator, or administrator designee.

Rulemaking Authority 400.0071 FS. Law Implemented 400.0060(1), 400.0071, 400.0074 FS. History—New _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.002
 RULE TITLE: Licensing and Inspection Requirements

PURPOSE AND EFFECT: The proposed rule development will update the rule to reflect changes made to Chapter 509, F.S., by Laws of Florida, Chapter 2008-055 and Laws of Florida Chapter 2011-119. The proposed rule will also update licensing requirements and forms incorporated by reference, and include plain language changes.

SUBJECT AREA TO BE ADDRESSED: The proposed rule development addresses the licensing, plan review, and inspection forms, process and requirements; changes resort license classifications to vacation rental; removes fire safety and bathroom requirements to conform to changes to the

division's authority; and removes variance procedures to allow the division to use the variance procedures in Chapter 120, Florida Statutes.

RULEMAKING AUTHORITY: 509.032, 509.241 FS.

LAW IMPLEMENTED: 213.0535, 509.032, 509.221, 509.241, 509.251, 559.79 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: 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 PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

61C-1.002 Licensing and Inspection Requirements.

(1) No change.

(2) To apply for licensure, an applicant must submit the appropriate application and the required fee, pursuant to Section 509.251, F.S., and Rule 61C-1.008, F.A.C., to the division shall accompany the application, which is BPR form 21-020, APPLICATION FOR LICENSE, incorporated herein by reference and effective 9-25-96. Copies of this form may be obtained from any division office. Any license fee received by the division is non-refundable once the establishment commences operation.

(a) License Applications.

1. Public lodging establishments required to be licensed by the division, under Chapter 509, F.S., must submit DBPR HR-7027, APPLICATION FOR PUBLIC LODGING ESTABLISHMENT LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00921>), incorporated herein by reference and effective 2011 August 22. Instructions for filling out DBPR HR-7027 are provided in DBPR HR-7027i, INSTRUCTIONS FOR COMPLETING DBPR HR-7027 APPLICATION FOR PUBLIC LODGING ESTABLISHMENT LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00922>), incorporated herein by reference and effective 2011 August 22.

2. Vacation rentals required to be licensed by the division under Chapter 509, F.S., must submit DBPR HR-7028, APPLICATION FOR VACATION RENTAL LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00923>), incorporated herein by reference and effective 2011 August 22. Instructions for filling out DBPR HR-7028 are provided in DBPR HR-7028i, INSTRUCTIONS FOR COMPLETING DBPR HR-7028 APPLICATION FOR VACATION RENTAL

LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00924>), incorporated herein by reference and effective 2011 August 22.

3. Public food service establishments required to be licensed by the division under Chapter 509, F.S., must submit one of the following applications, as appropriate to the establishment.

a. DBPR HR-7007, APPLICATION FOR PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-00925>),

incorporated herein by reference and effective 2011 August 22.

Instructions for filling out DBPR HR-7007 are provided in

DBPR HR-7007i, INSTRUCTIONS FOR COMPLETING

DBPR HR-7007 APPLICATION FOR PUBLIC FOOD

SERVICE ESTABLISHMENT LICENSE

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-00926>),

incorporated herein by reference and effective 2011 August 22.

b. DBPR HR-7030, APPLICATION FOR PUBLIC

FOOD SERVICE ESTABLISHMENT LICENSE WITH

PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00927>),

incorporated herein by reference and effective 2011 August 22.

Instructions for filling out DBPR

HR-7030 are provided in DBPR HR-7030i, INSTRUCTIONS

FOR COMPLETING DBPR HR-7030 APPLICATION FOR

PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE

WITH PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00928>),

incorporated herein by

reference and effective 2011 August 22.

c. DBPR HR-7031, APPLICATION FOR MOBILE

FOOD DISPENSING VEHICLE LICENSE WITH PLAN

REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00929>),

incorporated herein by reference and effective 2011 August 22.

Instructions for filling out DBPR

HR-7031 are provided in DBPR HR-7031i, INSTRUCTIONS

FOR COMPLETING DBPR HR-7031 APPLICATION FOR

MOBILE FOOD DISPENSING VEHICLE LICENSE WITH

PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00930>),

incorporated herein by reference and effective 2011 August 22.

4. Temporary public food service establishments required

to be licensed by the division under Chapter 509, F.S., must

submit DBPR HR-7029, APPLICATION FOR TEMPORARY

EVENT VENDOR LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00894>),

incorporated herein by reference and effective 2011 August 22.

Instructions for filling out DBPR HR-7029 are provided in

DBPR HR-7029i, INSTRUCTIONS FOR COMPLETING

DBPR HR-7029 APPLICATION FOR TEMPORARY EVENT VENDOR

LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00894>),

incorporated herein by reference and effective 2011 August 22.

The division will provide the applicant a copy of this application, including instructions, at

the time of inspection.

~~(b)(a)~~ Pursuant to Section 559.79(1), F.S., the application shall require the name, address and social security number of each person who owns 10 percent or more of the outstanding stock or equity interest in the licensed activity ~~and the name, address and social security number of each officer, director, chief executive, or other person who is determined by the division to be able directly or indirectly to control the operation of the business of the licensed entity.~~ The division shall keep the social security number of each person reported on the application shall be kept confidential by the division, except in accordance with Section 559.79(3), F.S., and as provided in law with other governmental agencies.

~~(c)(b)~~ Pursuant to Section 213.0535, F.S., the application shall require the federal employer identification number and sales tax identification number of the applicant. Such numbers shall be kept confidential by the division except as provided in conjunction with the Registration Information Sharing and Exchange Program and as provided in law with other governmental agencies.

(3) Upon the division determining that each new application for license or application for change of ownership is complete, the establishment shall pass an opening inspection by the division prior to issuance of the license. An opening inspection shall not be required for vacation rentals or vending machines. An opening inspection shall not be required for a change of ownership for public food service establishments that do not require a plan review if within 120 days prior to the postmark date on the application the establishment had a satisfactory inspection that did not result in administrative action or require a call-back inspection.

~~(4) The criteria for licensing Public lodging establishments as defined in Section 509.013(4), F.S., are licensed shall be in accordance with the following classifications in Section 509.242, F.S., and requirements:~~

~~(a) Transient establishments — transient establishments are licensed classified as hotels, motels, transient apartments, and rooming houses, and vacation rentals as defined in Section 509.242, F.S., which are rented or leased to guests by an operator whose intention is that such guests' occupancy will be temporary.~~

~~(b) Nontransient establishments — nontransient establishments are licensed classified as nontransient apartments and rooming houses as defined in Section 509.242, F.S., that have more than four units collectively and that are rented for periods of at least 30 days or 1 calendar month, whichever is less, and that are not advertised or held out to the public as places regularly rented for periods of less than 1 calendar month. Rooming houses do not include any establishment exempted pursuant to Section 509.013(4), F.S.~~

~~(c) Vacation rentals are licensed Resort Condominium and Resort Dwelling — each public lodging establishment classified as a resort condominium or resort dwelling and will be issued a~~

as defined in Section 509.242, F.S., shall obtain a single, group or collective license pursuant to Section 509.251, F.S., prior to commencing operation:

1. through 2. No change.

3. A collective license is a license issued by the division to a licensed agent who represents a collective group of rooms or units found on separate complexes of vacation rentals ~~locations of resort condominiums or resort dwellings~~. A collective license may not be issued for more than 75 units per license and is restricted to counties within one district.

4. For the purposes of this section, the term “dwelling unit” as it relates to the definition of vacation rental ~~resort dwelling~~ in Section ~~509.242(1)(c)~~ 509.242(1)(g), F.S., includes duplexes, ~~triplexes~~, quadruplexes and townhouses that have four or less units collectively.

5. Responsibilities of the Licensee.

a. No change.

b. ~~The licensee~~ A licensed agent or operator shall notify the division of any and all condominium units or dwelling houses or units represented for inclusion in the vacation rental license application ~~using BPR form 21-030, LIST FOR COLLECTIVE LICENSE RESORT CONDOMINIUMS AND RESORT DWELLINGS, incorporated herein by reference and effective 9-25-96, or BPR form 21-031, LIST FOR SINGLE OR GROUP LICENSE RESORT CONDOMINIUMS AND RESORT DWELLINGS, incorporated herein by reference and effective 9-25-96. Copies of these forms may be obtained from any division office.~~

e. Anytime a change occurs in the number of condominium units or dwelling houses or units included under the license, the licensee or operator shall notify the division of any and all units or houses included in the license. Notification of additions or deletions of resort dwelling houses or units listed in a collective license or resort condominiums units in a single or group license shall be sent to the division at least 60 days prior to the expiration date of the license. Notification of changes is required only if changes occur. In addition, a list of the included units or houses any such additions or deletions shall be maintained in a written form for inspection by request. The licensed agent or operator shall notify the division by listing the specific street address and unit number on BPR form 21-032, NOTIFICATION OF CHANGE RESORT CONDOMINIUMS AND RESORT DWELLINGS, incorporated herein by reference and effective 9-25-96. Copies of this form may be obtained from any division office.

~~c.d.~~ Failure to fulfill any of the responsibilities of the licensee, as set forth in sub-subparagraphs a. and b. e. above, constitutes failure to make the premises available for inspection.

e. ~~If a unit has been removed from a collective or group license, the licensee shall inform the division in writing.~~

~~d.f.~~ In the case of a single license, the owner of the unit or dwelling shall be responsible for all violations pursuant to Chapter 509, F.S., and Chapters 61C-1 and 61C-3, F.A.C.

~~e.g.~~ In the case of a collective license or group license, the licensed agent shall be responsible for all violations pursuant to Chapter 509, F.S., and Chapters 61C-1 and 61C-3, F.A.C., if violations occurred while the unit or dwelling was listed under the licensed agent or as reflected in records filed with the division.

(d) For all public lodging establishments except vacation rentals ~~for resort condominiums and resort dwellings~~, the operator is required to notify the division immediately of any changes in the number of rental units.

(5) ~~The criteria for licensing~~ Public food service establishments, as defined in Section 509.013(5), F.S., are licensed ~~shall be~~ in accordance with the following classifications and requirements:

(a) Nonseating:

1. No change.

2. Mobile food dispensing vehicle – Mobile food dispensing vehicles are classified as any vehicle mounted public food service establishments which are self-propelled or otherwise movable from place to place and include self-contained ~~are self-sufficient~~ for utilities, such as gas, water, electricity and liquid waste disposal. ~~The~~ It shall be the responsibility of the owner is responsible for acquainting to ~~acquaint~~ all operators with the requirements of all applicable laws and rules. All mobile food dispensing vehicles required to have vehicle identification numbers shall submit this number to the division on the application for license. All mobile food dispensing vehicles required to have a commissary under Rule 61C-4.0161, F.A.C., must submit DBPR HR-7022, COMMISSARY NOTIFICATION, to the division upon application for plan review or application for a license, if plan review is not required.

3. ~~Caterer~~ Catering – Caterers are classified as any public food service establishments where food or drink is prepared for service elsewhere in response to an agreed upon contract for a function or event. The term includes catering kitchens and commissaries. For the purpose of this rule, the ~~The~~ term “caterer” does not include those establishments licensed pursuant to Chapter 500 or 381, F.S., or any other location where food is provided or displayed for sale by the individual meal ~~or which exclusively prepare or serve traditional bakery goods such as cakes, pastries, bagels, or confections.~~ A ~~If~~ a licensed public food service establishment that also provides catering services, ~~it is not required to hold a separate catering license from the division. Caterers must meet all applicable standards of a public food service establishment as provided in Rules 61C-1.004, 61C-4.010 and 61C-4.023, F.A.C. Separate independent caterers utilizing the equipment or premises of a licensed public food service establishment are deemed~~

operators as defined by Section 509.013(2), F.S., of such public food service establishment and subject to all applicable requirements of law and rule.

4. No change.

5. Vending machines – Vending machines are classified as any self-service devices licensed pursuant to Chapter 509, F.S., which, upon insertion of coin or token, or by other means, dispense unit servings of potentially hazardous food, either in bulk or packaged, without the necessity of replenishing the device between each operation. All vending machine owners shall submit the serial number of each vending machine to the division on the application for license. ~~The It is the responsibility of the vending machine owner~~ is responsible for maintaining to maintain an accurate and current list of vending machine locations with the corresponding serial number. This list shall be made available to the division upon request. The division shall coordinate with the vending machine owner to schedule inspections with the assistance of the owner or the owner's ~~its~~ agent with the capability to open and demonstrate the machine.

6. Theme park food carts – Theme park food carts are classified as mobile or stationary units which operate within the confines of a theme park or entertainment complex as an extension of or in association with a fixed public food service establishment. Such carts shall be licensed collectively by the entity which maintains and operates them. ~~The It shall be the responsibility of the entity which maintains and operates any food cart or group of food carts within a theme park or entertainment complex~~ is responsible for acquainting to acquaint all operators with the requirements of all applicable laws and rules. The operator is required to notify the division immediately of any changes in the number of carts.

(b) Seating – Seating establishments are classified as those public food service establishments that provide and maintain accommodations for consumption of food on the premises of the establishment or under the control of the establishment. The operator of the establishment is responsible for providing the number of seats available to the public to the division prior to licensing. ~~Prior to making a~~ Any changes in the number of seats provided which may affect the license fee, the Florida Clean Indoor Air Act, fire safety, or the wastewater disposal system, the operator must report the change bathroom requirements or any other sanitation and safety requirements provided in law or rule, shall be reported immediately to the division by submitting DBPR Form HR 5021-103, SEATING CHANGE EVALUATION (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00895>), incorporated herein by reference and effective 2008 October 22, or any document obtained from the local authorities having jurisdiction that provides proof the operator obtained approval for the change by the operator. A change in the number of seats is not valid

until approved by the division. License fees related to a seating change are not due until the license is renewed, unless the seating change is part of a license application.

(c) Plan Reviews ~~and Variances~~.

1. The operator of each public food service establishment to be newly constructed, remodeled, converted, or reopened after being out of business for more than 12 months shall submit properly prepared facility plans and specifications to the division for review and approval in accordance with the provisions of Chapter 509, F.S., and Rule Chapters 61C-1 and 61C-4, F.A.C. Such plans must be approved by the division as meeting the sanitation and safety requirements provided in law prior to ~~construction, remodeling, conversion,~~ scheduling of an opening inspection and licensing. For remodeling, plan review submittal ~~is shall not be~~ required if the division can otherwise determine that the intended remodeling will not have an impact on ~~the Florida Clean Indoor Air Act, fire safety, bathroom requirements or any other sanitation and safety requirements provided in law or rule.~~ Plan review is not required for a Applications for change of ownership shall not require plan review when no interruption in operation or no change to the establishment, construction, remodeling or conversion occurs. Plan reviews for additional vending machines and theme park food carts ~~are shall not be~~ required if such units have been previously reviewed and approved and have no modifications from the originally approved model.

2. The plans and ~~specifications~~ specification shall indicate the general operation of the establishment; the intended menu items; location of employee and public bathrooms; cuisine concept, proposed layout, including all work, guest, and employee areas and storage facilities; arrangement, mechanical plans, and construction finishes materials of work areas; and equipment location, design and installation, including the type and model of proposed fixed equipment and facilities. Plans and specifications must be submitted by the owner, prospective operator or their designated representative along with DBPR HR-7005 BPR Form 21-010, APPLICATION FOR PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00931>), incorporated by reference herein and effective 2011 August 22, or DBPR HR-7030, APPLICATION FOR PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE WITH PLAN REVIEW. Plans and specifications ~~or~~ for mobile food dispensing vehicles; must be submitted by the owner, prospective operator or their designated representative along with DBPR HR-7006 BPR Form 21-017, MOBILE FOOD DISPENSING VEHICLE VEHICLES PLAN REVIEW APPLICATION (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00933>), incorporated by reference and effective 2011 August 22 9-25-96, or DBPR HR-7031, APPLICATION FOR MOBILE FOOD DISPENSING VEHICLE LICENSE WITH PLAN REVIEW. Instructions for filling in DBPR HR-7005 are provided in

~~DBPR HR-7005i, INSTRUCTIONS FOR COMPLETING DBPR HR-7005 APPLICATION FOR PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00932>), incorporated herein by reference and effective 2011 August 22. Instructions for filling in DBPR HR-7006 are provided in DBPR HR-7006i, INSTRUCTIONS FOR COMPLETING MOBILE FOOD DISPENSING VEHICLE PLAN REVIEW APPLICATION (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00934>), incorporated herein by reference and effective 2011 August 22. Copies of these forms may be obtained from any division office. The division shall review plans in the order in which they were received and shall grant or deny approval of the plans in writing pursuant to the provisions of Chapter 120, F.S.~~

~~3. When the establishment's water source is a well or the sewer source is an onsite sewage treatment and disposal system, applicants for plan review must also submit the Department of Health's Interagency - DOH/DACS/DBPR Onsite Sewage (Septic) and Water Supply Evaluation, which is available with the division's application forms. In accordance with Section 509.032(2)(e), F.S., the division shall grant variances from construction standards described by this rule in hardship cases. Hardship cases include circumstances when physical or structural limitations of the premises preclude compliance with the division's requirements or when the establishment conforms to classification as a historic property as described in Section 509.215(6)(a), F.S. It is the responsibility of the applicant to demonstrate the hardship to the division prior to approval of the variance request.~~

~~a. Each variance request shall be accompanied by the appropriate fee as described in Rule 61C-1.008, F.A.C., supportive materials and documents such as a copy of the establishment's license, construction plans and specifications for new or extensively remodeled establishments, and any other information necessary for rendering a decision. The burden of presenting pertinent and supportive facts shall be the responsibility of the applicant.~~

~~b. Emergency variance requests must be acted upon within 30 days of receipt by the division of all information necessary for the Advisory Council to determine the existence of a hardship.~~

~~c. All routine variance requests shall be acted upon at the next regularly scheduled Advisory Council meeting. A completed variance request form must be received by the division at least 10 business days prior to any scheduled Advisory Council meeting. The division shall make available to the public, through the division's district offices, a schedule of all Advisory Council meetings.~~

~~d. The Advisory Council shall review variance requests and recommend agency action to the director. Upon consideration of the merits of each variance request and the recommendations of the Advisory Council, the director or designee shall either grant a variance, as requested, or deny the~~

~~variance request. The division shall enforce variance provisions and shall take administrative action to ensure compliance with the terms of a variance.~~

~~4. Whenever plans are disapproved or a variance request is denied, the division shall notify the applicant of their right to request a hearing on the matter. Notification shall be in writing and shall indicate that a hearing must be requested within 30 days of the applicant's receipt of notice. The division shall grant or deny a hearing request within 10 days of receipt. All hearings shall be conducted in accordance with the provisions of Chapter 120, F.S.~~

~~(d) A public food service establishment operating in conjunction with a public lodging establishment must obtain a separate public food service establishment license from with the division, unless the only food served at the public lodging establishment is packaged or prepackaged as defined in Rule 61C-1.001, F.A.C. In such cases, the establishment which prepares the food is subject to the licensing provisions of this chapter, unless otherwise exempt.~~

~~(6) Renewal - The licensee is responsible for renewing # is the responsibility of the licensee to renew the license prior to the expiration date. The department provides division makes available to all licensees an application for license renewal BPR form 21-021, APPLICATION FOR LICENSE RENEWAL, incorporated herein by reference and effective 3-31-94, which contains all information required by law to renew the license. Any public lodging establishment or public food service establishment operating on an expired license is deemed to be operating without a license, and subject to the penalties provided for this offense in law and rule. Annual renewal dates for all establishments are determined by district and county in the counties indicated are as follows:~~

~~(a) through (g) No change.~~

~~(7) The division shall issue a license, which is BPR form 21-022, PUBLIC LODGING AND FOOD SERVICE LICENSE, incorporated herein by reference and effective 9-25-96, to each public lodging establishment and public food service establishment which has satisfied the requirements of Chapter 509, F.S., and this chapter upon initial licensing and annual renewal. In addition to the license, the division shall issue a license decal, which is BPR form 21-023, LICENSE DECAL, incorporated herein by reference and effective 9-25-96, to each mobile food dispensing vehicle, theme park food cart and vending machine, which must be prominently displayed and affixed to the vehicle, cart or machine. Copies of these forms may be obtained by written request to the Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1015.~~

~~(8) General Inspection Requirements.~~

~~(a) Division personnel shall inspect all public lodging establishments as often as necessary for enforcement of the provisions of law and rule and protection of the public's health, safety and welfare. The result of each inspection shall be~~

recorded on DBPR Form HR-5022-014, LODGING INSPECTION REPORT (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00935>) ~~BPR form 22-014, LODGING INSPECTION REPORT~~, incorporated herein by reference and effective 2009 December 3 9-25-96, a legible copy of which shall be provided to the operator. ~~Copies of this form may be obtained from any division office.~~

(b) Division personnel shall inspect all public food service establishments and other places where food is served to or prepared for service to the public as often as necessary for enforcement of the provisions of law and rule and protection of the public's health, safety and welfare. The result of each inspection shall be recorded on DBPR Form HR-5022-015, FOOD SERVICE INSPECTION REPORT (<https://www.flrules.org/Gateway/reference.asp?No=Ref-00936>) ~~BPR form 22-015, FOOD SERVICE INSPECTION REPORT~~, incorporated herein by reference and effective 2009 October 1 9-25-96, a legible copy of which shall be provided to the operator. ~~Copies of this form may be obtained from any division office.~~ Persons operating a public food service establishment shall permit division personnel right of entry during operating hours to observe food preparation and service, and if necessary examine records of the establishment to obtain pertinent information pertaining to food and supplies purchased, received or used.

(c) through (d) No change.

(9) 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(2)(d), (6), 509.241(4) FS. Law Implemented 213.0535, 509.032(2)(a), (d), (e), (6), 509.221, 509.241(4), (3), 509.242, 509.251, 559.79(4) FS. History—Amended 1-20-63, 9-19-63, 5-20-64, 2-23-66, 8-9-68, Revised 2-4-71, Amended 10-18-71, Repromulgated 12-18-74, Amended 9-1-83, 10-1-83, Formerly 7C-1.02, Amended 1-30-90, 12-31-90, 2-27-92, 6-15-92, Formerly 7C-1.002, Amended 3-31-94, 3-15-95, 10-9-95, 9-25-96, 5-11-98, 9-9-03, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.0024
 RULE TITLE: Supervision of Business Entities
 PURPOSE AND EFFECT: The Board proposes to promulgate and adopt the new rule to explain how the Board determines supervision of business entities.
 SUBJECT AREA TO BE ADDRESSED: Supervision of business entities.

RULEMAKING AUTHORITY: 455.203 FS.
 LAW IMPLEMENTED: 455.201, 455.203, 489.108 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: Drew Winters, Executive Director, Construction Industry Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.015
 RULE TITLE: Disciplinary Guidelines
 PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the PA disciplinary guidelines in response to comments submitted by the staff of the Joint Administrative Procedures Committee.
 SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for physician assistants.
 RULEMAKING AUTHORITY: 456.079, 458.309, 458.331(4) FS.

LAW IMPLEMENTED: 456.072, 456.079, 458.331(4), 458.347(4)(e)1., (7)(g) 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: Joy A. Tootle, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.003
 RULE TITLE: Documentation of Eligibility for Licensure

PURPOSE AND EFFECT: The Board proposes to amend the rule language to recognize post-baccalaureate education in establishing eligibility for licensure, correct statutory references, include ABC certification for pedorthists and update the licensure form.

SUBJECT AREA TO BE ADDRESSED: Documentation of Eligibility for Registration.

RULEMAKING AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 456.013(1), (7), 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.005 RULE TITLE: Documentation of Eligibility for Registration

PURPOSE AND EFFECT: The Board proposes the amendment to this rule to establish necessary documentation of eligibility for registration, delete unnecessary language and to update the form revision date.

SUBJECT AREA TO BE ADDRESSED: Documentation of Eligibility for Registration.

RULEMAKING AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-4.100 RULE TITLE: Requirements for Prosthetic or Orthotic Residency or Internship

PURPOSE AND EFFECT: The Board is revising and incorporating by reference the Registration Supervisor Update form required.

SUBJECT AREA TO BE ADDRESSED: Requirements for Prosthetic or Orthotic Residency or Internship.

RULEMAKING AUTHORITY: 468.802, 468.803 FS.

LAW IMPLEMENTED: 468.803 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-5.002 RULE TITLE: Continuing Education Requirement

PURPOSE AND EFFECT: The Board proposes the rule amendment to revise continuing education requirements.

SUBJECT AREA TO BE ADDRESSED: Continuing Education Requirement.

RULEMAKING AUTHORITY: 468.802, 468.806(2), (3) FS.

LAW IMPLEMENTED: 456.013(9), 456.024, 468.806(2), (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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NO.: 64B14-5.005 RULE TITLE: Mandatory Courses

PURPOSE AND EFFECT: The Board proposes to amend the rule to add language to be certain that mandatory course approval may not be delegated by the Board and that the prevention of medical errors course shall cover the substance of proper record keeping in the prevention of medical errors.

SUBJECT AREA TO BE ADDRESSED: Mandatory Courses.

RULEMAKING AUTHORITY: 468.802 FS.

LAW IMPLEMENTED: 468.802, 468.803, 468.806, 468.808, 468.809 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: Bruce Deterding, Executive Director, Board of Orthotists and Prosthetists/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.011 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the PA disciplinary guidelines in response to comments submitted by the staff of the Joint Administrative Procedures Committee.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for physician assistants.

RULEMAKING AUTHORITY: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 459.015(5), 459.022(4)(e)1., (7)(f) 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 Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-14.0051 RULE TITLE: Standards of Practice for Physicians Practicing in Pain Management Clinics

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to re-title the rule as “Training Requirements for Physicians Practicing in Pain Management Clinics,” and to delete all language in the current rule except for the training requirements currently set forth in paragraph (2)(n).

SUBJECT AREA TO BE ADDRESSED: Deletion of all provisions in the rule except for the training requirements.

RULEMAKING AUTHORITY: 459.0137(4) FS.

LAW IMPLEMENTED: 459.0137 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 Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-19.002 RULE TITLE: Violations and Penalties

PURPOSE AND EFFECT: The Board proposes the development of rule amendments address written comments submitted by the staff of the Joint Administrative Procedures Committee and to set forth additional statutory violations and the penalties for those violations.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for statutory violations.

RULEMAKING AUTHORITY: 456.079, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 456.50 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 Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-22.004
 RULE TITLE: Mandatory Registration of Unlicensed Physicians

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to incorporate the revised application for unlicensed physicians into the rule and to delete language which is unnecessary.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised application for unlicensed physicians into the rule the deletion of language which is unnecessary.

RULEMAKING AUTHORITY: 459.005, 459.021 FS.

LAW IMPLEMENTED: 459.021 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 Jusevitch, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: 67-21.014
 RULE TITLE: Credit Underwriting Procedures

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to address the process for evaluating requests for the transfer of the general partnership interests from a for-profit entity to a not for-profit entity.

SUBJECT AREA TO BE ADDRESSED: Subject area to be addressed is revision to the rules that address ownership of properties by for-profit entities.

RULEMAKING AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.509 FS.

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

DATE AND TIME: January 26, 2012, 2:00 p.m. – 4:00 p.m.

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301

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: Matthew Sirmans 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Matthew Sirmans, Assistant General Counsel, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301, (850)488-4197

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

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: 67-48.0072
 RULE TITLE: Credit Underwriting and Loan Procedures

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment is to address the process for evaluating requests for the transfer of the general partnership interests from a for-profit entity to a not for-profit entity.

SUBJECT AREA TO BE ADDRESSED: Subject area to be addressed is revision to the rules that address ownership of properties by for-profit entities.

RULEMAKING AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

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

DATE AND TIME: January 26, 2012, 2:00 p.m. – 4:00 p.m.

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301

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: Matthew Sirmans 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS:

Matthew Sirmans, Assistant General Counsel, 227 N. Bronough Street, Suite 5000, Tallahassee, FL 32301, (850)488-4197

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

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.036 RULE TITLE: Arts and Cultural Grants

PURPOSE AND EFFECT: The purpose of this rule amendment is to establish in rule the most recent guidelines and grant report form for the General Program Support Program and the Specific Cultural Project Program. The guidelines for both programs updates eligibility criteria, match requirements, application submission criteria, panel review and evaluation criteria, amend materials incorporated by reference, and update the application form. The General Program Support Program funding formula is revised to provide for a minimum grant award for eligible applicants.

SUMMARY: The proposed rule incorporates the latest General Program Support Program and Specific Cultural Project Program guidelines and administrative forms. Amendments to the guidelines include eligibility criteria, allowable costs, application procedures, matching funds, reporting requirements, and a minimum award for the General Program Support Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein:

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: 265.284(3)(j), 265.286(1), (11) FS.

LAW IMPLEMENTED: 265.284, 265.286, 286.011, 286.012 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, January 30, 2012, 9:30 a.m.

PLACE: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, Room 307, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.036 Arts and Cultural Grants.

(1) This rule provides the requirements for grant programs administered by the Division of Cultural Affairs (Division). Each program is governed by guidelines which contain eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, and application forms. All grant awards are subject to the approval of the Secretary of State.

(2) All grant applicants must meet the requirements set forth in the ~~2013-2014~~ ~~2011-2012~~ guidelines for the following programs, which are available from the Division at www.Florida-arts.org and are hereby incorporated by reference:

(a) Cultural and Museum Grants Program. Provides general program support for local arts agencies, state service organizations, and organizations that have general program activity in any of the art and cultural disciplines in Section 265.283(7), F.S.

(b) Specific Cultural Projects Program. Provides funding for arts in education, underserved cultural community development, culture builds Florida, and other nonprofit public or private organizations having specific cultural project activity in any of the arts and cultural disciplines in Section 265.283(7), F.S.

(3) The following application form is available from the Division at www.Florida-arts.org and is hereby incorporated by reference: Cultural and Museums Grants Program and Specific Cultural Projects Program Application (Form CA2E145), effective ~~4/2012~~ ~~6/10~~;

(4) The following forms are used in the administration of all grant programs in this rule and are hereby incorporated by reference and available at www.Florida-arts.org:

(a) Grant Report Form and State Funds Expenditure Log (Form CA2E004), effective ~~4/2012~~ ~~6/10~~;

(b) Grant Amendment Request (Form CA2E002), effective ~~4/2012~~ ~~6/10~~;

(c) Grant Award Agreement (Form CA2E142), effective ~~4/2012~~ ~~6/10~~;

Rulemaking Authority 265.286(11) FS. Law Implemented 265.286 FS. History—New 10-27-09, Amended 6-1-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Donald R. Blancett
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy, Director
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 21, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: Vol. 37, No. 45, November 10, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099821
RULE TITLE: Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate

PURPOSE AND EFFECT: The purpose of the rule amendment is to adopt procedures for the Department to calculate each Voluntary Prekindergarten Provider’s annual Readiness Rate to align with changes in Section 1002.69, Florida Statutes. VPK providers receive readiness rates to determine the success of their program in preparing children for kindergarten.

SUMMARY: Readiness rates must be based exclusively upon the results of the statewide kindergarten screening for students completing the VPK Education Program and who are administered both instruments of the Florida Kindergarten Readiness Screener (FLKRS).

Kindergarten students scores on the Florida Assessments for Instruction in Reading (FAIR) assessment administered within the first 30 days of the school year must demonstrate a probability of reading success of .67 or higher to be considered “ready for kindergarten.” Kindergarten students scores on the Early Childhood Observation System™ (ECHOS) must indicate that the student is either “emerging/progressing” or “demonstrating” to be considered “ready for kindergarten.”

In order for a provider to be considered to have successfully administered the VPK Education Program, the provider must have 70% of children score ready for kindergarten based upon FLKRS scores. Based upon the increased accountability standards, it is anticipated that the number of providers on probation will increase.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

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: 1002.79 FS.

LAW IMPLEMENTED: 1002.69 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stuart Greenberg, Executive Director, Just Read, Florida! and the Office of Early Learning, Department of Education, Suite 514, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0445

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099821 Voluntary Prekindergarten (VPK) Provider Kindergarten Readiness Rate.

(1) Purpose. The purpose of this rule is to implement the requirements of Section 1002.69, F.S.

(2) Accuracy of Data.

(a) Prior to the calculation of the final VPK Provider Kindergarten Readiness Rate, as described in subsection ~~(3)~~(4) of this rule, private and public school VPK providers shall have the opportunity to review a preliminary readiness rate which includes a cumulative list of all of the children served in their program and the total number of hours they attended.

(b) If a private or public provider disputes the accuracy of the cumulative list of VPK participants or the total number of hours the VPK participants they attended when such change would result in their inclusion or exclusion in the calculation of the VPK Provider Kindergarten Readiness Rate, as measured by the threshold of seventy (70) percent, as described in subparagraph (3)(a)1., of this rule, the provider may submit corrective information to the ~~Office of Early Learning of the Department of Education~~ within the review period described below 14 days after publication of the cumulative list on the Department’s website (vpk.fldoe.org). The Department, in collaboration with Florida’s Office of Early Learning ~~the Agency for Workforce Innovation~~ and the respective Early Learning Coalition, shall review the corrective information and accept or reject the requested corrective information within the review period described below 21 days after publication of the ~~cumulative list on the Department’s website. Upon completion of the corrective process, the Department shall calculate a~~

~~preliminary VPK Provider Kindergarten Readiness Rate in accordance with the method described in subsection (4) of this rule.~~

~~(c) If a private or public school provider disputes the accuracy of the preliminary VPK Provider Kindergarten Readiness Rate as published on the Department’s web site or if a private provider disputes ownership at the time of the 2009-10 VPK program, the provider may file a dispute on the Department’s web site and submit documentation to the Department for its review and consideration within 21 days after publication of the preliminary rate. This review period shall be no less than twenty-one (21) days following publication of the preliminary readiness rate. The Department shall review and accept or reject any changes to the data within fourteen (14) days after the close of the review period publication. The VPK Provider Kindergarten Readiness Rate will be recalculated in accordance with the method described in subsection (3)(4) of this rule and submitted to the State Board of Education for the purpose of adopting a minimum readiness rate, as required by Section 1002.69(6), F.S.~~

~~(3) Criteria for Inclusion and Calculations of the VPK Readiness Rate in the VPK Provider Kindergarten Readiness Rate for 2009-10.~~

~~(a) After the conclusion of the review of the data described in subsection (2) of this rule, the Department shall calculate the Kindergarten Readiness Rate for each private or public school VPK provider of either the school year (five hundred forty (540) hour) or summer (three hundred (300) hour) program that served at least four (4) children who:~~

- ~~1. Attended in the VPK program for seventy (70) percent or more of the total number of instructional hours; and~~
- ~~2. Are matched to a valid score on both Participated in each of the kindergarten screening measures.~~

~~(b) Calculation of the VPK readiness rate: If a private or public school provider does not meet the criteria described above, information as to why the provider was not included in the VPK Provider Readiness Rate calculation shall be displayed on the VPK Provider Profile required by Section 1002.53(5), F.S.~~

~~1. Kindergarten student scores on the FAIR assessment administered during the first thirty (30) days of the school year must demonstrate probability of reading success of .67 or higher to be considered “ready for kindergarten.” Kindergarten student scores on the ECHOS must indicate that the student is either “emerging/progressing” or “demonstrating” to be considered “ready for kindergarten.” In order for a provider to be considered to have successfully administered the VPK program, the provider must have seventy (70) percent of children ready using the calculation in this section. A provider failing to meet this standard will be placed on probation.~~

~~2. The “Percent of Children Ready for Kindergarten” shall be calculated as the number of “Children Ready for Kindergarten” on both screening measures divided by the total~~

number of “Children Screened” meeting the requirements set by the State Board of Education in subparagraphs (3)(a)1. and (3)(a)2., of this rule.

(c) If a private or public school provider does not meet the criteria described above, information as to why the provider was not included in the VPK Provider Readiness Rate calculation shall be displayed on the VPK Provider Profile required by Section 1002.53(5), Florida Statutes.

(d) The Department shall publish each VPK program provider’s readiness rate.

~~(4) Procedures for Calculating the VPK Provider Kindergarten Readiness Rate for 2009-10.~~

~~(a) The “Percent of Children Ready for Kindergarten” shall be calculated as the number of “Children Ready for Kindergarten” on each screening measure divided by the total number of “Children Screened” on that measure.~~

~~(b) One point is assigned for each percent of “Children Ready for Kindergarten” on each screening measure.~~

~~(e) The VPK Provider Kindergarten Readiness Rate shall be the sum of the “Percent of Children Ready for Kindergarten” on each screening measure with a maximum of two hundred (200) points.~~

~~(d) The Kindergarten Readiness Rate for private and public school VPK Providers will be displayed as follows:-~~

	Screening Measure #1	Screening Measure #2	
Children Ready for Kindergarten	22	15	
Children Screened	22	20	
Percent of Children Ready for Kindergarten	100	75	
VPK Provider Readiness Rate	175		

~~(e) All providers shall be ranked according to their final score.~~

~~(4)(5) VPK Provider Kindergarten Readiness Rates. VPK Provider Kindergarten Readiness Rates shall be binding on new private VPK owners if the change of ownership occurred at a point in time in which seventy (70) percent or more of the VPK school-year or summer program remained. For the purpose of this rule, a change of ownership does not include the sale or transfer to family members or persons with a pre-existing ownership interest in the business.~~

~~(5)(6) Low Performing VPK Providers Placed on Probation. If the readiness rate of a private or public VPK provider falls below the minimum rate adopted by the State Board, the provider shall be placed on probation designated as a low performing VPK provider, notified of each designation~~

by the Department, and acknowledge such designation on the Department’s web site within twenty-one (21) days of the State Board of Education’s adoption of the minimum readiness rate.

Rulemaking Authority 1002.69(5), (6), 1002.73(2)(c) FS. Law Implemented 1002.69(5), (6) FS. History–New 6-3-07, Amended 1-16-08, 1-5-09, 12-15-09, 10-25-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pam Stewart, Chancellor, K-12 Public Schools

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 7, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-1.099824
RULE TITLE: Voluntary Prekindergarten (VPK) Provider Placed on Probation Good Cause Exemption

PURPOSE AND EFFECT: Pursuant to Section 1002.69, Florida Statutes, the State Board of Education, upon request of a private prekindergarten provider or public school that remains on probation for 2 consecutive years or more and subsequently fails to meet the minimum rate adopted under Section 1002.69(6), F.S. and for good cause shown may grant to the provider or school an exemption from being determined ineligible to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program. The purpose of the rule revision is to revise procedures and criteria for submission of a Voluntary Prekindergarten (VPK) provider’s request for a good cause exemption and describe the Department’s review process before making a recommendation to the State Board of Education for approval or denial of the good cause exemption request.

SUMMARY: The proposed rule amendment establishes the criteria and process for a VPK provider placed on probation to request for a good cause exemption Section 1002.69, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs.

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: 1002.69(7), 1002.79, 1002.73(2) FS.

LAW IMPLEMENTED: 1002.67(3), 1002.69 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Stuart Greenberg, Executive Director, Just Read, Florida! and the Office of Early Learning, Department of Education, Suite 514, 325 West Gaines Street, Tallahassee, Florida 32399, (850)245-0445

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-1.099824 Voluntary Prekindergarten (VPK) ~~Low Performing~~ Provider Placed on Probation Good Cause Exemption.

Pursuant to Section 1002.69, F.S., the State Board of Education, upon request of a private prekindergarten provider or public school that remains on probation for two (2) consecutive years or more and subsequently fails to meet the minimum rate adopted under Section 1002.69(6)(a), F.S., and for good cause shown may grant to the provider or school an exemption from being determined ineligible to deliver the Voluntary Prekindergarten Education Program and receive state funds for the program.

(1) The following process must be followed in order for a provider to be eligible to receive a good cause exemption:

(a) The provider must acknowledge being placed on probation and provide a notice that they intend to apply for a good cause exemption immediately following the first occurrence of failing to meet the readiness rate adopted by the State Board of Education A provider that has been placed on probation upon issuance of the final readiness rates by the Department will remain on probation until such time that the provider has been issued a VPK readiness rate that meets the minimum rate set by the State Board of Education in Rule 6A-1.099821, F.A.C.

(b) The provider must adhere to all requirements of probation associated with having not met the readiness rate.

(c) The provider must assess each child enrolled in their program in accordance with paragraph (2)(a) of this rule.

(2)(4) Criteria for Granting Good Cause Exemptions. Each of the following criteria must be met to be granted a good cause exemption:

(a) Learning Gains. The private prekindergarten provider or public school must demonstrate learning gains on a standardized assessment approved by the Department that tracks the achievement and progress over time of the children having completed the provider's VPK program. The ratio of students making learning gains to the total number of students assessed must be proportional to the ratio of students ready for kindergarten reflected in the ~~current year's~~ readiness rate. The documentation of learning gains shall meet the following criteria:

1. Providers ~~must may~~ utilize an assessment approved by the Department from a list of Department-approved assessments which may be accessed on the Department's website at <https://vpk.fldoe.org/Downloads/ProviderAcknowledgement.pdf>. A provider seeking a good cause exemption shall have the early learning coalition or a Department-approved second party administer the state-approved prekindergarten enrollment screening to each child in the prekindergarten provider's program within the first thirty (30) instructional days of each school year program or the first ten (10) instructional days of a summer program and the provider shall administer the standardized post-assessment approved by the Department to measure the student's learning gains for the year or summer, as appropriate. All costs associated with the assessments shall be borne by the VPK program provider. A provider using an assessment which does not appear on the list of approved assessments must include technical documentation supporting the standardized assessment as evidence of the reliability standard of the assessment and must address VPK standards incorporated in Rule 6A-1.099823, F.A.C., not limited to, but including emergent literacy. The standardized assessment must have an internal consistency reliability coefficient of 0.70 or greater as documented in the publisher's technical manual.

2. Testing procedures for the each assessment shall be performed according to the publisher's guidelines and assessment results shall be tabulated according to the publisher's guidelines. The provider shall take appropriate measures to ensure the integrity of the testing process. Individual student test results must be submitted to the Department in an electronic format such as provided by the Department. All data must be submitted to the Department within thirty (30) days after the administration of each assessment. The resulting data from the standardized assessment must be presented in a manner that is clear, concise and easily allows the reviewers to determine the achievement and progress made by the children who completed the VPK program. Applicant must submit a summary of the data using the Department's VPK Good Cause Exemption Data Form VPK-GCE-01, March 2011, (<http://www.flrules.com/Gateway/reference.asp?No=Ref-00031>) which is incorporated by reference herein.

3. At a minimum, data must be provided for all years following the third year of a provider having been placed on probation designated a low performing provider. Additional data may be included. Assessment results for all program completers who were assessed shall be included ~~in the documentation provided.~~ An explanation shall be included for any program completers who were not assessed.

4. The results of the assessment shall demonstrate substantial and appropriate learning gains by program completers. Learning gains are substantial and appropriate if the ratio of students making learning gains to the total number of students assessed is seventy (70) percent or greater proportional to the ratio of students ready for kindergarten reflected in the current year's readiness rate.

~~(b) Student Population. The private prekindergarten provider or public school must have served at least twice the statewide percentage of children with disabilities as defined in Section 1003.01(3)(a), F.S., or children identified as limited English proficient as defined in Section 1003.56, F.S.~~

~~(b)(e) Health and Safety Requirements. Pursuant to Section 1002.69(7)(d), F.S., a good cause exemption may not be granted to any private prekindergarten provider that has any Class I violations or two or more Class II violations within the two (2) years preceding the provider's or school's application for the exemption. For purposes of this rule, Class I violations and Class II violations have the same meaning as provided in Section 402.281(3), F.S. The good cause exemption application must include copies of all Department of Children and Families Childcare Inspection Checklists for all inspections performed by the Department of Children and Families under authority of Sections 402.301-402.319, F.S., during the two-year time period prior to application for good cause exemption.~~

~~(c)(d) Individual Circumstances. Extraordinary or unique circumstances under which the provider should be allowed to continue to deliver the Voluntary Prekindergarten Education Program after remaining on probation for two (2) consecutive years and failing to meet the minimum readiness rate adopted by the State Board of Education as satisfactory under Section 1002.69, Florida Statutes having been designated as low performing for at least four (4) consecutive years.~~

~~(d)(e) Adherence to an approved provider improvement plan under Section 1002.67(3)(c), F.S., following all steps towards improvement specified in the plan including the use of a Department-approved curriculum or a staff development plan approved by the Department.~~

~~(2) Calculation of Percentages:~~

~~(a) The statewide percentage of kindergarten children with disabilities or limited English proficient students shall be calculated based on the October FTE enrollment survey.~~

~~(b) A provider's percentage of children with disabilities shall be calculated based on the number of children with disabilities who were included in the provider's last readiness rate divided by the total number of students included in the provider's last readiness rate.~~

~~(c) A provider's percentage of limited English proficient students shall be calculated based on the number of limited English proficient students who were included in the provider's last readiness rate divided by the total number of students included in the provider's last readiness rate.~~

(3) Application. A provider seeking a good cause exemption shall complete the Department's VPK Good Cause Exemption Application Form VPK-GCE-02, February 2012 March 2011, (<http://www.flrules.com/Gateway/reference.asp?No=Ref-00032>) which is incorporated by reference herein. The sole method of submitting this form will be through the Department's web site at: <https://vpk.fl DOE.org>. The submission of an application for a good cause exemption must adhere to the following:

~~(a) In addition to the application form, the provider must submit with the application supporting documentation meeting the criteria described in subsection (1) of this rule. The provider may submit additional documentation in support of its application. The Department may request additional documentation for verification of eligibility.~~

(b) A fourth year low performing provider who fails to meet the minimum readiness rate after having been placed on probation for two (2) consecutive years may submit a good cause exemption application at any time after the release of the annual preliminary VPK Readiness Rates. Supporting documentation submitted with the application must include a review of adherence to the provider improvement plan, fidelity of implementation of the required curriculum or staff development plan pursuant to Section 1002.67(3)(c)2., F.S., and feedback from the previous year Department's site visits. The good cause exemption application and all supporting documentation must be received by the Department no later than fourteen (14) days after the timely filed provider acknowledgment of failing to receive the minimum readiness rate being a low performing provider submitted pursuant to Rule 6A-1.099821, F.A.C.

(c) through (5)(d) No change.

(e) The Department shall notify Florida's Office of Early Learning the Agency for Workforce Innovation of all good cause exemptions granted by the State Board of Education. Any provider granted a good cause exemption shall continue to implement its improvement plan and continue the corrective actions required under Section 1002.67(3)(c)2., F.S. Any exemption granted by the State Board of Education is valid for one (1) year and may be renewed through the same application process.

(f) No change.

Rulemaking Authority 1002.73(2), 1002.69(7) FS. Law Implemented 1002.67(3), 1002.69(7) FS. History—New 3-24-11, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Pam Stewart, Chancellor, K-12 Public Schools
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 22, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 7, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:	RULE TITLE:
6A-5.0411	Calculations of Student Learning Growth Using Statewide Assessment Data for Use in School Personnel Evaluations

PURPOSE AND EFFECT: The purpose and effect of this proposed rule is to provide the formula for measuring student learning growth for use in school personnel evaluations.

SUMMARY: This proposed rule addresses the formula for measuring student learning growth for use in school personnel evaluations into rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The agency has determined that the proposed rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory cost or if no SERC is required, the information expressly relied upon and described herein:

1) no requirement for a SERC was triggered under Section 120.541(1), F.S. and 2) based upon the nature of the proposal, the adverse impact or regulatory cost, if any, do not exceed nor would be expected to exceed any one of the economic analysis criteria set forth in Section. 120.541(2)(a), F.S. It is anticipated that the proposed rule will not have any economic impact.

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

RULEMAKING AUTHORITY: 1012.34 FS.

LAW IMPLEMENTED: 1012.34 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juan Copa, Director of Research and Analysis in Educator Performance (850)245-0509 or Juan.Copa@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-5.0411 Calculations of Student Learning Growth Using Statewide Assessment Data for Use in School Personnel Evaluations.

(1) Purpose. The purpose of this rule is to provide the formulas for measuring student learning growth and procedures associated with implementing the formulas.

(2) Formulas for measuring student learning growth.

(a) For each formula adopted under this rule, the Department shall publish on its website (www.fldoe.org) a document that includes the formula’s class, the mathematical equation, a description of the variables or components in the formula, and a description of the process for developing the formula. The Department shall also publish on its website a report that includes the full statistical description of the formula, the methods of calculation used with the formula and the results of calculations used to develop the model.

(b) Student learning growth formula for use with Florida Comprehensive Assessment Test (FCAT).

1. The formula for measuring student learning growth beginning in the 2011-12 school year using student FCAT Reading and Mathematics results is a value-added model from the class of covariate adjustment models. A value-added model is a statistical calculation employed for the purpose of determining an individual teacher’s or principal’s contribution to student learning. Mathematically, the formula for this model

is
$$y_i = \mu + \sum_{g=1}^M \delta_g x_g + \sum_{j=1}^K \beta_j x_j + \theta_{(s)} + \omega_{(m)} + \varepsilon_i$$
, where y_i

denotes the test score for student i , δ_g is the coefficient associated with g^{th} prior test score, β_j is the coefficient associated with variable j , θ is the common school component of school k assumed $\theta \sim N(0, \sigma_\theta^2)$, ω is the effect of teacher m in school k assumed $\omega \sim N(0, \sigma_\omega^2)$, and ε is the random error term assumed $\varepsilon \sim N(0, \sigma_\varepsilon^2)$.

2. The value-added model estimates a student’s performance based on variables, which represent student, classroom, and school characteristics. The variables included in the value-added model are:

a. The number of subject-relevant courses in which the student is enrolled. This variable counts, for each student, the number of courses he or she is enrolled in that are associated with FCAT Reading and Mathematics. The courses associated with the subjects of the state assessment will be published by the Department on its website at <http://www.fldoe.org/committees/sg.asp>.

b. Up to two (2) prior years of achievement scores for each student. This variable captures each student’s most immediate prior scale score on FCAT, as well as the student’s scale score from two (2) years prior, if available.

c. The student’s primary disability. This is a series of variables, each which identifies a student’s primary disability.

d. The student’s English Language Learner (ELL) status. This variable indicates if the student has been identified as an ELL and is enrolled in a program or receiving services that are specifically designed to meet the instructional needs of ELL students for two (2) years or less.

e. Gifted status. This variable indicates if the student has been identified as Gifted or not.

f. Student attendance. This variable is an indicator of the days the student was present during the school year.

g. Student mobility. This variable is an indicator of the number of transitions a student experienced across schools within a school year.

h. Difference from modal age in grade. This variable indicates the difference in a student’s age from the common age for students enrolled in the same grade across the state and is included as an indicator of retention.

i. Class size. This variable is a count of the number of students assigned to the teacher.

j. Homogeneity of students’ entering test scores in the class. This variable indicates the variation within a classroom in terms of students’ prior test performance.

3. The formula produces a value-added score for a teacher. A teacher’s value-added score reflects the average amount of learning growth of the teacher’s students above or below the expected learning growth of similar students in the state, using the variables accounted for in the model and listed above in subparagraph (2)(b)2. of this rule. The teacher’s value-added score is expressed as the sum of two (2) components: one that reflects how much the school’s students on average gained above or below similar students in the state (a common school component), and another that reflects how much the teacher’s students on average gained above or below similar students within the school (a teacher component). Fifty (50) percent of the common school component is included in the teacher’s value-added score.

(c) When student performance data from each statewide assessment for which a formula has been adopted are received by the Department, the Department shall calculate the results of each student growth formula and provide the results to each district for the district’s instructional and school administrator personnel. Results provided to districts shall include the following information for each state assessment for which a formula has been adopted:

1. A value-added score for each instructional personnel employee for the current school year for each grade and subject of the state assessment based on any courses that the employee taught which are associated with that state assessment.
2. An aggregate value-added score for each instructional personnel employee and school administrator in the district, which combines all value added results from all courses and assigned students. An employee’s aggregated value-added score will include data for that employee from the current school year and each of the two (2) prior years for which data are available.
3. The standard error for each value-added score.
4. For each employee, the number and percentage of students assigned to the employee who met or exceeded their expected growth as calculated by the value-added model.

(3) Performance Level Standards. In accordance with Section 1012.34, Florida Statutes, standards must be set for the Performance of Students criterion for use in instructional and school administrator personnel evaluations. Specifically, for each of the performance levels of highly effective and effective, a student growth standard must be set for each statewide assessment that an individual who is being evaluated must at least achieve to be considered by the district as earning that performance level as a summative evaluation rating. In addition, a student growth standard must be set for each statewide assessment that, if not exceeded, will cause an individual who is being evaluated to earn from the district a summative rating of unsatisfactory.

(a) Beginning in the 2012-13 school year, each district school board will implement the performance level standards for each statewide assessment adopted under this rule.

(b) The Department must make recommendations to the State Board of Education for performance standards applicable to a statewide assessment no later than August 1 of the school year during which those standards must be used by each school district.

Rulemaking Authority 1012.34 FS. Law Implemented 1012.34 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pam Stewart, Chancellor, K-12 Public Schools
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 16, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0782
RULE TITLE: Florida Schools of Excellence Commission Cosponsor Application

PURPOSE AND EFFECT: The purpose is to repeal the rule as the statutory authority for the Florida Schools of Excellence Commission (Section 1002.335, Florida Statutes) was declared unconstitutional in December of 2008 and the statute was subsequently repealed during the 2010 Legislative Session.

SUMMARY: This rule is to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The statutory authority for this rule was repealed in 2010.

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: 1002.335 FS.

LAW IMPLEMENTED: 1002.335 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400, (850)245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0782 Florida Schools of Excellence Commission Cosponsor Application.

Rulemaking Specific Authority 1002.335 FS. Law Implemented 1002.335 FS. History–New 3-1-07, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-6.0783
RULE TITLE: District School Board Exclusive Authority to Sponsor Charter Schools

PURPOSE AND EFFECT: The purpose is to repeal the rule as the statutory authority for the Florida Schools of Excellence Commission (Section 1002.335, Florida Statutes) was declared unconstitutional in December of 2008 and the statute was subsequently repealed during the 2010 Legislative Session.

SUMMARY: This rule is to be repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The statutory authority for this rule was repealed in 2010.

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: 1002.335 FS.

LAW IMPLEMENTED: 1002.335 FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (The physical location will be posted on the Department’s website no later than 14 days prior to the meeting at <http://www.fldoe.org>)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice, Department of Education, 325 West Gaines Street, Tallahassee, Florida 32399-0400; (850) 245-0502

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0783 District School Board Exclusive Authority to Sponsor Charter Schools.

Rulemaking Specific Authority 1002.335(14) FS. Law Implemented 1002.335 FS. History–New 7-25-07, Amended 5-22-08, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Kooi, Executive Director, Office of Independent Education and Parental Choice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner, Department of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-10.0318
RULE TITLE: Postsecondary Preparatory Instruction Curriculum and Postsecondary Readiness Competencies

PURPOSE AND EFFECT: The purpose of this new rule is to identify the Florida Postsecondary Readiness Competencies which will serve as the basis for postsecondary preparatory instruction curriculum in public high schools. The effect is a rule that will add the Florida Postsecondary Readiness Competencies as the basis for the postsecondary preparatory instruction curriculum.

SUMMARY: Section 1008.30(3), Florida Statutes, requires the State Board of Education to identify the curriculum for the postsecondary preparatory instruction provided in public high schools; the curriculum must encompass the Florida Postsecondary Readiness Competencies. The Florida Postsecondary Readiness Competencies are currently not outlined in rule so that they may serve as the basis for the postsecondary preparatory instruction curriculum. This rule identifies the Florida Postsecondary Readiness Competencies for reading, writing and mathematics that shall serve as the basis for the postsecondary preparatory instruction curriculum provided in public high schools.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has determined that the proposed rule is not expected to require legislative ratification based on past Agency experiences with the development of definitions and standards and rules of this nature. The adverse impact or regulatory cost, if any, do not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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: 1008.30(3) FS.

LAW IMPLEMENTED: 1008.30(3) FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (Please contact the State Board of Education Office at (850)245-9661 for the exact location)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Randy Hanna, Chancellor, The Florida College System, (850)245-0407

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0318 Postsecondary Preparatory Instruction Curriculum and Postsecondary Readiness Competencies.

The postsecondary preparatory instruction curriculum provided in public high schools, required for students who do not meet established scores on an approved assessment in accordance with the provisions of Rule 6A-10.0315, F.A.C., shall encompass the outlined postsecondary readiness competencies for the appropriate subject.

(1) The Florida reading Postsecondary Readiness Competencies are:

- (a) Determine what the text says explicitly.
- (b) Distinguish between facts and opinions.
- (c) Extract key information efficiently in print and online using text features and search Techniques.
- (d) Determine the author's purpose.
- (e) Delineate the main ideas or themes in the text and the details that elaborate and support Them.
- (f) Discern the most important ideas, events, or information, and summarize them accurately and concisely.

(g) Determine what is meant by words and phrases in context, including connotative meanings and figurative language.

(h) Draw upon relevant prior knowledge to enhance comprehension, and note when the text expands on or challenges that knowledge.

(i) Analyze how specific details and larger portions of the text contribute to the meaning of the text.

(j) Analyze the traits, motivations, and thoughts of individuals in fiction and nonfiction based on how they are described, what they say and do, and how they interact.

(k) Determine when, where, and why events unfold in the text, and explain how they relate to one another.

(l) Ascertain the origin, credibility, and accuracy of print and online sources.

(m) Recognize relationships within a sentence and between sentences.

(n) Identify interrelationships between and among ideas and concepts within a text, such as cause-and-effect relationships.

(o) Analyze how the text's organizational structure presents the argument, explanation, or Narrative.

(p) Recognize tone.

(q) Analyze how specific word choices shape the meaning and tone of the text.

(r) Detect bias.

(s) Support or challenge assertions about the text by citing evidence in the text explicitly and determine what can be inferred logically from the text.

(t) Analyze how two or more texts with different styles, points of view, or arguments address similar topics or themes.

(u) Demonstrate facility with the specific reading demands of texts drawn from different disciplines, including history, literature, science, and mathematics.

(v) Apply knowledge and concepts gained through reading to build a more coherent understanding of a subject, inform reading of additional texts, and solve problems.

(w) Evaluate the reasoning and rhetoric that support an argument or explanation, including assessing whether the evidence provided is relevant and sufficient.

(2) The Florida writing Postsecondary Readiness Competencies are:

- (a) Sustain focus on a specific topic or argument.
- (b) Demonstrate command of the conventions of standard written English, including grammar, usage, and mechanics.
- (c) Support and illustrate arguments and explanations with relevant details, examples, and evidence.
- (d) Create a logical progression of ideas or events, and convey the relationships among them.
- (e) Establish and refine a topic or thesis that addresses the specific task and audience.

(f) Develop and maintain a style and tone appropriate to the task, purpose, and Audience.

(g) Choose words and phrases to express ideas precisely and concisely.

(h) Assess the quality of one's own writing, and, when necessary, strengthen it through revision.

(i) Use varied sentence structures to engage the reader and achieve cohesion between Sentences.

(j) When writing to inform or explain, synthesize information from multiple relevant sources, including graphics and quantitative information when appropriate, to provide an accurate picture of that information.

(k) When writing to inform or explain, convey complex information clearly and coherently to the audience through purposeful selection and organization of content.

(l) When writing to inform or explain, demonstrate understanding of content by reporting facts accurately and anticipating reader misconceptions.

(m) Represent and cite accurately the data, conclusions, and opinions of others, effectively incorporating them into one's own work while avoiding plagiarism.

(n) When writing arguments, establish a substantive claim, distinguishing it from alternate or opposing claims.

(o) When writing arguments, link claims and evidence with clear reasons, and ensure that the evidence is relevant and sufficient to support the claims.

(p) When writing arguments, acknowledge competing arguments or information, defending or qualifying the initial claim as appropriate.

(q) Gather the information needed to build an argument, provide an explanation, or address a research question.

(r) Recognize effective transitional devices within the context of a passage.

(s) Recognize commonly confused or misused words or phrases.

(t) Place modifiers correctly.

(u) Use coordination and subordination effectively.

(v) Recognize parallel structure.

(w) Avoid fragments, comma splices, and fused sentences.

(x) Avoid inappropriate shifts in verb tense.

(y) Maintain agreement between pronoun and antecedent.

(z) Avoid inappropriate pronoun shifts.

(aa) Maintain clear pronoun references.

(bb) Use proper case forms.

(cc) Use adjectives and adverbs correctly.

(dd) Use appropriate degree forms.

(ee) Use standard verb forms.

(ff) Maintain agreement between subject and verb.

(gg) Use standard spelling, punctuation, capitalization.

(3) The Florida mathematics Postsecondary Readiness Competencies are:

(a) Understand that to solve certain problems and equations, number systems need to be extended from whole numbers to the set of all integers (positive, negative and zero), from integers to rational numbers, and from rational numbers to real numbers (rational and irrational numbers); define and give examples of each of these types of numbers.

(b) Know when and how to apply standard algorithms or concepts, and perform them flexibly, accurately and efficiently.

(c) Explain and apply basic number theory concepts such as prime number, factor divisibility, least common multiple, and greatest common divisor.

(d) Add, subtract, multiply and divide integers, fractions and decimals.

(e) Solve multi-step problems involving fractions and percentages.

(f) Locate the position of a number on the number line, know that its distance from the origin is its absolute value, and know that the distance between two numbers on the number line is the absolute value of their difference.

(g) Simplify sums and differences of absolute values.

(h) Use mental strategies to formulate, represent and solve problems.

(i) Use estimation and approximation to solve problems.

(j) Use calculators appropriately and make estimations without a calculator regularly to detect potential errors.

(k) Distinguish relevant from irrelevant information, identify missing information, and either find what is needed or make appropriate estimates.

(l) Calculate and apply ratios, proportions, rates and percentages to solve problems.

(m) Recognize proportional relationships and solve problems involving rates and ratios.

(n) Translate word problems into proportions.

(o) Use and interpret quantities and units correctly in algebraic formulas.

(p) Use the symbols of mathematics correctly and precisely.

(q) Interpret an expression that represents a quantity in terms of the context.

(r) Define variables and write an expression to represent a quantity in a problem.

(s) Evaluate algebraic expressions.

(t) Simplify algebraic expressions.

(u) Apply the order-of-operations to evaluate algebraic expressions, including those with parentheses and exponents.

(v) Solve linear equations in one variable using manipulations guided by the rules of arithmetic and the properties of equality.

(w) Understand a problem and formulate an equation to solve it.

(x) Use mathematical strategies to formulate a problem in mathematical terms, reach a solution, and interpret the solution in the context of the original problem.

(y) Translate word problems.

(z) Solve word problems.

(aa) Recognize and solve problems that can be modeled using a linear equation in one variable, such as time/rate/distance problems, percentage increase or decrease problems, and ratio and proportion problems.

(bb) Solve literal equations for a specified variable.

(cc) Solve linear inequalities in one variable and graph the solution set on a number line.

(dd) Identify the intercepts of a linear equation.

(ee) Match given linear equations to their graphs, tables, or ordered pairs.

(ff) Understand the relationship between the coefficients of a linear equation and the slope and x- and y-intercepts of its graph.

(gg) Use the families of linear functions to solve problems.

(hh) Simplify an expression with integer exponents.

(ii) Use scientific notation.

(jj) Determine the relative position on the number line of numbers and the relative magnitude of numbers expressed in fractional form, in decimal form, as roots or in scientific notation.

(kk) Compare numbers and make sense of their magnitude.

(ll) Add, subtract, multiply, and divide polynomials; Divide by monomials and binomials.

(mm) Simplify radical expressions.

(nn) Add, subtract, or multiply square roots of monomials.

(oo) Factor polynomial expressions.

(pp) Manipulate simple expressions.

(qq) Solve quadratic equations in one variable by factoring.

(rr) Simplify rational expressions.

(ss) Translate fluently between lines in the coordinate plane and their equations.

(tt) Solve systems of equations.

Rulemaking authority 1008.30(3) FS. Law Implemented 1008.30 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Randy Hanna, Chancellor, The Florida College System

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner of Education

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 9, 2011

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.:

RULE TITLE:

6A-10.0319

Developmental Education
Competencies

PURPOSE AND EFFECT: The purpose of this new rule is to identify the Florida College System Developmental Education Competencies which will serve as the basis for developmental education curriculum in Florida College System institutions. The effect is a rule that will add the Florida Developmental Education Competencies as the base for the developmental education curriculum.

SUMMARY: Section 1008.30(4)(a), Florida Statutes, indicates students who have been identified as requiring additional preparation pursuant to subsection (1) shall enroll in college-preparatory or other adult education pursuant to Section 1004.93, F.S., in Florida College System institutions to develop needed college-entry skills and requires the State Board of Education to identify the curriculum for the developmental education instruction provided in the Florida College System institutions; the curriculum must encompass the Florida Developmental Education Competencies. The Florida Developmental Education Competencies are currently not outlined in rule so that they may serve as the basis for the developmental education curriculum. This rule identifies the Florida Developmental Education Competencies for upper and lower level reading, writing and mathematics that shall serve as the basis for the developmental education curriculum provided in Florida College System institutions.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Agency has determined that the proposed rule is not expected to require legislative ratification based on past Agency experiences with the development of definitions and standards and rules of this nature. The adverse impact or regulatory cost, if any, do not exceed, nor would be expected to exceed, any one of the economic analysis criteria set forth in Section 120.541(2)(a), F.S.

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: 1008.30(4)(a) FS.

LAW IMPLEMENTED: 1008.30(4)(a) FS.

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

DATE AND TIME: February 28, 2012, 8:00 a.m.

PLACE: Tallahassee, Florida (For the exact location please contact the State Board of Education Office at (850)245-9661.)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Shanna Autry, Coordinator of Academic Program Support, Division of Florida Colleges, Department of Education, 325 West Gaines Street, Tallahassee, Florida, (850)245-9472

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-10.0319 Developmental Education Competencies.

Pursuant to Section 1008.30(3), F.S., the State Board of Education must identify the Florida Developmental Education Competencies that will serve as the basis for developmental education curriculum provided in Florida College System institutions. A student must demonstrate successful mastery of the required developmental education competencies before the student is considered to have met basic computation and communication skills requirements.

(1) Students who place into the highest level of developmental education in the Florida College System must demonstrate the following competencies before the student is considered to have met basic computation and communication skills requirements:

(a) Reading.

1. Evaluate the author's use of facts and opinions.

2. Analyze the author's primary purpose.

3. Identify the topic and stated/implied main idea in a multi-paragraph selection in print and online.

4. Use contextual clues and structural analysis to clarify meanings and broaden academic vocabulary.

5. Identify and use contextual clues to determine the meaning of words in multiple sentences.

6. Identify specific information in a multi-paragraph selection.

7. Distinguish between major and minor details in a multi-paragraph selection.

8. Identify relationships between and/or within sentences.

9. Determine the primary and secondary patterns of organization for a paragraph and multi-paragraph selection.

10. Identify the transition words that are associated with each pattern.

11. Analyze the author's tone and support with examples, including denotative, connotative meaning, and figurative language.

12. Detect bias.

13. Synthesize the information in a text in order to make inferences and draw logical conclusions.

14. Analyze the details to infer what the author is implying and draw logical conclusions in a paragraph and multi-paragraph selection.

15. Determine whether an argument is logical, relevant, and adequate based on the evidence provided in a passage.

(b) Writing.

1. Sustain focus on a specific topic or argument.

2. Demonstrate command of the conventions of standard written English, including grammar, usage, and mechanics.

3. Support and illustrate arguments and explanations with relevant details, and examples.

4. Create a logical progression of ideas or events, and convey the relationships among them.

5. Establish a thesis that addresses the specific task and audience.

6. Develop and maintain a style and tone appropriate to the task, purpose, and audience.

7. Choose words and phrases to express ideas precisely and concisely.

8. Assess the quality of one's own writing, and, when necessary, strengthen it through revision.

9. Use varied sentence structures to achieve cohesion between sentences.

10. When writing to inform or explain, students must convey information clearly and coherently.

11. When writing to inform or explain, students must demonstrate understanding of content by reporting facts accurately.

12. Accurately incorporate source material into one's own work while avoiding plagiarism.

13. When writing arguments, students must establish a substantive claim.

14. When writing arguments, students must link claims and evidence with clear reasons, and ensure that the evidence is relevant and sufficient to support the claims.

15. When writing arguments, students must acknowledge competing arguments or information, defending or qualifying the initial claim as appropriate.

16. Gather the information needed to build an argument, provide an explanation, or address a research question.

17. Recognize effective transitional devices within the context of a passage.

18. Recognize commonly confused or misused words or phrases.

19. Place modifiers correctly.

20. Use coordination and subordination effectively.

21. Recognize parallel structure.

22. Avoid inappropriate shifts in verb tense.

23. Maintain agreement between pronoun and antecedent.

24. Avoid inappropriate pronoun shifts.
25. Maintain clear pronoun references.
26. Use proper case forms.
27. Use adjectives and adverbs correctly.
28. Use appropriate degree forms.
29. Avoid fragments, comma splices, and fused sentences.
30. Use standard verb forms.
31. Maintain agreement between subject and verb.
32. Use standard spelling.
33. Use standard punctuation.
34. Use standard capitalization.
35. Use technology as a tool to produce, edit, and distribute writing.

(c) Mathematics.

1. Solve multi-step problems involving fractions and percentages (include situations such as simple interest, tax, markups/markdowns, gratuities and commissions, fees, percent increase or decrease, percent error, expressing rent as a percentage of take-home pay).
2. Recognize proportional relationships and solve problems involving rates and ratios.
3. Apply the order of operations to evaluate algebraic expressions, including those with parentheses and exponents.
4. Solve application problems involving geometry (Pythagorean Theorem).
5. Solve application problems involving geometry (perimeter and area with algebraic expressions).
6. Convert units of measurement across measurement systems.
7. Identify the slope of a line (from slope formula, graph, and equation).
8. Solve literal equations for a given variable with applications (geometry, motion [$d=rt$], simple interest [$i=prt$]).
9. Solve linear inequalities in one variable and graph the solution set on a number line.
10. Graph linear equations using table of values, intercepts, slope intercept form.
11. Solve linear equations in one variable using manipulations guided by the rules of arithmetic and the properties of equality.
12. Simplify an expression with integer exponents.
13. Convert between scientific notation and standard notation.
14. Identify the intercepts of a linear equation.
15. Add, subtract, multiply, and divide polynomials. Division by monomials only (Does not include division by binomials).
16. Simplify radical expressions – square roots only.
17. Add, subtract and multiply square roots of monomials.
18. Factor polynomial expressions (GCF, grouping, trinomials, difference of squares).

19. Solve quadratic equations in one variable by factoring.
20. Rationalize the denominator (monomials only).
21. Simplify, multiply, and divide rational expressions.
22. Add and subtract rational expressions with monomial denominators.

(2) Students who place into the lower level of Developmental Education in the Florida College System must demonstrate the following competencies before the student is considered to have met basic computation and communication skills requirements:

(a) Reading.

1. Distinguish between facts and opinions.
2. Identify the author's primary purpose as persuade, inform, or entertain.
3. Identify specific information in a paragraph.
4. Distinguish between major and minor details in a paragraph.
5. Identify the topic and stated/implied main idea in a paragraph in print and online.
6. Identify and use context clues to determine the meaning of words in simple sentences.
7. Identify logical inferences and conclusions based on the evidence provided in a paragraph.
8. Identify the following primary patterns of organization in a paragraph such as time order, simple listing, and generalization/definition and example.
9. Identify the transition words that are associated with each pattern.
10. Recognize the point and support of an argument.
11. Recognize relationships within/between sentences.
12. Recognize the author's tone.

(b) Writing.

1. Use prewriting, drafting, revision, and editing techniques.
2. Sustain focus on a specific main idea for a single paragraph.
3. Use syntax appropriate to standard written English.
4. Demonstrate a basic command of the conventions of standard written English, including grammar, usage, and mechanics.
5. Provide supporting details for main idea with relevant explanations and examples, in a single paragraph.
6. Create a logical progression of ideas or events.
7. Select and narrow a topic that addresses the specific task.
8. Demonstrate a basic awareness of purpose and audience.
9. Choose appropriate words and phrases.
10. Express ideas effectively.
11. Use varied sentence structures.
12. Recognize commonly confused words.

- 13. Use coordination effectively.
- 14. Use subordination effectively.
- 15. When writing, use complete sentences.
- 16. Recognize fragments.
- 17. Recognize comma splices.
- 18. Recognize fused sentences.
- 19. Use correct pronouns.
- 20. Use adjectives and adverbs correctly.
- 21. Use appropriate degree forms.
- 22. Use standard verb forms.
- 23. Maintain agreement between subjects and verbs.
- 24. Use standard spelling.
- 25. Use end punctuation correctly.
- 26. Use standard capitalization.

(c) Mathematics.

- 1. Classify sets of numbers.
- 2. Identify and apply the properties of real numbers.
- 3. Write the prime factorization of a number.
- 4. Perform operations with integers (with applications).
- 5. Perform operations with fractions (with applications).
- 6. Perform operations with decimals (with applications).
- 7. Convert among percents, fractions, and decimals.
- 8. Solve percent equations with applications.
- 9. Evaluate absolute value expressions.
- 10. Identify place value and round decimals.
- 11. Identify place value and round whole numbers.
- 12. Simplify fractions.
- 13. Perform operations on whole numbers (with applications, including area and perimeter).
- 14. Solve application problems involving geometry (circumference of circle, perimeter of polygons, area of triangle, parallelograms, circle).
- 15. Solve formulas with given values.
- 16. Set up and solve ratios and proportions with simple algebraic expressions.
- 17. Convert units of measurement within same measurement system.
- 18. Define variables and write an expression to represent a quantity in a problem.
- 19. Evaluate algebraic expressions (e.g., find value of $3x$ when $x=2$).
- 20. Simplify algebraic expressions involving one variable ($2x + 5x$).
- 21. Perform order of operations including absolute values.
- 22. Solve linear equations involving the addition and multiplication property of equalities.
- 23. Graph an inequality on a number line.
- 24. Evaluate exponents with integers.
- 25. Evaluate exponents with whole numbers.
- 26. Compare magnitude of real numbers.

Rulemaking Authority 1008.30(4)(a) FS. Law Implemented 1008.30(4)(a) FS. History--New.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Randy Hanna, Chancellor, The Florida College System
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Gerard Robinson, Commissioner of Education
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 20, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 9, 2011

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-102.101
RULE TITLE: Public Information and Inspection of Records

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify Form DC1-201, Invoice for Production of Records, to update what is exempt from disclosure.

SUMMARY: The proposed rule updates Form DC1-201, Invoice for Production of Records, to include additional statutory exemptions to public records disclosure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Based on legal analysis provided by the Office of the General Counsel, the amendments only reflect statutory changes to public records laws and will not have a negative economic impact or affect small business. The rule is therefore not expected to require legislative ratification.

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: 119.07, 120.53 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 Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-102.101 Public Information and Inspection of Records.

(1) through (4) No change.

(5) When copies requested pursuant to this rule are available to be picked up or for mailing, the requestor shall be notified of the costs of reproduction as specified in subsections (2) and (3) on Form DC1-201, Invoice for Production of Records. Form DC1-201. Form DC1-201 shall also indicate if any information is redacted from the copies provided as required by state law. Form DC1-201 is hereby incorporated by reference. Copies of this form are available from the Forms Control Administrator, 501 South Calhoun Street, Tallahassee, Florida 32399-2500. The effective date of Form DC1-201 is February, 2011 ~~8-18-09~~.

Rulemaking Authority 944.09 FS. Law Implemented 119.07, 120.53 FS. History--New 10-8-76, Amended 2-24-81, Formerly 33-1.04, Amended 6-9-86, 2-9-88, Formerly 33-1.004, Amended 10-29-01, 12-5-05, 4-16-08, 12-25-08, 8-18-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jennifer Parker, General Counsel

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth S. Tucker, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 2, 2011

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.624
RULE TITLE: Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: Section 373.042, F.S., requires the District to establish minimum flows and levels for surface watercourses, aquifers, and surface waters within the District. That section also requires the District to prepare and update annually a priority list and schedule for the establishment of minimum flows and levels. The District's priority list and schedule includes the establishment of minimum levels for Lake Carroll in Hillsborough County. The amendments to Rule 40D-8.624, F.A.C., establish minimum levels.

SUMMARY: The proposed amendments to Rule 40D-8.624, F.A.C., establish minimum levels for Lake Crystal and North Lake Wales and establish current guidance levels for these lakes based on current methodologies. The proposed amendments also repeal the previously adopted guidance levels.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 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 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103 or email to 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Martinez, Office of General Counsel, 2379 Broad St., Brooksville, FL 34604-6899, (352)796-7211 (4660) (OGC #2011048)

THE FULL TEXT OF THE PROPOSED RULE IS:

40D-8.624 Guidance and Minimum Levels for Lakes.
(1) through (11) No change.

(12) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for each lake is a designation indicating the Method used, as described in subsection 40D-8.624(8), F.A.C., to establish the level. Compliance with the High Minimum and Minimum

Lake Levels is determined pursuant to paragraphs (6)(b) and (7)(b) above. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(13), F.A.C., below.

Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.

Location by County and Basin	Name of Lake and Section, Township and Range Information	High Guidance Level	High Minimum Lake Level	Minimum Lake Level	Low Guidance Level
(a)-(k) No change.					
(l) In Hillsborough County Within the Northwest Hillsborough Basin	Alice, Lake S-16, T-27, R-17	40.9'	40.9' (CAT 2)	39.9' (CAT 2)	38.8'
	Allen, Lake S-10, T-27S, R-18E	61.8'	61.8' (CAT 1)	60.7' (CAT 1)	59.7'
	Barbara, Lake S-19, T-27, R-18	53.15'	53.15' (CAT 3)	52.15' (CAT 3)	51.05'
	Bird, Lake S-26, T-27, R-18	49.6'	49.6' (CAT 2)	48.6' (CAT 2)	47.5'
	Brant, Lake S-23, T-27, R-18	58.0'	58.0' (CAT 2)	57.0' (CAT 2)	55.9'
	Calm, Lake S-14, T-27, R-17	49.41'	49.41' (CAT 3)	48.41' (CAT 3)	47.31'
	Carroll, Lake S -10, 11, 14, 15, T-28, R-18	36.8'	36.8' (CAT 3)	35.4' (CAT 3)	33.9'
	Charles, Lake S-23, T-27, R-18	54.2'	53.8' (CAT 1)	52.4' (CAT 1)	52.1'
	Church, Lake S-28, T-27, R-17	35.64'	35.64' (CAT 3)	34.64' (CAT 3)	33.54'
	Crenshaw, Lake S-22, T-27, R-18	55.5'	54.45' (CAT 3)	53.45' (CAT 3)	53.4'
	Crescent, Lake S-10, T-27S, R-17E	41.9'	41.3' (CAT 3)	40.3' (CAT 3)	39.8'
	Crystal, Lake S-14, T-27, R-18	59.8'	59.8' (CAT 2)	58.8' (CAT 2)	57.7'
	Cypress, Lake S-24, T-27, R-17	48.89'	48.89' (CAT 3)	47.89' (CAT 3)	46.79'
	Dan, Lake S-6, T-27, R-17	32.5'	31.9' (CAT 3)	30.9' (CAT 3)	30.4'
	Deer, Lake S-1, T-27, R-18	66.5'	66.5' (CAT 2)	65.5' (CAT 2)	64.4'
	Dosson, Lake S-20, T-27, R-18	53.4'	53.4' (CAT 2)	52.4' (CAT 2)	51.3'
	Echo, Lake S-28, T-27, R-17	35.64'	35.64' (CAT 3)	34.64' (CAT 3)	33.54'
	Ellen, Lake S-19, T-27, R-18	53.15'	53.15' (CAT 3)	52.15' (CAT 3)	51.05'
	Fairy (Maurine), Lake S-34, T-27, R-17	33.41'	33.41' (CAT 3)	32.41' (CAT 3)	31.31'
	Garden, Lake S-17, T-27, R-17	31.5'	30.5' (CAT 3)	29.5' (CAT 3)	29.4'
	Hallmoon, Lake S-31, T-27, R-18	43.3'	43.3' (CAT 2)	42.3' (CAT 2)	41.2'

	Harvey, Lake S-3, T-27S, R-18E	61.8'	61.8' (CAT 1)	60.7' (CAT 1)	59.7'
	Helen, Lake S-19, T-27, R-18	53.15'	53.15' (CAT 3)	52.15' (CAT 3)	51.05'
	Hobbs, Lake S-1, T-27, R-18	65.46'	65.46' (CAT 2)	64.46' (CAT 2)	63.36'
	Horse, Lake S-26, T-27, R-17	46.9'	45.8' (CAT 3)	44.8' (CAT 3)	44.8'
	Jackson, Lake S-17, T-27, R-17	33.0'	33.0' (CAT 2)	32.0' (CAT 2)	30.9'
	Juanita, Lake S-22, T-27, R-17	41.7'	41.7' (CAT 2)	40.7' (CAT 2)	39.6'
	Little Moon, Lake S-28, T-27, R-17	39.1'	39.1' (CAT 2)	38.1' (CAT 2)	37.0'
	Merrywater, Lake S-22, T-27, R-18	55.8'	55.8' (CAT 2)	54.8' (CAT 2)	53.7'
	Mound, Lake S-11, T-27, R-17	50.2'	50.7' (CAT 1)	49.3' (CAT 1)	48.3'
	Platt, Lake S-35, T-27, R-18	49.7'	49.5' (CAT 1)	48.1' (CAT 1)	45.5'
	Pretty, Lake S-26, T-27S, R-17E	44.3'	43.9' (CAT 1)	42.5' (CAT 1)	42.2'
	Rainbow, Lake S-22, T-27, R-17	39.1'	39.1' (CAT 2)	38.1' (CAT 2)	37.0'
	Raleigh, Lake S-27, T-27, R-17	RESERVED	RESERVED (CAT 3)	RESERVED (CAT 3)	RESERVED
	Reinheimer, Lake S-15, T-27, R-18	58.6'	58.9' (CAT 1)	57.5' (CAT 1)	56.5'
	Rogers, Lake S-27, T-27, R-17	RESERVED	RESERVED (CAT 3)	RESERVED (CAT 3)	RESERVED
	Round, Lake S-22, T-27, R-18	55.6'	54.5' (CAT 3)	53.5' (CAT 3)	53.5'
	Saddleback, Lake S-22, T-27, R-18	54.58'	54.58' (CAT 2)	53.58' (CAT 2)	52.48'
	Sapphire, Lake S-14, T-27, R-18	63.4'	63.0' (CAT 1)	61.6' (CAT 1)	61.3'
	Starvation, Lake S-21, T-27, R-18	RESERVED	RESERVED (CAT 3)	RESERVED (CAT 3)	RESERVED
	Strawberry (North Crystal), Lake S-14, T-27, R-18	60.1'	60.1' (CAT 3)	59.1' (CAT 3)	58.0'
	Sunset, Lake S-17, T-27, R-17	34.8'	34.4' (CAT 1)	33.0' (CAT 1)	32.7'
	Sunshine, Lake S-20, T-27, R-18	53.4'	53.4' (CAT 2)	52.4' (CAT 2)	51.3'
	Taylor, Lake S-16, T-27S, R-17E	38.2'	38.2' (CAT 2)	37.2' (CAT 2)	36.1'
	Virginia, Lake S-3, T-27S, R-18E	61.8'	61.8' (CAT 1)	60.7' (CAT 1)	59.7'
(m)-(cc) No change.					

(13) Guidance Levels established for lakes prior to August 7, 2000, are set forth in the following table:

Location of Impoundment by County and Basin	High Level in Feet Above Mean Sea Level (msl)	Low Level in Feet Above Mean Sea Level (msl)	Extreme Low Level in Feet Above Mean Sea Level (msl)
(a)-(k) No change.			

(l) In Hillsborough County Within the Northwest Hillsborough Basin LAKES Sec. Twsp. Rng.			
SWEETWATER CREEK WATERSHED			
Avis, Lake 15, 28S, 18E	37.00'	34.50'	32.50'
Bay, Lake	46.75'	44.00'	42.50'
Boat, Lake	35.50'	33.75'	31.25'
Brooker, Lake	64.25'	61.00'	59.00'
Carroll, Lake	37.00'	34.50'	32.50'
Chapman, Lake	52.25'	49.50'	48.00'
Cooper, Lake	61.75'	59.75'	57.00'
Elaine, Lake 15, 28S, 18E	37.00'	34.50'	32.50'
Gass, Lake	49.50'	46.25'	44.50'
George, Lake	48.00'	45.00'	42.00'
Geraci, Lake	63.50'	61.50'	59.50'
Halls, Lake 3, 28S, 18E	50.00'	47.50'	46.00'
Lipsey, Lake	41.50'	39.00'	37.00'
Magdalene, Lake	50.00'	47.50'	46.00'
Thomas, Lake	63.50'	61.25'	59.25'
Twin, Lake	32.00'	30.00'	27.75'
White Trout, Lake	36.50'	34.00'	32.50'
ROCKY CREEK WATERSHED			
Armistead, Lake	44.00'	40.50'	39.00'
Browns, Lake	63.50'	60.75'	59.00'
Josephine, Lake	46.00'	42.75'	40.00'
LeClare, Lake	52.00'	49.50'	47.00'
Rock, Lake	46.00'	42.75'	40.00'
Starvation, Lake	53.00'	50.00'	48.00'
Turkey Ford, Lake	54.00'	51.50'	50.00'
DOUBLEBRANCH CREEK WATERSHED			
Hixon, Lake	36.50'	33.25'	31.00'
Unnamed Lake #1 2, 28S, 17E	37.50'	35.00'	34.50'
Unnamed Lake #2 2, 28S, 17E	37.50'	35.00'	34.50'
BROOKER CREEK WATERSHED			
Artillery, Lake 3, 27S, 17E	44.00'	40.50'	39.00'
Buck, Lake	35.00'	32.00'	29.50'
Elizabeth, Lake	53.00'	51.00'	49.00'
Fern, Lake	46.00'	43.00'	41.50'
Frances, Lake	40.50'	38.00'	36.00'
Island Ford, Lake	41.50'	39.00'	37.00'
James, Lake 23, 27S, 17E	46.50'	43.50'	42.00'
Keystone, Lake	42.00'	39.75'	39.00'
Little, Lake 23, 27S, 17E	46.50'	43.50'	42.00'
Raleigh, Lake	42.50'	38.00'	35.00'
Rogers, Lake	NO LEVELS RECOMMENDED		
Velburton, Lake	40.00'	37.25'	35.00'
ANCLOTE RIVER WATERSHED			
Hiawatha, Lake	50.50'	48.00'	45.00'
Osceola, Lake	46.50'	44.50'	42.50'
(m) through (cc) No change.			

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.086, 373.709 FS. History—New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00, 1-8-04, 12-21-04(13), 12-21-04(13), 6-5-05, 5-2-06, 1-1-07, 2-12-07, 1-10-08, 2-18-08, 4-7-08, 5-20-08, 5-10-09, 4-13-11.

NAME OF PERSON ORIGINATING PROPOSED RULE: Keith Kolasa, Sr. Environmental Scientist
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 21, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 28, 2011

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-8.624
 RULE TITLE: Guidance and Minimum Levels for Lakes

PURPOSE AND EFFECT: Section 373.042, F.S., requires the District to establish minimum flows and levels for surface watercourses, aquifers, and surface waters within the District. That section also requires the District to prepare and update annually a priority list and schedule for the establishment of minimum flows and levels. The District's priority list and schedule includes the establishment of minimum levels for Lake Wimauma in Hillsborough County. The amendments to Rule 40D-8.624, F.A.C., establish minimum levels.

SUMMARY: The proposed amendments to Rule 40D-8.624, F.A.C., establish minimum levels for Lake Wimauma and establish current guidance levels for these lakes based on current methodologies. The proposed amendments also repeal the previously adopted guidance levels.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.042, 373.0421, 373.086, 373.709 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 5 days before the workshop/meeting by contacting: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to 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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barbara Martinez, Office of General Counsel, 2379 Broad St., Brooksville, FL 34604-6899, (352)796-7211 (4660) (OGC #2011036)

THE FULL TEXT OF THE PROPOSED RULE IS:

- 40D-8.624 Guidance and Minimum Levels for Lakes.
- (1) through (11) No change.
- (12) Levels for lakes established during or after August 7, 2000, are set forth in the following table. After the High Minimum Lake Level and Minimum Lake Level elevation for each lake is a designation indicating the Method used, as described in subsection 40D-8.624(8), F.A.C., to establish the level. Compliance with the High Minimum and Minimum Lake Levels is determined pursuant to paragraphs (6)(b) and (7)(b) above. Guidance Levels established prior to August 7, 2000, are set forth in Table 8-3 in subsection 40D-8.624(13), F.A.C., below.

Table 8-2 Minimum and Guidance Levels Established During or After August 7, 2000. Levels are elevations, in feet above the National Geodetic Vertical Datum of 1929.

Location by County and Basin	Name of Lake and Section, Township and Range Information	High Guidance Level	High Minimum Lake Level	Minimum Lake Level	Low Guidance Level
(a) through (i) No change.					
(j) In Hillsborough County Within the Alafia River Basin RESERVED	<u>Wimauma, Lake S-9 and 16, T-32S, R-20E</u>	<u>83.9'</u>	<u>83.9'</u> <u>(CAT 3)</u>	<u>79.2'</u> <u>(CAT 3)</u>	<u>74.0'</u>
(k) through (cc) No change.					

(13) Guidance Levels established for lakes prior to August 7, 2000, are set forth in the following table:

Table 8-3 Guidance Water Levels adopted prior to August 7, 2000

Location of Impoundment by County and Basin	High Level in Feet Above Mean Sea Level (msl)	Low Level in Feet Above Mean Sea Level (msl)	Extreme Low Level in Feet Above Mean Sea Level (msl)
(a) – (i) No change.			
(j) In Hillsborough County Within the Alafia River Basin LAKES			
<u>Carlton, Lake</u>	<u>93.50'</u>	<u>90.50'</u>	<u>88.00'</u>
<u>Edward Medard Reservoir</u>	<u>62.75'</u>	<u>57.50'</u>	<u>56.00'</u>
<u>Grady, Lake</u>	<u>39.00'</u>	<u>36.00'</u>	<u>34.00'</u>
<u>Hickory Hammock, Lake</u>	<u>32.25'</u>	<u>30.50'</u>	<u>29.00'</u>
<u>Unnamed Lake #2</u>	<u>56.00'</u>	<u>NO RECOMMENDATION</u>	
<u>Wimauma, Lake</u>	<u>86.75'</u>	<u>83.00'</u>	<u>81.00'</u>
(k) through (cc) No change.			

Rulemaking Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.036, 373.042, 373.0421, 373.086, 373.709 FS. History—New 6-7-78, Amended 1-22-79, 4-27-80, 10-21-80, 12-22-80, 3-23-81, 4-14-81, 6-4-81, 10-15-81, 11-23-81, 1-5-82, 3-11-82, 5-10-82, 7-4-82, 9-2-82, 11-8-82, 1-10-83, 4-3-83, 7-5-83, 9-5-83, 10-16-83, 12-12-83, 5-8-84, 7-8-84, 12-16-84, 2-7-85, 5-13-85, 6-26-85, 11-3-85, 3-5-86, 6-16-86, Formerly 16J-8.678, Amended 9-7-86, 2-12-87, 9-2-87, 2-18-88, 6-27-88, 2-22-89, 3-23-89, 9-26-89, 7-26-90, 10-30-90, 3-3-91, 9-30-91, 10-7-91, 7-26-92, 3-1-93, 5-11-94, 6-6-96, 2-23-97, 8-7-00, 1-8-04, 12-21-04(13), 12-21-04(13), 6-5-05, 5-2-06, 1-1-07, 2-12-07, 1-10-08, 2-18-08, 4-7-08, 5-20-08, 5-10-09, 4-13-11.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Keith Kolasa, Senior Environmental Scientist
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Southwest Florida Water Management District Governing Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 2, 2011

AGENCY FOR HEALTH CARE ADMINISTRATION

Cost Management and Control

RULE NOS.:	RULE TITLES:
59B-16.001	Definitions
59B-16.002	Universal Patient Authorization Forms

PURPOSE AND EFFECT: The purpose and effect of the rule development is to revise the Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care incorporated by reference as AHCA Form FC4200-004 and the Universal Patient Authorization Form for Limited Disclosure of Health Information incorporated by reference as AHCA Form FC4200-005 to provide that the effective period of authorization ends at withdrawal of permission or date of death, to adopt Spanish versions of the forms incorporated by reference as AHCA Form FC4200-006 and AHCA Form 4200-007 under the provisions of Section 408.051(4), Fla. Stat., clarify in the authorization forms that permission is for use and disclosure, clarify the statement that permissions will not affect medical treatment, payment for treatment or insurance coverage, clarify in the authorization

forms that authorization is for medical products in addition to medical services, clarify that permission may be revoked rather than withdrawn, remove an incorrect reference to Rule 59B-16.003, F.A.C., clarify the definition of health care provider in Rule 59B-16.001, F.A.C., and add specific rulemaking authority citations under Rules 59B-16.001 and 59B-16.002, F.A.C. The Universal Patient Authorization forms need to be amended due to Federal guidance issued on June 16, 2010, by U.S. Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration. This federal guidance requires a change to the form to comply with HHS's interpretation of the federal law governing patient consent for the release of patient records from federally funded substance abuse treatment programs that are subject to 42 CFR Part 2, Confidentiality of alcohol and drug abuse patient records.

SUMMARY: The Agency is proposing to revise the English version of the Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care and the English version of the Universal Patient Authorization Form for Limited Disclosure of Health Information incorporated by reference in Rule 59B-16.002, amend Rule 59B-16.002, F.A.C., to incorporate by reference a Spanish version of the Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care and a Spanish version of the Universal Patient Authorization Form for Limited Disclosure of Health Information, clarify in the authorization forms that permission is for use and disclosure, clarify the statement that permissions will not affect medical treatment, payment for treatment or insurance coverage, clarify in the authorization forms that authorization is for medical products in addition to medical services, clarify that permission may be revoked rather than withdrawn, revise Rule 59B-16.001, F.A.C., to remove an incorrect rule reference, revise Rule 59B-16.001, F.A.C., to clarify the definition of health care provider and add specific rulemaking authority citations under Rules 59B-16.001 and 59B-16.002, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. 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: 408.15(8) FS.

LAW IMPLEMENTED: 408.051(4) 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: February 3, 2012, 11:00 a.m.

PLACE: Agency for Health Care Administration, First Floor Conference Room B, Building 3, 2727 Mahan Drive, 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: Milly Hardin at (850)412-3790. 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: Carolyn Turner, Florida Center for Health Information and Policy Analysis, Division of Health Quality Assurance, Agency for Health Care Administration, Building 3, 2727 Mahan Drive, Tallahassee, Florida 32308

THE FULL TEXT OF THE PROPOSED RULES IS:

59B-16.001 Definitions.

As used in Rules 59B-16.001 through 59B-16.002 ~~59B-16.003~~, F.A.C.:

(1) "Health care provider" means any ~~other~~ person or organization that furnishes, bills, or is paid for health care services in the normal course of business.

(2) "Electronic format" means an electronic copy of the forms provided in Rule 59B-16.002, F.A.C., in a Portable Document Format (PDF).

Rulemaking Authority 408.051(4)(b), 408.15(8) FS. Law Implemented 408.051(4) FS. History—New 7-28-10, Amended

59B-16.002 Universal Patient Authorization Forms.

(1) The Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care including instructions for completing the form is posted at: www.FHIN.net. The form may be printed, completed, signed and scanned into an electronic format as provided in subsection 59B-16.001(2), F.A.C. The Universal Patient Authorization Form for Full Disclosure of Health Information for Treatment and Quality of Care, Form Florida AHCA FC4200-004 7.1.2011 ~~dated 3-1-10~~ is incorporated by reference and the Spanish language version, Formulario de Autorización Universal para Dar a Conocer Información Médica Completa para Tratamiento & Calidad de Cuidado, Form Florida AHCA FC4200-006 7.1.2011 is incorporated by reference as AHCA Form FC4200-004.

(2) The Universal Patient Authorization Form for Limited Disclosure of Health Information including instructions for completing the form is posted at: www.FHIN.net. The form may be printed, completed, signed and scanned into an electronic format as provided in subsection 59B-16.001(2), F.A.C. The Universal Patient Authorization Form for Limited Disclosure of Health Information, Form Florida AHCA FC4200-005 7.1.2011 ~~dated 3.1.10~~ is incorporated by reference and the Spanish language version, Formulario de Autorización Universal para Dar a Conocer Información Médica Limitada, Form Florida AHCA FC4200-007 7.1.2011 is incorporated by reference as AHCA Form FC4200-005.

Rulemaking Authority 408.051(4)(b), 408.15(8) FS. Law Implemented 408.051(4) FS. History—New 7-28-10, Amended

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeff Gregg, Bureau Chief, Division of Health Quality Assurance, Agency for Health Care Administration, Building 3, 2727 Mahan Drive, Tallahassee Florida 32308

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Elizabeth Dudek, Secretary, Agency for Health Care Administration

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 23, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 27, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.: 61G7-5.002
 RULE TITLE: Annual Assessment on Gross Florida Payroll

PURPOSE AND EFFECT: The Board proposes the rule amendment to reduce the annual assessment fee.

SUMMARY: The annual assessment fee will be reduced.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rules at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that the rules will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 468.522 FS.

LAW IMPLEMENTED: 468.526 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.002 Annual Assessment on Gross Florida Payroll.

(1) The Department of Business and Professional Regulation shall assess each Employee Leasing Company and each Employee Leasing Company Group an annual assessment fee based upon the preceding calendar year’s gross Florida payroll of the company or group. The assessment shall be due on April 1 of each year and shall become delinquent after April 30. For new applicants the initial assessment shall be due with the licensure application. Funds collected under this assessment are to be made payable to the Board and to be deposited into the Professional Regulation Trust Fund as created within the Department. The annual assessment fee shall be calculated in accordance with the following table:

Amount of Gross Florida Payroll	Assessment Fee Due	
less than \$250,000	<u>\$36.00</u>	72.00
250,000 – \$500,000	<u>\$64.00</u>	127.00
\$500,001 – \$1,000,000	<u>\$95.00</u>	190.00
\$1,000,001 – \$2,500,000	<u>\$134.00</u>	267.50
\$2,500,001 – \$5,000,000	<u>\$172.00</u>	344.50
\$5,000,001 – \$7,500,000	<u>\$211.00</u>	422.00
\$7,500,001 – \$10,000,000	<u>\$250.00</u>	499.00
\$10,000,001 – \$15,000,000	<u>\$289.00</u>	577.00
\$15,000,001 – \$20,000,000	<u>\$327.00</u>	654.00
\$20,000,001 – \$30,000,000	<u>\$366.00</u>	731.00
\$30,000,001 – \$40,000,000	<u>\$404.00</u>	808.50
\$40,000,001 – \$50,000,000	<u>\$457.00</u>	914.50
greater than \$50,000,000	<u>\$510.00</u>	1019.50

(2) through (3) No change.

Rulemaking Specific Authority 468.522 FS. Law Implemented 468.526(3) FS. History—New 7-15-92, Formerly 21EE-5.002, Amended 4-25-94, 6-10-96, 6-22-98, 7-11-00, 9-5-04, 3-27-05, 7-6-05, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Employee Leasing Companies
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Board of Employee Leasing Companies
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: September 21, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 21, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-344.100	Purpose, Intent and Scope
62-344.200	Definitions
62-344.300	Procedures for Requesting Delegation
62-344.400	Content of Petition for Delegation
62-344.500	Criteria for Review
62-344.600	Procedures for Identifying and Reconciling Duplicative Permitting and Incorporating Stricter Local Standards
62-344.700	Delegation Agreements
62-344.900	Forms

PURPOSE AND EFFECT: Existing Department rule governing delegation of the Environmental Resource Permit (ERP) program under Part IV of Chapter 373, F.S., to a county, municipality, or local pollution control program (local governments) are being amended to address changes made to Section 373.441, F.S., by Chapter 2010-147, Laws of Florida, effective July 1, 2010. Those amendments: (1) provide that the Department, and no longer a water management district, is the sole agency that can delegate ERP program responsibilities in whole or in part to a local government; (2) provide the process for a local government to petition the Governor and Cabinet for review of a request for a delegation that is not approved or denied within one year of being initiated; (3) require the Department to detail the statutory and rule provisions that were not met in any denial of a local government’s petition for delegation; and (4) require approval of a petition that meets the requirements of Chapter 62-344, F.A.C. Changes to each rule section of Chapter 62-344, F.A.C., are required to address the above.

In addition, changes have been made regarding the content of the petition for delegation and the criteria for its review. Substantively, a local government implementing a delegated ERP will be limited to using the ERP rules of the Department and the applicable water management district, which must be adopted verbatim either within the body of the local government’s controlling regulations or by incorporating those rules by reference within their regulations. They will no longer be able to use rules, ordinances, or regulations adopted under the local government’s own regulatory program, which, at a minimum, incorporate directly or by reference, the relevant

portions of the reviewing agency’s environmental resource permit program rules. However, the local government may continue to apply its stricter local standards that are not in conflict with Part IV of Chapter 373, F.S. In so doing, the local government will be required to act on the application or notice under Part IV of Chapter 373, F.S., together with any applicable stricter standards, within the time frames under Chapter 120, F.S., Part IV of Chapter 373, F.S., and the rules adopted thereunder, as applicable. These changes will simplify the evaluation of a requested delegation and will significantly improve consistency between the Department, water management districts, and delegated local government in implementing the ERP rules. This also will benefit the public by reducing differences between the rules that must be followed when designing projects, submitting applications, and going through the review process.

At the request of some regulated interests, the Department also narrowed the types of activities that can be delegated to not allowing delegations for activities proposed by inland navigation districts or that occur within deepwater ports. This will ensure entities having activities spanning multiple jurisdictions and with broad financial implications will receive a more consistent review of their ERP applications by a single entity (typically the Department).

The proposed rule does not substantively change the ability of a local government to petition for delegation of the ERP program, the required content of a petition, the criteria used in the review of the petition, or the criteria that will be used by the Department to approve or deny the petition. The proposed changes also do not increase costs to the regulated community, and in fact can be expected to reduce regulatory costs.

SUMMARY: The proposed rule amends each section of Chapter 62-344, F.A.C., to comply with the amendments to Section 373.441, F.S., required by Chapter 2010-147, Laws of Florida. Additional changes are made to correct some outdated language, make some clarifications, repeal a rule section containing an unnecessary form, restrict the ability of local governments to use alternative variations of rules analogous to those adopted under Part IV of Chapter 373, F.S., and remove two types of activities that can be delegated to a local government. These changes do not restrict the local government’s ability to continue to apply stricter standards that are not in conflict with the ERP rules.

OTHER RULES INCORPORATING THIS RULE: There are no other chapters or rules that incorporate any rules of Chapter 62-344, F.A.C.

EFFECT ON THOSE OTHER RULES: None of these rules are incorporated by other chapters; therefore, this repeal will have no effect on other rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The rule amendments are required by statute.

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: 373.441 FS.

LAW IMPLEMENTED: 373.441 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: For a copy of the draft rule and draft Delegation Agreement, contact Mary Van Tassel, Florida Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, MS 2500, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, telephone (850)245-8486, or e-mail: Mary.VanTassel@dep.state.fl.us. For questions about the rule and delegation, contact Douglas Fry at (850)245-8480 or Doug.Fry@dep.state.fl.us. Further information and updates on this rule development also may be obtained from the Department's web site at: http://www.dep.state.fl.us/water/rules_dr.htm#erp. (OGC No. 10-2686).

THE FULL TEXT OF THE PROPOSED RULES IS:

62-344.100 Purpose, Intent and Scope.

(1) This chapter guides the participation of counties, municipalities and local pollution control programs ("local governments") in an efficient, streamlined permitting system by setting forth the procedures and requirements for delegations of all or a part of the environmental resource permit program under Part IV of Chapter 373, F.S., from the Department ~~and water management districts~~ to local governments in accordance with Section 373.103(8) and 373.441, F.S. This chapter also reflects that constitutes the Department has the authority under Section 373.441, F.S., to delegate all or part of Department's authorization, in accordance with Section 373.103(8), F.S., for delegations of the environmental resource permit program under Part IV of Chapter 373, F.S., from the Northwest Florida, Suwannee River, St. Johns River, Southwest Florida, and South Florida Water Management Districts ("Districts") ~~water management districts~~ to local governments, without any further rulemaking required by the Districts, provided that the

procedures for delegation contained in this chapter are followed ~~by the Districts~~. Delegations from the Department ~~and Districts~~ shall be for the respective environmental resource permit program responsibilities of the Department and the applicable District Suwannee River, St. Johns River, Southwest Florida and South Florida Water Management Districts, as set forth in operating agreements between the Department and local governments listed in Chapter 62-113, F.A.C. ~~Delegation agreements between the Department and local governments shall be listed in Chapter 62-113, F.A.C., and delegation agreements between the Districts and local governments shall be listed in Chapters 40B-1, 40C-1, 40D-1, and 40E-1, F.A.C.~~

(2) through (3) No change.

(4) It is an objective of the Department and Districts to protect the functions of entire ecological systems, as defined and developed in the programs, rules and plans of the Department and Districts water management districts. It is the intent of the Department ~~and Districts~~ that any local government receiving delegation of all or a portion of the environmental resource program carry out that program in a manner consistent with this objective. This paragraph shall not be construed or applied as additional permitting criteria beyond those adopted by the Department, District, reviewing agency or the local government.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History--New 8-29-95, Amended _____.

62-344.200 Definitions.

Words ~~The following words~~ and phrases ~~when~~ used in this chapter shall, unless context clearly indicates otherwise, have the following meanings:

(1) through (3) No change.

(4) "Environmental Resource Permit" means a permit issued pursuant to Part IV of Chapter 373, F.S., (except those subject to the provisions of subsections 373.414(11) through (16), F.S., Section 373.4145(6) 373.4145, F.S., and Section 18 of Chapter 94-122, Laws of Florida) after September 21, 1995.

(5) No change.

(6) ~~"Local Government" means a county, municipality or local pollution control program.~~

~~(6)(7) No change.~~

(8) ~~"Reviewing agency" means the Department or a District, depending upon which agency is reviewing a petition for delegation pursuant to subsection 62-344.300, F.A.C.~~

~~(7)(9) No change.~~

(10) ~~"Water Management District" or "District" means a water management district established under Section 373.069, F.S.~~

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History--New 8-29-95, Amended _____.

62-344.300 Procedures for Requesting Delegation.

(1) Any local government may petition the Department or a District to receive delegation of all or a portion of the Department or District's responsibilities under the environmental resource permit program. The petition shall be filed with either the Department's Agency Clerk Secretary of the Department or the District Clerk of the District with jurisdiction over the geographical area in which delegation is requested, depending upon which agency is responsible for the portions of the environmental resource permit program for which the local government is submitting a petition, in accordance with the division of responsibilities contained in the operating agreements between the Department and the Districts listed in Chapter 62-113, F.A.C.

(2) The petition as initially submitted shall contain the items required by subsection 62-344.400(1), F.A.C.

(3) Within 5 days of receipt by the Department of a petition or supporting information required by subsection 62-344.300(2), F.A.C., the Department shall forward a copy of the petition or supporting information to the headquarters office of the District with jurisdiction over the area for which the delegation is sought. Within 5 days of receipt of a petition or supporting information required by subsection 62-344.300(2), F.A.C., by a District, the District shall forward a copy of the petition or supporting information to the Department Bureau of Submerged Lands and Environmental Resources.

(3)(4) Within 30 days of receipt of the petition, the Department reviewing agency shall request submittal of any additional information needed to review the petition under subsections 62-344.500(2) and (4)(5), F.A.C.

(4)(5) Within 30 days of receipt of timely requested additional information, the Department reviewing agency shall review such information and shall request only that information needed to clarify or to answer new questions raised by or directly related to such additional information.

(5)(6) The For petitions filed with the Department, the Department, within 90 days of receipt of all information requested pursuant to subsections (3)(4) and (4)(5) above, shall first determine whether granting the petition would further the goal of providing an efficient, effective, and streamlined environmental resource permit program pursuant to the provisions of subsection subsections 62-344.500(2), F.A.C. If not, the Department shall notice the petition for denial pursuant to the provisions of this section. If it will further these goals, the Department shall review the petition in accordance with subsection 62-344.300(6) 62-344.300(8), F.A.C., and the other applicable provisions of this chapter.

(7) For petitions filed with the District, within 45 days of receipt by the District of the information requested pursuant to subsections (4) and (5) above, the Department will notify the District of the Department's determination of whether granting the petition would further the goal of providing an efficient,

effective, and streamlined environmental resource permit program pursuant to the provisions of subsection 62-344.500(2), F.A.C. If the Department finds and the District concurs that it will further these goals, the District shall review the petition in accordance with subsection 62-344.300(8), F.A.C., and the other applicable provisions of this chapter. If the Department finds, and the District concurs that granting the petition would not further the goal of providing an efficient, effective, and streamlined environmental resource permit program pursuant to the provisions of subsection 62-344.500(2), F.A.C., the District shall notice the petition for denial pursuant to the provisions of this section. If the District does not concur with the Department's determination that the delegation will not further the goals of an efficient, effective, and streamlined environmental resource permit program pursuant to the provisions of subsections 62-344.500(2), F.A.C., the District shall transfer the petition to the Department within 10 days of receipt of the Department's notification, and the Department shall deny the petition using the noticing procedures of this section. If the Department fails to notify the District of its determination under this subsection within 45 days of the receipt of all the information requested pursuant to subsections (4) and (5) above, the Department shall be deemed to have waived its right to make a determination under this subsection.

(6)(8) If a petition is found to further the goal of providing an efficient, effective, and streamlined environmental resource permit program pursuant to the provisions of subsection 62-344.500(2), F.A.C., the Department reviewing agency shall, within 90 days after receipt of all information requested pursuant to subsections (3)(4) and (4)(5) above, request the information required by subsection 62-344.400(2), F.A.C.

(7)(9) Within 90 days of receipt of the information required by subsection (6)(8) above, the Department reviewing agency shall review such information and shall further request only that information needed to complete such information or to clarify or answer new questions raised by or directly related to such information. Within 30 days of receipt of timely requested additional information, the Department reviewing agency shall review such information and shall request only that information needed to clarify or to answer new questions raised by or directly related to such additional information.

(8)(10) Within 180 days of receipt of all the information requested in accordance with subsections (6)(8) and (7)(9) above, unless waived by the local government, the Department reviewing agency shall provide either a written notice of intent to deny the petition, or a written notice of intent to grant the petition and enter into a proposed delegation agreement attached to the notice of intent. Delegation of authority shall be approved if the local government meets the requirements of this chapter.

~~(9)(11)~~ A failure by the Department reviewing agency to meet any of the time frames in this section shall not be deemed to constitute approval of a delegation by default.

~~(10)(12)~~ If the Department intends to grant the petition for delegation, the local government The reviewing agency shall publish ~~cause~~ the notice of intent to be published in a newspaper having general circulation in the local government's territory.

~~(13)~~ Where a District's notice of intent proposes to grant the petition and enter into a delegation agreement, the District shall publish such notice in the Florida Administrative Weekly at least 21 days in advance of governing board action.

~~(11)(14)~~ Where the Department's reviewing agency's notice of intent proposes to deny the petition, the notice shall include the specific details of the statutory or rule provisions that were not satisfied ~~state the reasons for the denial~~ and specify any steps the local government must take ~~in order~~ to obtain the requested delegation.

~~(12)(15)~~ Any substantially affected person may, pursuant to Section 120.57, F.S., seek an administrative hearing on a notice of intent to grant or deny the petition. The time frames for requesting an administrative hearing on a notice of intent to grant or deny the petition shall be those set forth in the Department's reviewing agency's rules governing points of entry into proceedings.

~~(13)~~ In the event a delegation under this chapter is not approved or denied within one year after being initiated, the local government seeking the delegation may petition the Governor and Cabinet for review of the request for delegation. The date the local government submits its petition for delegation to the Department shall be considered the date the delegation was initiated. The Governor and Cabinet may reverse the decision of the Department and may provide any necessary conditions to allow the delegation of authority to occur.

(a) The petition to the Governor and Cabinet shall be filed with the Department's Agency Clerk at the Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, FL 32399-3900, and the Department shall forward the petition to the Governor and Cabinet within 7 days of receipt.

(b) The petition shall be placed on the agenda for review at the next available Governor and Cabinet meeting.

(c) The standard for approval or denial of the delegation by the Governor and Cabinet shall include the requirements of Section 373.441(3), F.S., and Rule 62-344.500, F.A.C.

(d) The petition shall include the following:

1. Identification that the Department is the agency affected, and identification of the local government, including any subdivision of the local government, that is responsible for filing the petition for delegation and, if different, the petition to the Governor and Cabinet for review;

2. The address, e-mail address, telephone number, and facsimile number of the primary contact person in the local government;

3. The date the local government officially approved filing of the petition for review of the delegation with the Governor and Cabinet, together with a copy of the documentation of that approval;

4. A statement of the facts or issues that are in dispute, including any reasons the local government believes the Department has not acted properly on the petition for delegation under Section 373.441, F.S., or Chapter 62-344, F.A.C.;

5. A detailed statement of the efforts made by the local government to address the facts in dispute or resolve the issues identified in subparagraph (d)4. above; and

6. A statement of the relief requested by the local government, including a proposal to resolve the facts in dispute or issues raised by the local government.

~~(14)(16)~~ The local government may at any time during the review ~~or appeal~~ process, voluntarily withdraw its petition for delegation without prejudice.

~~(15)(17)~~ If required to do so by Section 373.046(1), F.S., where ~~Where~~ the Department's reviewing agency's notice of intent proposes to grant the petition and enter into a delegation agreement, the Department reviewing agency shall publish a notice of rulemaking to adopt the delegation agreement by reference in accordance with Section 120.54, F.S., the Florida Administrative Weekly ~~proposing to adopt the delegation agreement by reference.~~ To the extent possible, this notice of rulemaking shall be published at the same time as the notice of intent is published.

~~(16)(18)~~ Any delegation agreement entered into in accordance with this procedure shall become effective when the delegation agreement is fully executed by both parties, and, if required by Section 373.046(1), F.S., is adopted by reference by the Department reviewing agency as a rule.

~~(17)(19)~~ Any order issued by a local government which is exercising delegated authority pursuant to this chapter is reviewable by the Governor and Cabinet sitting as the Land and Water Adjudicatory Adjudication ~~Commission~~ as provided in Section 373.114(1), F.S.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History--New 8-29-95, Amended _____.

62-344.400 Content of Petition for Delegation.

(1) Petitions for delegation shall include information sufficient to enable the Department to evaluate the proposal under the provisions of this chapter and; Section 373.441 and subsection 373.103(8), F.S. The petition for requests for delegations from a District, and shall initially include, at a minimum, all of the following information in paragraphs (a)

through (d), below. The local government may supplement the initial petition with any other information required in this chapter.

(a) The name, address, and title of the local government contact person;

(b) A map clearly depicting the legal boundaries of the geographic area subject to the petition;

(c) Documentation that the local government seeking delegation has or will have the authority to implement the environmental resource permit program within the area for which delegation is sought; ~~and~~

(d) A list description of the particular portion of the environmental resource permit program rules of the Department, and District as applicable, that will be used to implement the requested delegation, requested, and whether the local government will carry out the delegated authority under:

~~1. The rules of the Department or the District, and including, where appropriate, rules of the local government that are stricter than but not in conflict with Part IV of Chapter 373, F.S., and the reviewing agency's environmental resource permit program rules; or~~

~~2. The rules, ordinances, or regulations adopted under the local government's own regulatory program, which, at a minimum, incorporate directly or by reference, the relevant portions of the reviewing agency's environmental resource permit program rules, and the local government's rules that are stricter than, but do not conflict with Part IV of Chapter 373, F.S., and the reviewing agency's environmental resource permit program rules.~~

~~(2) Pursuant If requested by the reviewing agency pursuant to subsection 62-344.300(6) 62-344.300(8), F.A.C., the local government shall supplement the petition with the following information as requested by the Department:~~

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

~~(c) A description of existing and proposed administrative, technical, legal and financial capabilities necessary to implement the portions of the environmental resource permit program requested, including:~~

~~1. through 2. No change.~~

~~3. An identification of the technical resources, such as A tabular listing of the type, condition, and amount of equipment available for use in implementing the portions of the environmental resource permit program requested, including vehicles, sampling, and laboratory, and computer equipment, computer and telecommunications capabilities it has or proposes to obtain to implement the program.~~

~~4. Documentation of existing and projected funding, including an approved budget for the past year, showing the fiscal resources available for implementation of the requested environmental resource permit program. The approved budget~~

must clearly show the financial status of the division of the local government which will implement the requested environmental resource permit program;

5. Demonstration that the local government will comply with ~~can meet the specific~~ quality assurance requirements of Chapter ~~62-160 62-120~~, F.A.C., ~~by:~~

~~a. Identifying the specific quality assurance requirements from Chapter 62-160, F.A.C., that are relevant to the activities for which delegation is sought;~~

~~b. Providing documentation which supports the requirements identified in a. for the local government or any organization that might be contracted to perform sample collection or laboratory analyses in support of the delegated activity. Such documentation shall consist of current letters of approval or signed title pages of applicable Quality Assurance Plans that the local government or contracted organization is following Department-specified standard operating procedures; and~~

~~c. Proposing a mechanism to assure that all permits issued under the delegated responsibilities meet the quality assurance requirements of Chapter 62-160, F.A.C.~~

6. Copies of any ordinances or other legal authority by which the local government will implement the requested environmental resource permit program, including the proposed revisions to such ordinances if applicable, or other legal authority for complying with subsection subsections ~~62-344.500(3), F.A.C.;~~

7. Citation to the statute, Laws of Florida, or constitutional provisions creating the local government, including an identification as to whether the local government is a charter or a non-charter government;

8. Identification and copies of all local standards relating to the same subject area as the environmental resource permit program, and, if applicable, for delegations under subparagraph 62-344.400(1)(d)1., F.A.C., specifically identifying in a tabular format those standards which are stricter than and not conflicting with, and stricter than and conflicting with, the Department's and District's reviewing agency's ~~reviewing agency's~~ environmental resource permit program rules; ~~and~~

9. Information required for the Department reviewing agency ~~to prepare a Statement of Estimated Regulatory Cost an economic impact statement~~ for the requested delegation, prepared in accordance with Sections Section 120.54 and 120.541, F.S., if required.

(3) One original, and one electronic copy, and three copies of the information requested in subsection 62-344.400(1) and (2), F.A.C., must be submitted in bound volumes on 8-1/2 inch by 11 inch sized paper with each category of information requested above clearly labeled.

(4) No change.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History-New 8-29-95, Amended _____.

62-344.500 Criteria for Review.

(1) The environmental resource permit program requested by the local government shall be delegated only if the ~~Department reviewing agency~~ determines that delegation would further the goal of providing an efficient, effective and streamlined permitting system; the local government has the financial, technical, and administrative capabilities ~~and desire~~ to effectively and efficiently implement and enforce the program; and protection of environmental resources will be maintained. This determination shall be made using the provisions of subsections 62-344.500(2) through (6), F.A.C.

(2) In determining whether delegation would further the goal of providing an efficient, effective and streamlined permitting system as required by subsection 62-344.500(1), F.A.C., the ~~Department reviewing agency, and the Department pursuant to the provisions of subsection 62-344.300(7), F.A.C., when applicable,~~ shall determine all of the following:

(a) through (d) No change.

(e) For petitions requesting delegation of environmental resource permitting responsibility for hazardous waste facilities required to obtain a permit pursuant to Chapter 62-730, F.A.C., except when the storage of hazardous waste is merely an incidental component of a project for which the Department does not review and take final action on permit applications under the terms of the Operating Agreement Delegation Agreements between the Department and the ~~applicable District Suwannee River, St. Johns River, Southwest Florida, and South Florida Water Management Districts which are~~ referenced in subsection 62-344.100(1), F.A.C., whether the local government has received delegation of corresponding hazardous waste permitting responsibilities or will receive delegation of corresponding hazardous waste permitting responsibilities at the time of delegation.

(f) For petitions requesting delegation of environmental resource permitting responsibility for domestic wastewater treatment facilities, including effluent disposal sites, whether the local government has received delegation of corresponding domestic wastewater permitting responsibilities or will receive delegation of corresponding domestic wastewater permitting responsibilities, ~~except for:~~

~~1. That part of a facility which constitutes the application of reclaimed water to irrigate crops, golf courses, or other landscapes;~~

~~2. That part of a facility which constitutes the application of reclaimed water to rehydrate wetlands or to provide artificial recharge to reduce or mitigate drawdown impacts due to well withdrawals; and~~

~~3. Those facilities which address any of the requirements of Chapter 40B-4, 40C-4, 40D-4, 40E-4, 40B-40, 40C-40, 40D-40, or 40E-40, F.A.C., through a system or activity which is not fully contained on the domestic wastewater facility site;~~

~~but which is part of a larger project for which the Department does not review and take final action on environmental resource permit applications.~~

(g) For petitions requesting delegation of environmental resource permitting responsibility for industrial wastewater treatment facilities required to obtain a permit pursuant to Chapter 62-660 or 62-670, F.A.C., except those facilities that qualify for a general permit pursuant to Rules 62-660.801 (Laundromat Wastewater Disposal Systems), 62-660.802 (Pesticide Waste Degradation Systems), 62-660.803 (Car Wash Recycle Systems), 62-660.805 (Tomato Wash Water Disposal), or 62-660.820 (Fish Farms), F.A.C., whether the local government has received delegation of corresponding industrial wastewater treatment permitting responsibilities, or will receive delegation of corresponding industrial wastewater treatment permitting responsibilities, ~~except for:~~

~~1. Those facilities in which the industrial wastewater component is merely an HVAC (heating, ventilation, and air conditioning) cooling tower discharge, or other industrial wastewater treatment facility which is merely an incidental component of a project for which the Department does not review and take final action on permit applications under any other paragraph in subsection 62-344.100(4), F.A.C.;~~

~~2. That part of a facility which constitutes the application of treated industrial wastewater to irrigate crops or landscapes; or~~

~~3. Freshwater aquaculture facilities in which alligators are not grown or held.~~

(h) For petitions requesting delegation of environmental resource permitting responsibility for mining projects, ~~including phosphate, heavy minerals, fuller's earth, peat, limerock, sand, gravel, and shell, except for permit applications for borrow pits which have no on-site material grading or sorting facilities,~~ whether the local government has received delegation of corresponding mine reclamation approval responsibilities or will receive delegation of corresponding mine reclamation approval responsibilities at the time of delegation.

(i) Whether the delegation would impair the effective operation of any regulatory, resource planning, land management or land acquisition program which the Department or District is authorized or required to administer.

(3) ~~To ensure that determine whether~~ the local government has the financial, technical, and administrative capabilities ~~and desire~~ to effectively and efficiently implement and enforce the portion of the environmental resource permit program for which delegation is requested, and whether protection of environmental resources will be maintained, as required by subsection 62-344.500(1), F.A.C., the local government shall provide reasonable assurances that:

(a) Adopt verbatim the rules of the Department, and District as applicable, that will be used to implement the requested delegation. Such rules may be adopted either within

~~the body of the local government's controlling regulations or by incorporating those rules by reference within their regulations. For delegations under subparagraph 62-344.400(1)(d)1., F.A.C., the environmental resource permit program for which delegation is requested shall be governed by Part IV, Chapter 373, F.S., and the applicable rules of the reviewing agency. For delegations under subparagraph 62-344.400(1)(d)2., F.A.C., the environmental permitting program for which delegation is requested will be governed by local standards and rules which, at a minimum, incorporate directly or by reference, the relevant portions of the reviewing agency's environmental resource permit program rules. Under a delegation of either subparagraph 62-344.400(1)(d)1. or 2., F.A.C., Stricter ~~strieter~~ standards of the local government, if any, shall also apply in addition to the applicable environmental resource permit program rules of the reviewing agency, as provided for in Rule 62-344.600, F.A.C. Delegated local governments shall not apply local standards that are less protective than the corresponding standards in the environmental resource permit program of the Department and District reviewing agency.~~

(b) ~~For delegations under subparagraph 62-344.400(1)(d)1., F.A.C., the delegated environmental resource permit program shall~~ Be ~~be~~ governed by the provisions of Sections 120.52, 120.53, 120.532, 120.533, 120.565, 120.57, 120.58, 120.59, 120.60, 120.61, 120.62, 120.66, 120.68, 120.69, 120.71, 373.114(1), and 373.413(3), F.S., and any notice or other procedural requirements that apply to activities reviewed under Part IV, Chapter 373, F.S. ~~For delegations under subparagraph 62-344.400(1)(d)2., F.A.C., the local government shall use procedural requirements that are substantially equivalent, as determined by the reviewing agency, to the provisions of Chapters 120 and 373, F.S., cited above.~~

(c) ~~Have and maintain~~ It will have administrative organization, adequate staff, financial and technical resources, and equipment to effectively and efficiently implement the requested portion of the environmental resource permit program.

(d) ~~Have and maintain~~ It will have sufficient equipment and procedures to effectively and efficiently track permit, compliance, and enforcement data, exchange such data with the Department and District, as applicable reviewing agency, to enable and ensure effective oversight by the Department reviewing agency. At a minimum, the local government shall either utilize the existing telecommunications systems of the Department and District, as applicable reviewing agency to enter data directly into the existing tracking system of the Department and District, as applicable reviewing agency, or the local government shall use an alternate data exchange procedure using a standardized format developed and agreed upon by the Department and District, as applicable reviewing agency.

(e) ~~Operate~~ Where applicable, it will operate in accordance with the quality assurance rule of plan approved by the Department, under Chapter 62-160, F.A.C.

(f) ~~Establish~~ It will establish procedures by which the local government shall not deem an application for an environmental resource permit complete until the permit applicant has documented that the proposed activity is consistent with the land use designation or classification contained in the local government's approved future land use map. This documentation can be provided through the use of form number 62-344.900(1), F.A.C., completed by the appropriate local governmental entity with authority to determine compliance with land use designations or classifications, or through the use of an alternate mechanism that provides the same documentation.

(4) ~~A local government can provide for administrative organization, staff, equipment, and technical resources comparable to the Department or District for the portion of the environmental resource permit program requested, to meet the requirements of paragraphs 62-344.500(3)(e), and (d), F.A.C.~~

(4)(5) ~~The Department reviewing agency shall not delegate the environmental resource program for the following activities,:~~

(a) through (c) No change.

(d) Activities proposed by the Florida Department of Transportation, inland navigation districts as established and authorized by Chapters 12026 (1927), 14723 (1931), 23370 (1947) and 65-900, Laws of Florida, and Chapter 374, F.S., or occurring within the deepwater ports listed in Section 403.061(26)(b), F.S.

(e) through (f) No change.

(g) Electrical distribution and transmission lines and other facilities related to the production, transmission and distribution of electricity ~~that which do not~~ require certification under Sections 403.501 403.52 through 403.539 403.5365, F.S. This shall not preclude the delegation of review and agency action on electrical distribution lines that are serving and located within a larger plan of development for which review and agency action is otherwise delegated to the local government.

(h) Natural gas or petroleum exploration, production, transmission, or distribution activities, including pipelines, associated facilities, and product pipelines, except those natural gas distribution lines serving and located within a larger plan of development for which review and agency action is otherwise delegated to the local government.

(i) No change.

(5)(6) Notwithstanding the provisions of subsection 62-344.500(5), F.A.C., the Department reviewing agency may delegate to a local government the responsibility and authority to: perform formal determinations of wetlands and surface waters; perform compliance inspections and monitoring for activities subject to regulation under Part IV of Chapter 373,

F.S.; and enforce orders and rules, including environmental resource permits issued or adopted by the Department or District reviewing agency pursuant to the authority of Part IV of Chapter 373, F.S., ~~on or after the effective date of the rules adopted pursuant to subsection 373.414(9), F.S., for the activities listed in paragraphs 62-344.500(5)(d) and (e), F.A.C.~~

~~(6)(7)~~ Department approval of a local government pursuant to Section 403.182, F.S., shall not constitute authorization to, or be used to determine whether a local government can, receive delegation under this chapter, or Section Sections 373.441 or 373.103(8), F.S.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History--New 8-29-95, Amended _____.

62-344.600 Procedures for Identifying and Reconciling Duplicative Permitting and Incorporating Incorporation of Stricter Local Standards.

If the Department reviewing agency determines to delegate all or a portion of the environmental resource permit program to a local government ~~under subparagraph 62-344.400(1)(d)1., F.A.C.~~, the following procedures shall be followed to identify and reconcile duplicative permitting and incorporate stricter local standards:-

(1) The Department reviewing agency shall determine, with assistance from the local government, which local standards are stricter than, or conflicting with, the Department's and District's reviewing agency's environmental resource permit program rules. The Department reviewing agency shall determine which of these stricter standards are conflicting standards. The local government may continue to use stricter standards that ~~Stricter standards which~~ are not conflicting standards ~~shall be incorporated into the local government's delegated environmental resource permit program.~~

(2) Any person applying for an environmental resource permit from the local government pursuant to the delegated environmental resource permit program; must meet the permitting criteria of the ~~reviewing agency's~~ environmental resource permit program rules and the local stricter standards to receive an environmental resource permit.

(3) The local government shall act on the application or notice under Part IV of Chapter 373, F.S., and its stricter standards within the time frames requiring agency action under Chapter 120, F.S., Part IV of Chapter 373, F.S., and the rules adopted thereunder, as applicable.

~~(4)(3)~~ A local government ~~that which~~ receives delegation of all or a portion of the environmental resource permit program shall not require an applicant to obtain ~~a any~~ corresponding separate local permit for those activities ~~which require an environmental resource permit under the delegated environmental resource permit program~~ during the period the delegation is in effect, ~~except. However,~~ when any of the following exist:

(a) A decision on the local permit cannot be made within the timeframes required for issuance or denial of the delegated environmental resource permit under Chapter 120, F.S.;

~~(b) The the~~ local government otherwise would have required a permit for an activity that does not require a permit under Part IV of Chapter 373, F.S.; ~~or the environmental resource permit program rules of the reviewing agency adopted thereunder, the delegated local government may require, as a stricter standard, an individual permit under the delegated environmental resource permit program for those activities which do not require a permit or~~

(c) The local government requires an individually-issued separate local permit for an activity that is otherwise which are authorized by a noticed general permit under the rules of the Department or District reviewing agency.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History--New 8-29-95, Amended _____.

62-344.700 Delegation Agreements.

(1) No change.

(2) At a minimum, delegation agreements shall contain all of the following information:-

(a) The geographic area in which the delegated portion of the environmental resource permit program is effective, and any area within the local government's jurisdiction in which the Department or District reviewing agency retains, or another local government has been delegated, environmental resource permitting responsibilities.

(b) The relative regulatory responsibilities of the Department, District, reviewing agency and the local government.

(c) No change.

(d) A description of the data reporting requirements from the local government to the Department, and District if applicable reviewing agency.

(e) No change.

(f) A description of staff training programs the local government will undertake. At a minimum, the local government shall participate in training programs mandated by the Department and District reviewing agency.

(g) through (j) No change.

(k) Provisions for the Department's reviewing agency's oversight.

(l) Provisions for the deposition of all monetary penalties and damages recovered by a local government as a result of the local government's enforcement of the delegated portion of the environmental resource permit program into the Ecosystem Management and Restoration Water Management Lands Trust Fund pursuant to paragraph 373.129(5)(a), F.S., or a local water pollution control program trust fund, which fund shall be used to fund surface water improvement or pollution control activities, pursuant to subsection 373.430(7), F.S.

(m) Provisions detailing how by which the local governments will use or adopt; the rules of the Department or the District with jurisdiction over the territory covered by the proposed delegation that which are applicable to the delegated portion of the environmental resource permit program.

(n) Provisions detailing how by which a delegated local government will comply with Rule 62-344.600, F.A.C.

(o) Provisions for establishing procedures requiring local governments to not issue an environmental resource permit until the permit applicant has documented that the proposed activity is consistent with the future land use element of the local comprehensive plan in the area where the proposed activity will take place using the procedures specified in paragraph 62-344.500(3)(f) 62-344.500(3)(e), F.A.C.

(p) Provisions by which the local government will assume the enforcement lead role for violations of the delegated environmental resource permit program, and by which the local government will coordinate with the Department, or District if applicable, reviewing agency on enforcement matters. Such provision shall provide that the Department or District reviewing agency will not file a separate enforcement action when the local government has resolved a violation under its delegated authority through a final order or judgement. However, the Department and District reviewing agency shall retain the right to become a party to an enforcement action when requested by the local government, and the right to initiate enforcement action when a delegated local government is not resolving violations in a timely or appropriate manner as prescribed in the delegation agreement. In such cases, a joint or consolidated enforcement action will be considered as a preferred alternative to a unilateral enforcement action by the Department or District reviewing agency.

(q) No change.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History--New 8-29-95, Amended _____.

62-344.900 Forms.

(1) The following form is hereby adopted and incorporated by reference. The form is listed by rule number, which is also the form number, and with the subject title and effective date. A copy of the form can be obtained by contacting the Department of Environmental Protection, Bureau of Submerged Lands and Environmental Resources, M.S. 2505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 or an office of a water management district.

(2) Verification of Comprehensive Plan Land Use Designation Consistency, Form 62-344.900(1), F.A.C.

Rulemaking Specific Authority 373.441(1) FS. Law Implemented 373.441 FS. History--New 8-29-95, Repealed _____.

Form # 62-344.900(1)
Form Title: Verification of Comprehensive Plan Consistency
Effective Date: August 29, 1995
~~VERIFICATION OF COMPREHENSIVE PLAN LAND USE DESIGNATION CONSISTENCY _____, hereby provides (Branch of Local Governmental Responsible for Comprehensive Plan Review) notification that the development proposal, submitted to the _____, (Branch of Local Government Responsible for ERP Review) known as _____ and being proposed by _____ (Project Name) _____, which is located in Section _____ (Applicant) _____, Township _____, Range _____, and which consists of _____ acres has been reviewed by the local government entity responsible for evaluating consistency with the land use designation or classification contained in the local government's approved future land use map. After such review, all necessary final action has been taken by the governmental entity to determine, and such determination has been made, that the proposed activity complies with the land use designation or classification contained in the local government's approved future land use map as of the date below. The execution of this form by the local government does not constitute approval under the local government comprehensive plan.~~

Name and Title of Officer or Employee of Local Government Authorized to Execute Notification

Signature of above Officer or Employee

Date

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mark Thomasson, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 23, 2010

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0144
 RULE TITLE: Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate by reference form DH-MQA 1253, and to delete and add language to update the rule to comply with the current dental hygiene examination being administered and accepted.

SUMMARY: The proposed changes will incorporate by reference form DH-MQA 1253, and delete and add language to update the rule to comply with the current dental hygiene examination being administered and accepted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 456.067, 466.004, 466.007 FS.

LAW IMPLEMENTED: 466.007 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0144 Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges.

Applicants for licensure as dental hygienists who have graduated from an unaccredited dental school or college may seek licensure in the following manner shall submit the following:

(1) ~~Submit the following at least 60 days prior to the examination:~~ A completed credentials application, Application for Credentials Review for Graduates of Non-Accredited Dental Schools or Colleges, Form DH-MQA 1253, 10/11, Dental Hygiene Application, Form DH-MQA 1210 (Rev. 10/09), and incorporated herein by reference. Application for Credentials Review for Graduates of Non-Accredited Dental Schools or Colleges, Form DH-MQA 1253, 10/11 Dental Hygiene Application, Form DH-MQA 1210 (Rev. 10/09), can be obtained at the Board of Dentistry website at <http://www.doh.state.fl.us/mqa/dentistry>.

(2) An initial credential evaluation is not an approval for licensure; rather, the applicant must comply with all provisions of Chapter 466, Florida Statutes. The application fees specified in Rule 64B5-15.002, F.A.C.;

(3) through (9) No change.

(10)(a) The Applicants applying for licensure under Section 466.007(2)(b)2., F.S., whose applications do not indicate they have obtained Dental Hygiene clinical education to the level of the clinical experience required by an American Dental Association (ADA) accredited Dental Hygiene program in the areas set forth in paragraph (10)(b) below, who have failed the initial examination, shall be required to obtain remedial coursework in those designated areas that the applicant has not successfully completed that would meet the ADA clinical requirements at an ADA accredited dental or dental hygiene school, before being permitted to re-take the dental hygiene examination. Such additional coursework shall be obtained from a program accredited by the ADA, only after the applicant satisfies and the Board approves the education and testing requirements of subsections (3) through (9) above. Such additional coursework must be obtained by the applicant and approved by the Board prior to the applicant being allowed to sit for the ~~Florida~~ Dental Hygiene examination.

(b) No change.

(c) The additional coursework required by paragraphs (10)(a) and (10)(b) of this rule must be obtained and approved by the Board prior to the applicant being allowed to sit for the ~~Florida~~ Dental Hygiene examination.

(11) Upon approval of the credentials, the applicant shall apply for licensure in the following manner:

(a) Successfully complete the Florida practical or clinical examination developed by the American Board of Dental Examiners, Inc., (ADEX), as specified in rule 64B5-2.0135, F.A.C., through the North East Regional Board of Dental Examiners, Inc. (NERB); and

(b) Submit a complete application, Dental Hygiene Application, Form DH-MQA 1210 (Rev. 10/11), incorporated herein by reference. Dental Hygiene Application, Form DH-MQA 1210 (Rev. 10/11), is available at the Board of Dentistry website at <http://www.doh.state.fl.us/mqa/dentistry>. An applicant is eligible for licensure upon receipt of a completed application, passing scores from the ADEX dental

hygiene examination, the National Board Dental Hygiene or National Board Dental Examination, and successful completion of the written laws and rules of Florida regulating the practice of dentistry and dental hygiene. Applicants must comply with all time requirements for passing the examinations as specified in Rule 64B5-2.0135, F.A.C.

Rulemaking Authority 466.004, 466.007, 456.067 FS. Law Implemented 466.007 FS. History—New 1-18-95, Formerly 59Q-2.0144, Amended 8-19-97, 8-20-97, 5-20-01, 12-21-06, 5-8-08, 4-26-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Council of Dental Hygiene
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATES PROPOSED RULE APPROVED BY AGENCY HEAD: October 17, 2011 and October 28, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 2, 2011

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: 64B5-2.0148
RULE TITLE: Credentials Requirements for Applicants from Non-Accredited Schools or Colleges, Whose Records Are Unavailable

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete that the National Board must be completed within 10 years and to delete the time frame in which the applicant’s credentials must be submitted before the exam to comply with legislative changes made to Chapter 466, F.S.

SUMMARY: The proposed changes will implement changes made to Chapter 466, Florida Statutes during the 2011 legislative session.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 466.004(4) FS.

LAW IMPLEMENTED: 466.006 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B5-2.0148 Credentials Requirements for Applicants from Non-Accredited Schools or Colleges, Whose Records Are Unavailable.

Any person who seeks licensure as a dentist but is unable to supply proper educational credentials due to the political conditions of the country in which the education was received shall submit any and all documents which would tend to support the applicant’s claim of proper credentials and shall submit ~~at least 60 days~~ prior to the examination:

(1) Proof received directly from the American Dental Association, that the National Board of Dental Examiners Written Examination has been successfully completed ~~within 10 years and~~ in no more than three attempts to successfully complete it, prior to application.

(2) through (5) No change.

~~Rulemaking Specific~~ Authority 466.004(4) FS. Law Implemented 466.006 FS. History—New 11-16-89, Amended 10-18-90, Formerly 21G-2.0148, 61F5-2.0148, 59Q-2.0148, Amended 7-29-97, 12-26-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 28, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 2, 2011

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: 64B11-2.003
RULE TITLE: Fees; Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to notify applicants of the new website to apply online for licensure at www.flhealthsource.com.

SUMMARY: The rule amendment will notify applicants of the new online website for applicants to apply online for licensure. SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendment will not require ratification by the Legislature.

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, 468.221, 468.204 FS.

LAW IMPLEMENTED: 468.209(1), 468.221 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 RULE IS: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-2.003 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of \$100.00 in the form of a check or money order payable to the Department of Health. This application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above. The application shall be made on Form Occupational Therapy Application, DH-MQA 1152

(revised ~~10-10 08-09~~), hereby adopted and incorporated by reference, and can be obtained from the Board of Occupational Therapy's website at <http://www.doh.state.fl.us/mqa/occupational/> or you may qualify to apply through the on-line application located at <https://ww2.doh.state.fl.us/DOHInitialApp/login.aspx>.

Rulemaking Authority 456.013, 468.221, 468.204 FS. Law Implemented 468.209(1), 468.221 FS. History—New 4-28-76, Amended 9-9-85, Formerly 21M-13.07, Amended 6-29-89, Formerly 21M-13.007, 61F6-13.007, 59R-61.007, Amended 1-12-09, 5-19-10, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 23, 2011

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-3.001 Fees; Application

PURPOSE AND EFFECT: The Board proposes the rule amendment to notify applicants of the new website to apply online for licensure at www.flhealthsource.com.

SUMMARY: The rule amendment will notify applicants of the new online website for applicants to apply online for licensure. SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendment will not require ratification by the Legislature.

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, 468.221, 468.204 FS.

LAW IMPLEMENTED: 468.221, 468.209(1) 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, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-3.001 Fees; Application.

Each applicant for licensure shall pay an application fee in the amount of \$100.00 in the form of a check or money order payable to the Department of Health. The application fee is nonrefundable and may not be used for more than one year from the original submission of the application. After one year from the date of the original submission of an application, a new application and new fee shall be required from any applicant who desires to be considered for licensure. The fee for any reapplication shall be the sum of \$100.00 payable in the same manner as above. The application shall be made on Form Occupational Therapy Application, DH-MQA 1152 (revised ~~10-10 08-09~~), hereby adopted and incorporated by reference, and can be obtained from the Board of Occupational Therapy's website at <http://www.doh.state.fl.us/mqa/occupational/> or you may qualify to apply through the on-line application located at <https://ww2.doh.state.fl.us/DOHInitialApp/login.aspx>.

Rulemaking Authority 456.013, 468.221, 468.204 FS. Law Implemented 468.221, 468.209(1) FS. History—New 4-28-76, Amended 9-9-85, Formerly 21M-14.06, Amended 6-29-89, Formerly 21M-14.006, 61F6-14.006, 59R-62.006, Amended 1-12-09, 5-19-10.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 11, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 23, 2011

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: 64E-28.006
 RULE TITLE: Education Course Requirements

PURPOSE AND EFFECT: The purpose of the proposed rule is to implement the educational course requirements for tattoo artists as specified in section 381.00775, F.S., which passed during the 2010 Legislative Session.

SUMMARY: This rule addresses the requirements for educational course approval and curriculum content.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This proposed rulemaking will not have an adverse impact or effect regulatory costs in excess of \$1 million within five years as established in Section 120.541(2)(a)1.2. and 3., F.S.

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: 381.006, FS, 381.00789 FS.

LAW IMPLEMENTED: 381.00775 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 23, 2012, 1:00 p.m.

PLACE: Division of Environmental Health, Capital Circle Office Complex, 4042 Bald Cypress Way, Room 225Q, Tallahassee, FL

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: Laura Wehunt, Bureau of Community Environmental Public Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710. 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: Gina Vallone-Hood, Environmental Manager, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710

THE FULL TEXT OF THE PROPOSED RULE IS:

64E-28.006 Education Course Requirements.

(1) Effective January 1, 2012, all educational courses per subparagraph 381.00775(2)(b)4., F.S., shall be approved by the department. Any person seeking approval of an education course shall submit a request for determination of compliance with the requirements of this rule to the Department of Health, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, FL 32399. All requests for course approval shall be handled in accordance with Section 120.60, F.S. Requests for course approval shall include submission of the following documentation:

(a) A copy of the credentials of trainers and persons compiling the curriculum.

(b) A copy of the curriculum.

(c) Copies of training materials.

(d) A copy of the test to be given.

(e) A copy of the answers to the test questions.

(f) A copy of the certificate of training to be issued.

(2) The course shall meet the following criteria:

(a) Utilize a classroom-based or internet-based delivery method.

(b) Be specific to the tattoo industry.

(c) Be a minimum of three (3) hours in length, excluding the examination.

(d) Include an opportunity for interactive questions and answers with the person conducting the training.

(e) Include, at a minimum, education and training on blood-borne pathogens, such as human immunodeficiency virus and hepatitis A, B, and C, and communicable diseases, such as *Staphylococcus aureus* including methicillin-resistant *Staphylococcus aureus*, tuberculosis, impetigo, scabies, ringworm, molluscum contagiosum, herpes simplex, and herpes zoster, and the prevention of such transmission. This information shall include:

1. Identification of the disease;

2. Identification of the infectious agent;

3. Mode of transmission;

4. Incubation period;

5. Period of communicability; and

6. Prevention of transmission in a tattoo setting.

(f) Be followed by a written examination covering the materials in the course. The examination shall contain a minimum of fifty (50) questions with a passing score of at least seventy percent (70%).

(g) Ensure identity verification and validation for each student taking the internet or classroom course and test.

(3) In addition to that specified in paragraphs (2)(b)-(g) above, internet-based courses shall meet the following criteria:

(a) Each course section shall have a minimum time to finish that section before it is possible to move on to the next section.

(b) Identity verification and validation shall occur prior to the initiation of the internet course, using an identity verifying technology that seeks verification using credit bureau contacts. Following initial identity verification, validation shall occur at least every hour during the course and prior to completing the test.

(c) The course shall automatically terminate when a student fails to answer an identity validation question during a 60-second response time period or a student provides more than one incorrect answer to a validation question. Upon termination, a one-hour waiting period is required before the student is allowed to register again.

(d) At a minimum, the course provider shall include on the internet registration form, initial blocks in which the student indicates agreement with the following information:

1. That the student who registers for the course is the person taking the course.

2. That the student will be asked time-limited identity validation questions during the internet course. The validation questions will ask the student questions about themselves based on information provided by them and obtained through credit bureaus. Failure by a student to answer an identity validation question during a 60-second response time period or a student providing more than one incorrect answer to an identity validation question will cause the course to automatically terminate. Upon termination, a 1-hour waiting period is required before the student is allowed to register again.

(e) A student shall be prevented from proceeding with the internet course should they fail to indicate agreement with each stipulation listed in paragraph (d) above.

(f) A subject matter expert representing the course provider shall be available by telephone or via electronic means during normal business hours to assist students.

(4) In order to ensure that the requirements of this section are met, the department may annually register and take the course, as any interested student would. In order to allow such inspection, the course provider shall reimburse the department the cost of the course.

(5) The course provider shall notify the department in writing within 30 days of determining that a student has attempted or acquired certification by committing fraud, deceit, false statements, or perjury. When this is determined, the course provider shall revoke the certificate.

(6) Any reference to department approval shall state no more than: "This course is approved by the Florida Department of Health for tattoo artist licensure under Section 381.0775, Florida Statutes, and Chapter 64E-28, Florida Administrative Code."

(7) Course approval is not transferrable from person to person.

Rulemaking Authority 381.00789 FS. Law Implemented 381.00775 FS. History–New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Gina Vallone-Hood, Bureau of Community Environmental Health

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: H. Frank Farmer, Jr., M.D., Ph.D., FACP
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 19, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 2, 2011

DEPARTMENT OF HEALTH

Office of Statewide Research

RULE NO.: RULE TITLE:
64H-2.001 Institutional Review Board

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Rule 64H-2.001, F.A.C., was identified during the comprehensive rule review as containing requirements that are unnecessary based on statutory language, and thus appropriate for repeal. There are no other rules incorporating this rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The department does not anticipate the need for ratification as the repeal of this rule will not have the adverse impact or regulatory costs established in Section 120.541(2)(a), F.S.

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: 381.86 FS.

LAW IMPLEMENTED: 381.86 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: Meghan Kennedy, Institutional Review Board Administrator, 4052 Bald Cypress Way, Bin #A-24, Tallahassee, Florida 32399-1708, Telephone: (850)245-4610

THE FULL TEXT OF THE PROPOSED RULE IS:

64H-2.001 Institutional Review Board.

Rulemaking Specific Authority 381.86 FS. Law Implemented 381.86(1) FS. History–New 1-24-06, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Meghan Kennedy, Institutional Review Board Administrator

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: H. Frank Farmer, Jr., M.D., Ph.D., F.A.C.P., State Surgeon General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 13, 2011

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NO.: RULE TITLE:
65A-4.221 Drug Testing for Temporary Cash Assistance Applicants

PURPOSE AND EFFECT: The proposed new rule implements drug testing under Section 414.0652, F.S., in the Temporary Cash Assistance (TCA) Program. The Department will notify individuals subject to drug testing, who test positive, of licensed substance abuse treatment providers available in their area to facilitate treatment for substance abuse. Positive drug test results will not be shared with the Florida Abuse Hotline or law enforcement entities.

SUMMARY: The proposed new rule implements drug testing in the Temporary Cash Assistance Program.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department considered the factors in Section 120.541, F.S. The proposed rule is not expected to exceed the criteria in paragraph 120.541(2)(a), F.S., therefore, legislative ratification is not required under subsection 120.541(3), F.S.

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: 414.0652, 414.45 FS.

LAW IMPLEMENTED: 414.0652 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: Cindy Keil, ACCESS Florida Program Policy, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700, cindy_keil@dcf.state.fl.us, (850)717-4113

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-4.221 Drug Testing for Temporary Cash Assistance Applicants

An individual subject to drug testing under Section 414.0652, F.S., who tests positive for controlled substances on a drug test required by such law, will be notified by the Department of a list of licensed substance abuse treatment providers available in the area in which the individual resides. The substance abuse treatment provider must meet the requirements of Section 397.401, F.S., and be licensed by the Department. Positive drug test results obtained by the Department pursuant to Section 414.0652, F.S., will not be reported to the Florida Abuse Hotline or to law enforcement entities or officers.

Rulemaking Authority 414.0652, 414.45 FS. Law Implemented 414.06 FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jeri Flora

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: David E. Wilkins

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 27, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 10, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-4.002
 RULE TITLE: Take of Wildlife and Freshwater Fish with a Gun at Night; Exceptions

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise prohibitions relating to hunting at night. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule amendment would revise prohibitions relating to hunting at night to clearly prohibit the take of wildlife or freshwater fish at night, except when specifically authorized by Commission rule or permit, and on privately owned lands, allow the landowner or designee to take wild hog, coyote and non-protected mammals with a gun and light.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-4.002 Take of Wildlife and Freshwater Fish with a Possession of Gun at Night; Exceptions While Using a Light Prohibited.

(1) Except when Commission rule or permit specifically authorizes take of wildlife or freshwater fish with a gun during non-daylight hours and except to the extent allowed by subsection (2) below, the take of wildlife or freshwater fish with a gun between one-half hour after sunset and one-half hour before sunrise is prohibited while engaging in activities provided for in Rules 68A-9.012, 68A-23.002, 68A-24.002, 68A-25.003, 68A-25.032, and 68A-25.042, F.A.C., the displaying or use of a light at night in a place where wildlife or freshwater fish might be found and in a manner capable of disclosing the presence of wildlife or freshwater fish, together with the possession of a gun by one or more persons then and there in the presence of each other is prohibited.

(2) On privately owned lands, the land owner or designee may take wild hog, coyote, and non-protected mammals with a gun and light during non-daylight hours. The possession of a gun by one or more persons then and there in the presence of each other while displaying or using a light at night shall constitute prima facie evidence of possession by such persons for the purpose of taking wildlife or freshwater fish in violation of this section.

(3) Notwithstanding the provisions above, a person in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns under the provisions of Section 790.06, F.S., unless preempted pursuant to state or federal law. This shall not be construed to allow the use of handguns as a legal method of take unless specifically provided for in rule.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.1025 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3015, 379.404(2) FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-4.02, 39-4.002, Amended 4-3-08, 7-27-10, _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT

CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-4.008
 RULE TITLE: Taking Wildlife on Roads and Rights-of-Way Prohibited

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to remove unnecessary language which prohibits the display of a gun on federal, state or county-maintained roads. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule amendment would remove language prohibiting the display of a gun on federal, state or county maintained roads.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution; 379.1025 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-4.008 Taking Wildlife on Roads and Rights-of-Way Prohibited.

(1) No change.

~~(2) The display or use of a gun on, or upon the right of way of any federal, state or county maintained road in a manner capable of taking wildlife is prohibited.~~

(3) through (4) renumbered (2) through (3) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., 379.1025 FS. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-83, Formerly 39-4.08, Amended 6-11-87, 6-7-88, 6-15-89, Formerly 39-4.008, Amended 5-1-03,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-9.004
RULE TITLE: Permits for Hunting or Other Recreational Use on Wildlife Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise the cost of Recreational Use Permits (RUPs) for Twelve Mile Swamp Wildlife Management Area (WMA). The proposed rule amendment will increase the cost per permit from \$525 to \$625.

SUMMARY: The proposed rule amendment would increase the cost of Recreational Use Permits for Twelve Mile Swamp WMA from \$525 to \$625 per permit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution; 379.354 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.1025, 379.2223, 375.313, 375.591 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-9.004 Permits for Hunting or Other Recreational Use on Wildlife Management Areas.

(1) In addition to other licenses, permits and stamps required by law, stamp requirements for hunting, camping, fishing, or other recreational uses on lands owned, leased or managed by the Commission or the State of Florida for the use and benefit of the Commission shall be as provided by Sections 379.354(8)(g) and (h), F.S.

(a) No change.

(b) The cost of recreational user permits as required for hunting on the following privately owned wildlife management areas as provided by Section 379.354(8)(h)1., F.S., shall be:

1. through 2. No change.
3. Twelve Mile Swamp – ~~\$625~~ ~~\$525~~
4. through 6. No change.

(c) through (f) No change.

(2) No change.

PROPOSED EFFECTIVE DATE: April 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.354 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.1025, 379.2223, 375.313, 375.591 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-9.04, Amended 6-2-86, 11-1-89, 7-16-98, 5-13-99, Formerly 39-9.004, Amended 7-1-00, 5-29-01, 7-22-01, 6-2-02, 7-28-02, 5-1-03, 7-7-03, 10-12-03, 5-12-04, 7-15-04, 6-1-05, 4-3-08, 4-1-09, 7-20-09, 7-1-10, 5-5-11, 8-11-11, 4-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-11.003
 RULE TITLE: Use of Motorboats on Certain Waters; Permits

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to remove the prohibition on the operation of any boat propelled by an internal-combustion engine on Lake Iamonia and Carr Lake in Leon County during the duck, light goose and coot season. The effect of the proposed amendment would allow the operation of any boat propelled by an internal-combustion engine of 10 horsepower or less.

SUMMARY: The rule amends the boat motor restrictions on Lake Iamonia and Carr Lake in Leon County during the duck, light goose and coot season.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution; Chapters 65-1841 and 85-361, Laws of Florida.

LAW IMPLEMENTED: Chapters 65-1841 and 85-361, Laws of Florida.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-11.003 Use of Motorboats on Certain Waters; Permits.

(1)(a) No person shall operate any boat propelled by an internal-combustion engine of more than ten horsepower on ~~Lake Iamonia or Carr Lake~~ in Leon County at any time during the regular open season for taking ducks and coots established in paragraph 68A-13.003(1)(a), F.A.C., except as authorized by permit from the executive director.

(b) No change.

(2) No person shall operate any boat propelled by an internal combustion engine of more than ten horsepower on Carr Lake in Leon County or Lake Miccosukee in Leon or Jefferson counties at any time during the regular open season for taking ducks and coots established in paragraph 68A-13.003(1)(a), F.A.C.

(3) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const., ch. 65-1841, ch. 85-361, Laws of Florida. Law Implemented ch. 65-1841, ch. 85-361, Laws of Florida. History—New 6-21-82, Amended 10-1-85, 11-27-85, Formerly 39-11.03, Amended 7-1-94, Formerly 39-11.003, Amended 7-1-08, 7-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-12.008
 RULE TITLE: Use of Pen-raised Quail for Training Bird Dogs

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to provide an alternative requirement for banding pen-raised quail that are released on private lands for training bird dogs. Provided the quail are banded or a proof of purchase (dated within the past 90 days) is in the possession of the individual using them, quail may be taken by shotgun for the purpose of dog training. The banding requirement will still apply if the user will attempt to recapture the quail with a trap. The effect would be to reduce handling mortality of pen-raised quail and provide more flexibility in requirements for bird dog trainers on private land.

SUMMARY: The proposed rule amendment would provide an alternative to the requirement for banding pen-raised quail that are released on private lands. Provided pen-raised quail are banded or proof of purchase (dated within the past 90 days) is in the possession of the individual using them, quail may be taken by shotgun for the purpose of dog training. The banding requirement will still apply if the user will attempt to recapture the quail with a trap.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-12.008 Use of Pen-raised Quail for Training Bird Dogs.

(1) Pen-raised quail may be released and taken by shotgun on private lands for the purpose of dog training provided that such quail are banded before release or a proof of purchase, including the name and address of the vendor and date of purchase within the past 90 days, is in the possession of the individual using them.

(2)(a) Released pPen-raised quail may be trapped provided that the quail are identified before release with a band showing the name of a game farm, private hunting preserve or individual using them and each trap so used shall be tagged with the name and address of the user.

~~(b) All quail used for this purpose shall be identified with bands showing the name of a game farm, private hunting preserve, or the individual using them.~~

~~(b)(e)~~ Any un-banded wild quail that may be trapped in this process shall be immediately released.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 6-21-82, Formerly 39-12.08, 39-12.008, Amended 7-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-13.003
 RULE TITLE: Hunting Regulations for Ducks, Geese, and Coots

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to amend rule language which prohibits the possession of shotshells loaded with lead shot while hunting waterfowl. The effect of the proposed rule amendment will prohibit the take of waterfowl with shotshells loaded with lead shot.

SUMMARY: The proposed rule amendment would clarify that the use of shotshells loaded with lead shot is prohibited for hunting waterfowl.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-13.003 Hunting Regulations for Ducks, Geese, and Coots.

The Commission has approved the following regulations and bag limits for taking ducks, geese, and coots:

- (1) No change.
- (2) General restrictions:
 - (a) No change.
 - (b) It shall be illegal to take ducks, geese or coots with ~~possess~~ shotshells loaded with any type of shot other than steel or other nontoxic shot approved for use by the Fish and Wildlife Service, U.S. Department of the Interior, ~~when hunting ducks, geese, or coots.~~
- (3) through (5) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 10-23-79, 8-19-80, 9-29-81, 8-30-82, 7-27-83, 8-13-84, 8-13-85, 10-1-85, Formerly 39-13.03, Amended 8-5-86, 8-24-87, 8-18-88, 12-12-88, 8-17-89, 10-30-89, 8-9-90, 10-31-90, 8-22-91, 10-31-91, 8-23-92, 10-22-92, 9-2-93, 10-28-93, 11-6-94, 10-23-95, 10-20-96, 8-7-97, 10-28-97, 11-12-98, 6-23-99, Formerly 39-13.003, Amended 11-7-00, 5-13-02, 5-1-03, 7-1-04, 7-1-05, 2-1-06, 7-1-06, 1-9-07, 1-8-08, 7-1-08, 1-6-09, 1-19-10, 7-1-10, 1-5-11, _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.004
RULE TITLE: General Regulations Relating to Wildlife Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise rule language related to possession or use of guns on wildlife management areas (WMAs); and to clarify that the Executive Director or designee may issue permits allowing a sanctioned fox hunting organization to chase fox during otherwise closed seasons and at the time and place designated by permit. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule amendment would revise rule language related to possession or use of guns on wildlife management areas (WMAs); and allow the Executive Director or designee to issue permits allowing a sanctioned fox hunting organization to chase fox during otherwise closed seasons at the time and place designated by permit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 379.354 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.004 General Regulations Relating to Wildlife Management Areas.

(1) No change.

(2) Permits required:

(a) No change.

(b) A short-term use permit or special-use permit is mandatory on those wildlife management areas where required by regulations for that area. On areas where short-term use permits (daily or multi-day permits) are authorized, holders of such permits shall possess or display a valid short-term use permit receipt in the manner specified on the receipt. Access to areas open to special-opportunity deer, wild hog (still hunt only), and wild turkey hunting is prohibited by persons not in possession of the appropriate special-opportunity hunt permit except that a non-permitted individual may accompany a permittee. While hunting or scouting, a non-permitted individual may accompany a permittee and participate in the hunt but shall not occupy a vehicle separate from the permittee or take wildlife with possess a gun, and shall be in the immediate vicinity (25 feet or less) of the permittee. Persons using the Florida Trail for through-hiking are exempt from the permit requirements of this paragraph.

(c) through (d) No change.

(3) through (5) No change.

(6) Guns:

(a) ~~Possession of guns or firearms is allowed on wildlife management areas pursuant to the provisions of Florida Statutes, unless as otherwise prohibited under the legal authority of the landowner, lead managing agency, military installation commander, or pursuant to federal law. During~~

~~periods closed to hunting or when the firearm is not a legal method of take, firearms shall be securely encased in a vehicle, vessel, camper, or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at Commission sponsored events.~~

~~(a)(b) No change.~~

~~(c) No person shall have any gun under his control while under the influence of alcohol or drugs.~~

(d) through (f) renumbered (b) through (d) No change.

~~(g) Notwithstanding the provisions of paragraph (a) or specific area regulations in this chapter generally prohibiting possession of a gun, persons meeting the following requirements are allowed to possess and transport guns within a vehicle or vessel provided the guns are securely encased as defined under Chapter 790, F.S.:~~

~~1. Persons and guests of such persons who own or lease private lands within the boundaries of a wildlife management area, provided they are transporting guns directly to or from said private lands, and~~

~~2. Persons and guests of such persons who own or lease private lands that are located adjacent or proximal to a wildlife management area and the only legal means of vehicular access is through the wildlife management area, provided they are transporting guns directly to or from said private lands.~~

(7) Dogs:

(a) Dogs may be used for hunting during open seasons unless prohibited by regulations for the particular management area. The Executive Director or designee ~~may shall~~ issue permits to raccoon or fox hunting organizations that are sanctioned by the United Kennel Club, American Kennel Club, Professional Kennel Club, or similar sanctioning entity to allow raccoon or fox hunting during otherwise closed seasons and at times and places designated in the permit. Permits may be issued only in areas where this activity will not negatively impact wildlife, where adjoining landowner conflicts will be minimal, where cooperating landowners are in agreement with the permit conditions, and when not in conflict with other user groups.

(b) through (d) No change.

(8) through (12) No change.

(13) Alligators: Notwithstanding any other provision in Chapter 15, F.A.C., the harvest of alligators, their eggs or hatchlings may be conducted on wildlife management areas in accordance with Commission order(s) and Rules 68A-25.031, 68A-25.032 and 68A-25.042, F.A.C. Guns and bait may be ~~possessed and~~ used for taking alligators by alligator hunt participants as specified in Rule 68A-25.042 or 68A-25.032, F.A.C., whichever is applicable, and persons taking alligators pursuant to those rules on wildlife management areas shall not be required to check in and out at a check station, or check any alligators taken. A private landowner making his lands

available for use in the wildlife management area system may participate in an alligator management program on such lands in accordance with Rule 68A-25.032, F.A.C.

- (14) No change.
- (15) Fishing and Frogging:
 - (a) No change.

(b) Shooting frogs is permitted only during hunting seasons established for the particular wildlife management area and only with guns that are legal methods of take ~~to use~~ during each particular open hunting season.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 379.354 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, 6-9-83, 9-27-83, 7-5-84, 7-1-85, Formerly 39-15.04, Amended 5-7-86, 5-10-87, 4-13-88, 8-18-88, 4-19-90, 4-4-91, 4-14-92, 10-22-92, 7-26-94, 11-6-94, 3-30-95, 10-23-95, 9-15-96, 6-1-97, 7-1-98, 12-28-98, 4-15-99, Formerly 39-15.004, Amended 7-1-00, 6-2-02, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10, 1-1-11,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.006	Regulations Relating to Miscellaneous Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to better manage fish and wildlife resources and public hunting on miscellaneous areas; clarify rule language related to the take of wildlife with guns; and conform to calendar year date changes. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on miscellaneous areas.

SUMMARY: The proposed rule amendment would adjust season dates to conform to calendar year changes; amend or clarify rule language related to guns used for taking wildlife on miscellaneous areas; and clarify hunter access rules for Babcock Ranch Preserve. Additional proposed rule amendments would provide non-substantive technical changes, such as grammatical corrections, language standardization or clarification of an existing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.006 Regulations Relating to Miscellaneous Areas.

(1) No change.

(2) Kissimmee River Public Use Area.

(a) Open season:

1. through 2. No change.

3. Furbearers – During the zonal antlered deer season only except that bobcat; and otter may be taken only after November 30.

4. No change.

(b) No change.

(c) General regulations:

1. Taking wildlife with guns shall be prohibited in the marshes and uplands except during the period beginning on the opening day of rail season established in Rule 68A-13.008, F.A.C., and ending on the closing day of spring turkey season established in Rule 68A-13.004, F.A.C. Taking wildlife with centerfire rifles is prohibited. The marshes shall be those lands outside the Kissimmee River channel, the C-38 canal, and the Istokpoga canal. In posted archery/muzzleloading gun areas, only bows may be used to take wildlife during the zonal archery season, only muzzleloading guns may be used to take wildlife during the zonal muzzleloading gun season, only bows may be used to take wildlife during the antlered deer season, and only bows and muzzleloading guns may be used to take wildlife during other established seasons. The take of wildlife with possession of guns shall be prohibited in the marshes and uplands in the northern portion of Bluff Hammock lying in the west 1/2 of Section 26 and the east 1/2 of Section 27, Township 34 South, Range 31 East, which are posted as closed to hunting or fishing possession of guns.

2. Shooting frogs shall be permitted only during hunting seasons established for this area and only with guns that are legal methods of take ~~to use~~ during each particular open hunting season.

3. through 8. No change.

~~9. Possession of guns or firearms is allowed pursuant to the provisions of Florida Statutes, except as prohibited in subparagraph 1. and as otherwise prohibited under the legal authority of the landowner, lead managing agency, or pursuant to federal law. During periods closed to hunting or when the firearm is not a legal method of take, firearms shall be encased and properly secured in a vehicle, vessel, travel trailer, camper, or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at Commission sponsored events.~~

~~9.10. No change.~~

(3) Babcock Ranch Preserve.

(a) Open season (in the FWC designated hunting area):

1. Archery – July ~~28-31~~ 30 through August 2 and August ~~4-7~~ 6-9.

2. Muzzleloading gun – September ~~1-3~~ 3-5.

3. Family – September ~~15-16~~ 17-18 and December ~~15-16~~ 17-18.

4. General gun for mobility-impaired – November 30 through December ~~2~~ 2-4.

5. General gun – September ~~21-23~~ 23-25, September ~~28-30~~ 30 through October 2 and December ~~7-9~~ 9-11.

6. Small game – January ~~5-20~~ 7-22 and February ~~2-3~~ 4-5 (Saturdays and Sundays only).

7. Spring turkey – March ~~2-4~~ 3-5 and ~~9-11~~ 10-12.

8. No change.

(b) The following are the only species of wildlife legal to take within the FWC designated hunting area: All legal game (except quail) and wild hog. One antlered and one antlerless deer may be taken per quota permit during the archery season, family and general gun for mobility-impaired hunts. Only mobility-impaired hunters may take antlerless deer during the general gun for mobility-impaired hunt. One antlered deer may be taken ~~per person and~~ per quota permit during the muzzleloading gun and general gun hunts. One turkey per quota permit may be taken during spring turkey season. Turkey may only be taken during the spring turkey season.

(c) Regulations controlling activities within the FWC designated hunting area:

1. through 7. No change.

8. During periods open to hunting, access is allowed ~~only by those individuals with a valid quota permit or guest permit and~~ only from 1.5 hours before sunrise to 1.5 hours after sunset.

9. Scouting is allowed one day prior to each hunt from 8 a.m. to sunset by individuals in possession of a valid quota permit for that hunt and guest hunters and assistants may accompany them. There are no scout days for small game season.

10. through 14. No change.

(d) No change.

(4) Kissimmee Chain of Lakes Area.

(a) through (b) No change.

(c) General regulations:

1. through 3. No change.

4. Shooting frogs shall be allowed only during hunting seasons established for this area and only with guns that are legal methods of take ~~to use~~ during each open hunting season.

5. through 7. No change.

8. Wild hog may be taken in accordance with the following provisions:

a. No change.

b. Wild hog may only be taken with a gun from one-half hour before sunrise to one-half hour after sunset. Wild hog may not be taken with ~~hunted without~~ a gun at night.

c. No change.

9. No change.

~~10. Possession of guns or firearms is allowed pursuant to the provisions of Florida Statutes, except as prohibited under the legal authority of the landowner, lead managing agency or pursuant to federal law. During periods closed to hunting or when the firearm is not a legal method of take, firearms shall be encased and properly secured in a vehicle, vessel, travel trailer, camper or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at Commission-sponsored events.~~

11. through 14. renumbered 10. through 13. No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec 9, Fla. Const. Law Implemented Art IV, Sec 9, Fla. Const. History–New 12-9-99, Amended 5-13-02, 5-1-03, 5-23-04, 7-1-06, 7-1-08, 7-1-09, 7-1-10, 11-9-10, 7-1-11, 7-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.061
RULE TITLE: Specific Regulations for Wildlife Management Areas – Southwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region and conform to calendar year date changes. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule amendment would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Southwest Region as follows:

Arbuckle WMA – increase the spring turkey season quota from 10 to 15 for each of two hunts (10 permits issued through Total Licensing System and five permits issued first-come, first-served, each day at the check station); increase the weekday muzzleloading gun season quota from 50 to 75 (each day at the check station).

Fred C. Babcock/Cecil M. Webb WMA – add three days to the archery season (total of five days); open the archery season one week earlier to eliminate the overlap with the bird dog training season; prohibit the harvest of antlerless deer after the first two days of the archery season; allow wild hog hunting during the entire general gun season; adjust hunt days for quail from Wednesdays, Thursdays, Saturdays and Sundays to Wednesdays and Saturdays only; and reduce quail harvest from 30% to 15% of fall population estimates.

Fred C. Babcock/Cecil M. Webb WMA, Yucca Pens Unit – allow vehicle access year round from 1.5 hours before sunrise until 1.5 hours after sunset.

Green Swamp WMA – adjust the season dates for the wild hog-dog hunts to eliminate overlap with small game hunts; allow for two wild hog-dog hunts of four consecutive days each (Thurs.-Sun.); allow dogs on the entire area during wild hog-dog hunts; increase the quota for the first wild hog-dog hunt from 135 to 160; allow only wild hog to be hunted during wild hog-dog hunts; and increase the quota for small game hunts from 150 to 300 (each day at check station).

Hickory Hammock WMA – remove the requirements for hunters to check in and check harvested game at the check station.

Hilochee WMA – increase raccoon season from four weeks to eight weeks with hunting allowed from 1.5 hours before sunset on Thursdays until 1.5 hours after sunrise on Sundays.

KICCO WMA – remove the requirements for hunters to check in and check harvested game at the check station; and require all persons to enter and exit the area at a designated entrance or any location along the Kissimmee River.

Lake Marion Creek WMA – remove the requirements for hunters to check in and check harvested game at the check station.

Walk-in-the-Water WMA – change the current 9-day muzzleloading gun season to three hunts, with a 2-day hunt (Sat.-Sun.), 4-day hunt (Mon.-Thurs.) and 3-day hunt (Fri.-Sun.) (quota of 25 each hunt, no exemptions); begin the muzzleloading gun season seven days earlier; and establish a 3-day spring turkey season with a bag limit of one gobbler or bearded turkey per quota permit (quota 5, no exemptions).

Proposed rule amendments would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendments would provide non-substantive technical changes, such as grammatical corrections and language standardization.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution; 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.061 Specific Regulations for Wildlife Management Areas – Southwest Region.

(1) Green Swamp Wildlife Management Area.

(a) Open season:

1. General gun – November ~~17~~ ¹⁴ through January ~~13~~ ¹⁵.
2. Archery – October ~~13~~ ¹⁵ through November ~~11~~ ¹³, Fridays, Saturdays and Sundays only.
3. Small game – January ~~19~~ ²¹ through February ~~17~~ ¹⁹, Saturdays and Sundays only.
4. Wild hog-dog – February ~~21-24~~ ²¹⁻²⁴ and February ~~28~~ ²⁸ through March ~~3~~ ¹¹⁻¹⁹ and February ~~25~~ ^{through March 4}, Saturdays and Sundays only.
5. Spring turkey – March ~~16~~ ¹⁷ through April ~~21~~ ²².
6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the wild hog-dog season, only wild hog may be taken ~~the take of deer is prohibited~~.

(c) Camping: Allowed by permit only and only within the designated campsites at the Rock Ridge Road and 471 campgrounds. Camping is allowed at both campgrounds during archery, general gun and spring turkey seasons. Camping is allowed only at the Rock Ridge Road campground during the wild hog-dog and fishing and frogging ~~seasons~~ ^{season} and only at the 471 campground during the small game season. Camping permits are non-transferable. Camping along the Green Swamp Hiking Trail (Florida Trail) is prohibited except by written permission from the Southwest Florida Water Management District. Kitchen stoves, refrigerators and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. The alteration, defacing, moving or tampering in any way with official markings of campsites is prohibited. The use or operation of electrical generators powered by an internal combustion engine is prohibited within the campgrounds ~~from beginning each night~~ ^{at 10 p.m.} until 4 a.m. A legible copy of the camping permit or the permittee's name and permit number must be visibly affixed to camping shelters. Camping equipment must be removed by 8 p.m. on the last date listed on the camping permit. Only tents, trailers or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. No change.
- ~~2. Only tents, trailers or self-propelled camping vehicles may be used for camping.~~
- ~~2.3.~~ No deer or wild hog shall be ~~quartered or otherwise~~ ^{dismembered} until checked at a designated check station.
4. through 5. renumbered 3. through 4. No change.
- ~~5.6.~~ Vehicles may be operated from 1.5 hours before sunrise until 1.5 hours after sunset during established open seasons, except during the designated fishing and frogging season when vehicles may be operated during daylight hours only. Vehicles may be operated after 8 a.m. until 1.5 hours after sunset one day prior to each archery hunt, general gun season and spring turkey season for scouting. Vehicle access to the designated campsites is allowed at any time after 8 a.m. one day prior to archery hunts, general gun season and spring

turkey season until 1.5 hours after sunset on the last day of the hunt or season, ~~after 4 p.m. on Wednesday until 1.5 hours after sunset on Sunday during wild hog-dog season,~~ and after 4 p.m. on Friday until 1.5 hours after sunset on Sunday during the small game, ~~wild hog-dog~~ and fishing and frogging seasons. Motorized vehicles may be operated only on named or numbered roads, except Stanley Fish Hole, Orange Lake and Tillman Lake roads shall be open only during the designated fishing and frogging season. Bicycles may be operated only on named or numbered roads and designated bicycle trails. During the designated fishing and frogging season Tanic Grade, Powder Grade and Levee Road north of Main Grade will be closed to vehicle traffic.

~~6.7.~~ No change.

~~8. During the first four days of wild hog-dog season hunting wild hog with dogs is prohibited in that portion of the area located in T24S, R23E, Sections 7, 8, 17, 18, 19, 20, 29, 30 and 32 and those portions of Sections 16, 21, 28 and 33 south of Bull Barn and west of Levee Roads; and T25S, R23E, Section 5 and those portions of Sections 4 and 9 south of Main, west of Levee and north of Tram Grades and those portions of Sections 7, 8 and 18 along the Withlacoochee River and bounded by state fence.~~

9. through 11. renumbered 7. through 9. No change.

(2) Green Swamp Wildlife Management Area – West Unit.

(a) Open season:

1. Special-opportunity turkey – March ~~16-19 17-20, 25-28 26-29,~~ March ~~30 31~~ through April ~~2 3,~~ April ~~8-11 9-12~~ and ~~13-16 14-17.~~

2. Special-opportunity archery – November ~~3-6 5-8~~ and ~~15-18 17-20.~~

3. Special-opportunity general gun – January ~~24-27 26-29,~~ February ~~4-7 6-9~~ and ~~13-16 15-18.~~

4. Wild hog-still – December ~~14-16 16-18.~~

5. Wild hog-dog – January ~~9-11 11-13.~~

6. Small game – February ~~22-24 24-26~~ and March ~~1-3 2-4.~~

7. through 8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. Only shotguns may be used to take turkey during the special-opportunity turkey hunts.

7. through 11. No change.

(3) Fred C. Babcock/Cecil M. Webb Wildlife Management Area.

(a) Open season:

1. Archery – September ~~8-12 17-18.~~

2. Bird dog training – Bird dogs may be trained in the recreation area September ~~15 17~~ through February ~~10 12~~ and bird dogs may be trained in the remainder of the area zones A, B, C and D during the small game season except the field trial

~~and Boy Scout areas on those days when daily quail permits are not issued, which shall include the day that the season quota for daily quail permits is attained.~~

3. General gun – November ~~3-11 5-13.~~

4. Small game – November ~~12-25 14-27~~ and Wednesdays, Thursdays, Saturdays and Sundays only November ~~28 30~~ through January ~~13 15.~~

5. Field trial quail – January ~~26-27 28-29.~~

6. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the take of turkey is prohibited. After the first two days of archery season, the take of antlerless deer is prohibited. Wild hog may only be taken during archery season and the first day of general gun seasons season. Wild hog: Daily bag, 1 per quota permit or 1 per exempt hunter; possession limit, 2. The take of wild hog with a shoulder height of less than 15 inches is prohibited. Quail shall be taken by daily quail or field trial quail quota permit only with a bag limit of 6 per day.

(c) Camping: Allowed at a designated campground only. Camping is allowed after 8 a.m. one day prior to archery season until 6 p.m. one day after archery season and continuously after 8 a.m. eight (8) days prior to the opening of general gun season until the last day of the small game season. During the remainder of the year, camping is allowed from 5 p.m. Friday to 9 p.m. Sunday and on Memorial Day, Independence Day, Martin Luther King Jr. Day, and Labor Day. Camping equipment shall be allowed on the area only when camping is allowed. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to camping shelters.

(d) General regulations:

1. through 8. No change.

9. During the small game and field trial quail seasons ~~season,~~ shotguns used to take wildlife shall be plugged to a three-shell capacity with a one-piece filler that cannot be removed without disassembling the gun.

10. through 12. No change.

13. During the archery, general gun, and Wednesdays and Thursdays of small game seasons, hunting is allowed within the field trial and Boy Scout areas provided the take of quail is prohibited and access shall be on foot (pedestrian) only.

14. During the small game season only persons in possession of a daily quail permit shall kill or be in possession of quail. Daily quail permits will be issued on Wednesdays ~~and Thursdays,~~ Saturdays ~~and Sundays~~ only, beginning eight days prior to Thanksgiving Day and may continue up to 39 days thereafter. Quail shall be taken by daily quail permit within the zone assigned on the daily quail permit only.

15. The season quota for daily quail permits and the specific procedures for issuing the permits shall be as established by Order of the Executive Director or his designee. The season quota for daily quail permits will be adjusted each

year, as necessary ~~so as not to exceed a harvest of 15% to achieve an annual quail harvest rate at approximately 30%~~ of the estimated population. Quotas for daily quail permits will be based on estimates of ~~fall~~ population levels relative to a 15% ~~30%~~ harvest rate and daily hunter success rates. Procedures for issuing daily quail permits will be established in the Order of the Executive Director and will result in distributing quail hunting pressure as evenly as possible among the daily quail permit zones A, B, C and D.

16. No change.

(4) Fred C. Babcock/Cecil M. Webb Wildlife Management Area – Yucca Pens Unit.

(a) Open season:

1. Muzzleloading gun – October ~~12-14~~ 14-16.

2. General gun – November ~~3-11~~ 5-13.

3. Small game – November ~~14~~ 16 through January ~~13~~ 15 on Wednesdays, Thursdays, Saturdays and Sundays only and the Friday after Thanksgiving Day.

4. No change.

(b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. Motorized vehicular access is allowed only from 1.5 hours before sunrise until 1.5 hours after sunset on hunt days, the day prior to each hunt and the weekend (Saturday and Sunday) prior to each hunt, except during the small game season when it is allowed only on hunt days.

~~7. When motorized vehicles are not allowed, public access other than by foot, bicycle, or horse is prohibited.~~

8. through 10. renumbered 7. through 9. No change.

(5) Upper Hillsborough Wildlife Management Area.

(a) Open season:

1. Wild hog-dog – November ~~6-8~~ 8-10.

2. Archery – December ~~8-9~~ 10-11, ~~15-16~~ 17-18, January ~~5-6~~ 7-8 and ~~12-13~~ 14-15.

3. Muzzleloading gun – January ~~19-20~~ 21-22, ~~26-27~~ 28-29, February ~~2-3~~ 4-5 and ~~9-10~~ 11-12.

4. Small game – February ~~16-17~~ 18-19, ~~23-24~~ 25-26 and March ~~2-3~~ 3-4.

5. Spring turkey – March ~~20-21~~ 21-22, ~~27-28~~ 28-29, April ~~3-4~~ 4-5, ~~10-11~~ 11-12, and ~~17-18~~ 18-19.

6. No change.

(b) through (c) No change.

(d) General regulations:

~~1. No deer, turkey or wild hog may be dismembered or quartered until checked at a designated check station.~~

2. through 12. No change.

(6) Arbuckle Wildlife Management Area.

(a) Open season:

1. Archery – October ~~13~~ 15 through November ~~2~~ 4.

2. Muzzleloading gun – December ~~8-16~~ 10-18.

3. Small game – January ~~5-6~~ 7-8 and ~~26-27~~ 28-29.

4. Spring turkey – March ~~19-21~~ 20-22 and April ~~2-4~~ 3-5.

5. No change.

(b) No change.

(c) Camping is permitted at the designated campground located off Rucks Dairy Road; at designated campsites along the Florida Trail; and at other sites by Special-Use Permit issued by the Florida Forest Service Division of Forestry. Only tents, trailers or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. through 5. No change.

~~6. Only tents, trailers or self-propelled camping vehicles may be used for camping.~~

~~6-7.~~ No change.

(7) KICCO Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15~~ 17 through October ~~14~~ 16, Saturdays and Sundays only.

2. Muzzleloading gun – October ~~20-21~~ 22-23 and ~~27-28~~ 29-30.

3. Wild hog-still – November ~~10~~ 12 through December ~~9~~ 11, Saturdays and Sundays only.

4. Small game – December ~~15~~ 17 through January ~~20~~ 22.

5. Spring turkey – March ~~16~~ 17 through April ~~14~~ 15, Saturdays and Sundays only.

6. No change.

(b) No change.

(c) Camping: Prohibited except at designated hunt campsites during periods when hunting is allowed or by persons possessing a special-use license issued by the South Florida Water Management District. Only tents may be used for camping at designated hunt campsites.

(d) General regulations:

1. through 3. No change.

~~4. Hunters shall check in and out at the check station when entering or exiting the area and shall check all game taken.~~

~~5. Only tents may be used for camping at designated hunt campsites.~~

~~6. No deer, turkey, or wild hog may be dismembered or quartered until checked and tagged at the check station.~~

7. through 9. renumbered 4. through 6. No change.

7. All persons shall enter and exit the area at a designated entrance or via the Kissimmee River.

(8) Hickory Hammock Wildlife Management Area.

(a) Open season:

1. Wild hog-still – September ~~14-16~~ 16-18, ~~21-23~~ 23-25 and January ~~11-13~~ 13-15.

2. Archery – October ~~12-14~~ 14-16.

3. Muzzleloading gun – October ~~20-22~~ 22-24 and ~~24-26~~ 26-28.

4. General gun – November ~~3-5~~ 5-7.
5. Small game – November ~~12-25~~ 14-27 and January ~~21~~ 23 through March ~~3~~ 4.
6. General gun for mobility-impaired – December ~~1-2~~ 3-4.
7. No change.
8. Spring turkey – March ~~21-23~~ 22-24 and April ~~11-13~~ 12-14.
9. No change.
- (b) through (c) No change.
- (d) General regulations:
 1. through 4. No change.
- ~~5. Hunters shall check in at a designated check station when entering and exiting the area, and check all game taken.~~
- ~~6. No deer, wild hog, or turkey shall be dismembered until checked at the station.~~
- ~~5.7. No change.~~
- (9) Walk-in-the-Water Wildlife Management Area.
- (a) Open season:
 1. Archery – ~~September 29-30~~ October 1-2, October 1-4 ~~3-6~~, 5-7 ~~7-9~~, 8-11 ~~10-13~~ and 12-14 ~~14-16~~.
 2. Muzzleloading gun – December ~~1-2~~, ~~3-6~~ 10-13 and ~~7-9~~ 14-18.
 3. Wild hog-still – January ~~12-15~~ 14-17 and ~~16-20~~ 18-22.
 4. Small game – February ~~2-10~~ 4-12 and February ~~23~~ 25 through March ~~3~~ 4.
 5. Spring turkey – March 26-28.
 - ~~6.5. No change.~~
- (b) Legal to take: All legal game (except turkey), furbearers and fish. Deer bag limit – one per day. During the ~~general~~ wild hog-still season only wild hog may be taken. The take of turkey is prohibited during the archery season. During the spring turkey season, the bag limit shall be one gobbler (or bearded turkey) per quota permit.
- (c) Camping: Permitted at designated campgrounds. Permitted at other sites by special-use permit from the Florida Forest Service Division of Forestry. Only tents, trailers or self-propelled camping vehicles may be used for camping.
- (d) General regulations:
 1. through 5. No change.
 - ~~6. Only tents, trailers or self-propelled camping vehicles may be used for camping.~~
 - ~~6.7. No change.~~
- (10) Hilochee Wildlife Management Area.
- (a) Open season:
 1. Youth turkey hunt – March ~~9-10~~ 10-11.
 2. Spring turkey – March ~~22-24~~ 23-25 and April ~~5-7~~ 6-8.
 3. Muzzleloading gun – February ~~15-17~~ 17-19.
 4. Wild hog-still – November 30 through December ~~2~~ 2-4, January ~~11-13~~ 13-15 and ~~18-20~~ 20-22.
 5. Small game – January ~~25~~ 27 through February ~~3~~ 5.
 6. Archery – February ~~8-10~~ 10-12.

7. No change.
8. Raccoon – August 2 through September ~~23~~ 1-25 (from 1.5 hours before sunset on Thursday until 1.5 hours after sunrise on Sunday).
- (b) through (c) No change.
- (d) General regulations:
 1. through 5. No change.
 6. No deer, or turkey shall be dismembered until checked at a check station.
 7. through 9. No change.
 - (11) Lake Marion Creek Wildlife Management Area.
 - (a) Open season:
 1. Archery – October ~~13-15~~ 15-17 and ~~19-21~~ 21-23.
 2. Muzzleloading gun – November ~~23-25~~ 25-27.
 3. General gun – January ~~18-20~~ 20-22 and February ~~1-3~~ 3-5.
 4. Small game – December ~~28-30~~ 30 through January ~~1~~ and January ~~4-6~~ 6-8.
 5. Wild hog-still – December ~~7-9~~ 9-11 and ~~21-23~~ 23-25.
 6. Youth turkey hunt – March ~~9-10~~ 10-11.
 7. Spring turkey – March ~~16-18~~ 17-19, March ~~29-31~~ 30 through April ~~1~~ and April ~~12-14~~ 13-15.
 8. No change.
 - (b) through (c) No change.
 - (d) General regulations:
 1. No change.
 - ~~2. Hunters shall check in and out at a designated check station when entering and exiting the area and shall check all game taken, except during the small game season.~~
 - ~~2.3. No change.~~
 - ~~4. No deer or wild turkey shall be dismembered until checked at a check station.~~
 5. through 6. renumbered 3. through 4. No change.
 - (12) Avon Park Air Force Range Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~15~~ 17 through October ~~14~~ 16 in areas and during days specified by the Installation Commander or a designee.
 2. Muzzleloading gun – October ~~20~~ 22 through November ~~2~~ 4 in areas and during days specified by the Installation Commander or a designee.
 3. General gun – November ~~3~~ 5 through January ~~20~~ 22 in areas and during days specified by the Installation Commander or a designee.
 4. Small game – November ~~10~~ 12 through March ~~3~~ 4 in areas and during days specified by the Installation Commander or a designee.
 5. Youth turkey hunt – March ~~9-10~~ 10-11 in areas and during days specified by the Installation Commander or a designee.

6. Spring turkey – March ~~16~~ ¹⁷ through April ~~21~~ ²² in areas and during days specified by the Installation Commander or a designee.

7. Antlerless deer – November ~~17-23~~ ¹⁹⁻²⁵ in areas and during days specified by the Installation Commander or a designee.

8. through 9. No change.

(b) through (c) No change.

(d) General regulations:

1. No change.

~~2. Loaded, capped, or primed guns are prohibited and ammunition must be physically separated from guns at check stations, public campsites, the Outdoor Recreation Office, within 50 feet of Kissimmee Road, while being transported through the Main Base, or in vehicles being driven on designated roads. The only exception is that loaded, un capped muzzleloading guns may be possessed in the aforementioned areas and muzzleloading guns may be cleared in the muzzleloading gun pits located at Willingham and Morgan Hole campgrounds.~~

~~3. Handguns with barrels longer than nine inches are prohibited, unless authorized by the Installation Commander or a designee.~~

~~2.4. The possession or use of centerfire rifles for taking wildlife is prohibited, unless authorized by the Installation Commander or a designee.~~

~~3.5. Shotguns are prohibited for taking wildlife during the archery season.~~

6. through 8. renumbered 4. through 6. No change.

~~7.9. Taking wildlife is Hunting and the possession of guns are prohibited in the Sandy Point Wildlife Refuge, unless authorized by the Installation Commander or a designee.~~

10. through 16. renumbered 8. through 14. No change.

(13) Croom Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October ~~20-22~~ ²²⁻²⁴.

2. General gun – November ~~3-25~~ ⁵⁻²⁷.

3. Small game – December ~~3~~ ⁵ through March ~~3~~ ⁴.

4. Spring turkey – March ~~19-21~~ ²⁰⁻²², April ~~2-4~~ ³⁻⁵ and ~~16-18~~ ¹⁷⁻¹⁹.

5. Fox, raccoon and bobcat – December ~~13~~ ¹⁵ through March ~~10~~ ¹¹. Hunting is allowed from 5 p.m. Thursday to sunrise Sunday with dogs only. Taking wildlife with guns is prohibited during this season.

6. through 7. No change.

(b) No change.

(c) Camping: Prohibited unless authorized by the Florida Forest Service Division of Forestry.

(d) General regulations:

1. No change.

2. Motorcycles and all-terrain vehicles may be operated off roads in Sections 17, 18, 19, 30, 31 and those parts of Sections 7 and 8 lying south of the old railroad right-of-way, Township 22 South, Range 21 East (Croom Motorcycle Area) only. Operation of motorcycles and all-terrain vehicles in this area is permitted throughout the year but all such vehicles shall be permitted by the Florida Forest Service ~~state Division of Forestry~~. Vehicles may be operated only on named or numbered roads in that portion of the area lying outside the Croom Motorcycle Area, but such vehicles must be properly licensed under Chapter 320, F.S., or otherwise legal to operate on public roads.

3. through 6. No change.

(14) Chassahowitzka Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15~~ ¹⁷ through October ~~14~~ ¹⁶.

2. Muzzleloading gun – October ~~20-22~~ ²²⁻²⁴.

3. General gun – November ~~3~~ ⁵ through December 30 ~~January 1~~.

4. Wild hog-dog – January ~~11-13~~ ¹³⁻¹⁵ and ~~18-20~~ ²⁰⁻²².

5. through 6. No change.

7. Youth turkey hunt – March ~~9-10~~ ¹⁰⁻¹¹.

8. Spring turkey – March ~~22-24~~ ²³⁻²⁵, April ~~5-7~~ ⁶⁻⁸ and ~~19-21~~ ²⁰⁻²².

9. Raccoon – January 31 through February ~~24~~ ²⁻²⁶ and ~~2-26~~ ³⁻²⁷ (from 1.5 hours before sunset on Thursday until 1.5 hours after sunrise on Sunday).

(b) through (d) No change.

(15) Hilochee Wildlife Management Area – Osprey Unit.

(a) Open season:

1. Archery – October ~~6-7~~ ⁸⁻⁹ and ~~13-14~~ ¹⁵⁻¹⁶.

2. Family hunt – November ~~10-11~~ ¹²⁻¹³.

3. Wild hog-still – November ~~24-25~~ ²⁶⁻²⁷.

4. Wild hog-dog – January ~~5-6~~ ⁷⁻⁸ and ~~26-27~~ ²⁸⁻²⁹.

5. Small game – January 31 through February ~~11~~ ²⁻¹³.

6. Youth turkey hunt – March ~~9-10~~ ¹⁰⁻¹¹.

7. Spring turkey – April ~~12-13~~ ¹³⁻¹⁴ and ~~19-20~~ ²⁰⁻²¹.

8. through 9. No change.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 10-1-84, 7-1-85, 9-19-85, 5-7-86, 5-10-87, 6-8-87, 10-8-87, 5-1-88, 7-1-89, 7-1-90, 7-1-91, 7-2-91, 7-1-92, 8-23-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 8-7-97, 7-1-98, 10-20-98, 12-28-98, 7-1-99, Formerly 39-15.061, Amended 12-9-99, 3-30-00, 7-1-00, 7-1-01, 5-13-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10, 7-1-11, ~~7-1-12~~.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.062	Specific Regulations for Wildlife Management Areas – North Central Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the North Central Region and conform to calendar year date changes. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule amendments would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the North Central Region as follows:

- Bayard WMA – remove the requirement for hunters to check in and check game at the check station.
- Belmore WMA – add a 2-day family hunt with a bag limit of one antlered and one antlerless deer per quota permit (quota 20, no exemptions).
- Big Bend WMA, Jena Unit – establish a 30-day archery season (take of antlerless deer and turkeys other than gobblers or bearded turkeys prohibited, no quota permit required).
- Cary WMA – establish two 3-day wild hog-still hunts (quota 100, no exemptions).
- Citrus WMA – Add one day to each muzzleloading gun hunt to establish two 3-day hunts; add one day to each general gun hunt to establish two 3-day hunts; add 1 day to each spring turkey hunt to establish three 4-day hunts; and add four days of quail hunting in the field trial area.

- Four Creeks WMA – establish a 4-day wild hog-still hunt (quota 75, no exemptions).
- Goethe WMA – begin the muzzleloading gun season six days later; add a 4-day general gun still hunt (quota 300); add a 4-day general gun dog hunt (quota 125); add a 7-day spring turkey hunt (quota 130); and remove the requirement for hunters to check game taken at the check station.
- Gulf Hammock WMA – allow the take of wild hog with no size or bag limit.
- Hatchet Creek WMA – remove the requirement for hunters to check in and check game at the check station.
- Homosassa WMA – add one day to each archery hunt to establish three 4-day hunts; and convert the wild hog-still hunts to small game hunts with wild hog legal to take (quota 30 each day at check station, no exemptions).
- Jennings Forest WMA – establish a 28-day bird dog training season in the quail enhancement area; establish a 2-day family hunt with a bag limit of one antlered and one antlerless deer per quota permit (quota 25, no exemptions); prohibit the take of wild hog during small game season; establish five 3-day wild hog-still hunts (quota 60, no exemptions); and prohibit the take of wild hog in the quail enhancement area during the February wild hog-still hunt.
- Little River WMA – allow nighttime raccoon and opossum hunting during small game season with access by permit from the Suwannee River Water Management District; and expand small game season from 10 to 44 days (take of quail after the first 16 days is prohibited).
- Log Landing WMA – allow the use of motorized vehicles at designated parking areas; expand period open to hunting from 56 to 83 days (no quota permits required); reduce the archery season from 25 to 20 days (Fridays, Saturdays, and Sundays only; take of antlerless deer, gobblers or bearded turkeys allowed only during the first 14 days); expand the muzzleloading gun season from 3 to 17 days (Fridays, Saturdays, and Sundays only); expand the small game season from 17 to 27 days (Fridays, Saturdays, and Sundays only); expand the spring turkey season from 11 to 19 days (Fridays, Saturdays, and Sundays only).
- Lower Econfina River WMA – allow nighttime raccoon and opossum hunting during small game season with access by permit from the Suwannee River Water Management District.
- Middle Aucilla WMA – allow nighttime raccoon and opossum hunting during the last 30 days of the small game season with access by permit from the Suwannee River Water Management District.
- Ralph E. Simmons Memorial WMA – remove the requirement for hunters to check in and check game at the check station; and establish a 2-day family hunt with a bag limit of one antlered and one antlerless deer per quota permit (quota 15, no exemptions).

Steinhatchee Springs WMA – allow nighttime raccoon and opossum hunting during small game season with access by permit from the Suwannee River Water Management District; increase the muzzleloading gun season quota from 200 to 220; increase the general gun season quota (first 9 days) from 200 to 220; increase each of two spring turkey hunt quotas from 80 to 88; and increase the wild hog-dog hunt quota from 50 to 55.

Proposed rule amendments would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendments would provide non-substantive technical changes, such as grammatical corrections and language standardization.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.062 Specific Regulations for Wildlife Management Areas – North Central Region.

(1) Camp Blanding Wildlife Management Area.

(a) Open season:

1. through 4. No change.

5. Archery – September ~~25-27~~ ~~27-29~~ and October ~~2-4~~ ~~4-6~~, only in the still hunt areas; and the Monday before Thanksgiving and continuing for 55 days thereafter in the archery-only area, which is within the area described by a line beginning at the intersection of County Road 225 and Woodbury Road, then southeast on County Road 225 to State Road 16, then south on State Road 16 and County Road 230 to the Camp Blanding boundary on the east side of County Road 230, then east along the Camp Blanding boundary to Duval Road, then south on Duval Road to Yerkes Road, then west on Yerkes Road to Treat Road, then north on Treat Road to Lightning Strike Road, then west and north on Lightning Strike Road to State Road 230, then west on State Road 230 to the Camp Blanding boundary, then north along the Camp Blanding boundary to State Road 16, then east on the south side of State Road 16 to Lightning Strike Road, then north on Lightning Strike Road to Bessent Road, then north on Bessent Road to the starting point. A disjunct portion of the archery-only area is south of County Road 215, east of Rifle Range Road, north of State Road 16 and west of the Camp Blanding boundary.

6. No change.

7. Muzzleloading gun – October ~~9-11~~ ~~11-13~~ and ~~16-18~~ ~~18-20~~, only in the still hunt areas.

8. No change.

9. Trapping – December 1 through January ~~6~~ ~~8~~, only in the still hunt areas.

(b) through (c) No change.

(d) General regulations:

1. through 12. No change.

13. The use of all-terrain vehicles (~~ATVs~~) is prohibited, except as authorized by written permit from the Post Commander.

14. through 15. No change.

(2) Cypress Creek Wildlife Management Area.

(a) Open season:

1. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

2. Spring turkey – March ~~16-24~~ ~~17-25~~.

3. Archery – September ~~22~~ ~~24~~ through October ~~7~~ ~~9~~.

4. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

- 5. through 6. No change.
- (b) through (d) No change.
- (3) Gulf Hammock Wildlife Management Area.
- (a) Open season:
 - 1. General gun – November ~~3~~ 5 through January ~~20~~ 22.
 - 2. Youth turkey hunt – March ~~9-10~~ 10-11.
 - 3. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.
 - 4. Archery – September ~~15~~ 17 through October ~~14~~ 16.
 - 5. Muzzleloading gun – October ~~20~~ 22 through November ~~2~~ 4.
- 6. No change.
- (b) Legal to take: All legal game, fish, frogs and furbearers. ~~Taking wild hog with a shoulder height of less than 15 inches is prohibited. Wild hog: daily bag, 1; possession limit, 2.~~
- (c) No change.
- (d) General regulations:
 - 1. through 3. No change.
 - 4. Fires ~~other than campfires~~ are prohibited.
 - 5. through 7. No change.
- (4) Lochloosa Wildlife Management Area.
- (a) Open season:
 - 1. General gun – November ~~3-16~~ 5-18, November ~~17~~ 19 through December ~~2~~ 4 and December ~~3-30~~ 5 through January ~~1~~ 4.
 - 2. Youth turkey hunt – March ~~9-10~~ 10-11.
 - 3. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.
 - 4. Archery – September ~~22~~ 24 through October ~~21~~ 23.
 - 5. Muzzleloading gun – October ~~26-28~~ 28-30.
 - 6. No change.
 - 7. Small game – ~~December 31~~ January 2 through March ~~3~~ 4.
 - 8. No change.
 - (b) No change.
 - (c) Camping: Camping allowed only by permit from the St. Johns River Water Management District and only at the designated ~~campsites~~ campsite.
 - (d) General regulations:
 - 1. No change.
 - 2. Vehicles are restricted to established roads. Tracked vehicles, all-terrain vehicles (~~ATVs~~) and unlicensed vehicles are prohibited. Non-motorized bicycles are allowed, but may be ridden only on established roads.
 - 3. through 6. No change.
- (5) Osceola Wildlife Management Area.
- (a) Open season:
 - 1. General gun – November ~~10~~ 12 through January ~~6~~ 8.
 - 2. Small game – January ~~7~~ 9 through March ~~3~~ 4.
 - 3. Youth turkey hunt – March ~~9-10~~ 10-11.
 - 4. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.
 - 5. Archery – September ~~22~~ 24 through October ~~14~~ 16.

- 6. Muzzleloading gun – October ~~20-27~~ 22-29 in the still hunt area and Big Gum Swamp Wilderness only.
- 7. Fox, raccoon, opossum and bobcat – July ~~28~~ 30 through September ~~18~~ 20 in the dog hunt portion of the area only from sunset to sunrise.
- 8. Special September duck – ~~During~~ In the special September duck season established by Rule 68A-13.003, F.A.C.
- 9. No change.
- 10. Trapping – January ~~7~~ 9 through March 1.
- (b) No change.
- (c) Camping: Throughout the year but only on designated campsites during general gun season on that portion of the area designated and posted as National Forest lands. On that portion of the area designated and posted as State Forest lands, camping is allowed throughout the year only at designated sites and only by permit from the Florida Forest Service ~~Division of Forestry~~.
- (d) General regulations:
 - 1. No change.
 - 2. Deer dogs may be trained from October ~~27~~ 29 through November ~~5~~ 7, except in the still hunt area.
 - 3. through 8. No change.
- (6) Big Bend Wildlife Management Area – Tide Swamp Unit.
- (a) Open season:
 - 1. General gun – November ~~3~~ 5 through ~~December 30~~ January 1.
 - 2. Archery – September ~~22~~ 24 through October ~~21~~ 23.
 - 3. Muzzleloading gun – October ~~26-28~~ 28-30.
 - 4. Small game – ~~December 31~~ January 2 through February ~~24~~ 26.
 - 5. through 6. No change.
 - 7. Youth turkey hunt – March ~~9-10~~ 10-11.
 - 8. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.
 - 9. Trapping – January ~~7~~ 9 through March 1.
 - (b) through (c) No change.
 - (d) General regulations:
 - 1. through 2. No change.
 - 3. During the muzzleloading gun season, the youth turkey hunt, and the first 16 days of the archery, general gun and spring turkey seasons, hunters shall check in and out at a check station when entering or exiting the area, ~~obtain a daily permit, which they shall keep on their person,~~ and check all game taken.
 - 4. through 6. No change.
 - 7. The use of all-terrain vehicles (~~ATVs~~) is prohibited.
 - 8. No change.
- (7) Big Bend Wildlife Management Area – Spring Creek Unit.
- (a) Open season:

1. General gun – November ~~3-11 5-13~~ and November ~~12 14~~ through ~~December 30~~ January 1.
2. Archery – September ~~22 24~~ through October ~~21 23~~.
3. Muzzleloading gun – October ~~26-28 28-30~~.
4. Small game – ~~December 31~~ January 2 through March ~~3 4~~.
5. Youth turkey hunt – March ~~9-10 10-11~~.
6. Spring turkey – March ~~16 17~~ through April ~~21 22~~.
7. Trapping – January ~~7 9~~ through March 1.
8. through 9. No change.
- (b) through (d) No change.
- (8) Big Bend Wildlife Management Area – Hickory Mound Unit.
 - (a) Open season:
 1. General gun – November ~~3-11 5-13, 12-18 14-20~~ and November ~~19 21~~ through ~~December 30~~ January 1.
 2. Small game – ~~December 31~~ January 2 through February ~~24 26~~.
 3. Spring turkey – March ~~16 17~~ through April ~~21 22~~.
 4. Archery – ~~September 29 through~~ October ~~28 1-30~~.
 5. through 7. No change.
 8. Trapping – January ~~7 9~~ through March 1.
 - (b) through (c) No change.
 - (d) General regulations:
 1. through 4. No change.
 5. ~~The take of wildlife with discharge of any firearm from the Hickory Mound Impoundment dikes is prohibited.~~
 6. During the first 16 days of the archery, general gun and spring turkey seasons, hunters shall check in and out at a check station when entering or exiting the area, ~~obtain a daily permit which they shall keep on their person,~~ and check all game taken. Waterfowl hunters using the Hickory Mound Impoundment must check in and out at the check station whenever it is manned and check all game taken.
 7. through 13. No change.
- (9) Big Bend Wildlife Management Area – Jena Unit.
 - (a) Open season:
 1. ~~Archery – September 22 through~~ October ~~21 23~~.
 2. ~~General gun – November 3-11 5-13 and November 12 14~~ through ~~December 30~~ January 1.
 3. ~~Spring turkey – March 16 17 through~~ April ~~21 22~~.
 4. ~~Small game – December 31~~ January 2 through February ~~24 26~~.
 4. through 5. renumbered 5. through 6. No change.
 7. ~~Trapping – January 7 9 through~~ March 1.
 - (b) Legal to take: All legal game, fish, frogs and furbearers except that during archery season, taking antlerless deer or turkey other than bearded turkey or gobbler is prohibited.
 - (c) No change.
 - (d) General regulations:
 1. No change.

2. On that portion of the area south of County Road 358, west of Gentle Woods Road (north of Rocky Creek) and west of County Road 361 (south of Rocky Creek) motorized vehicles may be operated only on named or numbered roads from two days before the opening of archery season ~~November 4~~ through April 30; and only on Sand Ridge Road, Road No. 2, Sink Creek Road and Rocky Creek Landing Road during the remainder of the year. On the remainder of the area vehicles may be operated only on established roads.
 3. through 6. No change.
- (10) Big Bend Wildlife Management Area – Snipe Island Unit.
 - (a) Open season:
 1. Archery – September ~~22 24~~ through October ~~21 23~~.
 2. Muzzleloading gun – October ~~26-28 28-30~~.
 3. General gun – November ~~3-11 5-13~~ and November ~~12-25 14-27~~.
 4. Small game – December ~~29 31~~ through January ~~27 29~~.
 5. Youth turkey hunt – March ~~9-10 10-11~~.
 6. Spring turkey – March ~~16-24 17-25, March 25-31 26~~ through ~~April 1~~ and April ~~1-7 2-8~~.
 7. Trapping – January ~~5 7~~ through March 1.
 8. No change.
 - (b) through (c) No change.
 - (d) General regulations:
 1. through 6. No change.
 7. During the trapping season, taking trapped furbearers with a .22 caliber rimfire firearm is allowed; ~~however, the firearm may only be loaded immediately prior to the shooting of a trapped furbearer.~~
 8. No change.
- (11) PotashCorp – White Springs Wildlife Management Area.
 - (a) through (c) No change.
 - (d) General regulations:
 1. through 4. No change.
 5. The take of wildlife with Discharge of firearms from dikes is prohibited.
 6. ~~The possession of lead shot is prohibited while in a boat or blind.~~
 7. through 8. renumbered 6. through 7. No change.
- (12) Raiford Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22 24~~ through October ~~7 9~~.
 2. Muzzleloading gun – October ~~20-22 22-24~~.
 3. Archery and muzzleloading gun – November ~~3-11 5-13~~.
 4. Youth turkey hunt – March ~~9-10 10-11~~.
 5. Spring turkey – March ~~16-24 17-25~~.
 6. No change.
 - (b) through (d) No change.
- (13) Cedar Key Scrub Wildlife Management Area.

- (a) Open season:
 1. General gun – November ~~3-11~~ ~~5-13~~.
 2. Archery – September ~~22-24~~ through October ~~7-9~~.
 3. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.
- (b) Legal to take: Antlered deer, antlerless deer (during archery season only), wild hog and gray squirrel. Taking any other animal is prohibited.
- (c) No change.
- (d) General regulations:
 1. through 3. No change.
 4. ~~Hunters shall check in and out at the self-service check station when entering or exiting the area and shall record all game taken.~~
 5. through 6. renumbered 4. through 5. No change.
- (14) Andrews Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~21-23~~ ~~23-25~~ and September ~~28-30~~ ~~30 through October 2~~.
 2. Muzzleloading gun – November ~~2-4~~ ~~4-6~~ and ~~9-11~~ ~~11-13~~.
 3. General gun – November ~~16-18~~ ~~18-20~~.
 4. Small game – December ~~28-30~~ ~~30 through January 1~~, January ~~4-6~~ ~~6-8~~; and ~~11-13~~ ~~13-15~~.
 5. Family hunt – December ~~1-2~~ ~~3-4~~ and ~~8-9~~ ~~10-11~~.
 6. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 7. Spring turkey – March ~~22-24~~ ~~23-25~~ and April ~~12-14~~ ~~13-15~~.
 8. Supervised deer/hog youth hunt – October ~~20-21~~ ~~22-23~~ and ~~27-28~~ ~~29-30~~.
 9. No change.
 - (b) through (d) No change.
- (15) Big Shoals Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~24-29~~ ~~26 through October 1~~, October ~~1-6~~ ~~3-8~~ and ~~8-13~~ ~~10-15~~.
 2. Muzzleloading gun – October ~~26-28~~ ~~28-30~~ and November ~~2-4~~ ~~4-6~~.
 3. Small game – December ~~17-22~~ ~~19-24~~ and ~~24-29~~ ~~26-31~~.
 4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 5. Spring turkey – March ~~21-23~~ ~~22-24~~ and April ~~11-13~~ ~~12-14~~.
 6. No change.
 - (b) through (d) No change.
- (16) Twin Rivers Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-28~~ ~~24-30~~ and September ~~29~~ ~~through~~ October ~~7-9~~.
 2. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.
 3. General gun – November ~~3-6~~ ~~5-8~~ and ~~7-13~~ ~~9-15~~.
 4. Small game – November ~~24~~ ~~26~~ through December ~~16~~ ~~18~~.

- 5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
- 6. Spring turkey – March ~~22-24~~ ~~23-25~~ and April ~~12-14~~ ~~13-15~~.
- 7. No change.
- (b) Legal to take: Antlered deer, turkey (archery and spring turkey seasons only), gray squirrel, quail, rabbit and fish. The bag limit for deer is one per person per hunt season for each of the following seasons: archery, muzzleloading gun and general gun. The bag limit for turkey is one per person per hunt during the archery and spring turkey seasons except that the bag limit is only one per quota permit during the youth turkey hunt.
- (c) Camping: Prohibited unless authorized by the Florida Forest Service Division of Forestry.
- (d) No change.
- (17) No change.
- (18) Jennings Forest Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-25~~ ~~24-27~~, and ~~26-29~~ ~~September 28 through October 1~~, ~~September 30 through October 3~~ ~~2-5~~ and ~~October 4-7~~ ~~6-9~~.
 2. Supervised small game – October ~~13-21~~ ~~15-23~~, east of Yellow Water Creek, and east of the North Fork Black Creek but only south of its convergence with Yellow Water Creek.
 3. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.
 4. Bird dog training – ~~November 19 through December 16 in the quail enhancement area~~ Only in the Normandy Unit and in the Normandy Unit only on Wednesdays, Saturdays and Sundays from October through January; except that bird dog training is prohibited during the archery season.
 5. General gun – November ~~3-6~~ ~~5-8~~, ~~7-10~~ ~~9-12~~, ~~11-14~~ ~~13-16~~ and ~~15-18~~ ~~17-20~~.
 6. Family hunt – December 22-23.
 - ~~7-6~~ Small game – January ~~4~~ ~~6~~ through February ~~3~~ ~~5~~, Fridays, Saturdays and Sundays only.
 - ~~8~~ Wild hog-still – February 8-10, 15-17, May 3-5, 17-19 and June 7-9.
 - ~~9-7~~ No change.
 - ~~10-8~~ Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 - ~~11-9~~ Spring turkey – March ~~16-18~~ ~~17-19~~, ~~19-21~~ ~~20-22~~ and ~~22-24~~ ~~23-25~~.
 10. through 11. renumbered 12. through 13. No change.
 - (b) Legal to take: All legal game, fish and furbearers (except bobcat and otter). Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. The bag limit for deer During the archery, muzzleloading gun and general gun seasons, the bag limit for deer shall be one per quota permit during the archery, muzzleloading gun and general gun seasons and one antlered and one antlerless deer per quota permit during the family hunt. The take of wild hog is prohibited during small game season and in the quail enhancement area in February

during the wild hog-still season. Only wild hog may be taken during the wild hog-still season. During the spring turkey season, the bag limit for turkeys shall be one gobbler or bearded turkey per quota permit. Killing quail is prohibited on the quail enhancement area (that portion of the area lying north of the North Fork Black Creek, east of County Road 217 and west of the Yellow Water Creek) except during quail season. The bag limit for quail on the quail enhancement area is six per quota permit.

(c) Camping: Primitive camping allowed year-round at designated sites, by permit from the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 2. No change.

3. Taking wildlife with dogs is prohibited except that bird dogs are allowed during the bird dog training, small game and quail seasons and waterfowl retrievers are allowed during the duck, geese and coot season. In the Normandy Unit, bird dogs are allowed only during the bird dog training season.

4. through 12. No change.

(19) Holton Creek Wildlife Management Area.

(a) Open season:

1. Mobility-impaired general gun – October ~~12-14 14-16, 26-28 28-30~~, November ~~2-4 4-6~~ and December ~~14-16 16-18~~.

2. Mobility-impaired spring turkey – March ~~22-24 23-25~~ and April ~~12-14 13-15~~.

3. No change.

(b) through (d) No change.

(20) Goethe Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22 24~~ through October ~~14 16~~.

2. Muzzleloading gun – October ~~26-28 22-24~~.

3. General gun (still hunt) – November ~~3-5, 6-8 5-7~~ and ~~9-12 8-10~~.

4. General gun (dog hunt) – November ~~16-18, 19-22 11-13~~ and ~~23-26 14-17~~.

5. Small game – January ~~5-27 7-29~~.

6. Spring turkey – March ~~16-22, 23-31 17-23~~ and ~~March 24 through April 1-7 1~~.

7. No change.

(b) No change.

(c) Camping is allowed by permit only, from the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 2. No change.

3. Fires are allowed only at locations specified by the Florida Forest Service Division of Forestry.

4. through 8. No change.

~~9. Hunters shall check all deer, wild hog, and turkey at one of the area check stations before leaving the area.~~

~~9-10. No change.~~

~~10-11. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons in possession of a camping or special use permit from the Florida Forest Service Division of Forestry.~~

(21) Citrus Wildlife Management Area.

(a) Open season:

1. General gun – December ~~7-9 10-11~~ and December ~~28-30 31 through January 1~~.

2. Small game – ~~December 31 January 2~~ through February ~~24 26~~.

3. Muzzleloading gun – ~~November 30 through December 2 and December 14-16 3-4 and 17-18~~.

4. Archery – November ~~3-25 5-27~~.

5. Youth turkey hunt – March ~~9-10 10-11~~.

6. Spring turkey – March ~~19-22 20-22~~, April ~~2-5 3-5~~ and ~~16-19 17-19~~.

7. No change.

(b) No change.

(c) Camping: Prohibited unless authorized by the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 5. No change.

6. The take of quail is prohibited east of County Road 491 between Forest Road Trail 16 and County Road 480, except for the second and third consecutive Tuesdays and Wednesdays in February.

7. No change.

8. Bird dogs may be trained in the area east of County Road 491 between Forest Road Trail 16 and Forest Road Trail 20 October 1 through 31. Scheduled bird dog trial events are authorized only in the area east of County Road 491 between Forest Road Trail 16 and County Road 480.

9. through 11. No change.

(22) Flying Eagle Wildlife Management Area.

(a) Open season:

1. Archery – September 29 through October ~~2 1-4~~ and October 5-9 7-11.

2. Muzzleloading gun – October ~~20-22 22-24~~.

3. General gun – November ~~3-6 5-8~~ and ~~9-13 11-15~~.

4. Small game – November ~~23-25 25-27~~ and December ~~14-16 16-18~~.

5. Spring turkey – March ~~16-19 17-20~~ and ~~22-26 23-27~~.

6. through 7. No change.

(b) through (d) No change.

(23) Potts Wildlife Management Area.

(a) Open season:

1. Spring turkey – March ~~16-19 17-20~~ and ~~22-26 23-27~~.

2. Archery – October ~~4-7 6-9~~ and ~~10-14 12-16~~.

3. Muzzleloading gun – October ~~26-28 28-30~~.

4. Wild hog-dog – November ~~16-18 18-20~~.

5. Small game – December ~~7-9~~ ~~9-11~~, January ~~4-6~~ ~~6-8~~, and February ~~1-3~~ ~~3-5~~.

6. through 7. No change.

(b) No change.

(c) Camping: Camping and camping equipment is allowed at designated campsites no earlier than beginning 8 a.m. the day preceding each hunt and ending the last day of each hunt except during the small game season when camping and camping equipment is allowed no earlier than 8 a.m. on the first day of each hunt. Camping is allowed at other times by permit from the Southwest Florida Water Management District. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. Each camper shall assure that their campsite is clean at all times. The altering, defacing, moving, or tampering in any way with official markings of campsites is prohibited. Only tents, trailers, or self-propelled camping vehicles may be used for camping. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to the camping shelter.

(d) General regulations:

1. through 5. No change.

~~6. Only tents, trailers or self-propelled camping vehicles may be used for camping.~~

~~7. The name and address and telephone number of the person responsible for each campsite shall be visibly affixed to the camping shelter.~~

8. through 9. renumbered 6. through 7. No change.

~~8-10.~~ Authorized hunting equipment; and dogs and camping equipment may be taken onto the area no earlier than beginning 8 a.m. the day preceding each hunt and shall be removed from the area the last day of each hunt. During spring turkey season, hunting equipment is allowed on the area no earlier than beginning 1.5 hours before sunrise the day preceding each hunt.

(24) Homosassa Wildlife Management Area.

(a) Open season:

1. Archery – October ~~11-14~~ ~~14-16~~, ~~25-28~~ ~~28-30~~, and November ~~1-4~~ ~~4-6~~.

2. Small game – November ~~10~~ ~~12~~ through December ~~2~~ ~~4~~ and December ~~22~~ ~~24~~ through January ~~6~~, January 31 through February 3 and February 14-17 8.

~~3. Wild hog-still – February 2-5 and 16-19.~~

~~3-4.~~ Special-opportunity spring turkey – March ~~16-22~~ ~~17-23~~ and March ~~30~~ ~~31~~ through April ~~5~~ ~~6~~.

~~4-5.~~ No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the archery season the bag limit for deer shall be one antlered and one antlerless deer per quota

permit. ~~Only wild hog may be taken during the wild hog-still season.~~ Wild turkey may only be taken during the special-opportunity spring turkey season. The bag limit for turkeys shall be one gobbler or bearded turkey per special-opportunity permit.

(c) through (d) No change.

(25) Devil’s Hammock Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15-18~~ ~~17-20~~, ~~19-23~~ ~~21-25~~ and ~~24-28~~ ~~26-30~~.

2. Family hunt – October ~~6-7~~ ~~8-9~~ and ~~13-14~~ ~~15-16~~.

3. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

4. General gun – November ~~3-6~~ ~~5-8~~ and ~~7-11~~ ~~9-13~~.

5. Small game – November ~~17~~ ~~19~~ through December ~~16~~ ~~18~~.

6. Wild hog-still – January ~~14~~ ~~16~~ through February ~~10~~ ~~12~~.

7. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

8. Spring turkey – March ~~16-19~~ ~~17-20~~ and ~~20-24~~ ~~21-25~~.

9. through 10. No change.

(b) through (d) No change.

(26) Mallory Swamp Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.

2. Muzzleloading gun – October ~~20-28~~ ~~22-30~~ (still hunt area only).

3. General gun – November ~~10~~ ~~12~~ through January ~~6~~ ~~8~~.

4. Small game – January ~~7~~ ~~9~~ through February ~~17~~ ~~19~~.

5. Wild hog-dog – February ~~22-24~~ ~~24-26~~.

6. Spring turkey – March ~~16-31~~ ~~17~~ through ~~April 1~~.

7. No change.

8. Trapping – January ~~7~~ ~~9~~ through March 1.

9. No change.

(b) through (c) No change.

(d) General regulations:

1. through 4. No change.

5. During the trapping season, taking trapped furbearers with a .22 caliber rimfire firearm is allowed; ~~however, the firearm may only be loaded immediately prior to the shooting of a trapped furbearer.~~

6. through 8. No change.

(27) Middle Aucilla Wildlife Management Area.

(a) Open season:

1. General gun – November ~~3-29~~ ~~5~~ through ~~December 1~~ and November 30 through December 30 2 through January 1.

2. Muzzleloading gun – October ~~20-28~~ ~~22-30~~.

3. Small game – December 31 ~~January 2~~ through March ~~3~~ ~~4~~.

4. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.

5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

6. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

7. through 8. No change.

- (b) through (c) No change.
- (d) General regulations:
 1. through 3. No change.
 4. The possession or use of dogs, other than bird dogs or waterfowl retrievers, is prohibited, except as provided by ~~paragraphs~~ paragraph 68A-24.002(2)(b) and 68A-15.004(7)(c) or (d), F.A.C.
 5. through 6. No change.

7. Hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed only during the last 30 days of the small game season by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

- (28) Little River Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-24~~ 24-26, September 29 through October 1 ~~October 1-3~~ and October 6-8 ~~8-10~~.
 2. Muzzleloading gun – October ~~20-22~~ 22-24.
 3. Small game – November ~~24 through January 6~~ 26-30 ~~and December 17-21~~.
 4. through 5. No change.
 - (b) Legal to take: Antlered deer, rabbit, gray squirrel, quail (only during the first 16 days ~~hunt~~ of the small game season) and fish.

- (c) No change.
- (d) General regulations:
 1. Vehicles may be operated only on Little River Road, Road 33-2 and Road 33-3 ~~Powerline Roads~~.
 2. No change.
 3. Persons shall enter and exit at designated entrances or via the Suwannee River.
 4. Taking wildlife with dogs is prohibited, except as provided by paragraph 68A-24.002(2)(b), F.A.C., and except that bird dogs may be used for hunting quail during the first 16 days ~~hunt~~ of the small game season.
 5. through 6. No change.
 7. During the small game season, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

- (29) Troy Springs Wildlife Management Area.
 - (a) Open season:
 1. Small game – November ~~10~~ 12 through January ~~6~~ 8, except on Sundays, and only in that portion of the area known as the Adams Tract located northeast of US 27, east and south of County Road 251, and southwest of the Suwannee River.
 2. No change.
 - (b) through (d) No change.
- (30) Bayard Wildlife Management Area.
 - (a) Open season:

1. Archery – September ~~22~~ 24 through October ~~7~~ 9 and November ~~10-18~~ 12-20.
2. Muzzleloading gun – October ~~20-28~~ 22-30.
3. Youth turkey hunt – March ~~9-10~~ 10-11.
4. through 6. No change.
- (b) through (c) No change.
- (d) General regulations:
 1. through 5. No change.
 6. ~~Hunters must check in and out at the check station and check all game taken.~~
 7. through 11. renumbered 6. through 10. No change.
- (31) Grove Park Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~15~~ 17 through October ~~14~~ 16.
 2. Muzzleloading gun – October ~~20~~ 22 through November ~~2~~ 4.
 3. General gun – November ~~10~~ 12 through January ~~6~~ 8.
 4. Small game – January ~~7~~ 9 through March ~~3~~ 4.
 5. No change.
 6. Trapping – December 1 through January ~~6~~ 8.
 7. Youth turkey hunt – March ~~9-10~~ 10-11.
 8. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.
 9. No change.
 - (b) through (d) No change.
- (32) Steinhatchee Springs Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22~~ 24 through October ~~21~~ 23.
 2. Muzzleloading gun – October ~~26-28~~ 28-30.
 3. General gun – November ~~3-11~~ 5-13 and November ~~12~~ 14 through December ~~2~~ 4.
 4. Small game – January ~~12~~ 14 through February ~~10~~ 12.
 5. Wild hog-dog – February ~~15-17~~ 17-19 and ~~22-24~~ 24-26.
 6. Youth turkey hunt – March ~~9-10~~ 10-11.
 7. Spring turkey – March ~~16-19~~ 17-20, ~~20-24~~ 21-25 and March ~~25~~ 26 through April ~~7~~ 8.
 8. through 9. No change.
 - (b) through (c) No change.
 - (d) General regulations:
 1. The possession or use of dogs, other than waterfowl retrievers or bird dogs is prohibited, except as provided by paragraphs 68A-24.002(2)(b) and paragraph 68A-15.004(7)(c) or (d), F.A.C., and during the wild hog-dog season.
 2. through 5. No change.
 6. The taking or attempt to take wildlife with or the display or use of a gun on or from the rights-of-way of U.S. Highway 19, State Road 51 or County Road 357 is prohibited as provided by Rule 68A-4.008, F.A.C.
 7. through 9. No change.

10. During the small game season, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(33) Nassau Wildlife Management Area.

(a) Open season:

1. General gun – November ~~3 5~~ through December 30 January 1.
2. Small game – December 31 January 2 through March ~~3 4~~.
3. Youth turkey hunt – March ~~9-10 10-11~~.
4. Spring turkey – March ~~16 17~~ through April ~~21 22~~.
5. Archery – September ~~21 23~~ through October ~~19 21~~.
6. Muzzleloading gun – October ~~20 22~~ through November ~~2 4~~.
7. No change.
8. Trapping – January ~~7 9~~ through March 1.

(b) through (d) No change.

(34) Cary Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-24 24-26~~ and ~~28-30 September 30~~ through October 2.
2. Muzzleloading gun – October ~~20-22 22-24~~ and ~~26-28 28-30~~.
3. Family hunt – November ~~3-4 5-6~~.
4. General gun – November ~~9-11 11-13~~ and ~~23-25 25-27~~.
5. Small game – November 30 December 2 through January ~~6 8~~ (Fridays, Saturdays and Sundays only).
6. Wild hog-still – January 25-27 and February 15-17.
- 7.6- Spring turkey – March ~~16-18 17-19, 22-24 23-25~~ and ~~29-31 March 30~~ through April 1.

8.7- No change.

(b) Legal to take: All legal game except that only wild hog, ~~antlered~~ deer and waterfowl may be taken during the family hunt, and the muzzleloading gun and general gun seasons. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per quota permit. During the family hunt the bag limit shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons the bag limit shall be one antlered deer per quota permit. Only wild hog may be taken during the wild hog-still season. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey per quota permit.

(c) Camping is allowed by permit only from the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 3. No change.
4. The use of all-terrain vehicles (ATVs) is prohibited.
5. through 7. No change.

8. Public access is prohibited from 1.5 hours after sunset until 1.5 hours before sunrise, except by persons in possession of a camping or special use permit from the Florida Forest Service Division of Forestry.

(35) Ralph E. Simmons Memorial Wildlife Management Area.

(a) Open season:

1. General gun – November ~~17-25 19-27~~.
2. Archery – September ~~15-23 24~~ through ~~October 2~~.
3. Muzzleloading gun – October ~~20-28 22-30~~.
4. General gun for mobility-impaired – October ~~6-9 15-18~~.
5. Family hunt – November 3-4.
- 6.5- Small game – December ~~10-23 12-25~~ and January ~~26 28~~ through February ~~3 5~~.
- 7.6- No change.
- 8.7- Youth turkey hunt – March ~~9-10 10-11~~.
8. through 9. renumbered 9. through 10. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery and general gun for mobility-impaired seasons and the family hunt, the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons, the bag limit for deer shall be one antlered deer per quota permit. The bag limit for deer shall be one antlered and one antlerless deer per quota permit. Antlerless deer (except spotted fawns) may be taken only during the archery and general gun for mobility-impaired seasons. During the mobility-impaired hunt only certified mobility-impaired hunters may take antlerless deer. Only one quota permit may be utilized per individual, per season.

(c) Camping: During quota hunt periods, camping is allowed only in the Scotts Landing Road campground and only by hunters in possession of a valid quota permit. During the small game season and periods closed to hunting, camping in the Scotts Landing Road campground is allowed only by permit from the Florida Forest Service Division of Forestry. During periods closed to hunting, camping at primitive campsites along the St. Mary's River is allowed on a first-come first-served basis.

(d) General regulations:

1. No change.
2. Vehicles may be operated only on named or numbered roads except that mobility-impaired hunters may use tracked vehicles, all-terrain vehicles, and horses throughout the area during the general gun for mobility-impaired season and the weekend and day before the season.
3. Vehicles may be parked only at designated parking areas, except during the general gun for ~~the~~ mobility-impaired season and the weekend and day before the season.
4. Vehicular access is allowed on all hunt days plus the weekend and day before all hunts except the family hunt and spring turkey; and small game seasons, when it shall be

allowed only on hunt days and the day before each hunt. The use of all-terrain vehicles, tracked vehicles and unlicensed or unregistered motorcycles is prohibited.

5. No change.

~~6. Hunters must check in and out at the designated check station and check all game taken.~~

~~6.7. Horses are prohibited during periods open to hunting except when used by mobility-impaired hunters during the general gun for mobility-impaired season. During periods closed to hunting, horses may be used only on named or numbered roads and designated trails except that mobility-impaired hunters may use horses throughout the area during the weekend and day before the general gun for mobility-impaired season.~~

7.8. No change.

(36) Lower Econfina River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~6-21~~ 8-23.
2. Muzzleloading gun – October ~~27-29~~ 29-31.
3. Small game – January ~~14~~ 16 through February ~~24~~ 26.
4. Youth turkey hunt – March ~~9-10~~ 10-11.
5. Spring turkey – March ~~16-24~~ 17-25.

6. No change.

(b) No change.

(c) General regulations:

1. The possession or use of dogs, other than bird dogs or dogs with a shoulder height of 15 inches or less is prohibited, except as provided by ~~paragraphs paragraph 68A-24.002(2)(b) and 68A-15.004(7)(c) or (d), F.A.C.~~

2. through 6. No change.

7. During the small game season, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed by persons possessing a Special Use Authorization from the Suwannee River Water Management District.

(37) Belmore Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-24~~ 24-26, ~~28-30~~ September 30 through October 2 and October ~~5-7~~ 7-9.
2. Muzzleloading gun – October ~~20-22~~ 22-24.
3. Family hunt – November ~~3-4~~ and 17-18 ~~5-6~~.
4. General gun – November ~~8-11~~ 10-13 and ~~21-25~~ 23-27.
5. Small game – November 30 ~~December 2~~ through January ~~6~~ 8 (Fridays, Saturdays and Sundays only).
6. No change.
7. Youth turkey hunt – March ~~9-10~~ 10-11.
8. Spring turkey – March ~~16-18~~ 17-19, ~~22-24~~ 23-25 and ~~29-31~~ March 30 through April 1.
9. through 10. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per quota permit.

During the family ~~hunts~~ hunt the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer per quota permit. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for wild turkey shall be one gobbler or bearded turkey per quota permit.

(c) through (d) No change.

(38) Four Creeks Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-24~~ 24-26, ~~28-30~~ September 30 through October 2 and October ~~5-7~~ 7-9.
2. Muzzleloading gun – October ~~20-22~~ 22-24.
3. Family hunt – November ~~3-4~~ 5-6.
4. General gun – November ~~9-11~~ 11-13, ~~16-18~~ 18-20 and ~~23-25~~ 25-27.
5. Small game – November 30 ~~December 2~~ through January ~~6~~ 8 (Fridays, Saturdays and Sundays only).
6. Wild hog-still – February 7-10.
- 7.6. No change.
- 8.7. Youth turkey hunt – March ~~9-10~~ 10-11.
- 9.8. Spring turkey – March ~~16-18~~ 17-19, ~~22-24~~ 23-25 and ~~29-31~~ March 30 through April 1.
9. through 10. renumbered 10. through 11. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season the bag limit for deer shall be one antlered or one antlerless deer per quota permit. During the family hunt the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons the bag limit for deer shall be one antlered deer per quota permit. Taking antlered deer not having at least one antler with three or more points, each point one inch or more in length, is prohibited. During the spring turkey season the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. Only wild hog may be taken during the wild hog-still season.

(c) through (d) No change.

(39) Hatchet Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~21-23~~ 24-26, ~~28-30~~ September 30 through October 2 and October ~~5-7~~ 7-9.
 2. Muzzleloading gun – October ~~20-22~~ 22-24.
 3. Family hunt – November ~~3-4~~ 5-6.
 4. General gun – November ~~9-11~~ 11-13 and ~~23-25~~ 25-27.
 5. No change.
 6. Youth turkey hunt – March ~~9-10~~ 10-11.
 7. Spring turkey – March ~~16-18~~ 17-19, ~~22-24~~ 23-25 and ~~29-31~~ March 30 through April 1.
 8. No change.
- (b) through (c) No change.

(d) General regulations:

1. through 4. No change.

5. Hunters shall enter and exit at the designated entrance; ~~check in and out at the check station and check all game taken.~~

6. through 8. No change.

(40) Log Landing Wildlife Management Area.

(a) Open season:

1. Archery – September ~~15 24~~ through October ~~14 9~~ and ~~November 2-11 (Fridays, Saturdays and Sundays only) October 29 through November 6.~~

2. Muzzleloading gun – October ~~20-28, November 16-25 and December 21-30 (Fridays, Saturdays and Sundays only) 22-24.~~

3. Small game – November ~~30 25~~ through ~~December 16 and January 4 through February 10 +~~ (Fridays, Saturdays and Sundays only).

4. No change.

5. Youth turkey hunt – March ~~9-10 10-11.~~

6. Spring turkey – March ~~16 through April 21 (Fridays, Saturdays and Sundays only) 17-25.~~

7. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers, ~~except that the take of turkey other than bearded turkey or gobbler is prohibited during the archery season. The take of antlerless deer, gobbler or bearded turkey during the archery season is allowed only during the first 14 days.~~

(c) No change.

(d) General regulations:

1. Motorized vehicles are prohibited ~~except at designated parking areas.~~

2. through 6. No change.

~~7. Taking wildlife with centerfire rifles is prohibited.~~

(41) Thomas Creek Wildlife Management Area – Kings Road Unit.

(a) Open season:

1. Archery – September ~~22-24 24-26~~, October ~~1-3 3-5~~ and ~~8-10 10-12.~~

2. Muzzleloading gun – October ~~20-22 22-24.~~

3. Family hunt – November ~~3-4 5-6.~~

4. General gun – November ~~16-18 18-20~~ and ~~23-25 25-27.~~

5. Small game – ~~November 30 through December 5 2-7, December 10-12, 21-23, 28-30 12-14, 23-25, December 30 through January 1 and January 7-9 9-11.~~

6. No change.

7. Youth turkey hunt – March ~~9-10 10-11.~~

8. Spring turkey – March ~~16-18 17-19, 25-27 26-28~~ and April ~~1-3 2-4.~~

9. No change.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History–New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, 9-29-03, 7-1-04, 8-1-04, 7-1-05, 8-1-05, 7-1-06, 7-2-06, 7-1-07, 7-5-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10, 7-1-11, ~~7-1-12.~~

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.063	Specific Regulations for Wildlife Management Areas – Northwest Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region and conform to calendar year date changes. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule amendment would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Northwest Region as follows:

Apalachicola WMA, Bradwell Unit – establish three 3-day family hunts (quota of 5 per hunt, no exemptions, in December, January and February) with a bag limit of one antlered and one antlerless deer per quota permit; and move a week of small game hunting from December to November.

Econfina Creek WMA – allow raccoon hunting at night during the raccoon season without a quota permit in the dog hunt and still hunt areas (excluding the mobility-impaired, Cat Creek and Fitzhugh Carter areas); clarify that vehicles are allowed to be operated only on named or numbered roads throughout the year; and prohibit the take of bobcat and otter in the Fitzhugh Carter area.

Joe Budd WMA – prohibit the take of antlerless deer during the last two archery hunts (total of five 3-day hunts).

Lafayette Creek WMA – allow persons to through-hike on the Florida National Scenic Trail year round.

Pine Log WMA – extend the archery and spring turkey seasons by seven days each (16 to 23 days each, no quota permit required).

Proposed rule amendments would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendments would provide non-substantive technical changes, such as grammatical corrections and language standardization.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.063 Specific Regulations for Wildlife Management Areas – Northwest Region.

(1) Apalachee Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25~~ 24-27 and December ~~8~~ 10 through February ~~10~~ 12 (Mondays, Wednesdays and Fridays closed to hunting in Zones A and B, except hunting is allowed the Friday after Thanksgiving).

2. Archery – October ~~20~~ 22 through November ~~18~~ 20.

3. No change.

4. Muzzleloading gun – December ~~1-3~~ 3-5.

5. through 7. No change.

8. Quail (Zone A) – December ~~18~~ 20 through January ~~27~~ 29 (Mondays, Wednesdays and Fridays closed to hunting).

9. Spring turkey (Zones B and C) – March ~~16~~ 17 through April ~~21~~ 22 (Fridays, Saturdays and Sundays only).

(b) through (d) No change.

(2) Apalachicola Wildlife Management Area.

(a) Open seasons:

1. General gun – November ~~22-25~~ 24-27 and December ~~8~~ 10 through ~~January 30~~ February 1.

2. Small game – November ~~10-21~~ 12-23, November ~~26~~ 28 through December ~~7~~ 9 and ~~January 31~~ February 2 through March ~~3~~ 4.

3. No change.

4. Youth turkey hunt – March ~~9-10~~ 10-11.

5. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.

6. Archery – October ~~20~~ 22 through November ~~18~~ 20.

7. Muzzleloading gun – December ~~1-3~~ 3-5.

8. Muzzleloading gun and archery – ~~January 31~~ through February 10 ~~2-12~~.

9. No change.

10. Fox, raccoon, opossum and bobcat – October 1 through March ~~3~~ 4 in that portion of the area in Liberty County lying west of State Road 65 (except in that portion of the area lying north and east of the Florida River and Larkins Slough) and in that portion in Leon County and Wakulla County south of State Road 267 bounded on the east by Forest Roads 313, F.H. 13 and 356, on the south by Forest Roads 349 and 357, on the west by Forest Roads 348 and F.H. 13, 309, 314 and 344.

11. Trapping – ~~January 31~~ February 2 through March 1.

12. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Bearded turkeys or gobblers may be taken from November ~~22-25~~ ~~24-27~~ and from December ~~8-19~~ ~~10-21~~. Killing quail is prohibited on the quail enhancement area (that portion of the area lying north of Oak Ridge Road, east of State Road 61 and U.S. Highway 319, south of State Road 263 and west of State Road 363) except by quail permit during the quail season. The bag limit for quail on the quail enhancement area is six (6) per quota permit.

(c) No change.

(d) General regulations:

1. Bird dogs may be trained from June 1 through March ~~3~~ ~~4~~, except on the quail enhancement area where bird dogs may be trained November 1 through December 31. Deer dogs may be trained from October ~~27~~ ~~29~~ through November ~~15~~ ~~17~~ in that portion of the area open to hunting fox, raccoon, opossum and bobcats.

2. No change.

3. Taking wildlife by use of a gun on or from rights-of-way of ~~County Road 67, 260, 299, 368, 375~~; State Road 267, ~~67, 375, 65, 299, 368, 369, 260, 373, 263, 379, 12~~; U.S. Highway 319; or that portion of County Road 22 east of the Ochlockonee River is prohibited as provided by Rule 68A-4.008, F.A.C.

4. Taking wildlife with dogs, other than bird dogs and retrievers, is prohibited in that portion of the area lying west and south of ~~County State~~ Road 375 and east of the Ochlockonee River; also those lands lying north and east of the Florida River and Larkins Slough.

5. Taking deer is prohibited on or from the rights-of-way of ~~County State~~ Road 375 and 50 yards outward from the rights-of-way.

6. No change.

~~7. Guns being transported to and from the shooting range shall be unloaded and cased.~~

8. through 9. renumbered 7. through 8. No change.

(3) Apalachicola Wildlife Management Area – Bradwell Unit.

(a) Open season:

1. General gun – November ~~22-25~~ ~~24-27~~ and December ~~8-12~~ ~~10-14~~.

2. Archery – October ~~20-26~~ ~~22-28~~ and October ~~27~~ ~~29~~ through November ~~4~~ ~~6~~.

3. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

4. Family hunt – December 22-24, January 18-20 and February 1-3.

~~5.4.~~ Small game – November ~~10-18~~ ~~12-13~~ and December ~~29~~ ~~24~~ through January ~~6~~ ~~8~~.

~~6.5.~~ Spring turkey – March ~~16-17~~ and ~~29-31~~ ~~17-18~~ and ~~March 30~~ through April 1.

~~7.6.~~ Wild hog-dog – July ~~6-8~~ ~~1-3~~, August ~~3-5~~ ~~5-7~~ and September ~~7-9, 2012~~ ~~2-4, 2011~~, and May ~~3-5~~ ~~4-6~~ and June ~~7-9, 2013~~ ~~1-3, 2012~~.

~~8.7.~~ Wild hog-still – July ~~20-22~~ ~~15-17~~, August ~~17-19~~ ~~19-21~~ and September ~~21-23, 2012~~ ~~16-18, 2011~~, and May ~~17-19~~ ~~18-20~~ and June ~~21-23, 2013~~ ~~15-17, 2012~~.

8. through 9. renumbered 9. through 10. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. The bag limit for antlered deer shall be one per quota permit except that during the family hunt, the bag limit shall be one antlered and one antlerless deer per quota permit. During spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. During the wild hog seasons, only wild hog may be taken.

(c) No change.

(d) General regulations:

1. through 5. No change.

6. During the wild hog-dog season, wild hog may be taken by the aid of a light with a firearm ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog.~~ The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(4) Blackwater Wildlife Management Area.

(a) Open seasons in the still hunt area (which includes that portion of the area south of ~~State Road Highway~~ 4, except for the field trial area, and that portion of the area north of State Road 4, except for the dog hunt area).

1. General gun – November ~~22-25~~ ~~24-27~~ and December ~~15~~ ~~17~~ through February ~~6~~ ~~8~~.

2. Family still hunt (only in that portion of the still hunt area north of ~~State Road Highway~~ 4 and east of ~~County Road Highway~~ 191) – December ~~8-9~~ ~~10-11~~.

3. Small game – November ~~10-21~~ ~~12-23~~, November ~~26~~ ~~28~~ through December ~~14~~ ~~16~~ and February ~~7~~ ~~9~~ through March ~~3~~ ~~4~~.

4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

5. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

6. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~.

7. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

8. Muzzleloading gun and archery – February ~~14-24~~ ~~16-26~~.

9. through 13. No change.

(b) Open seasons in the dog hunt area (which includes that portion of the area north of State Road 4 and west of Three Notch Road, east of Mason West Road, and north of Camp Henderson Road; and that portion of the area north of State Road 4, west of Beaver Creek Highway and Hurricane Lake Road, and east of Belandville Road; and that portion of the area north of ~~Forest Road R47 Break Fork Fire Line~~, north of Eadie Cotton Road and Peaden Bridge Road, west of Sherman

Kennedy Road, south of Mattie Kennedy Road and Kennedy Bridge Road, west of Bullard Church Road, and east of Beaver Creek Highway and Hurricane Lake Road):

1. General gun dog – November ~~22-25~~ 24-27, December 15-30 ~~17 through January 1~~ and January 14 ~~16~~ through February 6 ~~8~~.

2. General gun still – December 31 through January 13 ~~2-15~~.

3. Family still hunt (only in that portion of the dog hunt area north of State Road Highway 4 and east of County Road Highway 191) – December 8-9 ~~10-11~~.

4. Small game – November 10-21 ~~12-23~~, November 26 ~~28~~ through December 14 ~~16~~ and February 7 ~~9~~ through March 3 ~~4~~.

5. Youth turkey hunt – March 9-10 ~~10-11~~.

6. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~.

7. Archery – October 20 ~~22~~ through November 18 ~~20~~.

8. Muzzleloading gun – December 1-3 ~~3-5~~.

9. Muzzleloading gun and archery – February 14-24 ~~16-26~~.

10. Fox, raccoon, opossum and bobcat – May 1 through March 3 ~~4~~, in that portion of the dog hunt area east of Belandville Road.

11. through 14. No change.

(c) Open seasons in the field trial area (which includes that portion of the area bounded by Coldwater Creek on the northwest, the western boundary of Blackwater State Forest to the west and south, County State Road 191 on the southeast, and on a line running west 3/4 mile from the intersection of County State Road 191 and Coldwater Horse Trail Forest Road 64 (Spanish Trail), then north one mile and then three miles west to Coldwater Creek at a point 1/2 mile northeast of the Coldwater Recreation Area):

1. Archery – October 20 ~~22~~ through November 18 ~~20~~.

2. Muzzleloading gun and archery – January 18-20 ~~20-22~~.

3. through 5. No change.

6. Quail – February 4-5, 6-7, 18-19 and 20-21 ~~6-7, 8-9, 20-21 and 22-23~~.

7. No change.

(d) Legal to take: All legal game, fish, frogs and furbearers. During the muzzleloading gun and archery season on the field trial portion of the area any deer (daily bag limit one) except spotted fawns may be taken. During the family still hunt, any deer (bag limit of three per quota permit) may be taken except spotted fawns. Taking quail is prohibited on the field trial area and the quail enhancement area (that portion of the area lying north of Bryant Bridge Road, east of Sandy Forest Road, east of County Road 191 between Sandy Forest Road and State Road Highway 4, south of State Road Highway 4 and west of Old Martin Road and Norman Riley Road) except by quail permit during the quail seasons. The bag limit for quail on the field trial area is 12 per hunting group each day. A group for the purpose of quail hunting on the field trial

area shall include up to 2 persons. Taking quail after 3 p.m. Central Time is prohibited during the quail season on the field trial area. The bag limit for quail on the quail enhancement area is six (6) per quota permit. During the fox, raccoon, opossum and bobcat season, rabbit may be chased by the use of free-running dogs but may not be harvested except as allowed during other open seasons.

(e) No change.

(f) General regulations:

1. through 3. No change.

4. The take of wildlife with a discharge of any gun within 300 yards of a public campsite is prohibited.

5. Taking of wildlife by use of a gun on, upon or from rights-of-way of State Road 4, 191, and 189 and 2; US Highway 90; County Road 2, Highway 180 and 191; Beaver Creek Highway; Bryant Bridge, Norman Riley, Sandy Forest, and Pleasant Home, Bob Pitts, Deaton Bridge, Indian Ford, Red Rock, Shockley Springs, State Line, Sherman Kennedy, Hurricane Lake, Belandville and Sellersville roads; paved portions of Camp Lowery Road, roads, and Carpenter Road from County Road 191 to Juniper Creek; Forest Road 31, 47, 25, 86, 23, 72, 48, 6 and the paved portions of Forest Roads 57, 2 and 9 is prohibited as provided by Rule 68A-4.008, F.A.C.

6. The use of airboats, tracked vehicles or all-terrain vehicles on the area is prohibited, except by permit from the Florida Forest Service Division of Forestry.

7. through 9. No change.

(5) Blackwater Wildlife Management Area – Hutton Unit.

(a) Open season:

1. Archery – October 20-23 and 24-28 ~~22-25 and 26-30~~.

2. Muzzleloading gun – December 1-3 ~~3-5~~.

3. Quail – November 10-11, 17-18, 21-22 ~~12-13, 19-20, 23-24~~, December 10-11, 15-16, 24-25 and 29-30 ~~12-13, 17-18, 26-27 and December 31 through January 1~~.

4. General gun – January 12-15 and 16-20 ~~14-17 and 18-22~~.

5. Mobility-impaired general gun – January 25-27 ~~27-29~~ and February 1-3 ~~3-5~~.

6. Youth turkey hunt – March 9-10 ~~10-11~~.

7. Spring turkey – March 16-18, 29-31 ~~17-19, March 30 through April 1~~ and April 12-14 ~~13-15~~.

8. Wild hog-dog – July 20-22 ~~15-17~~, August 17-19 ~~19-21~~ and September 21-23, 2012 ~~16-18, 2011~~, and May 17-19 ~~18-20~~ and June 21-23, 2013 ~~15-17, 2012~~.

9. through 10. No change.

(b) through (c) No change.

(d) General regulations:

1. through 7. No change.

8. During the wild hog-dog season, wild hog may be taken during the day or at night by the aid of a light with a firearm ~~provided that no such firearm shall be loaded at any time~~

except immediately prior to the shooting of a bayed hog. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(6) Blackwater Wildlife Management Area – Carr Unit.

(a) Open season: Special-opportunity released quail – November ~~10-16, 17-23, 24-30~~ ~~12-18, 19-25, November 26 through December 2, December 1-7, 8-14, 15-21, 22-28~~ ~~3-9, 10-16, 17-23, 24-30, December 29~~ ~~31~~ through January ~~4~~ ~~6~~, January ~~5-11, 12-18, 19-25~~ ~~7-13, 14-20, 21-27~~, January ~~26~~ ~~28~~ through February ~~1~~ ~~3~~, February ~~2-8, 9-15, 16-22~~ ~~4-10, 11-17, 18-24~~ and February ~~23~~ ~~25~~ through March ~~1~~ ~~2~~.

(b) through (d) No change.

(7) Joe Budd Wildlife Management Area.

(a) Open season:

1. Archery – December ~~7~~ ~~9~~ through January ~~6~~ ~~8~~ (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – January ~~11-27~~ ~~13-29~~ (Fridays, Saturdays and Sundays only).

3. Small game – October ~~6~~ ~~4~~ through December ~~2~~ ~~4~~ (Saturdays and Sundays only).

4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

5. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~ (Saturdays and Sundays only).

6. No change.

(b) Legal to take: All legal game, turkey of either sex, fish, frogs and furbearers. During small game season, dove (Saturdays only, during phases established by Rule 68A-13.008, F.A.C.), quail and squirrel may be taken. Antlerless deer is any deer, except a spotted fawn, that is without antlers or whose antlers are less than one inch in length visible above the hairline. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During the last two 3-day hunts of archery season, the take of antlerless deer is prohibited. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit.

(c) Camping: Prohibited, except at the High Bluff campground by permit from the Florida Forest Service Division of Forestry.

(d) No change.

(8) Point Washington Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25~~ ~~24-27~~ and December ~~8~~ ~~10~~ through January 30 ~~February 1~~.

2. Small game – November ~~10-21~~ ~~12-23~~, November ~~26~~ ~~28~~ through December ~~7~~ ~~9~~ and January 31 ~~February 2~~ through March ~~3~~ ~~4~~.

3. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

4. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~.

5. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

6. Archery and muzzleloading gun – January 31 through February 10 ~~2-12~~.

7. through 9. No change.

(b) through (d) No change.

(9) Talquin Wildlife Management Area.

(a) Open season:

1. General gun – November ~~23-25~~ ~~25-27~~ and December ~~8-30~~ ~~10~~ through ~~January 1~~ (Fridays, Saturdays and Sundays only).

2. Small game – January ~~4~~ ~~6~~ through March ~~3~~ ~~4~~ (Fridays, Saturdays and Sundays only).

3. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~ (Fridays, Saturdays and Sundays only).

4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

5. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~ (Saturdays and Sundays only).

6. through 7. No change.

(b) through (d) No change.

(10) Ochlockonee River Wildlife Management Area.

(a) Open season:

1. Archery and muzzleloading gun – November ~~23-25~~ ~~25-27~~ and December ~~8-30~~ ~~10~~ through ~~January 1~~ (Fridays, Saturdays and Sundays only).

2. Small game – January ~~4~~ ~~6~~ through March ~~3~~ ~~4~~ (Fridays, Saturdays and Sundays only).

3. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~ (Fridays, Saturdays and Sundays only).

4. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

5. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~ (Saturdays and Sundays only).

6. No change.

(b) through (d) No change.

(11) Tate's Hell Wildlife Management Area.

(a) Open season:

2. Small game – November ~~10-21~~ ~~12-23~~, November ~~26~~ ~~28~~ through December ~~7~~ ~~9~~ and January 31 ~~February 2~~ through March ~~3~~ ~~4~~. 1. General gun – November ~~22-25~~ ~~24-27~~ and December ~~8~~ ~~10~~ through January 30 ~~February 1~~.

3. Archery – October ~~20~~ ~~22~~ through November ~~18~~ ~~20~~.

4. Muzzleloading gun – December ~~1-3~~ ~~3-5~~.

5. Muzzleloading gun and archery – January 31 through February 10 ~~2-12~~.

6. through 7. No change.

8. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

9. through 11. No change.

(b) No change.

(c) Camping: Prohibited, except at designated sites by permit from the Florida Forest Service Division of Forestry.

(d) General regulations:

1. Deer dogs may be trained from October ~~27~~ ~~29~~ through November ~~15~~ ~~17~~.

2. No change.

3. Vehicles may be operated only on designated roads. Off-Highway Vehicles (all-terrain vehicles and off-highway motorcycles) are prohibited except by permit from the Florida Forest Service Division of Forestry. Airboats and tracked vehicles are prohibited.

4. No change.

5. Taking of wildlife by use of a gun on or from the rights-of-way of County State Road 67 is prohibited as provided by Rule 68A-4.008, F.A.C.

6. No change.

(12) Tate's Hell Wildlife Management Area – Womack Creek Unit.

(a) Open season:

1. Archery – October ~~20-28~~ 22-30.

2. Muzzleloading gun – December ~~1-3~~ 3-5.

3. Small game – November ~~10-21~~ 12-23, November ~~26~~ 28 through December ~~7~~ 9, December ~~17-23~~ 19-23 and January ~~6-30~~ 6 through February ~~1~~.

4. General gun still – November ~~22-25~~ 24-27 and December ~~8-16~~ 10-18.

5. through 6. No change.

7. Youth turkey hunt – March ~~9-10~~ 10-11.

8. Spring turkey – March ~~16-19, 28-31~~ 17-20, March 29 through April ~~1~~ and April ~~4-7~~ 5-8.

9. through 10. No change.

(b) No change.

(c) Camping: Prohibited, except at designated sites by permit from the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 3. No change.

4. Taking wildlife by use of a gun on or from the rights-of-way of County State Road 67 and Jeff Sanders Road from Rock Landing Road south 1/2 mile to SFR 174 is prohibited as provided by Rule 68A-4.008, F.A.C.

(13) Aucilla Wildlife Management Area.

(a) Open season:

1. General gun – November ~~3~~ 5 through ~~December 30~~ January 1, except in the Pinhook still hunt area. November ~~3-9, 10-16~~ and 17-25 ~~5-11, 12-18, and 19-27~~ in the Pinhook still hunt area.

2. Small game – ~~December 31~~ January 2 through March ~~3~~ 4.

3. Youth turkey hunt – March ~~9-10~~ 10-11.

4. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.

5. Archery – September ~~15~~ 17 through October ~~14~~ 16, except in the Pinhook still hunt area. September ~~15-23~~ 17-25 and October ~~6-14~~ 8-16 in the Pinhook still hunt area.

6. Muzzleloading gun – October ~~20-22~~ 22-24.

7. Family hunt – October ~~27-28~~ 29-30, in the Pinhook still hunt area only.

8. Wild hog-still – December ~~15-30~~ 17 through January ~~1~~, in the Pinhook still hunt area only.

9. through 11. No change.

12. Trapping – ~~December 31~~ January 2 through March 1.

(b) through (d) No change.

(14) Flint Rock Wildlife Management Area.

(a) Open season:

1. Muzzleloading gun – October ~~20~~ 22 through November ~~2~~ 4.

2. General gun – November ~~3~~ 5 through January ~~20~~ 22.

3. Small game – January ~~21~~ 23 through March ~~3~~ 4.

4. Youth turkey hunt – March ~~9-10~~ 10-11.

5. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22.

6. Archery – September ~~15~~ 17 through October ~~14~~ 16.

7. through 9. No change.

10. Trapping – January ~~21~~ 23 through March 1.

(b) through (d) No change.

(15) Pine Log Wildlife Management Area.

(a) Open season:

1. Archery – October ~~20~~ 22 through November ~~11~~ 6.

2. Muzzleloading gun – December ~~1-3~~ 3-5.

3. General gun – November ~~22-25~~ 24-27, January ~~19-22~~ and 23-27 ~~21-24 and 25-29~~.

4. Small game – December ~~4-31~~ 6-31.

5. Youth turkey hunt – March ~~9-10~~ 10-11.

6. Spring turkey – March ~~16~~ 17 through April ~~7~~ 4.

7. through 8. No change.

(b) through (d) No change.

(16) Eglin AFB Wildlife Management Area.

(a) Open season:

1. Archery – October ~~20~~ 22 through November ~~21~~ 23 in areas and during days specified by the Installation Commander.

2. Muzzleloading gun – December ~~1-7~~ 3-9 in areas specified by the Installation Commander.

3. General gun – November ~~22-25~~ 24-27, December ~~8~~ 10 through February ~~17~~ 19 in areas and during days specified by the Installation Commander.

4. Archery and muzzleloading gun – February ~~18-24~~ 20-26 in areas and during days specified by the Installation Commander.

5. Small game – November ~~10~~ 12 through March ~~3~~ 4 in areas and during days specified by the Installation Commander.

6. No change.

7. Youth turkey hunt – March ~~9-10~~ 10-11 in areas specified by the Installation Commander.

8. Spring turkey – March ~~16~~ 17 through April ~~21~~ 22 in areas and during days specified by the Installation Commander.

9. through 11. No change.

(b) through (d) No change.

(17) Escambia River Wildlife Management Area.

(a) Open season:

1. General gun – November ~~22-25 24-27~~ and December ~~8 10~~ through ~~January 30~~ February 1.

2. Archery – October ~~20 22~~ through November ~~18 20~~.

3. Muzzleloading gun – December ~~1-3 3-5~~.

4. Archery and muzzleloading gun – January 31 through February 10 2-12.

5. Small game – November ~~10-21 12-23~~, November ~~26 28~~ through December ~~7 9~~ and January 31 February 2 through March ~~3 4~~.

6. Youth turkey hunt – March ~~9-10 10-11~~.

7. Spring turkey – March ~~16 17~~ through April ~~21 22~~.

8. through 10. No change.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited on ~~Parker and Morgan Islands (except in accordance with paragraph 68A-24.002(2)(b), F.A.C., when hunting raccoon)~~ and in that portion of the area north of State Road 184 in Santa Rosa County, and north of Cedartown Road and Daffin Road in Escambia County, except that dogs may be used on Parker and Morgan islands at night to take raccoon.

3. through 4. No change.

5. Hunting raccoon as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed. Raccoon may be taken by the use of firearms from only during November 1 through March 1 only.

(18) Tyndall AFB Wildlife Management Area.

(a) Open season:

1. Archery – October ~~20 22~~ through November ~~21 23~~ during days specified by the Installation Commander.

2. Muzzleloading gun – December ~~1-7 3-9~~.

3. General gun – November ~~22-25 24-27~~ and December ~~8 10~~ through February ~~17 19~~ during days specified by the Installation Commander.

4. Supervised youth – October ~~20 22~~ through December 31 (only in areas and during days designated by the Installation Commander).

5. Youth turkey hunt – March ~~9-10 10-11~~ in areas specified by the Installation Commander.

6. Spring turkey – March ~~16 17~~ through April ~~21 22~~ during days specified by the Installation Commander.

7. Small game – November ~~10 12~~ through March ~~3 4~~ during days specified by the Installation Commander.

8. through 9. No change.

(b) through (d) No change.

(19) Choctawhatchee River Wildlife Management Area.

(a) Open season:

1. Archery – October ~~20 22~~ through November ~~18 20~~.

2. Muzzleloading gun – December ~~1-3 3-5~~.

3. General gun – November ~~22-25 24-27~~ and December ~~8 10~~ through January 30 ~~February 1~~ except Holmes Creek Unit and East River Island.

4. Small game – November ~~10-21 12-23~~, November ~~26 28~~ through December ~~7 9~~ and January 31 ~~February 2~~ through March ~~3 4~~.

5. Archery and muzzleloading gun – January 31 through February 10 2-12. Holmes Creek Unit and East River Island November ~~22-25 24-27~~ and December ~~8 10~~ through February ~~10 12~~.

6. Youth turkey hunt – March ~~9-10 10-11~~.

7. Spring turkey – March ~~16 17~~ through April ~~21 22~~ only in that portion of the area south of the pipeline right-of-way located up river (north) of Cedar Log Landing (Walton County) and Billy Lee Landing (Washington County). March ~~16-18 and 29-31 17-19 and March 30~~ through April ~~1~~ in that portion of the area north of the pipeline right-of-way.

8. through 9. No change.

10. Trapping – December 1 through March 1 in still hunt areas and January 31 ~~February 2~~ through March 1 in dog hunt areas.

(b) through (d) No change.

(20) Chipola River Wildlife Management Area.

(a) Open seasons, except in the Altha Tract:

1. Archery – October ~~20 22~~ through November ~~18 20~~.

2. Muzzleloading gun – December ~~1-3 3-5~~.

3. General gun – November ~~22-25 24-27~~ and December ~~8 10~~ through January 1.

4. Small game – November ~~10-21 12-23~~, November ~~26 28~~ through December ~~7 9~~ and January 2 through March ~~3 4~~.

5. Archery and muzzleloading gun – January ~~5-6 and 12-13 7-8 and 14-15~~.

6. Youth turkey hunt – March ~~9-10 10-11~~.

7. Spring turkey – March ~~16 17~~ through April ~~21 22~~.

8. through 10. No change.

(b) Open seasons in the Altha Tract:

1. Archery – October ~~20-26 22-28~~ and October ~~27 29~~ through November ~~4 6~~.

2. Family hunt – November ~~22-25 24-27~~.

3. Muzzleloading gun – December ~~1-3 3-5~~.

4. Small game – January ~~5 7~~ through March ~~3 4~~ (Saturdays and Sundays only).

5. Spring turkey – March ~~16-18, 29-31 17-19, March 30~~ through April ~~1~~ and April ~~12-14 13-15~~.

6. through 7. No change.

(c) through (e) No change.

(21) Yellow River Wildlife Management Area.

(a) Open seasons except in the Grassy Point and Burnt Grocery Creek areas:

1. Archery – October ~~20 22~~ through November ~~18 20~~.
2. Muzzleloading gun – December ~~1-3 3-5~~.
3. General gun – November ~~22-25 24-27~~ and December ~~8 10~~ through ~~January 30 February 1~~.
4. Small game – November ~~10-21 12-23~~, November ~~26 28~~ through December ~~7 9~~ and ~~January 31 February 2~~ through March ~~3 4~~.
5. Archery and muzzleloading gun – ~~January 31 through February 10 2-12~~.
6. Spring turkey – March ~~16 17~~ through April ~~21 22~~.
7. through 9. No change.

(b) Open seasons in the Grassy Point area (the area south of Weaver River):

1. General gun – November ~~22-25 24-27~~, January ~~19-22 and 23-27 21-24 and 25-29~~.
2. Archery – October ~~20-26 22-28~~ and October ~~27 29~~ through November ~~4 6~~.
3. Muzzleloading gun – December ~~1-3 3-5~~.
4. Spring turkey – March ~~16-18, 29-31 17-19, March 30 through April 1, April 5-7 and 19-21 6-8 and 20-22~~.
5. Small game – November ~~10-18 12-20~~.
6. No change.

(c) Open seasons in the Burnt Grocery Creek area (the area west of Burnt Grocery Creek and north of Bernice Road and Old Fisher Mill Road):

1. Archery – October ~~20 22~~ through November ~~18 20~~, November ~~22-25 24-27~~, and December ~~8 10~~ through ~~January 30 February 1~~.
2. Muzzleloading gun – December ~~1-3 3-5~~.
3. Small game – November ~~10-18 12-20~~.
4. Archery and muzzleloading gun – ~~January 31 through February 10 2-12~~.
5. Youth turkey hunt – March ~~9-10 10-11~~.
6. Spring turkey – March ~~16-18, 29-31 17-19, March 30 through April 1, April 5-7 and 19-21 6-8 and 20-22~~.
7. through 8. No change.

(d) through (f) No change.

(22) Econfina Creek Wildlife Management Area.

(a) Open season except in the mobility-impaired, Cat Creek and Fitzhugh Carter areas.

1. Archery – October ~~20 22~~ through November ~~18 20~~.
2. Muzzleloading gun – December ~~1-3 3-5~~.
3. General gun – November ~~22-25 24-27~~ and December ~~8 10~~ through ~~January 30 February 1~~.
4. Small game – November ~~10-21 12-23~~, November ~~26 28~~ through December ~~7 9~~ and ~~January 31 February 2~~ through March ~~3 4~~.
5. Archery and muzzleloading gun – ~~January 31 through February 10 2-12~~.
6. Youth turkey hunt – March ~~9-10 10-11~~.
7. Spring turkey – March ~~16 17~~ through April ~~21 22~~.

8. Raccoon – November ~~10 12~~ through March ~~8 9~~ and April ~~22 23~~ through July 31.

9. through 10. No change.

(b) Open seasons in the mobility-impaired hunt area (area south of County Road 388):

1. General gun – November ~~23-25 25-27~~, January ~~11-13, 18-20, 25-27 and January 30 through February 1 13-15, 20-22, 27-29 and February 1-3~~.
2. Spring turkey – March ~~16-17, 22-24, 29-31 17-18, 23-25, March 30 through April 1, April 5-7, 12-14 and 19-21 6-8, 13-15 and 20-22~~.
3. No change.

(c) Open seasons in the Cat Creek (area south of State Road 20 and north of County Road 388) and Fitzhugh Carter (area west of State Road 77) areas:

1. Archery – October ~~20-26 22-28~~ and October ~~27 29~~ through November ~~4 6~~.
2. Muzzleloading gun – December ~~1-3 3-5~~.
3. General gun – November ~~22-25 24-27~~, January ~~19-22 and 23-27 21-24 and 25-29~~.
4. Small game – December ~~8-23 10-25~~.
5. Youth turkey hunt – March ~~9-10 10-11~~.
6. Spring turkey – March ~~16-18, 29-31 17-19, March 30 through April 1 and April 12-14 13-15~~.
7. through 8. No change.

(d) Legal to Take: All legal game, fish (except as provided below), frogs and furbearers. Taking bobcat and otter is prohibited in the Fitzhugh Carter area. During the youth turkey hunt, the bag limit shall be one gobbler or bearded turkey per quota permit. In the mobility-impaired hunt area, antlerless deer (bag limit of two per three-day hunt) may be taken during general gun hunts only by persons possessing valid mobility-impaired certificates.

(e) No change.

(f) General regulations:

1. ~~During periods open to hunting, V~~ehicles may be operated only on named or numbered roads ~~except in the mobility-impaired hunt area.~~ During periods open to hunting in the mobility-impaired hunt area, vehicles are not restricted to named or numbered roads but may be operated only by persons authorized to participate in the hunt possessing a mobility-impaired quota permit or their guests. During periods closed to hunting, vehicular access is prohibited on Dog Roads 1-8, 10, 13-17, 19, 20-28 and 33-37, Enfinger Road and on numbered roads in the mobility-impaired area.

2. Taking wildlife with dogs, other than bird dogs or retrievers, is prohibited in those portions of the area that are west of State Road 77; south of State Road 20; east of Econfina Creek; east of Ten-mile Creek; west of Econfina Road and south of Greenhead Road; and north of ~~Deadening Duma Jack~~ Road, except that dogs may be used in that portion of the area

in Jackson County and to take raccoons (except in the mobility-impaired, Cat Creek and Fitzhugh Carter areas ~~hunt area~~).

3. through 6. No change.

7. During the raccoon season, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is allowed and quota permits are not required from one hour after sunset until one hour before sunrise.

8. through 11. No change.

(23) Box-R Wildlife Management Area.

(a) Open season:

1. Archery – October 20-26 ~~22-28~~ and October 27 ~~29~~ through November 4 ~~6~~.

2. Small game – November 10-18 ~~12-20~~.

3. Muzzleloading gun – December 1-3 ~~3-5~~.

4. General gun – November 22-25 ~~24-27~~, January 3-6, 10-13 ~~and 17-20~~ ~~5-8, 12-15 and 19-22~~.

5. Wild hog-still – December 8-14 ~~10-16~~.

6. Wild hog-dog – July 13-15 ~~8-10~~, August 10-12 ~~12-14~~ and September 14-16, 2012 ~~9-11, 2011~~, and May 10-12 ~~11-13~~ and June 14-16, 2013 ~~8-10, 2012~~.

7. Spring turkey – March 16-19, 28-31 ~~17-20~~, ~~March 29 through April 1~~ and April 11-14 ~~12-15~~.

8. through 9. No change.

(b) through (c) No change.

(d) General regulations:

1. through 11. No change.

12. During the wild hog-dog season, wild hog may be taken by the aid of a light with a firearm ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog~~. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(24) Lafayette Creek Wildlife Management Area.

(a) Open season:

1. Archery – October 20-26 ~~22-28~~ and October 27 ~~29~~ through November 4 ~~6~~.

2. Muzzleloading gun – December 1-3 ~~3-5~~.

3. Family hunt – November 22-25 ~~24-27~~.

4. General gun – January 19-22 ~~and 23-27~~ ~~21-24 and January 25-29~~.

5. Small game – December 7 ~~9~~ through January 13 ~~15~~ (Fridays, Saturdays and Sundays only).

6. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~ (Saturdays and Sundays only).

7. through 9. No change.

(b) through (c) No change.

(d) General regulations:

1. No change.

2. During the archery, muzzleloading gun, family hunt, general gun and spring turkey seasons, access to the area shall be restricted to individuals authorized to participate in the quota hunt and persons hiking through on the Florida Trail.

3. through 4. No change.

5. All persons entering or exiting the area may do so only at a designated entrance, except through hikers may enter via the Florida Trail.

6. No change.

(25) Wakulla Wildlife Management Area.

(a) Open season:

1. Archery – October 13 ~~15~~ through November 11 ~~13~~ (Fridays, Saturdays and Sundays only).

2. Archery and muzzleloading gun – November 23-25 ~~25-27~~, December 7-9, 21-23 ~~9-11, 23-25~~, January 4-6 ~~and 18-20~~ ~~6-8 and 20-22~~.

3. Small game – January 21 ~~23~~ through February 17 ~~19~~.

4. Youth turkey hunt – March 9-10 ~~10-11~~.

5. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~ (Saturdays and Sundays only).

6. No change.

(b) No change.

(c) Camping: Allowed only at designated sites by permit from the Florida Forest Service ~~Division of Forestry~~.

(d) General regulations:

1. through 6. No change.

7. The take of wildlife with ~~Discharge of~~ a firearm on or from the right-of-way of Chattin Road within 1/4 mile of the intersection with McBride Slough Road is prohibited.

(26) Perdido River Wildlife Management Area.

(a) Open season:

1. Archery – October 20 ~~22~~ through November 18 ~~20~~.

2. Muzzleloading gun – December 1-3 ~~3-5~~.

3. Family hunt – November 22-25 ~~24-27~~ and January 4-6 ~~6-8~~.

4. General gun – January 12-18 ~~and 19-27~~ ~~14-20 and January 21-29~~.

5. Archery and muzzleloading gun – January 31 ~~through February 10~~ ~~2-12~~.

6. Small game – December 4 ~~6~~ through January 2 ~~4~~.

7. Youth turkey hunt – March 9-10 ~~10-11~~.

8. Spring turkey – March 16-24 ~~17-25~~ and March 25 ~~26~~ through April 7 ~~8~~.

9. through 11. No change.

(b) through (d) No change.

(27) Juniper Creek Wildlife Management Area.

(a) Open season:

1. Family hunt – November 23-25 ~~25-27~~, December 24-26, December 31 through January 2, January 18-20 ~~20-22~~ and February 1-3 ~~3-5~~.

2. Youth turkey hunt – March 9-10 ~~10-11~~.

(b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History— New 6-21-82, Amended 7-1-83, 7-5-84, 7-1-85, 5-7-86, 5-10-87, 6-8-87, 5-1-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 9-1-91, 7-1-92, 7-2-92, 7-1-93, 3-1-94, 7-1-94, 7-1-95, 7-2-95, 8-15-95, 7-1-96, 7-2-96, 6-1-97, 12-3-97, 7-1-98, 7-2-98, 8-11-98, 7-1-99, Formerly 39-15.063, Amended 11-17-99, 7-1-00, 7-1-01, 7-22-01, 6-2-02, 5-1-03, 7-1-03, 7-1-04, 7-2-04, 8-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-20-09, 7-1-10, 7-1-11, 11-14-11, 7-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.064
 RULE TITLE: Specific Regulations for Wildlife Management Areas – South Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region and conform to calendar year date changes. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule amendment would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region as follows:

Allapattah Flats WMA – remove the requirement for hunters to check in and check game at the check station.

Dinner Island Ranch WMA – allow hunting in the dove fields without assigned hunt stations.

J.W. Corbett WMA – allow vehicle access only on the portion of the North Grade road lying between the north entrance and the B camp gate beginning at 8 a.m. two days prior to the opening of archery season. Parked vehicles must remain attended by a driver at all times.

Okaaloocoochee Slough WMA – add 21 days to small game season (no quota permit required); add a 7-day spring turkey hunt (quota 50, no exemptions); and add a 3-day muzzleloading gun hunt (quota 125, no exemptions).

Picayune Strand WMA – add a 7-day general gun hunt (quota 145, no exemptions); and add a 3-day muzzleloading gun hunt (quota 145, no exemptions).

Spirit-of-the-Wild WMA – remove dove field hunts and associated regulations, because of unsuitable dove field conditions.

The proposed rule amendment would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections and language standardization.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by

contacting: The ADA Coordinator, at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.064 Specific Regulations for Wildlife Management Areas – South Region.

- (1) J. W. Corbett Wildlife Management Area.
- (a) through (c) No change.
- (d) General regulations:

1. The take of wildlife with use of rifles is prohibited within the Pratt-Whitney buffer zone and within one-fourth mile of the Seaboard Coastline Railroad and Mecca Farms. The take of wildlife with use of centerfire rifles is prohibited south and east of Stumper’s Grade.

- 2. through 12. No change.

13. Public access is allowed throughout the year except from the Sunday two weeks prior to the opening of archery season until 8 a.m. the day prior to the archery season when the area shall be closed to public access except on the portion of the North Grade between the north entrance and the B camp gate where access will be allowed starting 8 a.m. two days prior to archery season. Vehicles parked on the North Grade during the closure period shall not be left unattended by a driver. Hiking on the Florida Trail and use of the Hungryland Boardwalk is allowed throughout the year.

- 14. through 18. No change.

- (2) Holey Land Wildlife Management Area.

- (a) Open season:

- 1. General gun – Walk, September 29 through October 14 +16.
- 2. General gun – Vehicle, October 20 22 through November 4 6 (tracked vehicles).

- 3. Archery – August 4-26 6-28.

- 4. Muzzleloading gun – September 1-9 3-11.

- 5. Small game – November 5 7 through March 3 4.

- 6. through 7. No change.

- (b) through (c) No change.

- (d) General regulations:

- 1. through 12. No change.

13. The take of wildlife with display or use of a gun on or upon the L-5 or Miami Canal Levees in a manner capable of taking wildlife is prohibited.

- 14. No change.

~~15. Reptiles of Concern as listed in subsection 68A-6.007(1), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken after the last day of small game season March 5 through the second Sunday in April +5 and during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.~~

16. Guns are a prohibited method of take for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized and after the last day of small game season from March 5 through the second Sunday in April +5 when all legal methods of take for game animals or alligators are allowed, except the use of centerfire rifles is prohibited.

17. ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall not be removed from the area alive.

18. Persons that take any ~~Reptile of Concern and~~ Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

19. The day after small game season ends From March 5 through the second Sunday in April +5 shooting hours for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall be 1/2 hour before sunrise and until 1/2 hour after sunset.

- (e) No change.

(3) Everglades and Francis S. Taylor Wildlife Management Area.

- (a) Open season:

1. General gun – Walk, September 29 through October 14 +16, Conservation Areas 3A North and 2 only.

2. General gun – Vehicle (airboats and tracked vehicles only), October 20 22 through November 4 6, in Conservation Areas 3A North, 3A South, 2, and the Francis S. Taylor Wildlife Management Area.

3. Archery – August 4-26 6-28, Conservation Area 3A North only.

4. Muzzleloading gun –September 1-9 3-11, in Conservation Area 3A North only.

- 5. Small game – November 5 7 though March 3 4.

- 6. through 7. No change.

- (b) through (c) No change.

- (d) General regulations:

- 1. through 4. No change.

5. During archery, muzzleloading gun and general gun-walk seasons, the operation of airboats is prohibited in Conservation Area 3A North and Conservation Area 2 during legal shooting hours. ~~Archery equipment, muzzleloading guns, and guns may be transported on boats and all-terrain vehicles in Conservation Area 3A North and Conservation Area 2 during the archery and muzzleloading gun seasons and general gun-walk season, respectively.~~

6. through 17. No change.

18. The ~~take of wildlife with display or use of a gun on or upon the L-4 or L-5 Levees in a manner capable of taking wildlife~~ is prohibited.

19. through 21. No change.

22. ~~Reptiles of Concern as listed in subsection 68A-6.007(1), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken after the last day of small game season March 5 through the second Sunday in April 15 and during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.~~

23. Guns are a prohibited method of take for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized and ~~after the last day of small game season from March 5 through the second Sunday in April 15~~ when all legal methods of take for game animals or alligators are allowed, except the use of centerfire rifles is prohibited.

24. ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall not be removed from the area alive.

25. Persons that take any ~~Reptile of Concern or~~ Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

26. ~~The day after small game season ends From March 5 through the second Sunday in April 15~~ shooting hours for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall be 1/2 hour before sunrise until 1/2 hour after sunset.

(e) Notwithstanding any other provisions of this subsection, alligator hunt participants may operate airboats and tracked vehicles throughout the area when taking alligators.

~~1. May operate airboats and tracked vehicles throughout the area when taking alligators, and~~

~~2. May transport guns specified in Rule 68A-15.004, F.A.C., by airboat for the purpose of taking alligators.~~

(4) Rotenberger Wildlife Management Area.

(a) Open season:

1. General gun – Walk, September 29 through October 14 ~~1-16~~.

2. General gun – Vehicle (tracked vehicles only), October 20 ~~22~~ through November 4 ~~6~~ (tracked vehicles).

3. Archery – August 4-26 ~~6-28~~.

4. Muzzleloading gun – September 1-9 ~~3-11~~.

5. Small game – November 5 ~~7~~ through March 3 ~~4~~.

6. through 7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 12. No change.

13. The ~~take of wildlife with display or use of a gun on or upon the L-4, Powerline, Manley Ditch or Miami Canal levees in a manner capable of taking wildlife~~ is prohibited.

14. No change.

15. ~~Reptiles of Concern as listed in subsection 68A-6.007(1), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken after the last day of small game season March 5 through the second Sunday in April 15 and during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.~~

16. Guns are a prohibited method of take for ~~Reptiles of Concern, and~~ Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized and ~~after the last day of small game season from March 5 through the second Sunday in April 15~~ when all legal methods of take for game animals or alligators are allowed, except the use of centerfire rifles is prohibited.

17. ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall not be removed from the area alive.

18. Persons that take any ~~Reptile of Concern or~~ Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

19. ~~The day after small game season ends From March 5 through the second Sunday in April 15~~ shooting hours for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall be 1/2 hour before sunrise until 1/2 hours after sunset.

(e) No change.

(5) Big Cypress Wildlife Management Area.

(a) Open season:

1. through 2. No change.

3. Archery – September 1-30 ~~3~~ through October 2 in all units and twelve days prior to Thanksgiving day through January 1, except during those years when January 1 falls on a Thursday, Friday or Saturday, in which case the season would close on the following Sunday in the Deep Lake Unit only.

4. Muzzleloading gun – October 6-21 ~~8-23~~, except in the Deep Lake Unit.

5. Spring turkey – March 2 ~~3~~ through April 7 ~~8~~.

6. through 7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 14. No change.

15. The ~~take of wildlife with use of~~ guns other than muzzleloading guns or bow and arrow in the Deep Lake Unit is prohibited.

16. ~~Reptiles of Concern as listed in subsection 68A-6.007(1), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be~~

taken during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

17. Guns are a prohibited method of take for ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized.

18. ~~Reptiles of Concern and~~ Conditional non-native snakes and lizards shall not be removed from the area alive.

19. Persons that take any ~~Reptile of Concern or~~ Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

(6) Okaloacoochee Slough Wildlife Management Area.

(a) Open season:

1. Archery – August ~~4-10 6-12~~ and ~~11-19 13-21~~.

2. Muzzleloading gun – September ~~1-3 and 8-10 10-12~~.

3. Family Hunt – September ~~15-16 17-18~~.

4. General gun – September ~~22-25 24-27~~ and September ~~26-30 28 through October 2~~.

5. Small game – November ~~17 19~~ through December ~~30 11~~.

6. Spring turkey – March ~~2-5, 6-10 3-6~~ and ~~11-17 7-11~~.

7. through 8. No change.

(b) through (d) No change.

(7) Fisheating Creek Wildlife Management Area.

(a) Open season:

1. Archery – August ~~17-19 19-21~~ and ~~24-26 26-28~~ west of US Highway 27 only.

2. Muzzleloading gun – September ~~7-9 9-11~~ and ~~14-16 16-18~~ west of US Highway 27 only.

3. General gun – September ~~28-30 30 through October 2~~ and October ~~12-14 14-16~~ west of US Highway 27 only.

4. Youth Turkey Hunt – February ~~23-24 25-26~~ west of US Highway 27 only.

5. Spring turkey – March ~~2-5 3-6, 8-11 9-12, 15-18 16-19~~ and ~~22-25 23-26~~ and March ~~29 30~~ through April ~~1 2~~ west of US Highway 27 only.

6. Special-opportunity spring turkey – March ~~2-8 3-9~~ and ~~16-22 17-23~~ east of US Highway 27 only.

7. ~~Wild hog-still General gun hog~~ – November ~~17-18 19-20~~ west of US Highway 27 only.

8. through 9. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers except that turkeys may not be taken during the archery season. The bag limit for deer shall be one per quota hunt permit. During the spring turkey and special-opportunity spring turkey seasons, the bag limit for turkey shall be one gobbler or bearded turkey per permit. During the ~~wild hog-still general gun hog~~ season, only wild hog may be taken.

(c) through (d) No change.

(8) Picayune Strand Wildlife Management Area.

(a) Open season:

1. Archery – August ~~4-19 6-21~~.

2. Muzzleloading gun – September ~~1-3 and 8-10 3-5~~.

3. General gun – October ~~6-9, 10-14 8-11~~ and ~~15-21 12-16~~.

4. Small game – November ~~10 12~~ through December ~~23 25~~.

5. Spring turkey – March ~~2-5 3-6~~ and ~~6-10 7-11~~.

6. through 7. No change.

(b) No change.

(c) Camping: Camping is allowed by Special-Use Permit issued by the ~~Florida Forest Service Division of Forestry~~. Only tents, trailers, or self-propelled camping vehicles may be used for camping.

(d) General regulations:

1. No change.

2. The use of tracked vehicles or airboats is prohibited. Off-Highway Vehicles (all-terrain vehicles and off-highway motorcycles) are prohibited except by permit from the ~~Florida Forest Service Division of Forestry~~ only.

3. through 6. No change.

(9) Dinner Island Ranch Wildlife Management Area.

(a) Open season:

1. Archery – August ~~3-6 5-8, 10-13 12-15, 17-20 19-22~~ and ~~24-27 26-29~~.

2. Muzzleloading gun – September ~~7-9 9-11~~.

3. General gun – September ~~15-17 17-19, 21-23 23-25,~~ and ~~28-30 September 30 through October 2~~.

4. Small game – November ~~10-30 12 through December 2,~~ December ~~3-7 5-9~~ and December ~~10 12~~ through February ~~22 24 and February 27-29~~.

5. Family hunt – December ~~1-2 3-4~~ and ~~8-9 10-11~~.

6. Youth Turkey Hunt – February ~~23-24 25-26~~.

7. Spring turkey – March ~~2-4 3-5, 9-11 10-12~~ and March ~~30 31~~ through April ~~1 2~~.

8. through 10. No change.

(b) through (c) No change.

(d) General regulations:

1. through 8. No change.

9. ~~During dove field hunts, dove hunters shall hunt from assigned stations in the posted field. Hunt station assignments may be transferred at the check station.~~

~~9-10~~. No change.

(10) Spirit-of-the-Wild Wildlife Management Area.

(a) Open season:

1. Archery – August ~~3-6 5-8, 10-13 12-15, 17-20 19-22~~ and ~~24-27 26-29~~.

2. Muzzleloading gun – September ~~7-9 9-11~~.

3. General gun – September ~~15-17 17-19, 21-23 23-25,~~ and September ~~28-30 30 through October 2~~.

4. Small game – November ~~10 12~~ through February ~~22 24 and February 27-29~~.

- 5. Youth Turkey Hunt – February ~~23-24~~ 25-26.
- 6. Spring turkey – March ~~2-4~~ 3-5, ~~9-11~~ 10-12 and ~~16-18~~ 17-19.
- 7. No change.
- 8. ~~Dove field – Saturdays only during the mourning dove and white winged dove season established by Rule 68A-13.008, F.A.C.~~
- ~~8.9~~ No change.
- (b) through (c) No change.
- (d) General regulations:
 - 1. Hunting with dogs is prohibited except bird dogs or retrievers may be used during small game and migratory bird seasons for taking small game and migratory game ~~birds and on the posted dove field during established dove hunts.~~
 - 2. through 7. No change.
 - 8. ~~Shooting hours for dove hunts shall be from noon until sunset. Hunters may enter the posted field no earlier than one hour before shooting time and shall exit the field within one hour after sunset.~~
 - 9. ~~During the dove field hunts, dove hunters shall hunt from assigned stations in the posted field. Hunt station assignments may be transferred at the check station.~~
 - 10. ~~Dove field permits shall be issued on a first-come, first-served basis at the check station on the day of each dove hunt.~~
- (11) Allapattah Flats Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – September ~~8-11~~ 4-13, ~~15-18~~ 17-20, ~~22-25~~ 24-27 and ~~September 29 through~~ October 2-4.
 - 2. Muzzleloading gun – October ~~13-15~~ 15-17.
 - 3. Family hunt – October ~~27-30~~ 29 through ~~November 1~~.
 - 4. General gun – ~~November 3-7~~ 5-9.
 - 5. Small game – November ~~17~~ 19 through the second Sunday in January.
 - 6. Spring turkey – March ~~2-5~~ 3-6 and ~~6-10~~ 7-11.
 - 7. through 8. No change.
 - (b) through (c) No change.
 - (d) General regulations:
 - 1. through 3. No change.
 - 4. ~~Hunters shall check in and out at a check station when entering and exiting the area and shall check all game taken.~~
 - 5. through 9. renumbered 4. through 8. No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313
 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313
 FS. History—New 6-21-82, Amended 7-1-83, 7-27-83, 9-27-83, 7-5-84, 7-1-85, 5-7-86, 8-5-86, 5-10-87, 8-24-87, 5-1-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-1-92, 7-1-93, 7-1-94, 7-1-95, 8-15-95, 7-1-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.064, Amended 11-17-99, 7-1-00, 7-1-01, 6-2-02, 2-27-03, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-20-09, 1-19-10, 7-1-10, 8-26-10, 7-1-11, 7-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-15.065	Specific Regulations for Wildlife Management Areas – Northeast Region

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to revise specific area regulations on Wildlife Management Areas (WMAs) in the Northeast Region and conform to calendar year date changes. The effect of the proposed rule changes will be to enable the agency to better manage fish and wildlife resources and public use on WMAs.

SUMMARY: The proposed rule amendments would adjust season dates to conform to calendar year changes and revise specific area regulations on Wildlife Management Areas (WMAs) in the Northeast Region as follows:
 Buck Lake WMA – remove the requirement for hunters to check in and check game at the check station.
 Bull Creek WMA – clarify that camping at designated campsites on the Florida National Scenic Trail (FNST) is limited to persons hiking through on the FNST.
 Charles H. Bronson WMA – change the bag limit for deer from one deer per quota permit to one antlered and one antlerless deer per quota permit during the archery season and two antlered deer per quota permit during the muzzleloading gun and general gun seasons; add a 7-day archery hunt (quota 30; no exemptions); add a 3-day muzzleloading gun hunt (quota 30; no exemptions); and add one day to each spring turkey hunt (change from 3-day hunts to 4-day hunts).
 Dunns Creek WMA – remove the requirement for hunters to check in and check game at the check station.

Etoniah Creek WMA – add a 3-day muzzleloading gun hunt (quota 50; no exemptions); add a 4-day general gun hunt and restructure the other two general gun hunts so that each hunt is four days long and runs from Thurs.-Sun. (currently the first hunt runs four days from Sat.-Tues. and the second hunt runs five days from Wed.-Sun.); and add one day to each spring turkey hunt.

Guana River WMA – establish vehicle access hours for all area users during hunting seasons as 5 a.m. until 9 p.m. during Daylight Savings Time and from 5 a.m. until 8 p.m. during Eastern Standard Time, except during the spring turkey hunts when vehicles are allowed only from 5 a.m. until 2 p.m.

Lake George WMA – add a 3-day muzzleloading gun hunt (quota 250; no exemptions); and add one day to each of the three spring turkey hunts (change from 3-day hunts to 4-day hunts).

Lake Panasoffkee WMA – allow camping only on days that vehicle access is allowed.

Lake Tracy Unit WMA – add one day to the general gun season (change from a 3-day season to a 4-day season); add one day to the muzzleloading gun season (change from a 3-day season to a 4-day season); add one day to each archery hunt (change from two 3-day hunts to two 4-day hunts); and add a small game season (three 3-day hunts in January; no quota permit required).

Little Big Econ WMA – add a 7-day archery hunt (quota 20, no exemptions); add a 3-day muzzleloading gun hunt (quota 20, no exemptions); and add one day to each of three 3-day spring turkey hunts.

Matanzas WMA – add a 7-day hunt to the archery season (no quota); add a 3-day hunt to the muzzleloading gun season (quota 30, no exemptions); add a 7-day hunt to the wild hog-still season (quota 50, no exemptions); and add a 4-day hunt to the spring turkey season (quota 15, no exemptions).

Richloam WMA – move the wild-hog dog hunt from weekdays (Tues.-Thurs.) to the weekend (Fri.-Sun.).

Rock Springs WMA – allow wild hog to be hunted during small game season.

Ross Prairie WMA – add a 3-day archery season (quota 10, no exemptions); and add a 3-day spring turkey season (quota 5, no exemptions).

Salt Lake WMA – allow wild hog to be hunted during small game season and clarify that all persons are allowed vehicle access during the hunting seasons.

Seminole Forest WMA – add one day to the first spring turkey hunt (change from a 4-day hunt to a 5-day hunt) and clarify when vehicle access is allowed.

Three Lakes WMA – add two 3-day raccoon hunts (no quota).

Tiger Bay WMA – add one day to each of three spring turkey hunts (change from 3-day to 4-day hunts).

Triple N WMA – allow vehicle access on scout days for special-opportunity spring turkey hunts to start at 5 a.m.

Proposed rule amendment would also amend or clarify language related to the use of guns for taking wildlife. Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections and language standardization.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.065 Specific Regulations for Wildlife Management Areas – Northeast Region.

(1) Herky Huffman/Bull Creek Wildlife Management Area.

(a) Open season:

1. General gun – November ~~3-4~~ ~~5-6~~ and November ~~5~~ ~~7~~ through ~~December 30~~ ~~January 1~~.

2. Small game – ~~December 31~~ ~~January 2~~ through March ~~3~~ ~~4~~.

3. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

4. Archery – September ~~15-16~~ ~~17-18~~ and September ~~17~~ ~~19~~ through October ~~14~~ ~~16~~.

5. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

6. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

7. No change.

(b) No change.

(c) Camping: Allowed only at designated campgrounds during periods in which hunting is allowed and throughout the year at designated campsites on the Florida National Scenic Trail ~~for persons hiking through on the Florida National Scenic Trail provided that access to area is via the Trail~~. Camping equipment may be taken onto the area no earlier than 8 a.m. seven days prior to the opening of archery season and shall be removed from the area before 6 p.m. seven days following the end of the spring turkey season. Camping shall be allowed from 8 a.m. one day prior to each season through 6 p.m. one day following each season. Only tents, trailers or self-propelled camping vehicles may be used for camping. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to camping shelters.

(d) General regulations:

1. Hunters shall enter and exit at a designated entrance, check in and out at a check station and check all game taken. During small game season, hunters shall check in and out using self-check boxes located at each designated entrance and record all game taken. Persons hunting on the Crabgrass Creek portion of the area shall have a daily permit issued from the check station in their possession (except during the small game season). Persons engaging in recreational activities other than hunting shall enter and exit at a designated entrance and register at the check station upon entering and exiting the area, except persons hiking through on the Florida National Scenic Trail.

2. through 5. No change.

(2) Ocala Wildlife Management Area.

(a) Open season:

1. General gun – November ~~10~~ ~~12~~ through January ~~6~~ ~~8~~.

2. General gun still – November ~~24~~ ~~26~~ through December ~~24~~ ~~24~~ (Church Lake Unit only).

3. Small game – January ~~7~~ ~~9~~ through March ~~3~~ ~~4~~.

4. Archery – September ~~22~~ ~~24~~ through October ~~21~~ ~~23~~.

5. Muzzleloading gun – October ~~26-28~~ ~~28-30~~, on the Church Lake, Hopkins Prairie and Lake Delancy Management Units only.

6. Fox, opossum, bobcat and raccoon – November ~~10~~ ~~12~~ through April ~~14~~ ~~15~~.

7. No change.

8. Youth turkey hunt – March ~~9-10~~ ~~10-11~~ (Lake Delancy Unit only).

9. Spring turkey – March ~~21-24~~ ~~22-25~~, ~~March 28-31~~ ~~29~~ through April ~~1~~, April ~~4-7~~ ~~5-8~~ and ~~11-14~~ ~~12-15~~.

10. through 12. No change.

(b) Legal to take:

1. No change.

2. Furbearing animals – During the November ~~10~~ ~~12~~ through March 1 period, hunting as specified in paragraph 68A-24.002(2)(b), F.A.C., is allowed only in the Pipeline and Church Lake Management Units. Raccoons may also be hunted, with dogs only, from March ~~4~~ ~~5~~ through April ~~14~~ ~~15~~ only in that portion of the Pipeline Management Unit south of S.R. 40 and west of S.R. 19. The hunting of fox and bobcat by the use of dogs only shall be allowed from January ~~7~~ ~~9~~ through April ~~14~~ ~~15~~, only in that portion of the Pipeline Management Unit south of S.R. 40 and west of S.R. 19.

(c) No change.

(d) General regulations:

1. through 4. No change.

5. Dogs may be used to pursue rabbits from January ~~7~~ ~~9~~ through April ~~14~~ ~~15~~ in that portion of the Pipeline Management Unit south of S.R. 40 and west of S.R. 19.

6. No change.

(e) The Ocala Wildlife Management Area consists of four management units described as follows:

1. through 2. No change.

3. Pipeline Unit – Starting at the junction of N.E. 147th Ave. Rd. and C.R. 314, then northwest ~~and northeast~~ on N.E. 147th Ave. Rd. to its junction with N.E. 86th Ln., then northeast on N.E. 86th Ln. to its junction with N.E. 147 Ct., then north on N.E. 147 Ct. to its junction with N.E. 88 St., then west on N.E. 88 St. to its junction with N.E. 146th Ave., then north on N.E. 146th Ave. to its junction with N.E. 89th Lane, then west on N.E. 89th Lane to its junction with N.E. 144th Terr., then north on N.E. 144th Terr. to its terminus, then north to the wildlife management area boundary, then north along the wildlife management area boundary to its junction with C.R. 316, then east on C.R. 316 to its junction with F.R. 11, then south on F.R. 11 to its junction with S.R. 40, then east on S.R. 40 to its junction with S.R. 19, then north on S.R. 19 to its junction with Juniper Creek, then east along Juniper Creek to its junction with the wildlife management area boundary, then along the wildlife management area boundary southeast, then west to its junction with C.R. 183 AV, then north on C.R. 183 AV to its junction with S.R. 40, then west on S.R. 40 to its

junction with C.R. 314A, then north on C.R. 314A to its junction with C.R. 314, then northeast on C.R. 314 to its junction with N.E. 147th Ave. Rd. and the point of beginning.

4. Church Lake Unit – Starting at the junction of N.E. 147th Ave. Rd. and C.R. 314, then northwest ~~and northeast~~ on N.E. 147th Ave. Rd. to its junction with N.E. 86th Ln., then northeast on N.E. 86th Ln. to its junction with N.E. 147 Ct., then north on N.E. 147 Ct. to its junction with N.E. 88 St., then west on N.E. 88 St. to its junction with N.E. 146th Ave., then north on N.E. 146th Ave. to its junction with N.E. 89th Lane, then west on N.E. 89th Lane to its junction with N.E. 144th Terr., then north on N.E. 144th Terr. to its terminus, then north to the wildlife management area boundary, then south and east along the wildlife management area boundary to its junction with S.E. 183rd Ave. Rd., then north along S.E. 183rd Ave. Rd. to its junction with S.R. 40, then west along S.R. 40 to its junction with C.R. 314A, then north along C.R. 314A to its junction with C.R. 314, then southwest along C.R. 314 to its junction with N.E. 147th Ave. Rd. and the point of beginning.

(3) Richloam Wildlife Management Area.

(a) Open season:

1. General gun – November 17-25 ~~19-27~~ and November 26 ~~28~~ through January 13 ~~15~~.

2. Spring turkey – March 16-24 ~~17-25~~ and March 25 ~~26~~ through April 21 ~~22~~.

3. Archery – October 13 ~~15~~ through November 11 ~~13~~.

4. No change.

5. Trapping – January 14 ~~16~~ through March 1.

6. Wild hog-dog – January 18-20 ~~17-19~~.

7. Youth turkey hunt – March 9-10 ~~10-11~~.

(b) Legal to take: All legal game (~~except antlerless deer~~), fish, frogs and furbearers. Only wild hog may be taken during the wild hog-dog season. The take of antlerless deer is prohibited during the archery season.

(c) Camping: Prohibited unless authorized by the Florida Forest Service Division of Forestry.

(d) General regulations:

1. through 5. No change.

6. Persons licensed to use trapping devices may take trapped furbearers with ~~possess~~ a .22 caliber rimfire firearm other than .22 magnum during the trapping season ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a trapped furbearer.~~

7. through 8. No change.

(4) Richloam Wildlife Management Area – Baird Unit.

(a) Open season:

1. Archery – October 27-30 ~~29~~ through November 1, October 31 through November 4 ~~2-6~~ and November 5-11 ~~7-13~~.

2. Muzzleloading gun – November 17-19 ~~19-21~~.

3. General gun – January 12-15 ~~14-17~~ and 16-20 ~~18-22~~.

4. Wild hog-still – January 22-24 ~~24-26~~.

5. Youth turkey hunt – March 9-10 ~~10-11~~.

6. Spring turkey – March 16-18 ~~17-19~~, 22-24 ~~23-25~~ and March 29-31 ~~30~~ through April 1.

7. Small game – January 26 ~~28~~ through March 3 ~~4~~.

8. No change.

(b) through (c) No change.

(d) General regulations:

1. through 3. No change.

4. During periods when the area is closed to hunting, public access other than on foot (pedestrian) or bicycle is prohibited except by permit from the Florida Forest Service Division of Forestry.

5. through 6. No change.

7. Taking wildlife with guns is prohibited on the James A. Van Fleet State Trail. ~~Hunters shall transport guns across the State Trail only at designated crossings.~~

8. No change.

(5) Three Lakes Wildlife Management Area.

(a) Open season:

1. General gun – November 3-4 ~~5-6~~ and November 5 ~~7~~ through December 30 ~~January 1~~.

2. Small game – December 31 ~~January 2~~ through March 3 ~~4~~.

3. Spring turkey – March 16 ~~17~~ through April 21 ~~22~~.

4. Archery – September 15-16 ~~17-18~~ and September 17 ~~19~~ through October 14 ~~16~~.

5. No change.

6. Muzzleloading gun – October 20-22 ~~22-24~~.

7. General gun for mobility impaired – October 26-28 ~~28-30~~.

8. General gun-dog – December 6-9 ~~8-11~~ and December 27-30 ~~29~~ through January 1.

9. through 10. No change.

11. Raccoon – January 11-13, 18-20 and 25-27 ~~27-29~~ (from 1.5 hours before sunset on Friday until 1.5 hours after sunrise on Sunday) in that area between the Florida Turnpike and US 441 only.

12. Youth turkey hunt – March 9-10 ~~10-11~~.

(b) through (e) No change.

(6) Three Lakes Wildlife Management Area – Prairie Lakes Unit.

(a) Open season:

1. Archery – September 28-30 ~~30~~ through October 2 and October 5-7 ~~7-9~~.

2. Muzzleloading gun – October 26-28 ~~28-30~~.

3. General gun – November 16-18 ~~18-20~~ and 23-25 ~~25-27~~.

4. Small game – December 8-30 ~~10~~ through January 1.

5. Youth turkey hunt – March 9-10 ~~10-11~~.

6. Spring turkey – March 16-18 ~~17-19~~, March 29-31 ~~30~~ through April 1 and April 12-14 ~~13-15~~.

7. No change.

8. Wild hog-still – ~~November 30 through~~ December ~~2-4~~ and January ~~4-6~~ ~~6-8~~.
9. through 10. No change.
- (b) through (d) No change.
- (7) Tiger Bay Wildlife Management Area.
- (a) Open season:
1. General gun – November ~~3-11~~ ~~5-13~~ and November ~~12-14~~ through ~~December 30~~ ~~January 1~~.
2. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.
3. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.
4. Small game – ~~December 31~~ ~~January 2~~ through March ~~3~~ ~~4~~.
5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
6. Spring turkey – March ~~16-19~~ ~~17-19~~, March ~~28-31~~ ~~30~~ through ~~April 1~~ and April ~~11-14~~ ~~13-15~~.
7. No change.
- (b) through (d) No change.
- (8) Tiger Bay Wildlife Management Area – Rima Ridge Unit.
- (a) Open season:
1. General gun – November ~~10-18~~ ~~12-20~~.
2. Archery – September ~~22~~ ~~24~~ through October ~~7~~ ~~9~~.
3. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.
4. Small game – November ~~22~~ ~~24~~ through ~~December 30~~ ~~January 1~~.
5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
6. Spring turkey – March ~~16-18~~ ~~17-19~~, March ~~29-31~~ ~~30~~ through ~~April 1~~ and April ~~12-14~~ ~~13-15~~.
7. through 8. No change.
- (b) No change.
- (c) Camping: Allowed only by permit from the Florida Forest Service ~~Division of Forestry~~.
- (d) No change.
- (9) Relay Wildlife Management Area.
- (a) Open season:
1. General gun – November ~~3~~ ~~5~~ through ~~December 30~~ ~~January 1~~.
2. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.
3. Muzzleloading gun – October ~~20-28~~ ~~22-30~~.
4. Small game – ~~December 31~~ ~~January 2~~ through March ~~3~~ ~~4~~.
5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
6. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.
7. No change.
- (b) through (d) No change.
- (10) Tosohatchee Wildlife Management Area.
- (a) Open season:
1. Archery – October ~~4-7~~ ~~6-9~~ and ~~11-14~~ ~~13-16~~.
2. Muzzleloading gun – October ~~25-28~~ ~~27-30~~ and November ~~1-4~~ ~~3-6~~.
3. General gun – November ~~15-18~~ ~~17-20~~ and ~~23-25~~ ~~25-27~~.
4. Spring turkey – March ~~16-18~~ ~~17-19~~, March ~~29-31~~ ~~30~~ through ~~April 1~~ and April ~~12-14~~ ~~13-15~~.
5. Wild hog-dog – January ~~11-17~~ ~~13-19~~ and February ~~8-14~~ ~~10-16~~.
6. No change.
- (b) through (d) No change.
- (11) Seminole Ranch Wildlife Management Area.
- (a) Open season:
1. Archery – October ~~5-7~~ ~~7-9~~ and ~~12-14~~ ~~14-16~~.
2. Muzzleloading gun – October ~~26-28~~ ~~28-30~~ and November ~~2-4~~ ~~4-6~~.
3. General gun – November ~~16-18~~ ~~18-20~~.
4. Small game – November ~~24-25~~ ~~26-27~~, December ~~1-2~~ ~~3-4~~, ~~8-9~~ ~~10-11~~ and January ~~5-6~~ ~~7-8~~.
5. Spring turkey – March ~~16-18~~ ~~17-19~~, ~~22-24~~ ~~23-25~~ and March ~~29-31~~ ~~30~~ through ~~April 1~~.
6. Wild hog-dog – January ~~26-27~~ ~~28-29~~ and January ~~28~~ ~~30~~ through February ~~1~~ ~~3~~.
7. No change.
- (b) through (c) No change.
- (d) General regulations:
1. through 7. No change.
8. ~~Access During the waterfowl and coot seasons as established by Rule 68A-13.003, F.A.C., access for waterfowl hunting on bodies of water connected to the St. Johns River will be by the St. Johns River only.~~
9. through 10. No change.
- (12) Jumper Creek Wildlife Management Area.
- (a) Open season:
1. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.
2. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.
3. General gun – November ~~3-11~~ ~~5-13~~ and November ~~12-14~~ through ~~December 30~~ ~~January 1~~.
4. Small game – ~~December 31~~ through January ~~20~~ ~~2-22~~.
5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
6. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.
7. through 8. No change.
- (b) Legal to take: All legal game ~~(except antlerless deer)~~, fish, frogs and furbearers. The take of antlerless deer is prohibited during the archery season.
- (c) through (d) No change.
- (13) Rock Springs Run Wildlife Management Area.
- (a) Open season:
1. Archery – September ~~28-30~~ ~~30~~ through ~~October 2~~ and October ~~5-7~~ ~~7-9~~.
2. Muzzleloading gun – October ~~20-22~~ ~~22-24~~ and ~~26-28~~ ~~28-30~~.
3. General gun – November ~~9-11~~ ~~11-13~~ and ~~16-18~~ ~~18-20~~.
4. Small game – December ~~1-2~~ ~~3-4~~, ~~8-9~~ ~~10-11~~ and January ~~5-6~~ ~~7-8~~.

5. No change.

(b) Legal to take: Only deer and wild hog may be taken during the archery, general gun and muzzleloading gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Only rabbit, gray squirrel, ~~wild hog~~ and bobwhite quail may be taken during the small game season. ~~Taking wild hog is prohibited during small game season.~~ The bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons, antlerless deer may be taken only by antlerless deer permit.

(c) through (d) No change.

(14) Guana River Wildlife Management Area.

(a) Open season:

1. Duck, light goose and coot – Lake Ponte Vedra shall be open in the special September duck season established pursuant to Rule 68A-13.003, F.A.C., and the first day of each phase and on Wednesdays and Saturdays of the duck, light goose and coot season established pursuant to Rule 68A-13.003, F.A.C.

2. General gun – November ~~16-18 18-20~~ and ~~23-25 25-27~~.

3. Muzzleloading gun – October ~~20-22 22-24~~ and ~~26-28 28-30~~.

4. Archery – October ~~5-7 7-9~~ and ~~12-14 14-16~~.

5. Small game – November 30 through December ~~2 2-4, December 7-8 9-10, January 4-6 6-8, 11-13 13-15, 18-20 20-22 and 25-27 27-29~~.

6. Spring turkey – March ~~22-24 23-25~~ and ~~March 29-31 30 through April 1~~.

7. through 8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. One antlered and one antlerless deer may be taken per quota permit or per exempt hunter during the archery season. One antlered deer may be taken per quota permit or per exempt hunter during the muzzleloading gun and general gun seasons. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. Taking wild hog during the last two weekends of the small game season is prohibited. Legal shooting hours for duck, light goose ~~ducks~~ and coot: From the beginning of legal shooting hours established pursuant to Rule 68A-13.003, F.A.C., until noon. Turkey may only be taken during the spring turkey season. Only one turkey may be taken per quota permit.

(c) No change.

(d) General regulations:

1. Vehicle access for scouting is allowed only one day prior to each 3-day hunt during the archery, muzzleloading gun, general gun, small game and spring turkey hunts from 7 a.m. until 9 p.m. during Eastern Daylight Saving Time and from 7 a.m. until 8 p.m. during Eastern Standard Time. During the hunts, vehicle access is only allowed from 5 a.m. until 9

p.m. during Daylight Savings Time and until 8 p.m. during Eastern Standard Time, except during the spring turkey hunts when vehicles are only allowed until 2 p.m. Waterfowl scouting is allowed on Lake Ponte Vedra from 5 a.m. until 5 p.m. Eastern Standard Time on the Saturday prior to the opening of each phase of the duck, light goose and coot season established in Rule 68A-13.003, F.A.C.

2. through 17. No change.

(e) No change.

(15) Half Moon Wildlife Management Area.

(a) Open season:

1. Archery – October ~~5-7 7-9~~ and ~~12-14 14-16~~.

2. Muzzleloading gun – October ~~26-28 28-30~~.

3. General gun – November ~~3-5 5-7~~ and ~~9-11 11-13~~.

4. Small game – November 30 through December ~~2 2-4, December 7-9 9-11 and 14-16 16-18~~.

5. Wild hog-still – January ~~11-13 13-15, 18-20 20-22 and 25-27 27-29~~.

6. Youth turkey hunt – March ~~9-10 10-11~~.

7. Spring turkey – March ~~22-24 23-25, March 29-31 30 through April 1~~ and April ~~5-7 6-8~~.

8. No change.

(b) Legal to take: All legal game, fish, frogs and furbearers. Taking of antlered deer not having at least one antler with three or more points, one inch or more in length, is prohibited. During the archery season, antlerless deer may be taken by antlerless deer permit only. ~~The During the archery, muzzleloading gun and general gun seasons the bag limit for antlered deer shall be one per quota permit.~~ Taking wild hog is prohibited during small game season. During the spring turkey season, the bag limit for turkey shall be one gobbler or bearded turkey per quota permit. Only wild hog may be taken during the wild hog-still season.

(c) No change.

(d) General regulations:

1. No change.

2. Hunting with dogs is prohibited except bird dogs and dogs with a shoulder height of 15 inches or less may be used during the small game season. ~~During non-hunting periods the possession of dogs shall only be as authorized by the Southwest Florida Water Management District on lands managed by the District.~~

3. No change.

4. The use of tracked vehicles, airboats, all-terrain vehicles and unregistered and unlicensed motorcycles is prohibited. The use of horses is prohibited during the archery, muzzleloading gun, general gun, wild hog-still and spring turkey seasons.

5. through 7. No change.

(16) Caravelle Ranch Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-30 24 through October 2~~.

2. Supervised small game – October ~~6-14 8-16~~.

3. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.
4. General gun – November ~~10-13~~ ~~12-15~~ and ~~14-18~~ ~~16-20~~.
5. No change.
6. Small game – November ~~22~~ ~~24~~ through January ~~6~~ ~~8~~ (Thursdays, Fridays, Saturdays and Sundays only).
7. Youth turkey hunt – March ~~9-10~~ ~~10-11~~ (south of the Cross Florida Barge Canal only).
8. Spring turkey – March ~~16-19~~ ~~17-20~~ and ~~20-24~~ ~~21-25~~.
9. No change.
- (b) through (d) No change.
- (17) Lake George Wildlife Management Area.
- (a) Open season:
 1. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.
 2. Muzzleloading gun – October ~~26-28~~ and November ~~2-4~~ ~~28-30~~.
 3. General gun – November ~~10-13~~ ~~12-15~~, ~~14-18~~ ~~16-20~~ and ~~19-25~~ ~~21-27~~.
 4. Small game – November ~~26~~ ~~28~~ through March ~~3~~ ~~4~~.
 5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 6. Spring turkey – March ~~16-19~~ ~~17-19~~, ~~March 28-31~~ ~~30~~ through ~~April 1~~ and April ~~11-14~~ ~~13-15~~.
 7. No change.
 - (b) through (d) No change.
- (18) Lake George Wildlife Management Area – Dexter/Mary Farms Unit.
- (a) Open season:
 1. Small game – November ~~24~~ ~~26~~ through December ~~9~~ ~~11~~ and December ~~22~~ ~~24~~ through January ~~6~~ ~~8~~.
 2. Special-opportunity spring turkey – March ~~16-22~~ ~~17-23~~, March ~~30~~ ~~31~~ through April ~~5~~ ~~6~~ and April ~~13-19~~ ~~14-20~~.
 3. No change.
 4. Archery – September ~~22~~ ~~24~~ through October ~~7~~ ~~9~~.
 5. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.
 6. General gun – November ~~10-18~~ ~~12-20~~.
 - (b) No change.
 - (c) Camping: Camping is allowed at designated campsites during special-opportunity spring turkey hunts and at other times by permit from the Florida Forest Service ~~Division of Forestry~~.
 - (d) General regulations:
 1. through 3. No change.
 4. Vehicular access is allowed from 1.5 hours before sunrise to 1.5 hours after sunset one day prior to each season (except small game), and during periods when the area is open to hunting. Individuals in possession of a special-opportunity spring turkey permit shall also have vehicular access to the area from sunrise to sunset on the Saturday and Sunday preceding each hunt. Vehicular access is allowed only by permit from the Florida Forest Service ~~Division of Forestry~~ at

- all other times, except the Bluffton Recreation Area shall be open to vehicular access throughout the year from sunrise to sunset via the St. Johns River Road.
5. through 8. No change.
 - (e) No change.
 - (19) Seminole Forest Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22-25~~ ~~24-27~~ and September ~~26-30~~ ~~28~~ through ~~October 2~~.
 2. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.
 3. General gun – December ~~1-4~~ ~~3-6~~ and ~~5-9~~ ~~7-11~~.
 4. Small game – January ~~12-27~~ ~~14-29~~ (Saturdays and Sundays only).
 5. Spring turkey – March ~~16-20~~ ~~17-20~~ and ~~23-27~~ ~~21-25~~.
 6. General gun for mobility-impaired – October ~~19-21~~ ~~21-23~~.
 7. Fishing and frogging – During periods open to hunting and at other times as access is allowed by the Florida Forest Service ~~Division of Forestry~~ and these rules. Fish may be taken only by hook and line or rod and reel. Oaks and Bear Ponds are open to fishing only during daylight hours.
 - (b) No change.
 - (c) Camping: Camping is prohibited during periods open to hunting, except hikers may camp at designated primitive campsites along the Florida Trail throughout the year. During periods closed to hunting, camping is allowed only by permit from the Florida Forest Service ~~Division of Forestry~~.
 - (d) General regulations:
 1. through 2. No change.
 3. The use of tracked vehicles, airboats, or all-terrain vehicles is prohibited during periods when hunting is allowed, except that all-terrain vehicles may be used one day prior to and during the general gun for mobility-impaired season but only by persons participating in the mobility-impaired hunt. Vehicle access is allowed only during archery, general gun, mobility-impaired, muzzleloading gun, general gun, and spring turkey seasons and one day prior to each of these seasons. During periods when the area is closed to hunting, public access is regulated by the Florida Forest Service ~~Division of Forestry~~.
 4. through 8. No change.
 - (20) Triple N Ranch Wildlife Management Area.
 - (a) Open season:
 1. Wild hog-still – January ~~25-27~~ ~~27-29~~, February ~~1-3~~ ~~3-5~~, ~~8-10~~ ~~10-12~~ and ~~15-17~~ ~~17-19~~.
 2. Special-opportunity deer – October ~~13-19~~ ~~15-21~~ and October ~~27~~ ~~29~~ through November ~~2~~ ~~4~~.
 3. Small game – November ~~24~~ ~~26~~ through January ~~20~~ ~~22~~.
 4. Special-opportunity spring turkey – March ~~16-22~~ ~~17-23~~, March ~~30~~ ~~31~~ through April ~~5~~ ~~6~~ and April ~~13-19~~ ~~14-20~~.
 5. through 6. No change.
 - (b) through (c) No change.

(d) General regulations:

1. through 5. No change.

6. Only individuals in possession of a special-opportunity permit may have vehicle access to the area on the Saturday and Sunday preceding the hunt and only from sunrise to sunset on those days, except on the Saturday and Sunday preceding each spring turkey hunt, when vehicle access shall be allowed only from 5 a.m. to 7:30 p.m. Authorized hunting equipment may be taken onto the area during these times.

7. through 8. No change.

(21) Etoniah Creek Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-24~~ through October ~~7-9~~.

2. Muzzleloading gun – October ~~20-22 and 26-28~~ ~~28-30~~.

3. General gun – November 8-11, 15-18 and 22-25 ~~12-15 and 16-20~~.

4. Small game – November 26 Thanksgiving Day through the first weekend in January.

5. Spring turkey – March ~~16-19~~ ~~17-19~~, ~~22-25~~ ~~23-25~~ and March ~~29-30~~ through April 1.

6. No change.

(b) No change.

(c) Camping: Authorized only by permit from the Florida Forest Service Division of Forestry.

(d) No change.

(22) Little Big Econ Wildlife Management Area.

(a) Open season:

1. Archery – September 28 through October 4 and October 5-11 ~~7-13~~ and ~~12-20~~ ~~14-22~~.

2. Muzzleloading gun – November ~~2-4~~ and ~~9-11~~ ~~4-6~~.

3. General gun – November ~~16-18~~ ~~18-20~~, ~~23-25~~ ~~25-27~~ and November 30 through December ~~2-4~~.

4. Small game – December ~~8-23~~ ~~10-25~~.

5. Spring turkey – March ~~16-19~~ ~~17-19~~, ~~21-24~~ ~~23-25~~ and ~~March 28-31~~ ~~30~~ through April 1.

6. No change.

(b) through (d) No change.

(23) Lake Panasoffkee Wildlife Management Area.

(a) Open season:

1. Special-opportunity spring turkey – March ~~21-24~~ ~~22-25~~, April ~~2-5~~ ~~3-6~~ and ~~18-21~~ ~~19-22~~.

2. Special-opportunity archery – September ~~20-23~~ ~~22-25~~, October ~~2-5~~ ~~4-7~~, ~~11-14~~ ~~13-16~~, ~~23-26~~ ~~25-28~~, November ~~1-4~~ ~~3-6~~, ~~13-16~~ ~~15-18~~, November 29 through December ~~2-4~~ ~~1-4~~ and December 11-14 ~~13-16~~.

3. Wild hog-still – January ~~11-13~~ ~~13-15~~.

4. Wild hog-dog – January ~~23-25~~ ~~25-27~~ and February ~~20-22~~ ~~22-24~~.

5. Small game – February ~~1-3~~ ~~3-5~~ and ~~8-10~~ ~~10-12~~.

6. through 7. No change.

(b) No change.

(c) Camping: Camping and camping equipment are ~~is~~ allowed at designated campsites no earlier than ~~beginning at~~ 8 a.m. the day preceding each hunt and ending the last day of each hunt except during the small game season when camping and camping equipment are allowed no earlier than 8 a.m. on the first day of each hunt. Camping is allowed at other times by permit from the Southwest Florida Water Management District. Kitchen stoves, refrigerators, and freezers, unless contained in mobile campers are prohibited. Lumber, sheet metal or other building materials is prohibited. Each camper shall assure that their campsite is clean at all times. The ~~altering alteration~~, defacing, moving, or tampering in any way with official markings of campsites is prohibited. Only tents, trailers or self-propelled camping vehicles may be used for camping. The name, address and telephone number of the person responsible for each campsite shall be visibly affixed to the camping shelter.

(d) General regulations:

1. through 9. No change.

10. Authorized hunting equipment; ~~and dogs and camping equipment~~ may be taken on the area no earlier than ~~beginning at~~ 8 a.m. the day preceding each hunt and shall be removed from the area the last day of each hunt. During spring turkey season hunting equipment is allowed on the area beginning at 1.5 hours before sunrise the day preceding each hunt.

(24) Ross Prairie Wildlife Management Area.

(a) Open season: ~~Supervised small game~~ ~~October 15-21, November 19-25, December 17-23 and January 14-20.~~

1. Archery – September 21-23.

2. Supervised small game – October 13-19, November 17-23, December 15-21 and January 12-18.

3. Spring turkey – March 22-24.

(b) Legal to take: All legal ~~small~~ game and furbearers. The take of wild hog is prohibited during the supervised small game season. Antlerless deer may not be taken during the archery season. Wild turkey may only be taken during the spring turkey season. The bag limit for deer is one antlered deer per quota permit. The bag limit for turkey is one bearded turkey or gobbler per quota permit.

(c) through (d) No change.

(25) Buck Lake Wildlife Management Area.

(a) Open season:

1. Archery – September ~~22-30~~ ~~24~~ through October ~~2~~ and October ~~6-12~~ ~~8-14~~.

2. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.

3. General gun – November ~~10-13~~ ~~12-15~~ and ~~14-18~~ ~~16-20~~.

4. Small game – December ~~1-16~~ ~~3-18~~.

5. Spring turkey – March ~~16-19~~ ~~17-20~~ and ~~20-24~~ ~~21-25~~.

6. Wild hog-still – January ~~3-6~~ ~~5-8~~ and ~~17-20~~ ~~19-22~~.

7. No change.

(b) through (c) No change.

(d) General regulations:

1. through 4. No change.
- ~~5. No deer, wild hog or turkey shall be dismembered until checked at a check station.~~
- ~~5.6.~~ No change.
- ~~7. Hunters shall check in and out at the check station when entering and exiting the area and check all game taken.~~
- (26) Fort Drum Wildlife Management Area.
 - (a) Open season:
 1. Special-opportunity deer – October ~~27~~ ~~29~~ through November ~~2~~ ~~4~~.
 2. Small game – December ~~8-23~~ ~~10-25~~.
 3. Special-opportunity spring turkey – March ~~16-22~~ ~~17-23~~, March ~~30~~ ~~31~~ through April ~~5~~ ~~6~~ and April ~~13-19~~ ~~14-20~~.
 4. Wild hog-still – October ~~5-7~~ ~~7-9~~, ~~12-14~~ ~~14-16~~ and ~~19-21~~ ~~21-23~~.
 5. No change.
 - (b) through (d) No change.
- (27) Ocklawaha River Wildlife Management Area – Gores Landing Unit.
 - (a) Open season:
 1. Archery – September ~~22~~ ~~24~~ through October ~~7~~ ~~9~~.
 2. Muzzleloading gun – October ~~26-28~~ ~~28-30~~.
 3. General gun – November ~~10-18~~ ~~12-20~~.
 4. Small game – December ~~1-16~~ ~~3-18~~.
 5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 6. Spring turkey – March ~~16-19~~ ~~17-20~~ and ~~20-24~~ ~~21-25~~.
 7. No change.
 - (b) through (d) No change.
- (28) Seminole Forest Wildlife Management Area – Lake Tracy Unit.
 - (a) Open season:
 1. Archery – September ~~20-23~~ ~~24-26~~ and September ~~27-30~~ ~~30~~ through October ~~2~~.
 2. Muzzleloading gun – October ~~25-28~~ ~~28-30~~.
 3. General gun – November ~~8-11~~ ~~12-14~~.
 4. Wild hog-still – November ~~16-18~~ ~~18-20~~, December ~~14-16~~ ~~16-18~~ and January ~~11-13~~ ~~13-15~~.
 - ~~5. Small game – January 4-6, 18-20 and 25-27.~~
 - ~~6.5.~~ Spring turkey – March ~~16-18~~ ~~17-19~~ and ~~22-24~~ ~~23-25~~.
 - ~~7.6.~~ Fishing and frogging – During periods open to hunting and at other times as access is allowed by the Florida Forest Service Division of Forestry and these rules.
 - (b) through (c) No change.
 - (d) General regulations:
 1. through 2. No change.
 3. The use of tracked vehicles, airboats, or all-terrain vehicles is prohibited during periods when hunting is allowed. Vehicle access is prohibited except persons participating in a hunt are allowed vehicle access during archery, muzzleloading gun, general gun, wild hog-still and spring turkey seasons and

- one day prior to each of these seasons. During periods when the area is closed to hunting, public access is regulated by the Florida Forest Service Division of Forestry.
4. No change.
 - (29) Twelve Mile Swamp Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.
 2. Muzzleloading gun – October ~~20-28~~ ~~22-30~~.
 3. General gun – November ~~3~~ ~~5~~ through December 30 ~~January 1~~.
 4. Small game – December 31 ~~January 2~~ through March ~~3~~ ~~4~~.
 5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 6. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.
 7. No change.
 8. Trapping – December 31 ~~January 2~~ through March 1.
 - (b) through (d) No change.
 - (30) Upper St. Johns River Marsh Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~15~~ ~~17~~ through October ~~14~~ ~~16~~.
 2. Muzzleloading gun – October ~~20-28~~ ~~22-30~~.
 3. General gun – November ~~3~~ ~~5~~ through January ~~13~~ ~~15~~.
 4. Small game – January ~~14~~ ~~16~~ through March ~~3~~ ~~4~~.
 5. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.
 6. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.
 7. through 9. No change.
 - (b) Legal to take: All legal game, furbearers, fish, and frogs. Antlerless deer may be taken during the period November ~~17-18~~ ~~19-20~~. Turkey of either sex may be taken during the muzzleloading gun season. Gobblers or bearded turkey may be taken during the general gun season only from November ~~3~~ ~~5~~ through December 30 ~~January 1~~.
 - (c) No change.
 - (d) General regulations:
 1. through 5. No change.
 6. Hunting with dogs is prohibited except bird dogs may be used during the small game, duck and coot seasons, and dogs may be used for wild hog hunting during January ~~16-20~~ ~~18-22~~.
 7. through 10. No change.
 - (31) Dunns Creek Wildlife Management Area.
 - (a) Open season:
 1. Archery – September ~~22~~ ~~24~~ through October ~~7~~ ~~9~~ and November ~~17-25~~ ~~19-27~~.
 2. Muzzleloading gun – October ~~27~~ ~~29~~ through November ~~4~~ ~~6~~.
 3. Wild hog-still – January ~~19-27~~ ~~21-29~~.
 4. Spring turkey – March ~~16-18~~ ~~17-19~~, ~~March 29-31~~ ~~30~~ through April ~~1~~ and April ~~12-14~~ ~~13-15~~.
 5. through 6. No change.

- (b) through (c) No change.
- (d) General regulations:
 - 1. through 5. No change.
 - 6. ~~All hunters shall check in and out at the check station and check all game taken.~~
 - 7. through 11. renumbered 6. through 10. No change.
 - (32) Salt Lake Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – ~~September 22-30 24 through October 2~~ and October ~~1-7 3-9~~.
 - 2. Muzzleloading gun – October ~~26-28 28-30~~.
 - 3. General gun – November ~~10-13 12-15~~ and ~~14-18 16-20~~.
 - 4. Small game – December ~~7-9 9-11, 14-16 16-18~~; January ~~4-6 6-8, 11-13 13-15~~; February ~~8-10 10-12, 15-17 17-19~~.
 - 5. Wild hog-dog – January ~~17-20 19-22~~.
 - 6. Spring turkey – March ~~16-19 17-20~~ and ~~20-24 21-25~~.
 - 7. No change.
 - (b) Legal to take: All legal game, fish, frogs and furbearers. During the archery season, the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons, the bag limit for deer shall be one antlered deer per quota permit. ~~Taking wild hog is prohibited during small game season.~~ Only wild hog may be taken during the wild hog-dog season. During the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota permit.
 - (c) No change.
 - (d) General regulations:
 - 1. through 5. No change.
 - 6. ~~Vehicle access is prohibited except persons participating in a hunt are allowed vehicle access during archery, muzzleloading gun, general gun, wild hog-dog and spring turkey seasons and one day prior to each of these seasons. Vehicle Persons participating in a hunt are also allowed vehicle access is also allowed during small game season. At all other times, public access other than by foot (pedestrian), horseback (equestrian) or bicycle is prohibited.~~
 - 7. No change.
 - 8. No deer, wild hog or turkey shall be dismembered until checked at a check station, ~~except wild hog during small game season.~~
 - 9. No change.
 - (33) Matanzas Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – ~~September 22-28, September 29 24~~ through October ~~7 2~~ and October ~~8-14 3-9~~.
 - 2. Muzzleloading gun – October ~~26-28 and November 2-4 28-30~~.
 - 3. Family hunt – November ~~10-11 12-13~~.
 - 4. General gun – November ~~12-18 14-20~~.
 - 5. Wild hog-still – December ~~1-7 and 8-16 3-11~~.

- 6. Small game – January ~~7-22 9-24~~.
- 7. Spring turkey – March ~~16-19 17-20~~ and ~~28-31 21-25~~ and April 4-7.
- 8. No change.
- (b) No change.
- (c) Camping: Allowed only by permit from the Florida ~~Forest Service Division of Forestry.~~
- (d) No change.
- (34) No change.
- (35) Charles H. Bronson Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – ~~September 28 through October 4, October 5-11 7-13~~ and ~~12-20 14-22~~.
 - 2. Muzzleloading gun – ~~October 26-28 and November 2-4 4-6~~.
 - 3. General gun – November ~~9-11 11-13, 16-18 18-20~~ and ~~November 30 through~~ December ~~2 2-4~~.
 - 4. Small game – December ~~8-16 10-18~~ and January ~~5-11 7-13~~.
 - 5. Youth turkey hunt – March ~~9-10 10-11~~.
 - 6. Spring turkey – March ~~16-19 17-19, 22-25 23-25~~ and March ~~29 30~~ through April 1.
 - 7. through 8. No change.
 - (b) Legal to take: All legal game, fish, frogs and furbearers. ~~During the archery season, the bag limit for deer shall be one antlered and one antlerless deer per quota permit. During the muzzleloading gun and general gun seasons, the bag limit for deer shall be two antlered deer per quota permit. The bag limit for deer shall be one per quota permit.~~ During the spring turkey season, the bag limit shall be one gobbler or bearded turkey per quota hunt permit.
 - (c) Camping: Prohibited unless authorized by the ~~Florida Forest Service Division of Forestry.~~
 - (d) No change.
 - (36) Marshall Swamp Wildlife Management Area.
 - (a) Open season:
 - 1. Archery – September ~~15-21 17-23, 22-28 24-30, September 29 through~~ October ~~5 1-7, October 6-12 8-14~~ and ~~13-21 15-23~~.
 - 2. Muzzleloading gun – November ~~2-4 4-6~~.
 - 3. General gun – November ~~16-18 18-20, 23-25 25-27~~ and ~~November 30 through~~ December ~~2 2-4~~.
 - 4. Small game – During the open season for gray squirrel established in Rule 68A-13.004, F.A.C. ~~that does not coincide with the established area general gun season dates.~~
 - 5. Spring turkey – March ~~16-18 17-19, 22-24 23-25~~ and March ~~29-31 30~~ through April 1.
 - 6. through 7. No change.
 - (b) through (d) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 6-29-82, 7-1-83, 7-5-84, 10-1-84, 7-1-85, 5-7-86, 5-10-87, 5-1-88, 7-1-89, 12-19-89, 7-1-90, 7-1-91, 7-2-91, 7-2-92, 7-1-93, 7-1-94, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 8-11-98, 12-28-98, 7-1-99, Formerly 39-15.065, Amended 12-20-99, 7-1-00, 12-26-00, 7-1-01, 6-2-02, 7-28-02, 5-1-03, 7-1-03, 10-12-03, 7-1-04, 7-1-05, 1-4-06, 7-1-06, 8-22-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10, 7-1-11, 8-11-11, 7-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-17.004
 RULE TITLE: General Regulations Relating to Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify that migratory birds may be taken with centerfire shotguns during established area seasons when one or more migratory game birds are legal to take, except when prohibited by specific area rule; revise rule language related to the possession or use of guns for taking freshwater fish and wildlife; and allow the Executive Director or designee to issue permits to sanctioned raccoon or fox hunting organizations to allow raccoon hunting or fox chasing during otherwise closed seasons and at times and places designated in the permit. The effect of the proposed rule amendment would standardize rules on wildlife management areas and wildlife and environmental areas (WEAs) and enable the agency to better manage fish and wildlife resources and public use on WEAs.

SUMMARY: The proposed rule amendment would clarify that migratory birds may be taken with centerfire shotguns during established area seasons when one or more migratory game birds are legal to take, except when prohibited by specific area rule on wildlife and environmental areas (WEAs); revise rule

language related to possession or use of guns for taking freshwater fish and wildlife; and allow the Executive Director or designee to issue permits to sanctioned raccoon or fox hunting organizations to allow raccoon hunting or fox chasing during otherwise closed seasons and at times and places designated in the permit.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.354, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.004 General Regulations Relating to Wildlife and Environmental Areas.

(1) through (5) No change.

(6) Guns:

~~(a) Possession of guns or firearms is allowed on wildlife and environmental areas pursuant to the provisions of Florida Statutes, unless as otherwise prohibited under the legal authority of the landowner, lead managing agency, military installation commander, or pursuant to federal law. During periods closed to hunting or when the firearm is not a legal method of take, firearms shall be securely encased in a vehicle, vessel, travel trailer, camper, or tent, except those persons in possession of a valid Concealed Weapon or Firearm License may possess concealed handguns. No person shall fire any gun for testing or target practice, except on a Commission shooting range or at Commission sponsored shooting events.~~

~~(a)(b) Taking wildlife (except migratory birds during migratory bird season) with a firearm or crossbow is prohibited on any wildlife and environmental area during the established season for archery hunting unless otherwise stipulated in a regulation established for a specific area. Taking wildlife (except migratory birds during migratory bird season) with a gun (except a muzzleloading gun) is prohibited on any wildlife and environmental area during the established season for muzzleloading gun hunting. Taking wildlife with a gun is prohibited on any wildlife and environmental area during any season open only for the taking of fur-bearing animals or frogs unless otherwise stipulated in a regulation established for a specific area.~~

~~(c) No person shall have any gun under his control while under the influence of alcohol or drugs.~~

(d) through (e) renumbered (b) through (c) No change.

~~(f) Notwithstanding the provisions of paragraph (a) or specific area regulations in this chapter generally prohibiting possession of a gun, persons meeting the following requirements are allowed to possess and transport guns within a vehicle or vessel provided the guns are securely encased as defined under Chapter 790, F.S.:-~~

~~1. Persons and guests of such persons who own or lease private lands within the boundaries of a wildlife and environmental area, provided they are transporting guns directly to or from said private lands, and~~

~~2. Persons and guests of such persons who own or lease private lands that are located adjacent or proximal to a wildlife and environmental area and the only legal means of vehicular access is through the wildlife and environmental area, provided they are transporting guns directly to or from said private lands.~~

(d) Taking migratory birds with centerfire shotguns is allowed during established area seasons when one or more migratory game birds are legal to take except when prohibited by specific area rule.

(7) Dogs:

(a) Dogs may be used for hunting during open seasons unless prohibited by regulations for the particular wildlife and environmental area. The Executive Director or designee may issue permits to raccoon or fox hunting organizations that are sanctioned by the United Kennel Club, American Kennel Club, Professional Kennel Club, or similar sanctioning entity to allow raccoon or fox hunting during otherwise closed seasons and at times and places designated in the permit. Permits may be issued only in areas where this activity will not negatively impact wildlife, where adjoining landowner conflicts will be minimal, where cooperating landowners are in agreement with the permit conditions, and when not in conflict with other user groups.

(b) through (c) No change.

(8) through (13) No change.

(14) Alligators: Notwithstanding any other provision in Chapter 68A-17, F.A.C., the harvest of alligators, their eggs or hatchlings may be conducted on wildlife and environmental areas in accordance with Commission order(s) and Rules 68A-25.031, 68A-25.032, and 68A-25.042, F.A.C. Guns and bait may be ~~possessed and~~ used for taking alligators by alligator hunt participants as specified in Rule 68A-25.042 or 68A-25.032, F.A.C., whichever is applicable, and persons taking alligators pursuant to those rules on wildlife and environmental areas shall not be required to check in and out at a check station or check any alligators taken.

(15) through (17) No change.

Proposed Effective Date: As soon as possible following Commission action

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.354, 375.313 FS. History—New 4-12-98, Amended 12-28-98, Formerly 39-17.004, Amended 7-1-00, 7-1-04, 7-1-05, 7-1-06, 7-29-07, 7-1-08, 7-1-09, 7-1-10, 1-1-11,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-17.005
 RULE TITLE: Specific Regulations for Wildlife and Environmental Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendments is to revise specific area regulations on Wildlife and Environmental Areas (WEAs) and conform to calendar year date changes. The effect of the proposed rule amendments will be to enable the agency to better manage fish and wildlife resources and public use on WEAs.

SUMMARY: The proposed rule amendments would revise or establish specific area regulations on WEAs as follows:

Southwest Region.

Lake Wales Ridge WEA, Royce Unit – adjust the season dates for the first spring turkey hunt to begin with the opening of the zonal season.

North Central Region.

Santa Fe Swamp WEA – allow the take of game by falconry during established statewide seasons.

Northwest Region.

Apalachicola River WEA – allow wild hog hunting during small game season and allow camping at Butcher Pen Landing in designated sites only.

Proposed rule amendments would also amend or clarify rule language related to the use of guns for taking wildlife on WEAs. Additionally, the proposed rule amendment would provide non-substantive technical changes, such as grammatical corrections and language standardization.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.2223, 375.313 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-17.005 Specific Regulations for Wildlife and Environmental Areas.

(1) Southwest Region.

(a) through (e) No change.

(f) Lake Wales Ridge Wildlife and Environmental Area – Royce Unit – Highlands County.

1. Open season:

a. Archery – September ~~21-23~~ ~~23-25~~ and October ~~12-14~~ ~~14-16~~.

b. General gun – November ~~16-18~~ ~~18-20~~.

c. Small game – December ~~7-9~~ ~~9-11~~, ~~21-23~~ ~~23-25~~, January ~~18-20~~ ~~20-22~~ and ~~25-27~~ ~~27-29~~.

d. Wild hog-still – May ~~4-5~~ ~~5-6~~ and ~~11-12~~ ~~12-13~~.

e. Youth turkey hunt – March ~~9-10~~ ~~10-11~~.

f. Spring turkey – March 16-18 and March ~~29-31~~ ~~30 through April 1~~.

g. No change.

2. through 3. No change.

(g) through (k) No change.

(2) North Central Region.

(a) Santa Fe Swamp – Bradford County.

1. Open season:

a. Archery – September ~~21~~ ~~23~~ through October ~~19~~ ~~21~~.

b. Muzzleloading gun – October ~~20-22~~ ~~22-24~~.

c. Archery and muzzleloading gun – November ~~3~~ ~~5~~ through ~~December 30~~ ~~January 1~~.

d. Spring turkey – March ~~16~~ ~~17~~ through April ~~21~~ ~~22~~.

e. No change.

f. Falconry – Game may be taken by falconry during established statewide seasons that coincide with periods when the area is otherwise open for public use or hunting.

2. No change.

3. General regulations:

a. Persons shall enter and exit the area at designated entrances or via Little Santa Fe Lake. Public access into the area is allowed on Cow Pen Road and Little Santa Fe Lake only.

b. Vehicles are prohibited except in the designated parking areas ~~area~~.

c. through e. No change.

(b) Fort White Mitigation Park – Gilchrist County.

1. Open season:

a. Archery season – October ~~20-24~~ ~~22-26~~, ~~27-31~~ ~~October 29 through November 2~~ and November ~~10-14~~ ~~12-16~~.

b. Small game – November ~~17-30~~ ~~19 through December 2~~.

c. Youth spring turkey – March ~~9-10~~ ~~10-11~~.

d. Spring turkey – March ~~18-22~~ ~~19-23~~ and ~~25-29~~ ~~26-30~~.

e. through g. No change.

2. No change.

3. Camping: Camping is allowed by permit only from the Suwannee River Water Management District.

~~4.3.~~ No change.

(c) Suwannee Ridge – Hamilton County.

1. Open season:

a. Mobility-impaired general gun – October ~~12-14~~ ~~14-16~~, ~~26-28~~ ~~October 28-30~~, November ~~2-4~~ ~~4-6~~ and December ~~14-16~~ ~~16-18~~.

b. Mobility-impaired spring turkey – March ~~22-24~~ ~~23-25~~ and April ~~12-14~~ ~~13-15~~.

2. No change.

3. General regulations:

a. through d. No change.

e. Hunters shall enter and exit through Holton Creek WMA Road 2 only. The area may be accessed during non-hunting periods only by use of the Adams Grade parking area.

f. through i. No change.

(d) through (e) No change.

(f) Lafayette Forest Wildlife and Environmental Area.

1. Open seasons:

a. Archery season – September ~~22-26~~ ~~24-28~~, September ~~28~~ ~~30~~ through October ~~2~~ ~~4~~ and October ~~5-9~~ ~~7-11~~.

b. Muzzleloading gun season – October ~~20-22~~ ~~22-24~~.

c. Family hunt – November ~~3-4~~ ~~5-6~~ and ~~10-11~~ ~~12-13~~.

d. Wild hog-still – January ~~19-23~~ ~~21-25~~ and ~~January 26-30~~ ~~28~~ through February ~~1~~.

e. Youth spring turkey – March ~~9-10~~ ~~10-11~~.

f. Spring turkey – March ~~16-18~~ ~~17-19~~ and ~~22-24~~ ~~23-25~~.

g. through i. No change.

2. through 3. No change.

(g) Watermelon Pond Wildlife and Environmental Area.

1. Open seasons:

a. Archery season – October ~~13-21~~ ~~15-23~~.

b. Small game – November ~~16-29~~ ~~18~~ through December ~~1~~ and December ~~14-29~~ ~~16-31~~.

c. through e. No change.

2. No change.

3. General regulations:

a. No change.

b. Motorized vehicular access is prohibited, except in designated parking areas.

c. through e. No change.

(3) Northwest Region.

(a) No change.

(b) Apalachicola River – Gulf, Franklin, and Liberty counties.

1. No change.

2. Legal to take: All legal game, fish, frogs and furbearers. Antlerless deer may only be taken during the archery season. Bearded turkey or gobblers may be taken during the spring turkey season and the first 41 days of the general gun season; turkey of either sex may be taken during the archery and muzzleloading gun seasons. During the first phase of dove season, taking dove in posted dove fields is prohibited except on Saturdays. Wild hog may only be taken during the archery, muzzleloading gun, general gun, archery/muzzleloading gun and wild hog-dog seasons and during the open season for gray squirrel established in Rule 68A-13.004, F.A.C.

3. Camping: Throughout the year. Camping is limited to tents, trailers or self-propelled camping vehicles. Camping is allowed throughout the area, except where posted as no camping and only at designated campsites at Butcher Pen Landing. Unless contained in mobile campers, kitchen stoves, refrigerators and freezers are prohibited. Lumber, sheet metal or other building materials are prohibited. Camping more than 14 consecutive days at a time is prohibited in that portion of the area posted as Northwest Florida Water Management District lands.

4. General regulations:

a. through i. No change.

j. During the wild hog-dog season, wild hog may be taken by the aid of a light with a firearm ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a bayed hog~~. The hunting of wild hog under this provision by display or use of a light from a moving vehicle, boat or animal is prohibited.

(c) No change.

(4) South Region.

(a) Southern Glades – Dade County.

1. Open season:

a. Archery – July ~~28~~ ~~30~~ through August ~~26~~ ~~28~~.

- b. Muzzleloading gun – September ~~7-9~~ 9-11.
- c. General gun – September ~~15-17~~ through October ~~14-16~~ and November ~~19-25~~ 21-27.
- d. Small game – November ~~10-12~~ through March ~~3-4~~.
- e. through g. No change.
- 2. No change.
- 3. General regulations:
 - a. No change.
 - b. ~~The possession of any firearm containing shells or cartridges or capped or primed muzzleloading guns is prohibited on levees, improved roads, and at check stations. The take of wildlife with discharge of guns is prohibited on, from, or across any check station, levee, or improved road.~~
 - c. ~~The take of wildlife with a Hunting or discharge of any firearm east of the C-109 road, within 500 yards of the Dade Work Camp, or any building or structure is prohibited.~~
 - d. through e. No change.
- (b) John G. and Susan H. Dupuis Jr. – Palm Beach and Martin counties.
 - 1. Open season:
 - a. Archery – September ~~7-9~~ 9-11, ~~14-16~~ 16-18 and ~~21-23~~ 23-25.
 - b. Muzzleloading gun – October ~~5-7~~ 7-9, ~~12-14~~ 14-16 and ~~19-21~~ 21-23.
 - c. General gun for mobility-impaired – October ~~27-28~~ 29-30.
 - d. General gun – November ~~2-4~~ 4-6 and ~~9-11~~ 11-13.
 - e. Wild hog-still – November ~~16-18~~ 18-20, ~~November 30~~ through December ~~2-4~~, ~~December 7-9~~ 9-11 and ~~14-16~~ 16-18.
 - f. Spring turkey – March ~~5-7~~ 6-8, ~~15-17~~ 16-18 and ~~22-24~~ 23-25.
 - g. Small game – December ~~8-10~~ through January ~~27-29~~.
 - h. through j. No change.
 - 2. through 3. No change.
 - 4. General regulations:
 - a. through k. No change.
 - l. ~~Taking wildlife Hunting with firearms other than shotguns is prohibited during the small game season.~~
 - m. ~~The take of wildlife with a firearm discharge of firearms within 1/4 mile of the hiking trail campsites is prohibited.~~
- (c) CREW – Collier and Lee Counties.
 - 1. Open season:
 - a. Archery – August ~~4-12~~ 6-14.
 - b. Muzzleloading gun – September ~~1-3~~ 3-5.
 - c. General gun – November ~~17-25~~ 19-27.
 - d. Small game – December ~~1-28~~ 3-30.
 - e. Spring turkey – March ~~2-5~~ 3-6 and ~~6-10~~ 7-11.
 - f. through g. No change.
 - 2. through 4. No change.
- (d) No change.

- (e) John C. and Mariana Jones/Hungryland – Palm Beach and Martin Counties.
 - 1. Open season:
 - a. Archery – September ~~8-11~~ 10-13, ~~15-18~~ 17-20, ~~22-25~~ 24-27 and ~~September 29 through~~ October ~~2-4~~.
 - b. Muzzleloading gun – October ~~13-15~~ 15-17.
 - c. General gun – October ~~27-29~~ 29-31, November ~~3-5~~ 5-7 and ~~10-12~~ 12-14.
 - d. Small game – November ~~17-19~~ through December ~~16-18~~.
 - e. Spring turkey – March ~~16-31~~ 17 through ~~April 1~~ (Wednesdays, Saturdays and Sundays only).
 - f. through g. No change.
 - 2. through 4. No change.
 - (5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History–New 7-1-83, Amended 11-30-83, 7-1-84, 8-21-85, Formerly 39-17.05, Amended 6-1-86, 8-13-87, 8-18-88, 8-17-89, 4-11-90, 7-1-91, 10-31-91, 4-14-92, 4-20-93, 7-1-94, 9-15-94, 3-30-95, 8-15-95, 7-1-96, 4-3-97, 10-28-97, 7-1-98, 8-11-98, 7-1-99, Formerly 39-17.005, Amended 7-1-00, 5-1-01, 6-2-02, 5-25-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 1-6-09, 7-1-09, 10-29-09, 7-1-10, 7-1-11, 11-14-11, ~~7-1-12~~.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-20.004	Regulations in Fish Management Areas

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to amend language related to possession or use of guns on fish management areas (FMAs). The effect of the proposed rule amendments will be to enable the agency to better manage fish and wildlife resources and public use on FMAs.

SUMMARY: The proposed amendment would amend language related to possession or use of guns on fish management areas (FMAs).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.004 Regulations in Fish Management Areas.

No person shall take fish in any fish management area except as provided by rules of the Commission.

(1) through (8) No change.

~~(9) Guns:~~

~~Notwithstanding the specific area regulations in Rule 68A-20.005, F.A.C., generally prohibiting possession of a gun, persons meeting the following requirements are allowed to possess and transport guns within a vehicle or vessel provided the guns are securely encased as defined under Chapter 790, F.S.:~~

~~(a) Persons and guests of such persons who own or lease private lands within the boundaries of a fish management area, provided they are transporting guns directly to or from said private lands;~~

~~(b) Persons and guests of such persons who own or lease private lands that are located adjacent or proximal to a fish management area and the only legal means of vehicular access is through the fish management area, provided they are transporting guns directly to or from said private lands.~~

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-20.04, Amended 5-10-87, 7-1-92, 7-1-94, 4-1-96, 7-1-97, 7-1-98, Formerly 39-20.004, Amended 7-29-07.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-20.005
RULE TITLE: Specific Fish Management Area Regulations

PURPOSE AND EFFECT: The purpose of the proposed rule for Middle Lake Fish Management Area is to clarify rule language to align with intent of rule. The revised language is more concise and will allow staff and stakeholders to correctly interpret lawful use of Fish Management Area.

SUMMARY: Original intent of present rule was to prohibit swimming, taking of fish or wildlife with firearms, camping or open fires adjacent to boat launching area, but to allow these activities where appropriate on rest of lake. Proposed rule clarifies rule language, by indicating listed activities are prohibited within 150 feet of boat launch site.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the Commission’s regular meeting February 8-9, 2012, 8:30 a.m. – 5:00 p.m.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.005 Specific Fish Management Area Regulations.

(1) through (3) No change.

(4) Southwest Region:

(a) through (o) No change

(p) Middle Lake, Pasco County:

1. No change.

2. The following are prohibited within 150 feet of the boat launch site: ~~Swimming, taking of fish or wildlife with firearms, camping, or open fires at the boat launch site are prohibited.~~

3. through 4. No change.

(q) through (5) No change.

PROPOSED EFFECTIVE DATE: July 1, 2012.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended 4-30-00, 7-1-00, 10-10-00, 4-1-01, 7-1-01, 10-9-01, 7-1-02, 1-1-03, 7-1-03, 1-1-04, 7-1-04, 7-17-05, 7-1-06, 4-1-07, 7-1-08, 7-1-10, 2-8-11, 7-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-20.005 **RULE TITLE:** Specific Fish Management Area Regulations

PURPOSE AND EFFECT: The Lake Griffin black crappie population has the potential to support greater harvest of larger black crappie. The proposed 10-inch minimum size regulation should allow greater utilization of the fish population by

anglers and not harm the abundance or size/age structure of the black crappie population. Currently, black crappie rules in Lake Griffin Fish Management Area follow the state rules of no size limit.

The purpose of the proposed rule amendment for Tenoroc Fish Management Area is to amend language related to possession or use of guns on fish management areas (FMAs). The effect of the proposed rule amendments will be to enable the agency to better manage fish and wildlife resources and public use on FMAs.

SUMMARY: A 10-inch minimum size limit could increase the total yield, average size of harvested fish, and provide the opportunity to highlight an outstanding fishery on Lake Griffin potentially increasing fishing effort and boosting the local economy. Stakeholders have indicated their desire to catch larger fish and modeling indicates Lake Griffin has the ability to support a greater harvest rate of black crappie 10 inches and longer while protecting smaller fish.

The proposed rule change for Tenoroc Fish Management Area would amend language related to possession or use of guns on fish management areas (FMAs) to ensure better fish and wildlife management.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the Commission's regular meeting February 8-9, 2012, 8:30 a.m. – 5:00 p.m.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADAVCoordinator at (850)488-6411. 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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-20.005 Specific Fish Management Area Regulations

(1) through (2) No change.

(3) Northeast Region:

(a) through (b) No change.

(c) Lake Griffin, Lake County: including all Emeralda Marsh water bodies open to Lake Griffin, and including all points lakeward of a boundary line delineated by: County Road 44 and Burrell Lock and Dam on Haynes Creek (formerly Haines Creek); County Road 464c at Moss Bluff Lock and Dam.

1. through 2. No change.

3. No person shall kill or possess any black crappie less than 10 inches in total length.

(d) through (w) No change.

(4) Southwest Region:

(a) through (h) No change.

(i) Tenoroc Fish Management Area:

1. General regulations for all Tenoroc lakes, except Lake Crago:

a. through g. No change.

~~h. Taking of fish with a firearm is prohibited. No person shall discharge any gun for testing or target practice, except on a Commission shooting range or at a Commission sponsored event.~~

~~i. No person shall have any gun under his or her control while under the influence of alcohol or drugs.~~

j. through p. renumbered i. through o. No change.

2. through 4. No change.

(k) through (v) renumbered (j) through (u) No change.

(5) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE AFTER COMMISSION ACTION

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 2-19-80, 5-19-80, 6-4-81, 9-28-81, 6-21-82, 7-1-83, 11-17-83, 7-1-84, 7-1-85, Formerly 39-20.05, Amended 2-27-86, 6-1-86, 5-10-87, 4-13-88, 7-1-89, 7-1-90, 4-11-91, 7-1-91, 7-2-92, 8-23-92, 4-20-93, 7-1-94, 8-15-95, 10-23-95, 4-1-96, 2-16-97, 6-1-97, 6-29-97, 1-1-98, 7-1-98, 11-2-98, Formerly 39-20.005, Amended 4-30-00, 7-1-00, 10-10-00, 4-1-01, 7-1-01, 10-9-01, 7-1-02, 1-1-03, 7-1-03, 1-1-04, 7-1-04, 7-17-05, 7-1-06, 4-1-07, 7-1-08, 7-1-10, 2-8-11, _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.:	RULE TITLE:
68A-23.002	General Methods of Taking Freshwater Fish

PURPOSE AND EFFECT: The purpose of the proposed rule change is to amend rules related to the possession of devices prohibited for the taking of freshwater fish. The effect of the proposed rule changes will be to enable the agency to better manage freshwater fish resources.

SUMMARY: The proposed rule change would clarify which devices prohibited for the taking of freshwater fish may be possessed with freshwater fish.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADAVCoordinator at (850)488-6411. 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: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-23.002 General Methods of Taking Freshwater Fish.

(1) through (2) No change.

(3) Nongame fish may be taken by hook and line, rod and reel or by trotlines, set lines or bush hooks (as specified in Rule 68A-23.004, F.A.C.), or by traps, nets or other devices as specified in Rule 68A-23.003, F.A.C. Nongame fish may be taken for personal use by any person possessing a valid freshwater fishing license by the use of not more than one slat basket or one wire trap, made as specified in Rule 68A-23.003, F.A.C., in those waters where the use of wire traps or slat baskets is permitted for commercial purposes as specified in subsection 68A-23.003(2), F.A.C. Nongame fish may be taken during non-daylight hours with a light and at night by bow and arrow or gigs and during daylight hours by manually operated spears, gigs, snatch hooks, crossbow or bow and arrow from a boat or from shore except at the spillways of the Eureka and

Rodman Dams on the Oklawaha River or on the spillway of the Jim Woodruff Dam on the Apalachicola River or in Dade County canals south of the C-4 and east of the L-31N and L-31W canals inclusively. Nongame fish may be taken by the use of cast nets of any mesh size in the South and Northeast regions, in Citrus County, and in the Southwest Region, except that possession or use of cast nets in waters adjoining Saddle Creek Fish Management Area, Polk County, confined by Morgan Combee Road, U.S. Highway 92 and Fish Hatchery Road are prohibited.

(4) through (8) No change.

(9) Possession of any freshwater fish together with any device (other than a firearm) which is prohibited for taking such freshwater fish is unlawful, except that game fish may be possessed together with the bait catching devices as provided in subsection 68A-23.002(6), F.A.C.

(10) through (11) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 8-1-79, Amended 5-19-80, 6-4-81, 6-21-82, 7-1-84, Formerly 39-23.02, Amended 6-1-86, 4-13-88, 7-1-89, 7-1-90, 4-20-93, 7-1-93, 7-1-94, 7-1-95, 4-1-96, 7-1-98, 4-15-99, Formerly 39-23.002, Amended 7-1-00, 7-1-01, 7-1-04, 7-1-06, 7-1-08,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tom Champeau, Director, Division of Freshwater Fisheries Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-24.002
RULE TITLE: Methods of Taking Fur-Bearing Animals; Possession; Open Season

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to amend rules related to the use of firearms when taking raccoons and opossums at night. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed amendment would amend rules related to the use of firearms for taking raccoons and opossums at night.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day.

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-24.002 Methods of Taking Fur-Bearing Animals; Possession; Open Season.

(1) No change.

(2) Fur-bearing animals may be taken in accordance with the following:

(a) No change.

(b) Raccoon or opossum may be taken at night by the aid of a light and dogs, with .22 rimfire firearms other than .22 magnum, or with a single-shot .410 gauge shotgun using shot no larger than No. 6 ~~provided that no such firearm shall be loaded at any time except immediately prior to the shooting of a treed or bayed raccoon or opossum.~~ The hunting of raccoon or opossum under the provisions of this paragraph by display or use of a light from a moving vehicle, boat or animal is prohibited.

(c) through (d) No change.

(3) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History--New 8-1-79, Amended 6-22-80, 6-4-81, 6-21-82, 7-1-83, 7-5-84, 7-1-85, Formerly 39-24.02, Amended 10-8-87, 4-11-90, Formerly 39-24.002, Amended 5-13-02, 7-1-08, 10-5-10,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-26.002
RULE TITLE: Regulations Relating to the Taking of Amphibians

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to clarify rule language related to the taking of frogs with firearms during daylight hours only. The effect of the proposed rule amendment will be to enable the agency to better manage fish and wildlife resources.

SUMMARY: The proposed rule amendment would clarify that frogs may be taken year round with a firearm, but only during daylight hours.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.363 FS.

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

DATES AND TIME: During the regular meeting of the Commission, February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-26.002 Regulations Relating to the Taking of Amphibians.

(1) Frogs may be taken ~~throughout the year~~ by gigs, clubs, blow guns, hook and line, firearms or manually; ~~or by shooting during daylight hours.~~ Frogs may be taken throughout the year including non-daylight hours except that they may only be taken by firearm during daylight hours.

(2) through (3) No change.

PROPOSED EFFECTIVE DATE: AS SOON AS POSSIBLE FOLLOWING COMMISSION ACTION

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.363 FS. History—New 8-1-79, Amended 6-4-81, 6-21-82, Formerly 39-26.02, 39-26.002, Amended_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 22, 2011

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.:	RULE TITLE:
68B-12.0046	Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits

PURPOSE AND EFFECT: The purpose of this rule amendment is to allow king mackerel to be landed in Collier County, a closed area, when they are caught in nearby waters of Monroe County that are open to harvest. This proposed rule amendment was requested by the commercial king mackerel industry because the current king mackerel landing regulations create an economic burden on commercial fishermen who are located in Collier County. These fishermen are currently required to transport their legally harvested king mackerel to

the Keys to land and sell their legally caught king mackerel because there are no wholesale fish dealers in mainland Monroe County near Collier County. The effect of this rule would be to remove an economic burden to commercial king mackerel fishermen based in Collier County by allowing the landing of king mackerel in Collier County when the king mackerel are harvested from open waters adjacent to mainland Monroe County.

SUMMARY: Rule 68B-12.0046, F.A.C., (Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits.) would be amended to allow the landing of king mackerel in Collier County from April 1 until July 1 by federal commercial king mackerel permit holders and when the transport of the fish is direct and continuous through the closed area to the place of landing.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the nature of the rule and the preliminary analysis conducted to determine whether a SERC was required

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: Article IV, Section 9, Florida Constitution

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution

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

DATES AND TIME: During the Commission’s regular meeting February 8-9, 2012, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, 215 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. 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: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-12.0046 Commercial Fishing Season for King Mackerel in the Gulf-Atlantic Fishery; Commercial Season Segments, Vessel and Landing Limits.

(1) through (3) No change.

(4) Western Region – Persons harvesting king mackerel for commercial purposes from waters of the Western Region shall have a season that begins on July 1 of each year and continues through June 30 of the following year, unless closed sooner by operation of this subsection. These persons shall be subject to commercial vessel limits effective during segments of the season as follows:

(a) through (d) No change.

(e) King mackerel may be landed from April 1 through June 30 in Collier County when the Western Region of the Gulf-Atlantic Fishery has been closed, under the following conditions:

1. The king mackerel have been legally harvested from adjacent state or federal waters off Monroe County pursuant to Rule 68B-30, F.A.C. or pursuant to Part 622 of the Code of Federal Regulations (CFR) for Atlantic migratory group king mackerel.

2. The king mackerel have been harvested pursuant to a Florida saltwater products license and restricted species endorsement (Section 379.362, F.S.) and a federal king mackerel permit (Part 622 CFR).

3. The transport of king mackerel through the closed state waters off Collier County is continuous and direct from the area open to harvest to the place of landing, and

4. All fishing gear must be stowed during transit through the closed area.

(5) No change.

PROPOSED EFFECTIVE DATE: April 1, 2012

Rulemaking Specific Authority Art. IV, Sec. 9, Fla Const. Law Implemented Art. IV, Sec. 9, Fla Const. History–New 10-1-90, Amended 12-4-91, 11-29-93, 12-28-95, 1-1-97, 1-1-98, Formerly 46-12.0046, Amended 4-1-12.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 8, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 28, 2011

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-6.0252	Use of Prescribed Pancreatic Enzyme Supplements
6A-6.0970	John M. McKay Scholarship for Students with Disabilities Program

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly. The public meeting date has been changed from January 25th to January 24, 2012.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NOS.:	RULE TITLES:
6A-20.023	Jose Marti Scholarship Challenge Grant Fund
6A-20.028	Florida Bright Futures Scholarship Program.

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly. The public meeting date has been changed from January 25th to January 24, 2012.

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-18.011	Agreements
18-18.016	Enforcement

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 47, November 23, 2011 issue of the Florida Administrative Weekly.

The previously published notice erroneously omitted the following language:

The Board has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Repealing this unnecessary rule will not have an adverse impact or impose a regulatory burden.

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-20.008	Inclusion of Lands, Title to Which Is Not Vested in the Board, in a Preserve
18-20.009	Establishment or Expansion of Aquatic Preserves

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly.

The previously published notice erroneously omitted the following language:

The Board has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Repealing this unnecessary rule will not have an adverse impact or impose a regulatory burden.

DEPARTMENT OF CITRUS

RULE NO.:	RULE TITLE:
20-60.001	Registration Required

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule is strictly housekeeping in nature; therefore it will not have an adverse impact or impose a regulatory cost.

DEPARTMENT OF CITRUS

RULE NO.:	RULE TITLE:
20-60.002	Notice Required

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: This rule is strictly housekeeping in nature; therefore it will not have an adverse impact or impose a regulatory cost.

Notice of Change/Withdrawal

DEPARTMENT OF CITRUS

RULE NOS.:	RULE TITLES:
20-64.001	Grades Established
20-64.002	Canned Orange Juice
20-64.003	Grapefruit Juice – Canned and Chilled
20-64.004	Canned Blend of Orange and Grapefruit Juice
20-64.005	Other Mixtures of Orange and Grapefruit Juice
20-64.007	Frozen Concentrated Orange Juice
20-64.008	Concentrated Orange Juice for Manufacturing
20-64.009	Frozen Concentrated Grapefruit Juice
20-64.010	Frozen Concentrated Grapefruit Juice for Manufacturing
20-64.011	Frozen Concentrated Blended Grapefruit Juice and Orange Juice
20-64.012	Other Concentrated Citrus Fruit Juices
20-64.013	Canned Grapefruit Sections
20-64.014	Canned Grapefruit and Orange for Salad
20-64.015	Chilled Orange Juice
20-64.016	Concentrate for Soft Serve Orange Juice
20-64.017	Gelled Sunshine Citrus Salad
20-64.018	Other Chilled Processed Citrus Products
20-64.019	Products Having No Established State or USDA Grade Standards

- 20-64.023 Concentrate for Orange Beverage Base
- 20-64.024 Grapefruit Juice for Beverage Base Product; Grapefruit Beverage Base for Export Only

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing these unnecessary and federally superseded rules will not have an adverse impact or impose a regulatory cost.

These corrections are in response to comments received from the Joint Administrative Procedures Committee:

20-64.001 Grades Established.

Florida State Grades for processed citrus products shall be identical with applicable United States Standards for Grades, if any incorporated herein by reference as herein provided. Any product failing to meet the grade of minimum quality standards prescribed herein shall be labeled substandard, or in the case of bulk containers, the shipment shall be accompanied by an inspection certificate with the bill of lading and invoice for each shipment clearly bearing the legend "substandard."

Rulemaking Authority 601.10(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.48 FS. History—Formerly 105-1.19(1), Revised 1-1-75, Formerly 20-64.01, Amended.

DEPARTMENT OF CITRUS

- RULE NO.: 20-65.002
- RULE TITLE: Equipment

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: As this rule amendment allows the industry a more varied equipment list to choose from it will not have an adverse impact or impose a regulatory cost.

DEPARTMENT OF CITRUS

- | | |
|------------|------------------------------|
| RULE NOS.: | RULE TITLES: |
| 20-66.002 | Products for Export |
| 20-66.003 | Misbranding Imported Product |
| 20-66.004 | Florida Identification |
| 20-66.005 | Proof of Geographic Origin |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing this unnecessary rule which has been preempted by federal rules will not have an adverse impact or impose a regulatory cost.

DEPARTMENT OF CITRUS

- | | |
|------------|--|
| RULE NOS.: | RULE TITLES: |
| 20-69.001 | Requirements for Fruit Imported for Processing |
| 20-69.002 | Requirements for Use of Imported Products |
| 20-69.003 | Identification of Imported Product |

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. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing this unnecessary rule will not have an adverse impact or impose a regulatory cost.

These changes were requested by the USDA to ensure imported product is safe for human consumption.

20-69.002 Requirements for Use of Imported Products.

Processed citrus products, in any form, processed in other areas and imported into Florida, may be reprocessed, blended, mixed or repackaged only under the following condition:

The product is graded by the United States Department of Agriculture (USDA) or is accompanied by a certificate of Grade issued by USDA and product is certified to meet applicable requirements of the United States Standards for Grades and U.S. Food and Drug Administration 21 CFR, incorporated herein by reference, and is fit for human consumption.

Rulemaking Authority 601.10(1),(7), 601.11 FS. Law Implemented 601.10(7), 601.11, 601.155 FS. History—Formerly 105-1.27(2), Revised 1-1-75, Amended 3-16-80, Formerly 20-69.02, Amended 6-9-91, 1-19-93, 10-15-95, 6-8-97, Amended _____.

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
20-69.002 Requirements for Use of Imported Products

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CITRUS

RULE NOS.: RULE TITLES:
20-70.001 Registration of Labels
20-70.002 Use of Labels to Represent Grade
20-70.003 Processor to Maintain File of Labels Used
20-70.004 Designation of Grade on Container
20-70.005 Coding Containers
20-70.006 Notice Required

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 46, November 18, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION section of this rule notice should have included the following language: The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Pursuant to the Department's review under Executive Order 11-01 repealing this unnecessary and federally superseded rule will not have an adverse impact or impose a regulatory cost.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:
62-112.030 Procedures for Certification and Agency Review

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 51, December 22, 2011 issue of the Florida Administrative Weekly.

The previously published notice erroneously omitted the following language:

The Agency has determined that the proposed rules is not expected to require legislative ratification based on the statement of estimated regulatory cost or if no SERC is required, the information expressly relied upon and described herein: Repealing this unnecessary rule will not have an adverse impact or impose a regulatory burden.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
64B5-2.013 Dental Examination Requirements and Grading

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 39, September 30, 2011 issue of the Florida Administrative Weekly.

The correction is as follows:
The Subject Area to be Addressed in the Rule Development shall read as: Dental Examination Requirements in the State of Florida.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Dentistry
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Dentistry
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 12, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 9, 2011

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: RULE TITLE:
64B16-28.101 Prescription Area Accessible to Inspection

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 47, November 23, 2011 issue of the Florida Administrative Weekly.

The correction is as follows:
The Rule Development publication date listed in the Notice of Proposed Rule should read:
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN THE FAW: October 21, 2011
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
64B17-3.001 Licensure as a Physical Therapist by Examination

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
64B17-3.003 Licensure by Endorsement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
64B17-4.001 Licensure as a Physical Therapist Assistant by Examination

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: RULE TITLE:
64B17-4.003 Licensure by Endorsement

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 48, December 2, 2011 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

DEPARTMENT OF CITRUS

RULE NO.: RULE TITLE:
20ER11-2 Oranges: 2011-2012 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 early maturity and adverse climactic conditions during September and October significant amounts of the Florida orange crop in the 2011-2012 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 Bartow, Florida on December 21, 2011, 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 unanimously to adopt Emergency Rule 20ER11-2, adjusting the percentage of anhydrous citric acid requirement for oranges for fresh and processed use from .40 to .36, from December 22, 2011 up to and including March 21, 2012.

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 20ER11-2 adjusting the percentage of anhydrous citric acid requirements for oranges, in that notice was made via email of the meeting notice on December 13, 2011 to members of the Florida Citrus Commission, all industry organizations, the Florida Press Corps and other interested persons.

SUMMARY: Emergency Rule 20ER11-2 adjusts the percentage of anhydrous citric acid requirement for oranges from .40 to .36 from December 22, 2011 up to and including March 21, 2012.

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 9010, Bartow, Florida 33831-9010 or awiggins@citrus.state.fl.us

THE FULL TEXT OF THE EMERGENCY RULE IS:

20ER11-2 (20-13.0011) Oranges: 2011-2012 ~~2004-2005~~ Anhydrous Acid Maturity Standards.

(1) During the period beginning December 22, 2011 ~~October 29, 2004~~ up to and including March 21, 2012 ~~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 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, 12-28-11.

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: December 28, 2011

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that on December 20, 2011, the Department of Economic Opportunity, received a petition for waiver from the City of Lynn Haven. It has been assigned the case number DEO-11-0052. THE RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER IS SOUGHT: Paragraph 9B-43.0041(1)(c), F.A.C. Requesting a waiver of the \$700,000 cap on CDBG grants which has been removed by statutory amendment. The rule has not been amended to reflect the change.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 East Madison Street, MSC #110, Tallahassee, FL 32399.

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN that on December 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Columbia County Sheriff's Office on behalf of eight officers for the 2008 (7/1/2006 – 6/30/2008) and 2010 (7/1/2008 – 6/30/2010) reporting periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the eight officers at issue did successfully complete the course of fire, however, the instructors supervising the requalifications were not CJSTC-certified firearms instructors. Petitioner states that the officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement simply because non-CJSTC-certified firearms instructors supervised the 2008 and 2010 mandatory firearms requalifications for the officers.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on December 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Davenport Police Department on behalf of 16 officers for the 2008 (7/1/2006 – 6/30/2008) reporting period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the 16 officers at issue did successfully complete the course of fire, however, the instructors supervising the requalifications were not CJSTC-certified firearms instructors. Petitioner states that the officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement simply because non-CJSTC-certified firearms instructors supervised the 2008 mandatory firearms requalifications for the 16 officers.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on December 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Gretna Police Department on behalf of two officers for the 2008 (7/1/2006 – 6/30/2008) mandatory firearms requalification reporting period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officers at issue attempted to comply, and in one instance, did physically comply with the requirements of the rule. Petitioner states that the officer will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that one officer did successfully complete the requirement but could not produce a CJSTC 86A form and the other officer did not have an opportunity to complete training at her full-time employment and her part-time employment was unaware of the situation.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

NOTICE IS HEREBY GIVEN that on December 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Panama City Police Department on behalf of one officer for the 2008 (7/1/2006 – 6/30/2008) and 2010 (7/1/2008 – 6/30/2010) mandatory firearms requalification reporting periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years on a course of fire mandated by Commission rule and supervised by a CJSTC-certified firearms instructor. The petition supports the requested waiver by stating that the officer at issue had qualified before a non-CJSTC-certified firearms instructor, but had achieved successful scores as reported on the CJSTC 86A form. Petitioner states that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because instructor supervising his requalifications was not a CJSTC certified firearms instructor.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302 or by telephoning (850)410-7676.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation hereby gives notice that on December 8, 2011, the Department entered an Order Granting Waiver from Section 4.5.2, of the Utilities Accommodation Manual, incorporated by reference in Rule 14-46.001, F.A.C., (Section 4.5.2). On September 12, 2011, Ramco Duval TRS, LLC (Ramco) filed a petition seeking a permanent waiver of Section 4.5.2 which requires mitigation for trees or shrubs irreparably damaged or destroyed during utility work on the right of way. Notice of the Petition for Waiver was published in the September 23, 2011, edition of the Florida Administrative Weekly. Ramco has demonstrated that the purpose of the statute underlying Section 4.5.2 can be achieved by providing mitigation for the removal of trees to the City of Jacksonville.

A copy of the Order or additional information may be obtained by contacting: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of

Transportation, Office of the General Counsel, 605 Suwannee Street, M.S. #58, Tallahassee, Florida 32399-0458, email: deanna.hurt@dot.state.fl.us.

AGENCY FOR HEALTH CARE ADMINISTRATION

NOTICE IS HEREBY GIVEN that on November 17, 2011, the Agency for Health Care Administration, received a petition for Variance or Waiver of sub-sub-subparagraph 59A-1.005(1)(a)2.g.3, Florida Administrative Code, from Ozburn-Hessey Logistics, LLC. The petition requests a variance of rule provisions requiring the tissue bank's medical director to have medical licensure in the state in which the tissue bank is incorporated. The specific provision on which the waiver is sought is sub-sub-subparagraph 59A-1.005(1)(a)2.g.3, Florida Administrative Code. The Petitioner in its request seeks a permanent variance from the rule due to substantial hardship.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jamie L. Jackson, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on December 20, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for North Florida Regional Healthcare in Gainesville, FL. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 8.7.2.25.2(b) as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the fire control operating panel, an auxiliary brake and 48" platform guard which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-420).

A copy of the Petition for Variance or Waiver 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 December 20, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Osceola County Parking Garage in Kissimmee, FL. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.20.4 and 2.24.2.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code, adopted by paragraph

61C-5.001(1)(a), Florida Administrative Code, that requires a minimum rope diameter of 9.5 mm and metal sheaves which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-421).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on November 28, 2011, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(2)(a) and subsections 61C-4.010(6), (7), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from Alebrije Gourmet Window located in Miami. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers and employees. They are requesting to share bathroom facilities located within an adjacent establishment for use by both customers and employees.

The Petition for this variance was published in Vol. 37, No. 50 on December 16, 2011. The Order for this Petition was signed on December 22, 2011, and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathrooms located within 24 N.W. 29th Street, Miami, Florida, are maintained in a clean and sanitary manner, have hot and cold running water under pressure, soap, approved hand drying devices and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed in the establishment clearly stating the location of the bathrooms. If the ownership (Miguel Angel Cruz-Pereaza) of said building changes, an updated, signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order or additional information 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 December 16, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Lake Worth Casino. Petitioner seeks an emergency variance of the requirements of ASME A17.1, Section 2.10.2.1 and 2.4.6.2(c) as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a

solid car top rail and 6 inches clearance above the equipment in the hoistway which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-419).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on December 2, 2011, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Leslie Hotel Restaurant located in Miami Beach. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom on the same level be provided for use by customers. They are requesting to utilize public bathrooms located on a different level than the food service establishment for customer use only.

The Petition for this variance was published in Vol. 37, No. 50 on December 16, 2011. The Order for this Petition was signed on December 22, 2011, and after a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the public bathrooms located on the level above are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure that directional signage is installed within and outside the establishment clearly stating the location of the bathrooms.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice on November 30, 2011 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(6), (7), Florida Administrative Code, from Sofrito Mama's located in Sarasota. The above referenced F.A.C. addresses the requirement that at least one accessible bathroom be provided for use by customers. They are requesting to utilize bathrooms located within another nearby business.

The Petition for this variance was published in Vol. 37, No. 50 on December 16, 2011. The Order for this Petition was signed on December 22, 2011. and after a complete review of the variance request, the Division finds that the application of this rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring the bathroom located within 935 N. Beneva Road, Unit #705 are maintained in a clean and sanitary manner and are provided with cold running water under pressure, soap, approved hand drying devices, and are available during all hours of operation. The Petitioner shall also ensure directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of 935 N. Beneva Road, Unit #705 changes, an updated signed agreement for use of the bathroom facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Electrical Contractors' Licensing Board hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance which was filed on October 10, 2011, by Roger Diaz. The Notice of Petition for Variance/Waiver was published in Vol. 37, No. 42, of the October 21, 2011, Florida Administrative Weekly. Petitioner sought a waiver or variance from Rule 61G6-6.017, Florida Administrative Code, entitled, "Duration of Examination Scores," which requires for the purpose of certification, a passing examination score on any part of the examination shall be valid only for a period of two (2) years from the date of the examination. The Board considered the instant Petition at a duly-noticed public meeting, held November 16-18, 2011, in Gainesville, Florida. The Board's Order, filed on December 14, 2011, granted the petition, finding Petitioner had demonstrated that application of the rule to his circumstances would violate the principles of fairness and would impose a substantial hardship on him.

A copy of the Order or additional information may be obtained by contacting: Juanita Chastain, Executive Director, Electrical Contractors' Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that on December 15, 2011, the Board of Chiropractic Medicine, received a petition for Bruce Harris. The petitioner is seeking a waiver or variance of subsections 64B2-13.004(1) and (2), Florida Administrative Code, which requires that for the purpose of renewing or reactivating a license, an applicant must demonstrate to the Board that he or she participated in at least forty (40) classroom hours of continuing chiropractic education and that

only those classroom hours earned at Board approved continuing education courses or under the provisions of this rule are acceptable.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, Board of Chiropractic Medicine/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Chiropractic Medicine within 14 days of publication of this notice.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Division of Historical Resources** and the **Florida Historical Commission** announces a public meeting to which all persons are invited.

DATES AND TIME: January 18-19, 2012, 9:00 a.m. – conclusion

PLACE: Heritage Hall Auditorium, Room 307, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public review and ranking of the 2013 Small Matching Historic Preservation Grant applications.

A copy of the agenda may be obtained by contacting: Historic Preservation Grants Staff via telephone at 1(800)847-7278, via email: bhpgrants@flheritage.com, or by visiting: www.flheritage.com/grants.

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: Grants Staff via telephone at 1(800)847-7278, via email: bhpgrants@flheritage.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: Grants Staff via telephone at 1(800)847-7278, via email: bhpgrants@flheritage.com.

The Florida **Department of State, Division of Library and Information Services** announces a meeting of the State Library Council Governmental Affairs Subcommittee via conference call. All persons are invited.

DATE AND TIME: Monday, January 16, 2012, 8:15 a.m. – 8:30 a.m. (EST)

PLACE: Archives Conference Room, Division of Library and Information Services, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Library Council Governmental Affairs Subcommittee will review and discuss matters and issues related to the programs and/or activities of the Division of Library and Information Services. Subject matter may include issues that have local or statewide impact on the Division and/or the services it provides to Florida's citizens, and strategies to promote the Division's values and work.

For additional information, contact: Judith Ring, Division Director at (850)245-6600.

Any person requiring special accommodations or assistance due to a disability or physical impairment should contact the agency at least five days prior to the meeting by calling: (850)245-6600 or TDD (850)922-4085.

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs, Council on the Social Status of Black Men and Boys** announces the following telephone conference meetings for committee planning which all persons are invited to attend.

Subcommittee Teleconference

DATE AND TIME: January 19, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Toll Free Dial in Number: 1(888)808-6959, Conference Code: 1021731236. Please be advised that meetings & meeting rooms maybe subject to change. For updates please visit <http://www.cssbmb.com>

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, contact: Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The **Aquaculture Review Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 31, 2012, 10:00 a.m. – 12:00 Noon

PLACE: Division of Aquaculture, Florida Department of Agriculture and Consumer Services, 1203 Governor's Square Boulevard, Suite 501, Tallahassee, Florida 32301-2961.

NOTE: Meeting also accessible through teleconference by dialing: 1(888) 808-6959, enter Code: 4884033

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting the growth of aquaculture in Florida.

A copy of the agenda may be obtained by contacting: Paul Zajicek, 1203 Governor's Square Boulevard, Suite 501, Tallahassee, Florida 32301-2961, (850)488-5471.

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: Paul Zajicek, (850)488-5471. 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 **Sturgeon Production Working Group** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 31, 2012, 3:00 p.m. – 5:00 p.m.

PLACE: Division of Aquaculture, Florida Department of Agriculture and Consumer Services, 1203 Governor's Square Boulevard, Suite 501, Tallahassee, Florida 32301-2961.

NOTE: Meeting also accessible through teleconference by dialing: 1(888) 808-6959, enter Code: 4884033

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss issues affecting sturgeon culture in Florida.

A copy of the agenda may be obtained by contacting: Paul Zajicek, 1203 Governor's Square Boulevard, Suite 501, Tallahassee, FL 32301-2961, (850)488-5471.

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: Paul Zajicek, (850)488-5471. 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 EDUCATION

The Florida **Department of Education** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 18, 2012, 1:00 p.m.
 PLACE: Workforce Plus – Leon, Town South Plaza, 2525 S. Monroe Street, Suite 3A, Tallahassee, Florida 32301
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Apprenticeship Advisory Council will hold a meeting to discuss general items relating to apprenticeship in Florida. The agenda includes follow-up actions from previous Council meetings on subjects of committee structure, updates, assignments and responsibilities. The meeting will include an apprenticeship update relative to apprentices and programs registered in Florida.

A copy of the agenda may be obtained by contacting: Juanita Warren at (850)245-0454 or e-mail: Juanita.Warren@fldoe.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 7 days before the workshop/meeting by contacting: Juanita Warren at (850)245-0454 or e-mail: Juanita.Warren@fldoe.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: Mr. Ken Olsen, Program Director of Apprenticeship at (850)245-0454 or e-mail: Ken.Olsen@fldoe.org.

The **Florida Rehabilitation Council (FRC)** announces a telephone conference call to which all persons are invited.

DATES AND TIMES: Coordination Committee, February 9, 2012, 9:30 a.m. – 11:30 a.m.; Evaluation Committee, February 2, 2012, 9:30 a.m. – 11:30 a.m.; Executive Committee, February 1, 2012, 9:00 a.m. – 11:00 a.m.; Legislative Committee, February 14, 2012, 9:30 a.m. – 11:30 a.m.; Planning Committee, February 8, 2012, 9:30 a.m. – 11:30 a.m.; Public Awareness Committee, February 7, 2012, 9:30 a.m. – 11:30 a.m.

PLACE: VR Headquarters, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any interested parties that need further information may contact: Paige Sharpton at (850)245-3397.

For appeal process see Section 286.0105, Florida Statutes.

Please note that committees of the Florida Rehabilitation Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at: www.rehabworks.org at least seven days before the meeting. Persons who want to be notified of such meetings may request to be put on a mailing list by writing to: Paige Sharpton at the Council's address, 2001-A Old St. Augustine Rd., Tallahassee, FL 32301-4862.

A copy of the agenda may be obtained by contacting: The FRC at (850)245-3397.

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 3-5 days before the workshop/meeting by contacting: The FRC at (850)245-3397. 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 **Office of Early Learning** announces a public meeting to which all persons are invited.

DATE AND TIME: February 1, 2012, 3:30 p.m. – 4:30 p.m.

PLACE: Florida Lottery Building, 250 Marriott Drive, Tallahassee Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Please join Dr. Mel Jurado for the official celebration of Florida's Office of Early Learning as a stand-alone agency. The celebration will feature a ribbon cutting ceremony and program presentations about the work of Florida's Office of Early Learning including: the Voluntary Prekindergarten Education, School Readiness, and Child Care Resource and Referral programs. Dr. Jurado will welcome local dignitaries, stakeholders and citizens. Attendees will be treated to a special percussion presentation by local voluntary prekindergarten education program classes.

A copy of the agenda may be obtained by contacting: Laura Woodard, (850)717-8662 or laura.woodard@oel.myflorida.com.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission**, "The Commission", announces the following meeting to which all persons are invited to participate. announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 17, 2012, 2:00 p.m.

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 1045158897; Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider and decide on approval of Energy Code simulation software submitted for consideration by the Florida Building Commission and other business for the Commission. Anyone who wishes to participate in the conference call should dial the number and enter the code above as requested to participate in the conference call.

If a person wishes to attend the conference call in person, they may go to: Room 250L, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

A copy of the agenda may be obtained by contacting: Ms. Ann Stanton, Department of Business and Professional Regulation, (850)487-1824, 2555 Shumard Oak Boulevard, 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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Ann Stanton, Department of Business and Professional Regulation, (850)487-1824, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399.

The **Florida Building Commission**, “The Commission” announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 18, 2012, 10:00 a.m.

PLACE: Meetings to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Conference Code: 7975951832; Public Point of Access: 2555 Shumard Oak Boulevard, Room 250L, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss “accreditor” and “course” applications for recommendation to the Florida Building Commission; discuss proposed changes to Rule 9B-70.002, F.A.C., and general subject matters.

A copy of the agenda may be obtained by contacting: Ms. Ila Jones, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation Affairs, 1940 North Monroe Street, Tallahassee, Florida 32399-0772 or call: (850)487-1824.

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 Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or Fax: (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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. Ila Jones, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The **Florida Building Commission**, “The Commission”, announces the following meeting to which all persons are invited.

DATE AND TIME: January 18, 2012, 2:00 p.m. – until completion

PLACE: Meeting to be conducted using Communications Technology, specifically Webinar and Conference Call Registration for the Webinar and logistical information may be obtained at: http://floridabuilding.org/fbc/meetings/1_meetings.htm; Conference Call: 1(888)808-6959, Access Code: 2717224165; Public Point of Access: Department of Business and Professional Regulation, Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Accessibility Advisory Council. Review of Applications for Waivers from Accessibility Requirements. Specific projects may be reviewed at www.floridabuilding.org.

A copy of the agenda may be obtained by contacting: Ms. Mary Kathryn Smith, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or call: (850)487-1824.

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. Mary Kathryn Smith, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100 or call: (850)487-1824. 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. Barbara Bryant, Building Codes and Standards Office, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436.

The **Florida Building Commission**, "The Commission", announces the following meeting to which all persons are invited to participate announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 19, 2012, 2:30 p.m.

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 2059360213; Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Product Approval Program Oversight Committee (POC). To consider and decide on approval of product and product approval entities, Declaratory statements and other business for the Commission.

Anyone who wishes to participate in the conference call should dial the number and enter the code above as requested to participate in the conference call. If a person wishes to attend the conference call in person, they may go to: Room 250L, The Sadowski Building, 2555 Shumard Oak Boulevard, Tallahassee, Florida.

A copy of the agenda may be obtained by contacting: Mrs. Suzanne Davis, Department of Business and Professional Regulation, (850)487-1824, 2555 Shumard Oak Boulevard, 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 10 days before the workshop/meeting by contacting: Mrs. Suzanne Davis, Department of Business and Professional Regulation, (850)487-1824, 2555 Shumard Oak Boulevard, Tallahassee, Florida 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: Ms. Barbara Bryant, Department of Business and Professional Regulation at (850)487-1824.

DEPARTMENT OF LAW ENFORCEMENT

The Florida **Department of Law Enforcement** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 24, 2012, 1:00 p.m.

PLACE: Florida Department of Law Enforcement, 2331 Phillips Road, Tallahassee, Florida 32308, (850)410-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: Medical Examiners Commission Meeting.

A copy of the agenda may be obtained by contacting: Bureau Chief Glen Hopkins at (850)410-8600.

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: Medical Examiners Commission Staff at (850)410-8600. 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: Medical Examiners Commission Staff, Post Office Box 1489, Tallahassee, Florida 32302, (850)410-8600.

DEPARTMENT OF TRANSPORTATION

The **Commercial Motor Vehicle Review Board** announces a public meeting to which all persons are invited.

DATE AND TIME: February 10, 2012, 8:30 a.m.

PLACE: Florida Department of Transportation, Burns Building Auditorium, 605 Suwannee St., Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a monthly meeting of the Commercial Motor Vehicle Review Board for the purpose of reviewing penalties imposed upon any vehicle or persons under the provisions of Chapter 316, Florida Statutes, relating to weights imposed on the highway by the axles and wheels of motor vehicles, to special fuel and motor fuel tax compliance, or to violations of safety regulations.

A copy of the agenda may be obtained by contacting: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303.

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: Christine Jones, Executive Assistant, Commercial Motor Vehicle Review Board, 325 John Knox Rd., Bldg. K, Tallahassee, FL 32303. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

STATE BOARD OF ADMINISTRATION

The **Florida Hurricane Catastrophe Fund** announces a public meeting to which all persons are invited.

DATE AND TIME: January 18, 2012, 9:00 a.m. (ET)
PLACE: Cabinet Meeting Room, Lower Level, The Capitol, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Trustees of the State Board of Administration to appoint an engineer to serve on the Florida Hurricane Catastrophe Fund Advisory Council pursuant to Section 215.555(8), F.S. The Trustees may also address other general business.

A copy of the agenda may be obtained by contacting: Not available.

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: Tracy Allen, (850)413-1341, email: tracy.allen@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 **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 18, 2012, 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 will be asked for permission to file a Notice of Proposed Rule to repeal Rule 19-7.001, F.A.C., Purpose, and to authorize the filing of this rule for repeal if no member of the public timely requests a rule hearing. In addition, the Trustees of the State Board of Administration of Florida will consider proposed amendments to the following rule and will be asked for permission to file a Notice of Proposed Rule for the following rule, and to file this rule, along with the incorporated documents, for adoption if no member of the public timely requests a rule hearing: Rule 19-7.002, F.A.C., Investment Policy Guidelines, which will be amended to adopt the revised Investment Policy Statements for the Local Government Surplus Funds Trust Fund and the Fund B Surplus Funds Trust Fund.

A copy of the agenda may be obtained by contacting: Diane Bruce, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308, (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, State Board of Administration, 1801 Hermitage Blvd., Suite 100, Tallahassee, Florida 32308, email:

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.

DEPARTMENT OF CITRUS

The Florida **Department of Citrus** announces a public meeting to which all persons are invited.

DATE AND TIME: January 18, 2012, 9:00 a.m.

PLACE: Citrus Research & Education Center, Ben Hill Griffin, Jr. Citrus Hall, 700 Experiment Station Road, Lake Alfred, FL 33850

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will convene for the purpose of standing committee meetings and the regularly scheduled meeting of the Florida Citrus Commission. The Commission will address issues pertaining to budget items and revisions, contracts, advertising programs, program evaluation measurements, licensing, rulemaking, issues pertaining to Chapter 601, F.S., and other matters addressed during regular meetings of the Commission.

A copy of the agenda may be obtained by contacting: Heather Facey at (863)537-3951 or email: hfacey@citrus.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 48 hours before the workshop/meeting by contacting: Dianne Screws at (863)537-3984 or email: dscrews@citrus.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: Heather Facey at (863)537-3951 or email: hfacey@citrus.state.fl.us.

PUBLIC SERVICE COMMISSION

The **PSC** announces a public meeting to which all persons are invited.

DATE AND TIME: January 18, 2012, 6:00 p.m.

PLACE: Forest Lake Estates Community Clubhouse, 6429 Forest Lake Drive, Zephyrhills, Florida 33540

GENERAL SUBJECT MATTER TO BE CONSIDERED: Docket No. 110264-WS – Application for increase in water and wastewater rates in Pasco County by Labrador Utilities,

Inc. The purpose of the 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 this meeting. For questions, contact: Commission staff, Michael Springer, (850)413-7082.

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 the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling: The Office of the General Counsel at (850)413-6199 or The Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850.

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: PSC. 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: PSC.

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: January 24, 2012, 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.

The agenda and recommendations are accessible on the PSC Website: <http://www.floridapsc.com>, at no charge or can be purchased by contacting: Florida Public Service Commission, Office of Commission Clerk, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399 0850 or (850)413-6770, at a cost of 15 cents per single sided page or 20 cents per duplexed page.

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: January 25, 2012, 9:30 a.m.

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: <http://www.psc.state.fl.us/agendas/internalaffairs/>.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Children and Youth Cabinet Information Sharing Workgroup** announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 2012, 1:30 p.m. – 5:00 p.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32311

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workgroup members will meet to review the status of information and data sharing between Children and Youth Cabinet agencies.

A copy of the agenda may be obtained by contacting: Christina Pacelle, Office of Adoption and Child Protection, (850)717-9261 or Christina.Pacelle@eog.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 3 days before the workshop/meeting by

contacting: Christina Pacelle, Office of Adoption and Child Protection, (850)717-9261 or email: Christina.Pacelle@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).

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: Christina Pacelle, Office of Adoption and Child Protection, (850)717-9261 or email: Christina.Pacelle@eog.myflorida.com.

REGIONAL PLANNING COUNCILS

The **West Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIMES: Monday, January 9, 2012, 4:00 p.m.; Executive Committee Meeting, 3:00 p.m.

PLACE: West Florida Regional Planning Council, 4081 East Olive Road, Suite A, Pensacola, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General matters of the West Florida Regional Planning Council and the above mentioned Committee.

A copy of the agenda may be obtained by contacting: www.wfrpc.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: WFRPC, (850)332-7976. 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: Terry Joseph, Executive Director at terry.joseph@wfrpc.org, (850)332-7976.

The **North Central Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: January 10, 2012, 9:30 a.m.

PLACE: City Commission Meeting Room, City Hall, 209 North Thompson Street, Starke, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Bradford County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th 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: January 10, 2012, 1:15 p.m.

PLACE: Board of County Commissioners Meeting Room, County Courthouse, 55 West Main Street, Lake Butler, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Union County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th 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: January 11, 2012, 9:00 a.m.

PLACE: North Central Florida Regional Planning Council, Charles F. Justice Conference Room, 2009 N.W. 67th Place, Gainesville, FL 32653

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Comprehensive Economic Development Strategy Committee.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, FL 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: January 11, 2012, 10:30 a.m.

PLACE: Board of County Commissioners Meeting Room, County Courthouse, 401 North Cedar Street, Cross City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Dixie County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th 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: January 11, 2012, 1:30 p.m.

PLACE: Board of County Commissioners Meeting Facility, 210 South Main Street, Trenton, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Gilchrist County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th 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: January 12, 2012, 10:00 a.m.

PLACE: Board of County Commissioners Meeting Room, Courthouse Annex, 229 S.W. Pinckney Street, Suite 219, Madison, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Madison County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th 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: January 26, 2012, 5:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Finance 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. 67th Place, Gainesville, Florida 32653-1603.

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: January 26, 2012, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 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. 67th 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: January 26, 2012, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest 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. 67th 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: January 26, 2012, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 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. 67th 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 Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2012, 10:00 a.m.

PLACE: Heartland Workforce Office, 5901 US Hwy. 27 South, Suite 1, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Heartland 2060 Consortium Partners.

A copy of the agenda may be obtained by contacting: Shannon Brett, Project Manager, (863)534-7130, ext. 132 or email: 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.

The Central Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 25, 2012, 1:30 p.m.

PLACE: Hardee County Commission Board Room, 412 West Orange Street, Courthouse Annex, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing and Regular Quarterly Meeting of the Transportation Disadvantaged Local Coordinating Board.

A copy of the agenda may be obtained by contacting: Marcia Staszko, Program Director, (863)534-7130, ext. 103 or email: mstaszko@cfrc.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.

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

DATE AND TIME: Thursday, January 19, 2012, 8:30 a.m.

PLACE: Southwest Florida Regional Planning Council, 2nd Floor, Meeting Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Executive Committee will be meeting prior to the SWFRPC Board Meeting to discuss the new Executive Director's contract.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 232.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi at dkooi@swfrpc.org or (239)338-2550, ext. 210. 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: Visit the SWFRPC's website at www.swfrpc.org.

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

DATE AND TIME: Thursday, January 19, 2012, 9:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1st Floor, Conference Room, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular monthly board meeting of the Southwest Florida Regional Planning Council.

A copy of the agenda may be obtained by contacting: Ms. Nichole Gwinnett at ngwinnett@swfrpc.org or (239)338-2550, ext. 232.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi at dkooi@swfrpc.org or (239)338-2550, ext. 210. 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: Visit the Council's website at www.swfrpc.org.

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

DATE AND TIME: Thursday, January 19, 2012, immediately following the SWFRPC Board Meeting

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The SWFRPC's Regional Watersheds Committee Monthly Meeting.

A copy of the agenda may be obtained by contacting: Mr. James Beever at jbeever@swfrpc.org or (239)338-2550, ext. 224.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi at dkooi@swfrpc.org or (239)338-2550, ext. 210. 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: Visit the SWFRPC's Website at www.swfrpc.org.

The **South Florida Regional Planning Council** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 30, 2012, 3:00 p.m.
PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021
GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and review the Revolving Loan Fund loan applications. A copy of the agenda may be obtained by contacting: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.
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: (954)985-4416. 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: Cheryl Cook at (954)985-4416 or cherylc@sfrpc.com.

The **District II, Local Emergency Planning Committee** announces a public meeting to which all persons are invited.
DATE AND TIME: Wednesday, January 18, 2012, 10:00 a.m. (ET)
PLACE: Tallahassee Fire Department, Training Facility Classroom, 2964 Municipal Way, Tallahassee, FL 32304
GENERAL SUBJECT MATTER TO BE CONSIDERED: The regular quarterly meeting of the District II, Local Emergency Planning committee (LEPC).
A copy of the agenda may be obtained by contacting: Chris Rietow, ARPC, (850)488-6211, ext. 102, email: Chris.Rietow@thearpc.com, mail: ARPC, 20776 Central Avenue E., Suite 1, Blountstown, FL 32424.
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 CORRECTIONS

The **Department of Corrections** announces a public meeting to which all persons are invited.
DATE AND TIME: Thursday, January 12, 2012, 10:30 a.m.
PLACE: Reception and Medical Center, Warden's Conference Room, 7765 South, C.R. 231, Lake Butler, FL 32054
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting of the RMC Hospital Governing Board.

A copy of the agenda may be obtained by contacting: Tiffany Roseke at (386)496-6074.
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: Tiffany Roseke at (386)496-6074. 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: Tiffany Roseke at (386)496-6074.

METROPOLITAN PLANNING ORGANIZATIONS

The **Pinellas County Local Coordinating Board** announces a public meeting to which all persons are invited.
DATE AND TIME: Tuesday, January 17, 2012, 9:15 a.m.
PLACE: Pinellas County Planning Department, Conference Room, 600 Cleveland Street, Suite 750, Clearwater, FL 33755
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Local Coordinating Board meeting.
A copy of the agenda may be obtained by contacting: Heather Sobush at hsobush@pinellascounty.org or (727)464-8200.
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: Office of Human Rights, 400 South Ft. Harrison Avenue, Suite 300, Clearwater, Florida 33756, [(727)464-4062 (V/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).
For more information, you may contact: Heather Sobush at hsobush@pinellascounty.org or (727)464-8200.

The **Charlotte County-Punta Gorda MPO**, Transportation Disadvantaged Coordinating Board (LCB) announces a public meeting to which all persons are invited.
DATE AND TIME: January 19, 2012, 10:00 a.m.
PLACE: East Port Environmental Campus, Training Room B, 25550 Harbor View Road, Port Charlotte, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: At the general meeting/public hearing, public comments are welcome on the Transportation Disadvantaged Service Plan, which is also the Coordinated Public Transit-Human Service Transportation Plan (under the provisions of SAFETEA-LU).
A copy of the agenda may be obtained by contacting: Ms. Wendy Scott at scott@cempo.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 3 days before the workshop/meeting by

contacting: Charlotte County-Punta Gorda MPO, (941)883-3535. 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: Charlotte County-Punta Gorda MPO, 25550 Harbor View Road, Suite 4, Port Charlotte, FL 33980 or call (941)883-3535.

WATER MANAGEMENT DISTRICTS

The **St. Johns River Water Management District** and **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 2012, 10:00 a.m.

PLACE: Indian River Citrus League, 7925 20th Street, Vero Beach, FL 32966

GENERAL SUBJECT MATTER TO BE CONSIDERED: C-25 Basin and Upper St. Johns River Basin Planning.

NOTE: One or more Governing Board members from each of the districts named above may attend and participate in the meeting.

A copy of the agenda may be obtained by contacting: Marji Hightower, St. Johns River Water Management District, 4049 Reid Street, Palatka, FL 32177, (386)329-4214, e-mail: mhightow@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: Marji Hightower, (386)329-4214. 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 **Southwest Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: January 18, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Walker Middle School Cafeteria, 8282 North Mobley Road, Odessa, FL 33556

GENERAL SUBJECT MATTER TO BE CONSIDERED: Rocky Creek Lake Enhancement Project Workshop: Public meeting to discuss the project and a reservation from use of water from Pretty Lake in Hillsborough County, Florida to be

used during periods of excess flow as necessary to increase lake levels and restore fish and wildlife in lakes Horse, Raleigh, and Rogers in Hillsborough County, Florida.

NOTE: One or more Governing Board members may attend and participate in the meeting.

A copy of the agenda may be obtained by contacting: Tamera McBride, Professional Geologist/Engineer, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4518, seven 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 5 days before the workshop/meeting by contacting: Southwest Florida Water Management District, Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899, (352)796-7211, ext. 4702 or 1(800)423-1476 (FL Only), 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: Tamera McBride, Professional Geologist/Engineer, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604, (352)796-7211, ext. 4518.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 18, 2012, 10:00 a.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; Okeechobee Service Center, 205 N. Parrot Avenue, Suite 201, Okeechobee, FL 34972, (2nd FL – Bank of America Building); 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: Our website at: www.sfwmd.gov: Hold mouse over the “Topics” tab, scroll down to “Permits” and click Under “Upcoming Events” on the right hand column, click the “Monthly Regulatory Meetings” link; or by subscribing to ePermitting/eNoticing: www.sfwmd.gov/epermitting.

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, (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: the information line at (561)682-6207 or Florida toll-free 1(800)432-2045, ext. 6207.

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

Loxahatchee River Management Coordinating Council Annual Field Tour and Meeting

DATE AND TIME: January 30, 2012, 8:00 a.m. – 5:00 p.m.

PLACE: Sandhill Crane Access Park, PBG, FL & River Center, 805 North US Highway One, Jupiter, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members and alternates will participate in the Annual Field tour at Loxahatchee Slough from 8:00 a.m. – 12:00 Noon. Transportation will be supplied to LRMCC members and alternates. At 2:00 p.m. the Council will meet to discuss the goals and objectives regarding the management of the Wild and Scenic portion of the Loxahatchee River. The Council will also elect new officers.

A copy of the agenda may be obtained by contacting: Laura Corry, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, lcorry@sfwmd.gov, (561)682-6012.

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: Laura Corry, (561)682-6012. 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: Laura Corry, (561)682-6012.

DEPARTMENT OF ELDER AFFAIRS

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 20, 2012, 10:00 a.m. – 12:00 Noon (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Advocacy Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@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: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@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).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 24, 2012, 9:00 a.m. – 11:00 a.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Data & Information Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@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: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@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).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATE AND TIME: February 2, 2012, 1:00 p.m. – 4:00 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Training Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@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: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, (850)414-2323 or email: LTCOPInformer@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).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATES AND TIME: February 2, 2012; May 3, 2012; November 1, 2012, 4:00 p.m. – 5:00 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Executive Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@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: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@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).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a telephone conference call to which all persons are invited.

DATES AND TIME: February 3, 2012; May 4, 2012; November 2, 2012, 8:00 a.m. – 12:30 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 938 215 2028

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Quarterly State Council Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@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: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@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).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: August 2, 2012, 4:00 p.m. – 5:00 p.m. EST.

PLACE: Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Executive Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323, or email: LTCOPInformer@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: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, FL 32399, telephone: (850)414-2323, or email: LTCOPInformer@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).

The **Department of Elder Affairs, Long-Term Care Ombudsman Program** announces a public meeting to which all persons are invited.

DATE AND TIME: August 3, 2012, 8:00 a.m. – 12:30 p.m. (EST)

PLACE: Embassy Suites Hotel, 225 Shorecrest Drive, Altamonte Springs, FL 32701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Long-Term Care Ombudsman Program, Quarterly State Council Committee Business.

A copy of the agenda may be obtained by contacting: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@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: Department of Elder Affairs/LTCOP, 4040 Esplanade Way, Tallahassee, Florida 32399, (850)414-2323 or email: LTCOPInformer@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).

The Department of Elder Affairs, Statewide Public Guardianship Office announces a public meeting to which all persons are invited.

DATE AND TIME: January 23, 2012, 10:00 a.m. – 4:00 p.m. (EST)

PLACE: 4200 George J. Bean Parkway, Suite 2580, Tampa, Florida 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: This will be a general business meeting of the Foundation for Indigent Guardianship, Inc.

A copy of the agenda may be obtained by contacting: Yolanda Siples, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2129, email: siplesy@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: Yolanda Siples, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2129, email: siplesy@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: Yolanda Siples, Department of Elder Affairs, 4040 Esplanade Way, Tallahassee, Florida 32399-7000, (850)414-2129, email: siplesy@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: Monday, January 9, 2012, 1:30 p.m. – 4:30 p.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the second meeting of the Child Death Data Review Workgroup. This is an ad hoc workgroup of Florida’s Children and Youth Cabinet that will evaluate existing processes for child death reviews, to improve communication and collaboration across agencies regarding the investigation of child deaths and to recommend ways to improve the response to the investigation of deaths.

A copy of the agenda may be obtained by contacting: Judy Mathews, Bureau of Health Facility Regulation, Florida Center at Judy.Mathews@ahca.myflorida.com or call: (850)412-3763.

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: Judy Mathews, Bureau of Health Facility Regulation, Florida Center at Judy.Mathews@ahca.myflorida.com or call: (850)412-3763. 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: Judy Mathews, Bureau of Health Facility Regulation, Florida Center at Judy.Mathews@ahca.myflorida.com or call: (850)412-3763.

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

DATE AND TIME: January 27, 2012, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Health Information Exchange Legal Work Group will meet to review legal policies for health information exchange including provisions of subscription agreements for health information exchange.

A copy of the agenda may be obtained by contacting: Carolyn H. Turner, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5403. The agenda will be posted at: <http://www.fhin.net> 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: Carolyn H. Turner at (850)412-3782. 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: Milly Hardin at (850)412-3790.

The Agency for Health Care Administration, Division of Medicaid, Organ Transplant Advisory Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, January 23, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Webinar, Internet sign-on: kumart.glance.net, Session Key: 1234; Telephone Conference: 1(888)808-6959, Conference Code: 7556753

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council including review of the adult bone marrow transplant program application from the University of Miami Hospital/Sylvester Comprehensive Cancer Center and kidney transplant program application from Gulf Coast Medical Center for Medicaid-designation.

A copy of the agenda may be obtained by contacting: Theresa Kumar, Transplant Coordinator, Agency for Health Care Administration, Bureau of Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308, (850)412-4232 or theresa.kumar@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering** announces a workshop to which all persons are invited.

DATE AND TIME: January 24, 2012, 1:00 p.m. – 5:00 p.m.

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: WORKSHOP for development of Rule 61D-2.023, F.A.C. The proposed rule addresses the welfare of racing animals, inspections of areas where racing animals are raced, trained, housed, or maintained, including any areas where food, medications, or other supplies are kept, to ensure the humane treatment of racing animals and compliance with this chapter and the rules of the division.

A copy of the agenda may be obtained by contacting: the Division's website at <http://www.myfloridalicense.com/dbpr/pmw/rules.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 5 days before the workshop/meeting by contacting: Mary Polombo at (850)717-1098. 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 Architecture and Interior Design** announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 17, 2012, 2:00 p.m.

PLACE: To participate in the telephone Conference Call: 1(888)808-6959, Conference Code: 4879597

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business.

A copy of the agenda may be obtained by contacting: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)717-1982.

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 of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)717-1982. 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: Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0751, (850)717-1982.

The Florida **Board of Professional Engineers** National Advisory Review Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 13, 2012, 8:30 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Review applications for licensure and other general business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@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: Rebecca Sammons, rsammons@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: Rebecca Sammons, rsammons@fbpe.org.

The Florida **Board of Professional Engineers**, Probable Cause Panel announces a public meeting to which all persons are invited.

DATE AND TIME: March 13, 2012, 1:00 p.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: Although this meeting is open to the public, the Probable Cause Panel meeting may be closed consistent with law. Any public portions of the Probable Cause Panel meeting may be accessed by dialing: 1(888)392-4560; participant code: 1188973. If you wish to participate in any public portion of the Probable Cause Panel Meeting, please contact: Shannon McCoy at least 48 hours prior to the meeting.

A copy of the agenda may be obtained by contacting: Shannon McCoy.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

The Florida **Board of Professional Engineers**, Rules Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 14, 2012, 8:30 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons. 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: Rebecca Sammons, rsammons@fbpe.org.

The Florida **Board of Professional Engineers** announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 23, 2012, 10:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303, Telephone Conference #: 1(888)392-4560, Passcode: 1188973

GENERAL SUBJECT MATTER TO BE CONSIDERED: To act on the recommendations from the Educational Advisory Review Committee to approve or deny applications for licensure and any old or new business of the Board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons.

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: Rebecca Sammons, rsammons@fbpe.org.

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

DATE AND TIME: January 23, 2012, 2:00 p.m. or soonest thereafter

PLACE: Zora Neale Hurston Building, North Tower, Suite N901, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Probable Cause Panel will meet 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 Probable Cause Panel 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).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** announces a workshop to which all persons are invited.

DATE AND TIME: January 19, 2012, 9:30 a.m.

PLACE: Department of Environmental Protection, 2400 Blair Stone Road, Room 609, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a rule development workshop to discuss proposed changes to Chapters 62-716 and 62-722, F.A.C., in order to implement the 75% recycling goal created in Chapter 2010-143, Laws of Florida. The public may attend this meeting in person or via webinar. To join the webinar, register at: <https://www2.gotomeeting.com/register/240811394>. After registering you will receive a confirmation email containing information about joining the webinar. A draft of the proposed rule will be available at: http://www.dep.state.fl.us/waste/categories/solid_waste/pages/rulemaking_62-716.htm.

A copy of the agenda may be obtained by contacting: Ron Henricks, Department of Environmental Protection, MS #4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850)245-8717 or email: Ron.Henricks@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ron Henricks. 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 Probable Cause Panel of the **Board of Massage Therapy** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, January 12, 2012, 2:45 p.m. (EST)

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454590

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director at (850)245-4161 or 4052 Bald Cypress Way, #C-06, 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 5 days before the workshop/meeting by contacting: Paula Mask at (850)245-4161. 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 Massage Therapy** announces a public meeting to which all persons are invited.

DATES AND TIME: Thursday, January 26, 2012; Friday, January 27, 2012, 9:00 a.m. (EST) or shortly thereafter

PLACE: Holiday Inn – Sawgrass Mills, 3003 N. University Dr., Sunrise, FL 33332, (954)748-7000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, FL 32399, (850)245-4161.

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: Paula Mask, (850)245-4161. 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 Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday and Saturday, February 3-4, 2012, 8:00 a.m.

PLACE: Gaylord Palms Resort & Convention Center, 6000 West Osceola Parkway, Kissimmee, FL 34746. Hotel phone #: (407)586-0322

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at 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: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517.

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: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517. 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 **Board of Osteopathic Medicine** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, January 13, 2012, 3:30 p.m. (EST)
 PLACE: Conference Call: 1(888)808-6959, Conference Code: 6321783289

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

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: Christy Robinson at (850)245-4161. 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 Speech-Language Pathology and Audiology** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 25, 2012, 9:00 a.m. (EST) or shortly thereafter
 PLACE: Hyatt Place Fort Lauderdale, 8530 W. Broward Blvd., Plantation, FL 33324, (954)370-2220

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or you may call (850)245-4161.

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: Christy Robinson, (850)245-4161. 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 **Department of Health**, Institutional Review Board, Committee II announces a public meeting to which all persons are invited.

DATES AND TIME: January 11, 2012; February 1, 2012; March 7, 2012; April 4, 2012; May 2, 2012; June 6, 2012, 8:30 a.m.

PLACE: Capital Circle Office Complex, Building 4030, Conference Room 280N, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review full board, expedited and exempt research studies to ensure that they meet regulatory requirements.

A copy of the agenda may be obtained by contacting: Meghan Kennedy, Administrator, Institutional Review Board, (850)245-4610.

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: Meghan Kennedy, Administrator, Institutional Review Board, (850)245-4610. 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: Meghan Kennedy, Administrator, Institutional Review Board, (850)245-4610.

The Florida **Department of Health**, Institutional Review Board, Committee I announces a public meeting to which all persons are invited.

DATES AND TIME: January 18, 2012; February 15, 2012; March 21, 2012; April 18, 2012; May 16, 2012; June 20, 2012, 1:30 p.m.

PLACE: Capital Circle Office Complex, Building 4030, Conference Room 280N, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review full board, expedited and exempt research studies to ensure that they meet regulatory requirements.

A copy of the agenda may be obtained by contacting: Meghan Kennedy, Administrator, Institutional Review Board, (850)245-4610.

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: Meghan Kennedy, Administrator, Institutional Review Board, (850)245-4610. 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: Meghan Kennedy, Administrator, Institutional Review Board, (850)245-4610.

The **Florida PDMP Foundation, Inc.** announces a telephone conference call to which all persons are invited.

DATES AND TIME: January 19, 2012; February 16, 2012; March 15, 2012; April 19, 2012; May 17, 2012; June 21, 2012; July 19, 2012; August 16, 2012; September 20, 2012; October 18, 2012; November 15, 2012; December 20, 2012, 4:00 p.m. – 5:00 p.m. (ET)

PLACE: Via Conference Call: 1(888)808-6959, Conference Code: 3662527158

GENERAL SUBJECT MATTER TO BE CONSIDERED: The General Business of The Florida PDMP Foundation, Inc.

A copy of the agenda may be obtained by contacting: The Florida PDMP Foundation, Inc., www.flpdmpfoundation.com. The public agenda will be available two days prior to the meeting date on this website.

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 meeting by contacting: Prescription Drug Monitoring Program at (850)245-4797. 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: The Florida PDMP Foundation, Inc., C/O Florida Prescription Drug Monitoring Program, 4052 Bald Cypress Way, #C-16, Tallahassee, FL 32399, (850)245-4797.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2012, 12:15 p.m. – 2:15 p.m.

PLACE: 1317 Winewood Blvd., Building 6, Room 361, Tallahassee, FL 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Opening of Sealed Proposals submitted in response to RFP #11J11AP1. The RFP was advertised on the Vendor Bid System (VBS) on November 18, 2011

DATE AND TIME: January 20, 2012, 2:00 p.m. – 4:00 p.m.

PLACE: Call-In number: 1(888)808-6959, Conference Code: 8773568; 1317 Winewood Blvd., Building 6, Room 361, Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Initial meeting of Department Evaluators as described in RFP #11J11AP1 that was advertised on the Vendor Bid System (VBS) on November 18, 2011.

DATE AND TIME: January 25, 2012, 12:00 Noon – 2:00 p.m.

PLACE: 1317 Winewood Blvd., Building 6, Room 361, Tallahassee, Florida 32399-0700

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Debriefing meeting of Department Evaluators as described in RFP #11J11AP1 that was advertised on the Vendor Bid System (VBS) on November 18, 2011.

A copy of the agenda may be obtained by contacting: The Department's Internet website, located at: <http://www.dcf.state.fl.us/newsroom/publicmeetingnotices.shtml>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The person referenced in Section 1.5 of RFP #11J11AP1. 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 Department of Children and Families** announces a hearing to which all persons are invited.

DATE AND TIME: January 17, 2012, 3:00 p.m.

PLACE: 1317 Winewood Blvd., Bldg. 1, 3rd Floor, Room 305, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Rule 65C-14.010, Florida Administrative Code, General Sanitation and Safety standards for Residential Group Care Facilities, including comments and recommendations from the Joint Administrative Procedures Committee and the Office of Fiscal Accountability and Regulatory Reform.

A copy of the agenda may be obtained by contacting: Stacey Cleveland, (850)717-4647, Stacey_Cleveland@dcf.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: Stacey Cleveland, (850)717-4647,

Stacey_Cleveland@dcf.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 **Orange County Children's Leadership Alliance Steering Subcommittee** announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 2012, 1:00 p.m. – 4:00 p.m.
PLACE: Heart of Florida United Way, 1940 Traylor Boulevard, Orlando, FL 32804

GENERAL SUBJECT MATTER TO BE CONSIDERED: Steering Subcommittee strategic planning session for 2012.

A copy of the agenda may be obtained by contacting: Kimberly Grabert at (352)303-1366 or by email: Kimberly_Grabert@dcf.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: Kimberly Grabert at (352)303-1366 or by email: Kimberly_Grabert@dcf.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 **Circuit 10 Community Alliance/Local Planning Team** announces a public meeting to which all persons are invited.

DATE AND TIME: January 24, 2012, 9:30 a.m. – 12:00 Noon
PLACE: Department of Children and Families, 1055 Highway 17 North, Bartow, FL 33830

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Chapter 39 meeting of the Community Alliance/Local Planning team to discuss and set goals for 2012.

A copy of the agenda may be obtained by contacting: Vicki Pearson at (863)519-8736, ext. 115 or by email: Vicki_Pearson@dcf.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: Vicki Pearson at (863)519-8736, ext. 115 or by email: Vicki_Pearson@dcf.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 Florida **Department of Children & Families** announces a public meeting to which all persons are invited.

DATE AND TIME: January 18, 2012, 10:00 a.m.
PLACE: 1317 Winewood Blvd., Bldg. 6, 2nd Floor, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Debriefing Meeting of the Evaluators is being held to record the scoring and comments of each for the Department's evaluators for all responsive response received regarding ITN #10H11GC1, to Become the Community-Based Managing Entity for Substance Abuse and Mental Health Services for Broward County.

A copy of the agenda may be obtained by contacting: Michele Staffieri, Procurement Manager, (850)717-4354, email: michele_staffieri@dcf.state.fl.us.

The Florida **Department of Children & Families** announces a public meeting to which all persons are invited.

DATES AND TIME: February 13-17, 2012, 8:00 a.m. – 5:00 p.m.

PLACE: 1317 Winewood Blvd., Bldg. 6, 2nd Floor, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: This 2nd week of Negotiations is being held to negotiate with potential vendor(s) regarding ITN #10H11GC1, to Become the Community-Based Managing Entity for Substance Abuse and Mental Health Services for Broward County. A more detailed agenda should be available by February 10, 2012.

A copy of the agenda may be obtained by contacting: Michele Staffieri, Procurement Manager, (850)717-4354, email: michele_staffieri@dcf.state.fl.us.

BOARD OF GOVERNORS

The Facilities Committee, the Academic and Student Affairs Committee and the Strategic Planning Committee of the **Board of Governors** of the State University System announces a public meeting to which all persons are invited.

DATE AND TIME: January 18, 2012, 1:00 p.m. – 5:00 p.m.
PLACE: Studio, Broadcast Center, WFSU, 1600 Red Barber Plaza, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Fixed Capital Outlay Budget Update; Resolution of the Board of Governors Authorizing the Division of Bond Finance of the State Board of Administration of Florida to Issue Debt on behalf of the University of Florida to Finance the Construction of a Student Residence, Main Campus, UF; Resolution of the Board of Governors Authorizing the Division of Bond Finance of the State Board of Administration of Florida to Issue Debt on behalf of Florida A & M University to Finance the Construction of a Student Residence and Related Improvements, Main Campus, FAMU; Authorize the Implementation by Florida A & M University of a Guaranteed Energy Performance Program, Main Campus, FAMU; Annual Energy Savings Report; Annual Completed Projects Report; Resolution Incorporating Additional Housing Facilities into the Housing System of UCF and providing an effective date; Limited Access Program Request, FSU; Final Report, The

Future of Academic Libraries in Florida Task Force; Final Report, Workgroup on the Alignment and Enhancement of Online Academic and Student Support Web Services; Next Steps, Academic Program Coordination; Proposal, Adult Degree Completion Pilot; SUS Annual Report; Update, Strategic Planning; Update, Higher Education Reforms, and other related issues.

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, (850)245-9532. 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** of the State University System of Florida announces a public meeting to which all persons are invited.

DATE AND TIME: January 19, 2012, 8:00 a.m. – 3:00 p.m.

PLACE: Studio, Broadcast Center, WFSU, 1600 Red Barber Plaza, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Fixed Capital Outlay Budget Update; Resolution of the Board of Governors Authorizing the Division of Bond Finance of the State Board of Administration of Florida to Issue Debt on behalf of the University of Florida to Finance the Construction of a Student Residence, Main Campus, UF; Resolution of the Board of Governors Authorizing the Division of Bond Finance of the State Board of Administration of Florida to Issue Debt on behalf of Florida A & M University to Finance the Construction of a Student Residence and Related Improvements, Main Campus, FAMU; Authorize the Implementation by Florida A & M University of a Guaranteed Energy Performance Program, Main Campus, FAMU; Annual Energy Savings Report; Annual Completed Projects Report; Resolution Incorporating Additional Housing Facilities into the Housing System of UCF and providing an effective date; Draft State University System Economic Impact Study; Limited Access Program Request, FSU; Final Report, The

Future of Academic Libraries in Florida Task Force; Final Report, Workgroup on the Alignment and Enhancement of Online Academic and Student Support Web Services; Next Steps, Academic Program Coordination; Proposal, Adult Degree Completion Pilot; Amended Board Regulation 6.018, Substitution or Modification of Requirements for Program Admission, Undergraduate Transfer, and for Graduation by Students with Disabilities; Amended Board Regulation 8.016, Academic Learning Compacts; Removal, Limited Access Status, B.S., Geomatics, UF; B.S., Biomedical Engineering, UF, to exceed 120 credit hours to degree; B.S., Exceptional Student Education, UWF, to exceed 120 credit hours; B.S., Elementary Education, UWF, to exceed 120 credit hours; B.A., Liberal Arts, New College, to exceed 120 credit hours; Ph.D., Environmental Engineering, USF; Ph.D., Biomedical Sciences, FIU; Limited Access Status, B.S., Biomedical Engineering, UF; SUS Annual Report; Update, Strategic Planning; Update, Higher Education Reforms; Update, Select Committee on USF Polytechnic; Recommendations, Final Report, Higher Education Coordinating Council; and other related issues.

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, (850)245-9532. 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.

FLORIDA MEDICAL MALPRACTICE JOINT UNDERWRITING ASSOCIATION

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 2, 2012, 2:00 p.m.

PLACE: Westin Hotel, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Audit Committee will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 2, 2012, 3:00 p.m.

PLACE: Westin Hotel, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Compensation Committee will receive and consider business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 2, 2012, 4:00 p.m.

PLACE: Westin Hotel, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Claims & Underwriting Committee will receive and consider reports from the Association's General Counsel, General Manager, Servicing Carrier, and such other business properly brought before the Committee.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 3, 2012, 9:00 a.m.

PLACE: Westin Hotel, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Governors will receive and consider quarterly reports from the Association's Investment Counsel, General Counsel, Servicing Carrier, Claims Committee, Audit Committee, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

The **Florida Medical Malpractice Joint Underwriting Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 3, 2012, immediately following the Board of Governors meeting

PLACE: Westin Hotel, Key West, FL 33040

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Annual Meeting of its membership will begin immediately following the Board of Governors meeting, which begins at 9:00 a.m. The Board will receive and consider yearly reports from the Association's Chairman, Servicing Carrier, General Manager, and such other business properly brought before the Board.

A copy of the agenda may be obtained by contacting: FMMJUA, 1836 Hermitage Blvd., Suite 201, Tallahassee, FL 32308.

TRANSPORTATION AND EXPRESSWAY AUTHORITY MEMBERSHIP OF FLORIDA

The **Transportation and Expressway Authority Membership of Florida (TEAMFL)** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, January 19, 2012, 2:30 p.m. – 7:30 p.m.; Friday, January 20, 2012, 9:00 a.m. – 12:00 Noon

PLACE: Hyatt Regency Orlando International Airport, 9300 Airport Boulevard, Orlando, FL 32837

GENERAL SUBJECT MATTER TO BE CONSIDERED: Thursday, January 19, 2012 Engineering, Finance, Toll Operations and Public Involvement Focus Groups.

Friday, January 20, 2012, Recognition of Michael Bauman and Mike Snyder for Service to TEAMFL and the Toll Industry. Legislative Update from Honorable Jack Latvala, FL Senate D16 (Invited); "Challenges of Making P3s Work for US Transportation Projects," by Chris Kane of the P3 Collaborative; "FDOT P3s: Delivering Tomorrow's Projects Today," by Leon Corbett, Project Finance Manager, FDOT; "P3 Financing and Management," by Guy Wilkinson of KPMG; "P3 – Success at VDOT," VDOT (invited); "Report on FDOT/Toll Agency Executive Workshop," by Wayne Rich, Chairman TEAMFL.

A copy of the agenda may be obtained by contacting: Bob Hartnett, President/CEO, 2121 Camden Road, Suite B, Orlando, FL 32803, (407)896-0035, www.teamfl.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 7 days before the workshop/meeting by contacting: Bob Hartnett, President/CEO, 2121 Camden Road, Suite B, Orlando, FL 32803, (407)896-0035, www.teamfl.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: Bob Hartnett, President/CEO, 2121 Camden Road, Suite B, Orlando, FL 32803, (407)896-0035, www.teamfl.org.

ENTERPRISE FLORIDA, INC.

The **Enterprise Florida, Inc.** and the **Florida Defense Support Task Force** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 9, 2012, 9:00 a.m. – 4:00 p.m.

PLACE: Residence Inn by Marriott, Tallahassee Universities at The Capitol, 600 West Gaines Street, Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Defense Support Task Force was established during the 2011 Legislative Session, and given the following missions:

- Make recommendations to maximize the position of Florida's installations in any strategic basing or other competitive process.
- Strengthen Florida's defense industries, as well as cultivate defense research, development, test and evaluation capabilities.
- Improve the state's military-friendly environment for service members, military dependents, military retirees, and businesses which bring military and base-related jobs to Florida.

A copy of the agenda may be obtained by contacting: Heather Cave, (850)298-6640, hcave@eflorida.com; Rocky McPherson, (850)298-6652, rmcpherson@eflorida.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 1 day before the workshop/meeting by contacting: Heather Cave, (850)298-6640, hcave@eflorida.com; Rocky McPherson, (850)298-6652, rmcpherson@eflorida.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: Heather Cave, (850)298-6640, hcave@eflorida.com; Rocky McPherson, (850)298-6652, rmcpherson@eflorida.com.

The **Enterprise Florida, Inc.**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 26, 2012, Board Meeting, 8:30 a.m. – 11:30 a.m.

PLACE: Residence Inn, 600 W. Gaines St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is the quarterly board/Stakeholder meetings.

A copy of the agenda may be obtained by contacting: Liefke Cox, Director, Investor Relations, (407)956-5688, lcox@eflorida.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 1 day before the workshop/meeting by

contacting: Liefke Cox, Director, Investor Relations, (407)956-5688, lcox@eflorida.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: Liefke Cox, Director, Investor Relations, (407)956-5688, lcox@eflorida.com.

The **Enterprise Florida, Inc.**, Stakeholders Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 27, 2012, Stakeholders Meeting, 8:30 a.m. – 11:30 a.m.

PLACE: Residence Inn, 600 W. Gaines St., Tallahassee, FL 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business items and discussion.

A copy of the agenda may be obtained by contacting: Liefke Cox, Director, Investor Relations, (407)956-5688, lcox@eflorida.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 1 day before the workshop/meeting by contacting: Liefke Cox, Director, Investor Relations, (407)956-5688, lcox@eflorida.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: Liefke Cox, Director, Investor Relations, (407)956-5688, lcox@eflorida.com.

FLORIDA ASSOCIATION OF COMMUNITY COLLEGES

The **Florida College System**, Council of Presidents announces a public meeting to which all persons are invited.

DATE AND TIME: January 12, 2012, 6:00 p.m.

PLACE: Governors Club, 202 1/2 South Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to the Florida College System.

A copy of the agenda may be obtained by contacting: Tina Ingram, (850)222-3222.

The **Florida College System**, Council of Presidents announces a public meeting to which all persons are invited.

DATE AND TIME: January 13, 2012, 8:00 a.m.

PLACE: TCC Capitol Center, 300 West Pensacola Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues pertaining to the Florida College System.

A copy of the agenda may be obtained by contacting: Tina Ingramm, (850)222-3222.

For more information, you may contact: Michael Brawer, 113 East College Avenue, Tallahassee, FL 32301.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **FLORIDA SURPLUS ASSET FUND TRUST (FLSAFE)** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 20, 2012, 11:00 a.m.

PLACE: Akerman Senterfitt, 420 South Orange Avenue, Suite 1200, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED:

A. BUSINESS ITEMS

- 1. Call to Order/ Roll Call
- 2. Approval Prior Board Meeting Minutes
 - a. October 28, 2011
- 3. Participant’s and Guest Introductions

B. OTHER ITEMS

- 1. Administrator Update
 - (a) PMA FIIP documents
 - (b) Information Statement, Investment Policy
 - (c) Term Series Approach (with PMA Input)
 - (d) Marketing Update, upcoming Presentations, Conferences
- 2. PMA
 - (a) Economic and Market Update
 - (b) FLSAFE LGIP Portfolio Update
 - (c) Update on FIIP, Cash Flow, PMA FLSAFE Value Added Programs
 - (d) PMA Comments
- 3. FLSAFE Counsel Comments
- 4. Participants’ Comments
- 5. Board Members’ Comments

C. SET NEXT MEETING DATE/ ADJOURNMENT

- 1. Future meeting dates: April 2012 (Trustee and Board of Participants)

July 2012

October 2012

A copy of the agenda may be obtained by contacting: Jeff Larson, FL SAFE Administrator at least seven days in advance of the scheduled meeting. He may be contacted at (407)496-1597 or jlarson@floridamanagementservices.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: Colette Weber, Administrative Assistant at (352)728-9720. 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: Jeff Larson, FL SAFE Administrator at (407)496-1597 or email: jlarson@floridamanagementservices.com.

METRIC ENGINEERING, INC.

The Florida **Department of Transportation** announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 24, 2012, 5:00 p.m. – 6:00 p.m.

PLACE: Warrington Presbyterian Church Community Hall, 406 South Navy Boulevard, Pensacola, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) invites you to attend a public information meeting concerning proposed improvements to Gulf Beach Highway and Navy Boulevard. Improvements will consist of milling and resurfacing the intersection and widening at the intersection to encompass a westbound through lane on Gulf Beach Highway and a southbound through lane on Navy Boulevard. Also included as part of this project are the addition of bicycle lanes, pedestrian safety improvements and placement of new signs and pavement markings.

A copy of the agenda may be obtained by contacting: William Barber, P.E., FDOT Project Manager, toll-free at 1(888)638-0250, extension 612.

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 seven days before the workshop/meeting by contacting: William Barber at the number listed above or by email: william.barber2@dot.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: William Barber, P.E., FDOT Project Manager, toll-free at 1(888)638-0250, extension 612 or by email: william.barber2@dot.state.fl.us.

INFINITE SOURCE COMMUNICATIONS GROUP, LLC

The Florida **Department of Transportation (FDOT)**, District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, January 18, 2012, 6:00 p.m. – 8:00 p.m.

PLACE: Florida City, City Hall Commission Chambers, 404 West Palm Drive, Florida City, FL 33034

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT), District Six will hold a public meeting for a roadway project on State Road (SR) 997/Krome Avenue from SR 5/US 1 to S.W. 296 Street to discuss the project's design and scope of work. The project identification number is 405575-5. The public will have the opportunity to view the project plans and graphic displays from 6:00 p.m. – 8:00 p.m. and FDOT representatives will be available to discuss the project and answer questions. Your participation is encouraged and will give us the opportunity to listen to your comments and address any concern that you may have.

A copy of the agenda may be obtained by contacting: Public Information Specialist, Amparo Vargas at (305)470-5349 or email: Amparo.Vargas@dot.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: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Avenue, Miami, FL 33172, email: brian.rick@dot.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: Public Information Specialist, Amparo Vargas at (305)470-5349, email: Amparo.Vargas@dot.state.fl.us or visit www.fdotmiamidade.com.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

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 Alfred J. Camaio, Petitioner, In Re: Tamberlane Condominium Association, Inc., Docket No. 2011059928, on December 19, 2011. The petition seeks the agency's opinion as to the applicability of Section 718.112(2)(n), Florida Statutes, as it applies to the petitioner.

Whether a director of Tamberlane Condominium Association, Inc. was delinquent in the payment of assessments so as to have abandoned the office under Section 718.112(2)(n), Florida Statutes.

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.

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 Marinela Nicola, Unit Owner, In Re: Dolphin Way of Hickory Point Condominium Association, Inc., Docket No. 2011059931, on December 19, 2011. The petition seeks the agency's opinion as to the applicability of Sections 718.112(2)(c) and (d), Florida Statutes and subsection 61B-23.002(10), Florida Administrative Code, as it applies to the petitioner.

Whether a unit owner may videotape record meetings of Dolphin Way of Hickory Point Condominium Association, Inc. under Sections 718.112(2)(c) and (d), Florida Statutes, and subsection 61B-23.002(10), Florida Administrative Code.

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.

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Donna M. Noto, City of Port St. Lucie Contractor Licensing, filed on December 16, 2011. The petition seeks the agency's opinion as to the applicability of Section 489.105(3)(m), Florida Statutes, as it applies to the petitioner.

The Petitioner seeks the Board to interpretation of Section 489.105(3)(m), Florida Statutes, and whether installation of fire sprinklers are included in the scope of work by certified plumbing contractors.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from M. Baird, Esq., on behalf of Poole & Kent

Company of Florida, Inc., filed on December 15, 2011. The petition seeks the agency’s opinion as to the applicability of Sections 489.13(1), 489.105(3)(a), (l), (m), (n), 489.113(3)(d), F.S., and subsection 61G4-12.011(4), F.A.C., as it applies to the petitioner.

The petition seeks the Board’s interpretation of Sections 489.13(1), 489.105(3)(a), (l), (m) and (n), 489.113(3)(d), F.S., and Rule 61G4-12.011(4), F.A.C., and whether a mechanical contractor’s license is required to perform the mechanical work on wastewater treatment facility projects, or whether the mechanical work on such projects may be self-performed by general contractors, even if they do not also possess a mechanical contractor’s license.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P.O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Licensing Board, P.O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Arnold M. Verway, CBO, Okeechobee County Contractors Industry Licensing Board, filed on December 15, 2011. The petition seeks the agency’s opinion as to the applicability of paragraph 61G4-15.015(2)(b), F.A.C., as it applies to the petitioner.

The petition seeks the Board’s interpretation of paragraph 61G4-15.015(2)(b), F.A.C., and whether a specialty structure contractor can be the primary contractor in the installation or replacement of window and door assemblies.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P.O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Licensing Board, P.O. Box 5257, Tallahassee, Florida 32314-5257.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

DEPARTMENT OF EDUCATION

NOTICE TO CONSTRUCTION MANAGERS:

The University of Florida Board of Trustees announces that CM-At-Risk services will be required for the project listed below:

Project: UF-366, Auxiliary and High-Density Library Storage Facility (Gainesville, FL)

The project consists of the renovation of an existing offsite library storage facility, the addition of a high-density storage facility, the creation of a new main facility entry, and associated sitework and utilities infrastructure.

The estimated construction budget is approximately \$12.4M, but construction funds have not been appropriated at this time. The scope includes new construction, phased renovations, mechanical and electrical upgrades, repairs and upgrades to the existing building envelope, site hardscape and landscape work, and other scopes of work as outlined in the Facilities Program. Gold LEED (Leadership in Energy and Environmental Design) certification by the U.S. Green Building Council is mandatory, at least for the new high-density storage addition. Design and construction documents will be created using Building Information Modeling (BIM) software, and the CM will be expected to use these models and participate in the creation of record (“as built”) models for the Owner’s use.

The contract for construction management services will consist of two phases, pre-construction and construction. Pre-construction services will begin at the Conceptual Schematic Design stage and will include production of cost studies and estimates; value engineering; analysis of the design documents for constructability, coordination, detailing, materials, and systems; development and maintenance of the construction schedule; production of detailed jobsite management plans; development of strategies for the procurement of trade contracts; development of waste management strategies; and possibly development of a Guaranteed Maximum Price (GMP) proposal based on 100% Construction or Bid Documents. If construction funds become available and the GMP proposal is accepted and executed, the construction phase will be implemented. In this phase, the construction manager becomes the single point of responsibility for performance of the construction of the project and shall publicly bid trade contracts. Failure to secure funding, failure to negotiate an acceptable fixed fee for phase one of the contract, or failure to agree on the GMP may result in termination of the contract.

Applicants will be evaluated on the basis of their past performance, experience, personnel, references, bonding capacity, workload, and responses to questions posed both in the shortlist and interview phases. The Selection Committee may reject all proposals and stop the selection process at any time.

At the time of application, the applicant must be licensed to practice as a general contractor in the State of Florida and, if the applicant is a corporation, must be chartered by the Florida Department of State to operate in Florida. Joint venture applications will not be considered.

Applicants desiring to provide construction management services for the project shall submit a proposal only after thoroughly reviewing the facilities program, Project Fact Sheet, and other background information. The proposal shall be prepared as specified in the CMQS Instructions and shall include:

1. A Letter of Application that concisely illustrates the applicant's understanding of the scope of services, schedule, and other goals and considerations as outlined in the Project Fact Sheet and facilities program.
2. Company information and signed certification.
3. A completed, project-specific "CM Qualifications Supplement" (CMQS) proposal. Applications on any other form will not be considered.
4. Resumes, LEED accreditation, and other pertinent credentials for all proposed staff.
5. Proof of the applicant's corporate status in Florida (if applicable) and a copy of the applicant's current contracting license from the appropriate governing board.
6. Proof of applicant's bonding capacity and liability insurance coverage.

7. Proof of the applicant's Experience Modification Rating (EMR) safety rating.

As required by Section 287.133, Florida Statutes, an applicant 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 construction manager must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Incomplete proposals will be disqualified. Submittal materials will not be returned.

Additional information to assist the applicant in preparing a complete proposal – including the project-specific CMQS forms, instructions, Project Fact Sheet, facilities program, UF Design Services Guide, UF Design and Construction Standards, standard University of Florida Agreement for CM Services, and other project and process information – can be found on the Facilities Planning & Construction website.

Finalists may be provided with supplemental interview requirements and criteria as needed.

Provide the number of copies prescribed in the Project Fact Sheet. Submittals must be received in the Facilities Planning & Construction office by 3:00 p.m. (Local Time), Wednesday, February 1, 2012. Facsimile (FAX) submittals are not acceptable and will not be considered.

Facilities Planning & Construction
232 Stadium / P.O. Box 115050
Gainesville, FL 32611-5050
Telephone: (352)273-4000; Fax: (352)273-4034
Internet: www.facilities.ufl.edu

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS – Invitation To Bid For an Electrical Contractor Publish Date January 6, 2012. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D. BIDS ARE DUE ON OR BEFORE FEBRUARY 7, 2012 AND WILL BE ACCEPTED UNTIL 2:00 PM. OFFICIAL PROJECT TITLE: Replacement of Fire Alarms, Security /Intercom at J.E.B. Stuart Middle School No. 207/DCSB Project Nos. M-83970 and M-83980/OFDC- ITB-009-12. SCOPE OF WORK: The project consists of replacement of fire alarms and security and intercom per plans and specifications. Estimated construction cost is not to exceed \$900,000. Contract documents for bidding may be obtained at the office of: LDI Repro Printing Centers/806 Roselle St., Jacksonville, FL 32204, (904)381-0777. Name of A/E Firm: Haddad Engineering, Inc.,

2955 Hartley Road, Ste. 205, Jacksonville, Florida 32257, (904)262-5066. DCSB Point of Contact: Tony Gimenez, (904)390-2945. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building, 1701 Prudential Drive, Jacksonville, FL 32207. MBE Participation Goal: 10% Overall. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on January 18, 2012, 9:30 a.m. at J.E.B. Stuart Middle School, Conference Room, 4815 Wesconnett Boulevard, Jacksonville, Florida 32210. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at www.duvalschools.org under http://www.duvalschools.org/static/aboutdcps/departments/facilities/general_documents.asp. The Bid Award Recommendation will be posted on the: First Floor, Bulletin Board, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

on January 18, 2012, 1:30 p.m., at San Mateo Elementary School, 600 Baisden Road, Jacksonville, FL 32218. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register. All contractors submitting proposals and bids must be pre-qualified with Duval County Public Schools at the time of the ITB Response Due Date. No proposals or bids will be accepted from Contractors who are not pre-qualified at that time. Prequalification forms and information may be obtained at: www.duvalschools.org under http://www.duvalschools.org/static/aboutdcps/departments/facilities/general_documents.asp.

The Bid Award Recommendation will be posted on the First Floor, Bulletin Board, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

Invitation To Bid
For a Roofing Contractor

Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D.

BIDS ARE DUE ON OR BEFORE: February 7, 2012

AND WILL BE ACCEPTED UNTIL: 2:00 p.m.

OFFICIAL PROJECT TITLE: Districtwide Roof Replacement at Fishweir Elementary School No. 20, Southside Estates Elementary School No. 76, Love Grove Elementary School No. 82, Long Branch Elementary School No. 106, Kings Trail Elementary School No. 203, Oak Hill Elementary School No. 210 and Stilwell Middle School No. 219. DCPS PROJECT NO. M-83800, Stage III

SCOPE OF WORK: Replace all roofing at Long Branch Elementary School No. 106, replace roofing on various buildings at Fishweir Elementary School No. 20, Southside Estates Elementary School No. 76, Love Grove Elementary School No. 82, Kings Trail Elementary School No. 203, Oak Hill Elementary School No. 210, and Stilwell Middle School No. 219. The estimated construction cost "Budgeted Not to Exceed" is \$1,012,325.00.

All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held on January 26, 2012, 9:00 a.m. at 129 King Street, Room 37, Jacksonville Florida 32204. Failure to attend the pre-bid conference shall result in disqualification of that firm's proposal. Attendees will be required to sign an attendance register.

DUVAL COUNTY PUBLIC SCHOOLS ADVERTISEMENT FOR BIDS Invitation To Bid For an Electrical Contractor Publish Date January 6, 2012. Sealed bids will be received by Duval County Public Schools, Division of Facilities, Room 535, 1701 Prudential Drive, Jacksonville, FL 32207, until the time and date(s) recorded below and immediately thereafter publicly opened and recorded in the Duval County Public Schools, School Board Building, 1701 Prudential Drive, Jacksonville, Florida, 5th Floor, Room 513D. BIDS ARE DUE ON OR BEFORE FEBRUARY 7, 2012, AND WILL BE ACCEPTED UNTIL 2:00 p.m. OFFICIAL PROJECT TITLE: Fire Alarm and Security System Replacement at San Mateo Elementary School No. 218/DCSB Project Nos. M-83970 and M-83980/OFDC- ITB-008-12. SCOPE OF WORK: The project consists of fire alarm and security system replacement per plans and specifications. Estimated construction cost is not to exceed \$500,000. Contract documents for bidding may be obtained at the office of: LDI Repro Printing Centers, 806 Roselle St., Jacksonville, FL 32204, (904)381-0777. Name of A/E Firm: Haddad Engineering, Inc., 2955 Hartley Road, Ste. 205, Jacksonville, Florida 32257, (904)262-5066. DCSB Point of Contact: Tony Gimenez, (904)390-2945. Contract documents for bidding may be examined at the Duval County Public Schools Administration Building, 1701 Prudential Drive, Jacksonville, FL 32207. MBE Participation Goal: 10% Overall. All contractors that are interested in bidding are required to attend a mandatory pre-bid conference to be held

The project funding is subject to availability of funds as authorized by the Owner. The District reserves the right to reject any and all bids. All bidders and subcontractors shall be licensed Contractors and registered corporations as required by the laws of the State of Florida.

Contract documents for bidding may be obtained for a refundable fee of \$75.00 at the office of:

Scalisi Architects, P.A., 1309 St. Johns Bluff Road North
Suite A-5, Jacksonville Florida 32225

DCSB Point of Contact: Dale Hughes, (904)858-6362

Contract documents for bidding may be examined at:

F.W. Dodge McGraw Hill Plan Room Construction Bulletin
Construction Market Data, Inc. National Association of
Minority Contractors

MBE Participation Goal: 10% Participation

All Contractors submitting bids must be prequalified with Duval County Public Schools at the time of the bid opening. No bids will be accepted from Contractors who are not prequalified with Duval County Public Schools.

Prequalification forms and information may be obtained by contacting: Richard Beaudoin, 1701 Prudential Dr., Jacksonville, FL 32207, (904)390-2358, Fax: (904)390-2265, Email: beaudoinr@duvalschools.org.

The Bid Award Recommendation will be posted on the: First Floor, Bulletin Board, Duval County School Board Building, 1701 Prudential Drive, Jacksonville, Florida 32207-8182.

REGIONAL PLANNING COUNCILS

REQUEST FOR PROPOSALS FOR MADISON COUNTY COMMUNITY TRANSPORTATION COORDINATOR

The North Central Florida Regional Planning Council is accepting proposals from qualified agencies or firms for the award of a contract to coordinate transportation services for the transportation disadvantaged in Madison County, Florida. The selected contractor will be the designated Community Transportation Coordinator under Florida's Transportation Disadvantaged Program, as authorized by Chapter 427, Florida Statutes, and more fully described in Chapter 41-2 of the Florida Administrative Code.

The Community Transportation Coordinator is defined by Chapter 427, Florida Statutes as a transportation entity recommended by the appropriate designated official planning agency to ensure that coordinated transportation services are provided to the transportation disadvantaged population in a designated service area. The Community Transportation Coordinator has full responsibility for the delivery of transportation services for the transportation disadvantaged as outlined in Section 427.015(2), F.S.

The complete Request for Proposals (RFP) may be obtained by writing the contact listed below, or by calling: Ms. Lynn Godfrey, AICP, Senior Planner at (352)955-2200, extension 110. Experience with eligibility-based transportation services is required.

A mandatory pre-proposal conference will be held January 26, 2012, in the North Central Florida Regional Planning Council, Charles F. Justice Conference Room, 2009 N.W. 67th Place, Gainesville, Florida at 10:00 a.m. (Eastern Standard Time), to answer questions about the Request for Proposals. Inquiries about this Request for Proposals must be made in person at the pre-proposal conference. Firms and agencies represented will have an opportunity to clarify any information contained in the request for proposals at the pre-proposal conference.

Proposals must be received by 3:00 p.m. (Eastern Standard Time), February 23, 2012, at the office of the North Central Florida Regional Planning Council. Seven (7) copies of the proposal must be submitted to: North Central Florida Regional Planning Council, ATTENTION: Scott R. Koons, AICP, Executive Director, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603. One of these copies must be a clean, single sided original that can be used to make additional copies. The outside of the envelope or box containing proposal must be marked "PROPOSAL FOR MADISON COUNTY COMMUNITY TRANSPORTATION COORDINATOR." Faxed and electronically mailed responses will not be accepted.

The North Central Florida Regional Planning Council will not accept responsibility for proposals that are not marked and submitted in this manner. Proposals are to remain in effect for ninety (90) calendar days from date of submission. The North Central Florida Regional Planning Council reserves the right to reject any or all proposals, to waive any formality concerning proposals or negotiate changes to the proposals whenever such rejection or waiver or negotiation is in the best interest of the State and transportation disadvantaged. 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.

REGIONAL TRANSPORTATION AUTHORITIES

Request for Proposal

TBARTA New Freedoms Transportation Initiative

The Tampa Bay Area Regional Transportation Authority (TBARTA) requests that qualified consultants submit Proposals for consideration in the competitive selection of professional transportation planning services on the following project:

PROJECT: TBARTA New Freedoms Transportation Planning Initiative

The Federal Transit Administration (FTA) Section 5317 Program, 49 U.S.C. 5317 (New Freedoms), was established by the U.S. Congress to provide assistance for new public transportation services and public transportation alternatives beyond those required by the Americans with Disabilities Act of 1990 to assist individuals with disabilities with transportation.

The TBARTA has been awarded funding under the New Freedom program to provide planning operations activities initially for transit services, including (but not limited to) fixed route, demand and/or a hybrid-type service (i.e., flexible), specifically targeted to provide stability and enhancement of current transit and transportation dependent services, specifically in Hernando and Citrus Counties. It is intended that such an activity, in partnership with both counties, will produce a transit plan that will, upon implementation, provide coordinated, efficient and cost-effective transit services for the northern-most boundaries of the TBARTA region, while addressing the necessary local services needed to support the adopted TBARTA Master Plan. It is further intended that such enhancement of local services will also increase the opportunities for transportation choices within the transportation dependant population.

About TBARTA

Created in 2007 pursuant to Chapter 343, Part IV, Florida Statutes, TBARTA is an Independent Special District of the state of Florida and subject to the provisions of Chapter 189, Florida Statutes (Uniform Special District Accountability of 1989). Compliance with governance of TBARTA is being assessed primarily in accordance with Chapters 343 and 189, Florida Statutes, although it will include other applicable statutes. As an agency of the state, TBARTA is not subject to taxation.

Scope of Services to be Provided

The Scope of Services includes (but is not limited to):

- Input to the development of purpose and need statement
- Assistance in the development and refinement of goals and objectives
- Existing conditions analysis, including socio-economic characteristics of the counties, current service descriptions/characteristics, operations overview and analysis, existing policies that affect current transit operations, etc.
- Analysis of transit development plans, including service initiatives, financial commitments, coordination plans, etc.
- Assistance in public involvement activities, including community outreach to solicit input on needs for all transportation dependent and other public transportation users, identifying access challenges and opportunities to better enhance services, looking at coordination challenges between providers and human services agencies with transportation needs.

- Full needs assessment report with recommended strategies for addressing the needs identified, and potential staging of the recommended strategies
- Follow-up activities/implementation strategies, including enhanced regional coordination, short and long term plans, funding solutions, opportunities to support proposed strategies and the potential creation of a mobility management plan/program
- Provide strategies for increase public outreach/input

Project Length

- The project length maximum is 22-24 months; the project must be completed by December 30, 2013.
- Additional Requirements
- Transportation planning, including public transportation background/knowledge
- Experience with plans, processes and requirements of public transit agencies, local governments, Metropolitan Planning Organizations and the Florida Department of Transportation;
- Local knowledge/experience with organizational and transit structure, policies, plans and operations of Hernando and Citrus counties
- Will work with and directly report to TBARTA staff
- Confirm that the individual/firm and all other professionals associated with the proposal are properly registered/licensed to practice in Florida.

Proposal Submission Deadline

5:00 p.m., January 13, 2012

Submission Information

- Submittals are to be made electronically by PDF, and should be a maximum of five (5) pages (single side) in length
- All persons to be associated with the project must be identified within the proposal, including qualifications
- Please note if your agency has DBE or WBE status
- Include references and a list of similar projects performed in the last five (5) years

Submit your proposal to:

Sandi Moody

Director of Programs and Operations

TBARTA

Sandi.Moody@tbarta.com

Please submit questions concerning this RFP to Ms. Moody via email.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

INVITATION TO BID

Proposals are requested from Painting Contractors by the Department of Children and Families, hereinafter referred to as Owner, for the following project:

PROJECT NUMBER: DCF 07246505
 PROJECT: EXTERIOR PAINTING
 MARIANNA SERVICE CENTER
 4481 CLINTON STREET
 MARIANNA, FLORIDA 32446

The work includes but is not limited to clean, prepare and paint existing two story building that is painted stucco on concrete block. The building has an estimated surface area of 8,000 square feet plus or minus (less windows and entries). Apply elastomeric waterproof coating and related detail sealants to the exterior wall surfaces, windows and door entries as indicated.

It is the intent of this contract to provide the Owner with a watertight system and a guarantee for the period indicated, ensuring no water penetration through the wall system. Contractors quoting on this project are specifically advised to inspect this project, reviewing other pertinent sections of the specifications and at the time of quoting, note any exceptions or additions which, in the opinion of the Contractor, will be necessary to provide warranty as specified.

BID GUARANTEE: On projects where the base bid and sum of all additives exceeds \$100,000.00, bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

PUBLIC CONSTRUCTION BOND: If the construction award is \$100,000.00 or more, a Public Construction Bond, Exhibit 4, is required.

BID DATE AND TIME: Sealed bids will be received at the Marianna Service Center, 4481 Clinton Street, Marianna Florida, on THURSDAY, JANUARY 26, 2012 until 2:00 p.m., LOCAL TIME (Central Time), at which time they will be publicly opened and read aloud.

PRE-BID INSPECTION: A pre-bid inspection will be held at the Marianna Service Center, 4481 Clinton Street, Marianna, Florida, on THURSDAY, JANUARY 19, 2012, 10:00 a.m., LOCAL TIME (Central Time). An informative meeting will take place at this location. All others visiting after this time shall be by appointment only. Bidders setting up an appointment after January 19, 2012, must contact: Ms. Spring Southwell, Marianna Service Center, (850)718-0529, to arrange a site visit. All questions pertaining to this project must be addressed to the architect.

PROPOSAL: Bids must be submitted in full accordance with the requirements of the drawings, specifications, bidding conditions and contractual conditions, which may be examined and obtained for \$20.00 non-refundable from the architect:

Department of Children and Families
 Office of General Services, Design and Construction
 1317 Winewood Blvd., Building 3, Room 205-G
 Tallahassee, Florida 32399-0700
 ATTN: Bill Bridges
 TEL#: (850)717-4011
 E-Mail: bill_bridges@dcf.state.fl.us

CONTRACT AWARD: The bid tabulation and Notice of Award Recommendation will be posted by 3:00 p.m. (Local Time), on January 27, 2012, at the Department of Children and Families, Marianna Service Center, 4481 Clinton Street, Marianna, Florida. In the event that the bid tabulation and Notice of Award Recommendation cannot be posted in this manner, then all bidders will be otherwise notified. Any protests of the bid must be made within 72 hours of posting of the results. "Failure to file a protest within the time prescribed in Section 120.53(5), Florida Statutes, shall constitute a waiver of proceedings under Chapter 120, Florida Statutes." If no protest is filed per Section B-21 of the Instructions to Bidders, "Notice and Protest Procedures: the Owner will award the contract to the qualified, responsive low bidder in accordance with Chapter 60D-5, F.A.C."

HILLSBOROUGH COUNTY AVIATION AUTHORITY

Request for Qualifications
 Project Nos. 5775 11 and 5776 12

Sealed qualifications for the project titled Replace Main Terminal Cooling Towers will be received from Design-Build firms by the Authority at Tampa International Airport Offices, 4100 George J. Bean Parkway, Suite 3311, Main Terminal, 3rd Floor, Blue Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampaairport.com, Quick Links – Airport Business, Notice of Solicitations, on January 5, 2012.

EARLY LEARNING COALITION OF PUTNAM AND ST. JOHNS

Request for Proposal #ELCPSJ-12/13-001

School Readiness and Voluntary Prekindergarten Services
 The Early Learning Coalition of Putnam and St. Johns Counties, Inc. is requesting proposals for School Readiness and Voluntary Prekindergarten services in Putnam and St. Johns Counties. The potential contractor will be responsible for coordinating and delivering School Readiness services to children birth through 12 years of age and Voluntary Prekindergarten (VPK) services for four year old children in fiscal year 2012/2013. Services include Child Care Resource and Referral, Inclusion, Quality Support Services, Eligibility and Enrollment, and Fiscal Administration.

The Request for Proposal will be released January 17, 2012 and may be obtained at: www.elcpsj.org. The Notice of Intent to Submit a Proposal is due to the Coalition no later than January 30, 2012, 4:00 p.m. (EST). The deadline for all sealed proposals to be submitted to the Coalition is no later than March 5, 2012, 4:00 p.m. (EST). The date, time, and location of the Public Opening of Proposals is included in the Calendar of Events in the RFP document posted to the Coalition website, as well as all other dates, times, and locations of events as it

relates to this RFP. The anticipated dates for the Posting of the Notice of Intended Award are April 5 – April 9, 2012, to the Coalition’s website: www.elcpsj.org. Certified Minority Business Enterprises are encouraged to submit a proposal.

Only written correspondence and/or inquiries directed to the Coalition’s Procurement Manager (who is the sole point of contact with the Coalition for purposes of this RFP) will be accepted. The Procurement Manager’s name and contact information is: Tjaro Dixon, Early Learning Coalition of Putnam and St. Johns Counties, Inc., 440 N. SR 19, Suite 440, Palatka, FL 32177, tdixon@elcpsj.org.

After the release of this RFP, if any solicitation revisions become necessary or appropriate, as determined by the Coalition, the Coalition will electronically post the addenda to the Coalition’s website: www.elcpsj.org. Proposers are responsible for checking the Coalition website and contacting the Coalition’s Point of Contact for this solicitation before the RFP deadline to ascertain whether any addenda have been issued.

The Early Learning Coalition of Putnam and St. Johns Counties, Inc. reserves the right to reject any and all solicitations or ignore or correct minor irregularities when it is in the best interest of the Coalition.

Funding Sources: The project described in this RFP and the resulting Contract will be funded by the General Revenue from the State of Florida and Federal funds. The State of Florida Voluntary Pre-Kindergarten Program is 100% state funded. Per the July 1, 2011 OEL School Readiness Notice of Award for the ELC of Putnam and St. Johns Counties, the School Readiness Program is 75.88% federally funded, 24.12% state funded, and less than 1% funded by non-governmental sources (CCEP).

Sponsored by: The Early Learning Coalition of Putnam and St. Johns Counties, Inc. and the State of Florida, Agency for Workforce Innovation.

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 More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Subaru of America, Inc., intends to allow the establishment of Boyland Auto Center, LLC, d/b/a Subaru of South Orlando as a dealership for the sale of Subaru vehicles manufactured by Subaru (line-make SUBA) at 9576 South Orange Blossom Trail, Orlando (Orange County), Florida 32837, on or after January 30, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Boyland Auto Center, LLC, d/b/a Subaru of South Orlando are dealer operator(s): Dorian Boyland, 4301 Millenia Boulevard, Orlando, Florida 32839; principal investor(s): Dorian Boyland, 4301 Millenia Boulevard, Orlando, Florida 32839.

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: Ron May, Subaru of America, Inc., 7380 Sand Lake Road, Suite 500, Orlando, Florida 32819.

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 Qlink, L.P., intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co. Ltd. (line-make JIAJ) at 2386 Allen Road, Tallahassee (Leon County), Florida 32312, on or after January 30, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc., are dealer operator(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312, principal investor(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312.

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: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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 Qlink, L.P., intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (line-make QING) at 2386 Allen Road, Tallahassee (Leon County), Florida 32312, on or after January 30, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc., are dealer operator(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312, principal investor(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312.

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: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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 Qlink, L.P., intends to allow the establishment of Fast Trixx Powersports, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (line-make ZHQM) at 2386 Allen Road, Tallahassee (Leon County), Florida, 32312 on or after January 30, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Fast Trixx Powersports, Inc., are dealer operator(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312, principal investor(s): Daniel Maddox, 2386 Allen Road, Tallahassee, Florida 32312.

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: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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 Qlink, L.P., intends to allow the establishment of Go Anywhere Scooters & Powersports, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co. Ltd. (line-make JIAJ) at 9050 Navarre Parkway, Navarre (Santa Rosa County), Florida 32566, on or after February 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Go Anywhere Scooters & Powersports, LLC, are dealer operator(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566, principal investor(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566.

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: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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.

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: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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 Qlink, L.P., intends to allow the establishment of Go Anywhere Scooters & Powersports, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Qianjiang Motorcycle Co. Ltd. (line-make ZHQM) at 9050 Navarre Parkway, Navarre (Santa Rosa County), Florida 32566, on or after February 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Go Anywhere Scooters & Powersports, LLC, are dealer operator(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566, principal investor(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566.

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: Pony Ma, Qlink, L.P., 4055 Corporate Drive, Suite 200, Grapevine, Texas 76051.

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

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 Qlink, L.P., intends to allow the establishment of Go Anywhere Scooters & Powersports, LLC, as a dealership for the sale of motorcycles manufactured by China Qingqi Group Co. Ltd. (line-make QING) at 9050 Navarre Parkway, Navarre (Santa Rosa County), Florida 32566, on or after February 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Go Anywhere Scooters & Powersports, LLC, are dealer operator(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566, principal investor(s): Jerry Rogers, 9050 Navarre Parkway, Navarre, Florida 32566.

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.

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 Adly Moto, LLC, intends to allow the establishment of Power And Play Warehouse Inc., as a dealership for the sale of motorcycles manufactured by Shanghai Howhit Machinery Co. Ltd. (line-make HOWH) at 550 North Flagler Avenue, Pompano Beach (Broward County), Florida 33060, on or after January 30, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Power And Play Warehouse, Inc., are dealer operator(s): Tom McMahan, 550 North Flagler Avenue, Pompano, Florida 33060; principal investor(s): Tom McMahan, 550 North Flagler Avenue, Pompano, Florida 33060.

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: Henry Li, Adly Moto, LLC, 1200 Lakeside Parkway, Suite 325, Flower Mound, Texas 75028.

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 Massimo Motor Sports, LLC, intends to allow the establishment of Snack Attack Corp., as a dealership for the sale of motorcycles manufactured by Zhejiang Jonway

Motorcycle Manufacturing Co. Ltd. (line-make SHEN) at 4831 Pembroke Road, Hollywood (Broward County), Florida 33021, on or after February 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Snack Attack Corp., are dealer operator(s): Daniel Haspel, 4831 Pembroke Road, Hollywood, Florida 33021; principal investor(s): Daniel Haspel, 4831 Pembroke Road, Hollywood, Florida 33021.

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: Dylan Smith, Massimo Motor Sports, LLC, 8551 Esters Boulevard, Irving, Texas 75063.

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 Alliance-Sym, Inc., intends to allow the establishment of Solano Cycle, Inc., as a dealership for the sale of motorcycles manufactured by Sanyang Industry Co. Ltd. (line-make SANY) at 1024 South Main Street, Suite A, Gainesville (Alachua County), Florida 32601, on or after February 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Solano Cycle, Inc., are dealer operator(s): Martin Solano, 1024 South Main Street, Suite A, Gainesville, Florida 32601, principal investor(s): Martin Solano, 1024 South Main Street, Suite A, Gainesville, Florida 32601.

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: Gene Chang, Alliance-Sym, Inc., 3788 Milliken Avenue, Suite C, Mira Loma, California 91752.

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 MotoFino USA, Inc., intends to allow the establishment of Team Savage, Inc., as a dealership for the sale of motorcycles manufactured by Zhejiang Taizhou Wangye Power Co. Ltd. (line-make ZHEJ) at 29703 US 19 North, Clearwater (Pinellas County), Florida 33761, on or after February 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Team Savage, Inc., are dealer operator(s): Noel Hughes, 29703 US 19 North, Clearwater, Florida 33761; principal investor(s): Noel Hughes, 29703 US 19 North, Clearwater, Florida 33761.

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: Jessica Richeson, Motofino USA, Inc., 2167 Gordon Highway, Augusta, Georgia 30909.

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 Parallel Intelligent Transportation, Inc., intends to allow the establishment of Tropical Scooters, LLC, as a dealership for the sale of motorcycles manufactured by Qingqi Group Ningbo Rhon Motorcycle Co. Ltd. (line-make RHON) at 11610 Seminole Boulevard, Largo (Pinellas County), Florida 33778, on or after February 6, 2012.

The name and address of the dealer operator(s) and principal investor(s) of Tropical Scooters, LLC, are dealer operator(s): Michele Stanley, 11610 Seminole Boulevard, Largo, Florida 33778, Mark Stanley, 11610 Seminole Boulevard, Largo, Florida 33778; principal investor(s): Michele Stanley, 11610 Seminole Boulevard, Largo, Florida 33778, Mark Stanley, 11610 Seminole Boulevard, Largo, Florida 33778.

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: Brett Moorer, Parallel Intelligent Transportation, Inc., 6950 Central Highway, Pennsauken, New Jersey 08109.

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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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 Conditions of Certification (Conditions) issued pursuant to the Florida Electrical Power Plant Siting Act, 403.501 et seq., Florida Statutes ("F.S."), for the Crystal River Energy Complex (CREC) Units 3, 4, and 5, Power Plant Siting Application No. PA77-09, OGC Case No. 11-0486. On September 10, 2010, the Department received a petition from Progress Energy Florida to modify the Conditions for Crystal River Units 3, 4 & 5 pursuant to Section 403.516(1)(c), F.S., for the vertical expansion of the existing ash landfill. The Department proposes to modify the Conditions for CREC to allow a vertical elevation of no greater than +220 ft. NGVD, with slopes no steeper than 3H:1V. A copy of the proposed modification may be obtained by contacting: Department of Environmental Protection, Siting Coordination Office, 3900 Commonwealth Boulevard, MS #48, Tallahassee, Florida 32399-3000, (850)245-2002. Pursuant to Section 403.516(1)(c)2., F.S., 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 notice to object in writing. The written objection must be filed (received) in the: Office of General Counsel of the Department at 3900 Commonwealth Boulevard, M.S. #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 Rule 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.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of sub-subparagraph 62-4.242(2)(a)2.b., F.A.C., to the U.S. Army Corps of Engineers, 0205043-013-BV, to allow a maximum turbidity level of 3.5 NTUs above background level at the edge of the approved mixing zone for work within Fort Pickens Aquatic Preserve, OFW. The variance is associated with a proposed permit for maintenance dredging of the navigation channel for the Gulf Intercoastal Waterway in the Fort Pickens Aquatic preserve. The dredge will dispose the material into an existing disposal

area within the Aquatic Preserve. (FDEP #3, 17, 19, 23, 46, 57 and 66-184985-9) The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 4708 Capital Circle N.W., Tallahassee, Florida 32303, (850)413-7785.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to Manatee County, 0286121-009-BV, to allow an expanded mixing zone that extends up to 500 meters downcurrent from the point where water discharged from the dredge pipeline (at the beach placement site) reenters the Gulf of Mexico, but no more than 150 meters offshore. The associated permit (0286121-008-JC) involves dredging approximately 500,000 cubic yards of beach compatible material from the Port Dolphin pipeline corridor, and placement of the dredged material along the northern beaches of Anna Maria Island. The construction template includes a variable berm width of between 122 feet and 593 feet, at a berm elevation of 4.0 feet, NAVD. The seaward berm face ties into the sea floor at a slope of 1:15 (vertical: horizontal). The filled beach width tapers to meet the existing beach from R-3 to R-2 (at the northern end) and from R-9 to R-10 (at the southern end).

The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 4708 Capital Circle N.W., Tallahassee, FL 32303. Telephone: (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only

proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the: Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's

representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., and sub-subparagraph 62-4.242(2)(a)2.b., F.A.C., to the U.S. Army Corps of Engineers, Jacksonville, Florida 32232-0019, File No. 0303186-002-BV to temporarily establish an expanded mixing zone that extends up to 600 meters downcurrent from the dredge, and to establish a maximum allowable turbidity level of six (6) NTUs above background beyond the approved mixing zone for work within the Nassau River – St. John's River Marshes Aquatic Preserve, Outstanding Florida Waters (OFW). The variance is in association with the project to maintenance dredge Jacksonville Harbor and the federal

entrance channel to the Harbor. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 5050 W. Tennessee St., Tallahassee, FL 32399-3000, Telephone: (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative

process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information

as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to the City of Delray Beach, 0303553-002-BV to allow expanded mixing zones that extend 1000 meters downcurrent and 300 meters offshore from the point where water discharged from the dredge pipeline (at the beach placement site) reenters the Atlantic Ocean. The associated project (0303553-001-JC) is to nourish 1.9 miles of beach fronting the City of Delray Beach, Florida, using two offshore borrow areas that run parallel to the beach and vary in width from 1,000 feet to 425 feet. The design template calls for an average construction berm width of approximately 100 feet, at an elevation of +7.5 NAVD, and a slope of 1:10 (vertical: horizontal) on the seaward face of the berm. The Department's file on this matter is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, Bureau of Beaches and Coastal Systems, 4708 Capital Circle N.W., Tallahassee, Florida 32303, Telephone: (850)488-7708.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with subsections 28-106.111(2) and 62-110.106(3)(a), (4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a

waiver of that person’s right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department’s action is based must contain the following information: (a) The name and address of each agency affected and each agency’s file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner’s representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner’s substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency’s proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency’s proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency’s proposed action.

A petition that does not dispute the material facts on which the Department’s action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

Office of Intergovernmental Programs

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://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On December 22, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of William A. Baker, M.D., License #ME 23056. 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 (2010). 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.

Notice of Emergency Action

On December 20, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Samantha E. Henderson, CNA, License #CNA 138394. 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 (2010). 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.

Notice of Emergency Action

On December 28, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Regina M. Hines, C.N.A., License #CNA 158782. 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 (2010). 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.

Notice of Emergency Action

On December 19, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Constantina R. Jennings, R.N., License #RN 9300135. 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 (2010). 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.

Notice of Emergency Action

On December 22, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Marcel Rollin Lechard, III, LPN, License #PN 5196238. 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 (2010). 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.

Notice of Emergency Action

On December 28, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Maria McArthur, C.N.A., License #CNA 49789. 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 (2010). 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.

Notice of Emergency Action

On December 22, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Lavette Dayvonne Wade, C.N.A., License #CNA 114439. 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 (2010).

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.

Notice of Emergency Action

On December 22, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Laura Zetterlund, C.N.A., License #CNA 180774. 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 (2010). 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.

Notice of Emergency Action

On December 19, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Paul J. Glusman, D.O., License #DO 5529. 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 (2010). 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.

Notice of Emergency Action

On December 19, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Amy Lynn Seinfeld, D.O., License #OS 8323. 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 (2010). 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 CHILDREN AND FAMILY SERVICES

Notice of TANF Caseload Reduction Credit Report

Based on guidance from the Department of Health and Human Services, notice is hereby given of the submission of this report for FFY 2012 using FFY 2011 caseload data as the comparison year. The caseload reduction credit is an adjustment to the

State's minimum TANF work participation requirement. To receive a copy of the report email: cindy_keil@dcf.state.fl.us, call: (850)717-4113 or write: ACCESS Florida Headquarters, 1317 Winewood Boulevard, Building 3, Tallahassee, Florida 32399-0700. The Department is providing the public an opportunity to comment on the estimates and methodology used to complete the estimates and will accept written comments on this report through 5:00 p.m. on February 6, 2012, submitted to the above email or mail address. We will consider any comments received, forward them to the federal agency and amend the report if necessary.

DEPARTMENT OF FINANCIAL SERVICES

Enhanced Biennial Rule Review

The Department of Financial Services has published the Enhanced Biennial Rule Review in compliance with Sections 120.74 and 120.745, F.S. The Report was published on the agency Internet website on December 1, 2011, and may be accessed at: www.myfloridacfo.com by clicking "2011 Rule Review". All inquiries, public comments or objections to the Enhanced Biennial Review and the Report's Group 1 rules, pursuant to Section 120.745(4), F.S., must be submitted on or prior to 6/1/2012 to: DFS Agency Clerk, 200 E. Gaines Street, Room 612G Larson Bldg., Tallahassee, FL 32399-0390, Fax: (850)488-0697, email: Julie.jones@myfloridacfo.com.

Section XIII
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN December 19, 2011
 and December 22, 2011

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

DEPARTMENT OF EDUCATION

Commission for Independent Education

6E-1.003	12/22/11	1/11/12	37/41	
6E-2.004	12/22/11	1/11/12	37/41	
6E-4.001	12/22/11	1/11/12	37/41	
6E-4.005	12/22/11	1/11/12	37/41	

DEPARTMENT OF CORRECTIONS

33-108.101	12/22/11	1/11/12	37/47	
33-601.715	12/21/11	1/10/12	37/42	

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

61C-5.023	12/21/11	1/10/12	37/43	
-----------	----------	---------	-------	--

DEPARTMENT OF HEALTH

Board of Chiropractic

64B2-13.0049	12/20/11	1/9/12	37/41	
--------------	----------	--------	-------	--

Board of Dentistry

64B5-2.017	12/21/11	1/10/12	37/43	
------------	----------	---------	-------	--

Board of Nursing

64B9-11.002	12/20/11	1/9/12	37/43	
-------------	----------	--------	-------	--

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
----------	-----------	----------------	-------------------	------------------

Board of Nursing Home Administrators

64B10-16.005	12/20/11	1/9/12	37/39	
--------------	----------	--------	-------	--

Board of Orthotists and Prosthetists

64B14-4.100	12/21/11	1/10/12	37/43	
64B14-7.002	12/21/11	1/10/12	37/38	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self Sufficiency Program

65A-1.400	12/19/11	1/8/12	37/40	
-----------	----------	--------	-------	--

DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

69B-221.155	12/19/11	1/8/12	37/37	
-------------	----------	--------	-------	--

LIST OF RULES AWAITING LEGISLATIVE APPROVAL
 PURSUANT TO (CHAPTER 2010-279, LAWS OF
 FLORIDA)

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

5F-11.002	7/7/11	*****	37/14	
-----------	--------	-------	-------	--

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	10/24/11	*****	37/24	37/36
-----------	----------	-------	-------	-------
