

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

<p>RULE NO.: 6A-1.09441</p>	<p>RULE TITLE: Requirements for Programs and Courses Which are Funded Through the Florida Education Finance Program and for Which the Student May Earn Credit Toward High School Graduation</p>
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PURPOSE AND EFFECT: The purpose of this rule development is to update the “Course Code Directory and Instructional Personnel Assignments” by which school districts receive FEFP (Florida Education Finance Program) funding. The effect will be an updated directory of courses for students to take to earn credit toward high school graduation.

SUBJECT AREA TO BE ADDRESSED: Revisions to the “Course Code Directory and Instructional Personnel Assignments” for the 2013-2014 school year.

RULEMAKING AUTHORITY: 1001.02(1), 1011.62(1)(t) FS.

LAW IMPLEMENTED: 1011.62(1) 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Matthew Bouck, Office of Articulation, Department of Education, 325 West Gaines Street, Room 1401, Tallahassee, Florida 32399-0400. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

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

DEPARTMENT OF EDUCATION

<p>RULE NO.: 6A-14.092</p>	<p>RULE TITLE: Textbook Affordability</p>
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PURPOSE AND EFFECT: The purpose and effect of this rule development is to delete language related to the textbook affordability workgroup. The workgroup fulfilled its requirements in December 2009’s Textbook Affordability Workgroup Final Report located at <http://www.fldoe.org/cc/pdf/fcstawfr.pdf>. Additionally, this rule development will draft a requirement that Florida College

System institutions adopt a textbook affordability policy in accordance with requirements outlined in Section 1004.085, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Textbook affordability in The Florida College System.

RULEMAKING AUTHORITY: 1001.02, 1004.085 FS.

LAW IMPLEMENTED: 1004.085 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 REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julie Alexander, Division of Florida Colleges, Florida Department of Education, 325 West Gaines Street, Tallahassee, Florida, (850)245-9523, Julie.Alexander@fldoe.org. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, Department of Education, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

Section II Proposed Rules

NONE

Section III Notices of Changes, Corrections and Withdrawals

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

<p>RULE NO.: 40D-2.091</p>	<p>RULE TITLE: Publications Incorporated by Reference NOTICE OF CHANGE</p>
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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. 38, No. 40, October 1, 2012 issue of the Florida Administrative Register.

These changes are in response to written comments received from the Joint Administrative Procedures Committee dated October 9, 2012. The changes are as follows:

The hyperlink to the District’s website in paragraph (1) of 40D-2.091, F.A.C. has been removed. The reference will remain as the documents referenced in the paragraph may be

obtained there. The hyperlink to the map of areas in which reclaimed water is available or proposed to become available within a five-year period in Section 3.1 of the Water Use Permit Basis of Review has been removed. The reference will remain as the map may be viewed there.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

FISH AND WILDLIFE CONSERVATION COMMISSION
Manatees

RULE NO.: RULE TITLE:

68C-22.026: Sarasota County Zones

NOTICE IS HEREBY GIVEN that on November 4, 2012, the Florida Fish and Wildlife Conservation Commission received a petition for a temporary variance from a portion of (2)(a)4 of the Sarasota County manatee protection (Rule 68C-22.026, Florida Administrative Code), which designates some of the waters in the vicinity of the City Island area as a Slow Speed zone. The petition was submitted by the Sarasota Ski-A-Rees, Inc. ("Ski-A-Rees") and seeks renewal of a variance issued in 2003 and renewed in 2007 allowing Ski-A-Rees to conduct show-ski operations and training in a portion of the Slow Speed zone near City Island. The request seeks to renew all aspects of the 2007 variance for another five years. Comments regarding the petition will be accepted for no less than 14 days from the date of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Scott Calleson, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section (6A), 620 South Meridian Street, Tallahassee, FL 32399-1600.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE
Division of Cultural Affairs

The Florida Council on Arts and Culture and the Miami-Dade County Division of Cultural Affairs announces a public meeting to which all persons are invited.

DATE AND TIME: January 17, 2013, 12:00 Noon

PLACE: To be determined

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the roles of the Florida Division of Cultural Affairs and the Miami-Dade County Division of Cultural Affairs.

A copy of the agenda may be obtained by contacting: Michael Spring at (305) 375-5049.

For more information, you may contact: Michael Spring by email at ms4@miamidade.gov.

DEPARTMENT OF EDUCATION

The Florida Department of Education announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, December 17, 2012, 8:30 a.m., and Tuesday, December 18, 2012, 8:30 a.m.

PLACE: 325 West Gaines Street, Room 1703, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Digital Instructional Materials Work Group will meet to discuss and prepare their report on the transition to digital instructional materials.

A copy of the agenda may be obtained by contacting: David Sikes at (850)245-0808 or david.sikes@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 3 days before the workshop/meeting by contacting: David Sikes at (850)245-0808. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: David Sikes at (850)245-0808 or david.sikes@fldoe.org.

REGIONAL PLANNING COUNCILS

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council's Agency on Bay Management announces a public meeting to which all persons are invited.

DATE AND TIME: December 13, 2012, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd., Suite 100, Pinellas Park, FL 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Agency on Bay Management.

A copy of the agenda may be obtained by contacting: www.tbrpc.org

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 4 days before the workshop/meeting by contacting: Wren Krahl, (727)570-5151, ext. 22. If you are

hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: Ms. Suzanne Cooper, (727)570-5151, ext. 32.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 18, 2013, 9:00 a.m.

PLACE: South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021; (954)985-4416

GENERAL SUBJECT MATTER TO BE CONSIDERED: To support the reduction of our nation's dependence on imported oil by discussing and promoting the region's use of alternative fuels and alternative fuel vehicles through the Southeast Florida "Gold Coast" Clean Cities Coalition.

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: South Florida Regional Planning Council, (954)985-4416. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Christine Heshmati at (954) 985-4416 or cheshmati@sfrpc.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, January 4, 2013, 9:00 a.m. – 12:00 Noon

PLACE: Agency for Health Care Administration, Bldg 3, AHCA Conference Room B, 2727 Mahan Drive, Tallahassee, Florida 32308. Dial-in Number: (877)809-7263, passcode 623-997-99#

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Workgroup will be discussing Accelerated Life Benefits for insurance policy holders living in Long-term Care facilities. A copy of the agenda may be obtained by contacting: Danielle Pigott, Danielle.Pigott@ahca.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 5 days before the workshop/meeting by contacting: Danielle Pigott, Danielle.Pigott@ahca.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

For more information, you may contact: Danielle Pigott, Danielle.Pigott@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

The Agency for Health Care Administration, Division of Medicaid, announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, December 13, 2012, 9:00 a.m. – 10:00 a.m.

PLACE: Telephone/Webinar. Call-In Number: (888)670-3525, Participant Passcode: 4845466307 then #. Internet address: kumart.glance.net, Session Key: 1234

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council including discussion surrounding Memorial Hospital West's bone marrow transplant program application 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.

AGENCY FOR HEALTH CARE ADMINISTRATION Medicaid

RULE NO.: RULE TITLE:

59G-5.020: Provider Requirements

The Agency for Health Care Administration announces a hearing to which all persons are invited.

DATE AND TIME: Wednesday, December 19, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room A, Tallahassee, Florida 32308-5407

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Agency is scheduling a hearing in Tallahassee, FL for the purpose of discussing changes to the Crossover - Only policy in an amendment to Rule 59G-5.020, Provider Requirements, which revises the Florida Medicaid Provider General Handbook, July 2012.

A copy of the agenda may be obtained by contacting: Arabella Reeves, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, FL 32308-5407, telephone: (850)412-4771, e-mail: arabella.reeves@ahca.myflorida.com or at <http://ahca.myflorida.com/Medicaid/review/index.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 48 hours before the workshop/meeting by contacting: Arabella Reeves, Bureau of Medicaid Services at (850) 412-4771. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800) 955-8770 (voice).

DEPARTMENT OF HEALTH

The Department of Health announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 12, 2012, 1:30 p.m. – 3:30 p.m. (ET)

PLACE: Capitol Building, Room 1602, 400 South Monroe, Tallahassee FL, 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: Drug Policy Advisory Council Strategic Planning Workgroup Meeting

A copy of the agenda may be obtained by contacting: Rhonda Brown, Bureau of Family Health Services, (850)245-4444, ext 2966, or email: Rhonda_Brown@doh.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: Rhonda_Brown@doh.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

DEPARTMENT OF HEALTH

Board of Nursing

The Florida Board of Nursing North Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: January 7, 2013, 10:30 a.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (888) 670-3525, code 6126445695.

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker, Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Board of Nursing

The Florida Board of Nursing Central Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 28, 2012, 2:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number (888) 670-3525, code 9638257208.

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850) 245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800) 955-8771 (TDD) or (800) 955-8770 (voice).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Division of Environmental Health

The Department of Health announces public meetings to which all persons are invited.

DATE AND TIME: Thursday, January 10, 2013, 10:00 a.m.

PLACE: UF/IFAS Citrus County Extension Services, Suite 1, 3650 West Sovereign Path, Lecanto, Florida

DATE and TIME: Thursday, February 7, 2013, 10:00 a.m.

PLACE: Alachua County Health Department Auditorium, 224 Southeast 24th Street, Gainesville, Florida

DATE and TIME: Thursday, March 7, 2013, 10:00 a.m.
 PLACE: UF/IFAS Citrus County Extension Services, Suite 1, 3650 West Sovereign Path, Lecanto, Florida
 DATE and TIME: Thursday, April 4, 2013, 10:00 a.m.
 PLACE: Alachua County Health Department Auditorium, 224 Southeast 24th Street, Gainesville, Florida
 DATE and TIME: Thursday, May 2, 2013, 10:00 a.m.
 PLACE: Alachua County Health Department Auditorium, 224 Southeast 24th Street, Gainesville, Florida
 DATE and TIME: Thursday, June 6, 2013, 10:00 a.m.
 PLACE: UF/IFAS Citrus County Extension Services, Suite 1, 3650 West Sovereign Path, Lecanto, Florida
 DATE and TIME: Thursday, July 11, 2013, 10:00 a.m.
 PLACE: Alachua County Health Department Auditorium, 224 Southeast 24th Street, Gainesville, Florida
 DATE and TIME: Thursday, August 1, 2013, 10:00 a.m.
 PLACE: UF/IFAS Citrus County Extension Services, Suite 1, 3650 West Sovereign Path, Lecanto, Florida
 DATE and TIME: Thursday, September 5, 2013, 10:00 a.m.
 PLACE: UF/IFAS Citrus County Extension Services, Suite 1, 3650 West Sovereign Path, Lecanto, Florida
 DATE and TIME: Thursday, October 3, 2013, 10:00 a.m.
 PLACE: Alachua County Health Department Auditorium, 224 Southeast 24th Street, Gainesville, Florida
 DATE and TIME: Thursday, November 7, 2013, 10:00 a.m.
 PLACE: UF/IFAS Citrus County Extension Services, Suite 1, 3650 West Sovereign Path, Lecanto, Florida
 DATE and TIME: Thursday, December 5, 2013, 10:00 a.m.
 PLACE: Alachua County Health Department Auditorium, 224 Southeast 24th Street, Gainesville, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: To examine applications for variance from the requirements of Chapter 64E-6, Florida Administrative Code, entitled "Standards for Onsite Sewage Treatment and Disposal Systems" pursuant to s. 381.0065(3)(d), Florida Statutes, and to provide input on any rule issues requested by the Technical Review and Advisory Panel pursuant to s. 381.0068(2), Florida Statutes.
 A copy of the agenda may be obtained by contacting: Gerald Briggs, Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1710
 Pursuant to the provisions of 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: Gerald Briggs, Department of Health, Bureau of Environmental 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, (800) 955-8771 (TDD) or (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: Gerald Briggs, Department of Health, Bureau of Environmental Health, 4052 Bald Cypress Way, Bin # A08, Tallahassee, Florida 32399-1710.

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker's Compensation

NOTICE OF CANCELLATION – The Division of Workers' Compensation announces a public meeting to which all persons are invited.

DATE AND TIME: NOTICE OF CANCELLATION – Tuesday, December 11, 2012, 1:00 p.m.

PLACE: Room 116, Larson Bldg., 200 E. Gaines St., Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The public meeting of the Three-Member Panel scheduled for Tuesday, December 11, 2012 @ 1:00 p.m., as noticed in Volume 38, No. 75, November 20, 2012, of the Florida Administrative Register, has been cancelled.

FLORIDA SURPLUS LINES SERVICE OFFICE

The Florida Surplus Lines Service Office, Board of Governors announces a public meeting to which all persons are invited.

DATE AND TIME: January 23, 2013, 9:00 a.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly Board meeting, general business matters to be discussed.

A copy of the agenda may be obtained by contacting: Georgie Barrett, gbarrett@fslso.com

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jessica VanDenBogaert at jvandenbogaert@fslso.com or (850)244-7676. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (voice).

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

NONE

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

FISH AND WILDLIFE CONSERVATION COMMISSION
FWC 12/13-44 BABCOCK WEBB IMPROVEMENTS
ADVERTISEMENT FOR BIDS
BIDS ARE REQUESTED FROM QUALIFIED
CONTRACTORS BY THE FLORIDA FISH AND
WILDLIFE CONSERVATION COMMISSION FOR THE
CONSTRUCTION OF:

PROJECT NO: FWC 12/13-44
PROJECT NAME: BABCOCK WEBB IMPROVEMENTS
PROJECT LOCATION: CHARLOTTE COUNTY, FLORIDA
FOR: Work on this proposed Contract comprises improvements at Babcock Webb Wildlife Management Area.
QUALIFICATION: Each bidder whose field is governed by Chapters 399, 455, 489, and 633 of the Florida Statutes for licensure or certification must submit qualification data of their eligibility to submit proposals with their bid.
PRE-BID CONFERENCE: A mandatory pre-bid conference has been scheduled for 10:00am EST on Thursday, December 13, 2012, at: Babcock Webb WMA, 29200 Tucker Grade, Punta Gorda, FL 33955
REQUIRED BONDS: After award of contract, a 100% performance bond and a 100% labor and material payment bond will be required.
Sealed bids will be received, publicly opened and read aloud on:
DATE AND TIME: December 20, 2012, 2:00 p.m. EST.
PLACE: Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600; (850)488-3427.
PROPOSAL: Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Permits, Bidding Conditions, and Contractual Conditions.
BID PACKAGE: Bid documents shall be obtained from the Commission, by downloading at no cost from: http://myflorida.com/apps/vbs/vbs_www.search.criteria_form; search for Advertisement Number: FWC 12/13-44.
CONTACT PERSON: Direct questions to the Procurement Office: Mrs. Sharita Newman, Florida Fish & Wildlife Conservation Commission, Purchasing Dept., 620 South Meridian Street, Tallahassee, Florida 32399-1600; (850)488-3427, fax: (850)921-2500, e-mail: sharita.newman@myfwc.com.

Section XII
Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO GRANT VARIANCE
RULE NO.:RULE TITLE:
62-4.242 Antidegradation Permitting Requirements; Outstanding Florida Waters; Outstanding National Resource Waters; Equitable Abatement
62-4.244 Mixing Zones: Surface Waters
The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of Rule 62-4.244(5)(c) and 62-4.242(2)(a)2.b., F.A.C., to Martin County, (File No. JCP

0269814-010-BV) to allow an expanded turbidity mixing zone and anti-degradation waiver for beach fill activities within the St. Lucie State Preserve and Hobe Sound National Wildlife Refuge. The variance is associated with the St. Lucie Inlet Maintenance Dredging Project File No. 0269814-007-JC. The variance is being granted because there is no practicable means known or available for the adequate control of the pollution involved. 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, Beaches, Inlets, and Ports, (850)488-5257.

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.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Entry of Final Order Adopting the Everglades West Coast (Hendry Creek and Imperial River) Basin Management Action Plan

The Department of Environmental Protection gives Notice that, pursuant to Section 403.067, F.S., a Final Order was entered on November 27, 2012 adopting the Everglades West Coast (Hendry Creek and Imperial River) Basin Management Action Plan (BMAP). The Everglades West Coast (Hendry Creek and Imperial River) BMAP identifies the management strategies necessary to achieve the dissolved oxygen Total Maximum Daily Load (TMDL) for this waterbody. The BMAP was developed as part of the Department's TMDL Program, as authorized under the Florida Watershed Restoration Act (Section 403.067, Florida Statutes). The Final Order has been assigned OGC Case No. 12-1685. A copy of the BMAP is available at the Florida Department of Environmental Protection South District Office, 2295 Victoria Ave, Suite 364, Fort Myers, FL 33901. The BMAP and the adopted Final Order may also be obtained from the FDEP website at <http://www.dep.state.fl.us/water/watersheds/bmap.htm>.

A person whose substantial interests are affected by this final order may petition for an administrative proceeding (hearing) under Section 120.569 and 120.57, F.S., in accordance with the full notice of rights language contained in the final order. The petition, which must contain the information identified in the full notice of rights language contained in the final order, must be filed (received by the clerk) in the Department's Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 within 21 days of publication of this notice or within 21 days of receipt of the written notice, whichever occurs first.

A copy of the final order may also be obtained by contacting: Ms. Elizabeth Alvi, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment, MS 3565, Tallahassee, Florida 32399-2400, by calling (850)245-8559 or by emailing Elizabeth.Alvi@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Entry of Final Order Adopting the Caloosahatchee Estuary Basin Management Action Plan

The Department of Environmental Protection gives Notice that, pursuant to Section 403.067, F.S., a Final Order was entered on November 27, 2012 adopting the Caloosahatchee Estuary Basin Management Action Plan (BMAP). The Caloosahatchee Estuary BMAP identifies the management strategies necessary to achieve the nutrient Total Maximum Daily Load (TMDL) for this waterbody. The BMAP was developed as part of the Department's TMDL Program, as authorized under the Florida Watershed Restoration Act (Section 403.067, Florida Statutes). The Final Order has been assigned OGC Case No. 12-1684. A copy of the BMAP is available at the Florida Department of Environmental Protection South District Office, 2295 Victoria Ave., Suite 364, Fort Myers, FL 33901. The BMAP and the adopted Final Order may also be obtained from the FDEP website at <http://www.dep.state.fl.us/water/watersheds/bmap.htm>.

A person whose substantial interests are affected by this final order may petition for an administrative proceeding (hearing) under Section 120.569 and 120.57, F.S., in accordance with the full notice of rights language contained in the final order. The petition, which must contain the information identified in the full notice of rights language contained in the final order, must be filed (received by the clerk) in the Department's Office of

General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 within 21 days of publication of this notice or within 21 days of receipt of the written notice, whichever occurs first.

A copy of the final order may also be obtained by contacting: Ms. Elizabeth Alvi, Department of Environmental Protection, 2600 Blair Stone Road, Watershed Assessment, MS 3565, Tallahassee, Florida 32399-2400, by calling (850)245-8559 or by emailing Elizabeth.Alvi@dep.state.fl.us.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notice of Receipt of Applications for Permit Coverage under the State’s Generic Permit for MS4’s

The Department announces receipt of the application listed below for permit coverage under the Generic Permit for Stormwater Discharge from Phase II Municipal Separate Storm Sewer Systems from Arbor Greene CDD and Tampa Palms CDD. The applications are being processed and are available for public inspection during normal business hours, 8 a.m. to 5 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection in Tallahassee, Florida. Any comments related to noticed application, or objections to use the Generic Permit by any of the noticed applicants must be received by the Department within 14 days from the date of this notice. Comments may be mailed to the following address: Ms. Kathleen Downey, NPDES Stormwater Section, Department of Environmental Protection, 2600 Blair Stone Road, (M.S. 2500), Tallahassee, FL 32399-2400.

DEPARTMENT OF HEALTH

Board of Acupuncture

Notice of Emergency Action

On December 4, 2012, the State Surgeon General issued an Order of Emergency Restriction Order with regard to the license of Ragu P. Nath, A.P., License # AP 2307. This Emergency Restriction 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 (2011). 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 HEALTH

Board of Massage

Notice of Emergency Action

On December 4, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Kathleen F. Conner, L.M.T., License # MA 50487. 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 (2011). 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 HEALTH

Board of Medicine

Notice of Emergency Action

On December 4, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Mark Robert Winer, P.A., License # PA 9100908. 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 (2011). 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 HEALTH

Board of Nursing

Notice of Emergency Action

On December 4, 2012, the State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Dianne Rosalie Baxt McBroom, R.N., License # RN 3066532. 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 (2011). 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 HEALTH

Board of Nursing

Notice of Emergency Action

On December 4, 2012, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Kasey R. Stephenson, C.N.A., License # CNA 200575. 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 (2011). 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 HEALTH

Board of Nursing

Notice of Emergency Action

On December 4, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Lisa Robinson Paliy, R.N., C.R.N.A., License # RN 9200019.

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 (2011). 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 HEALTH

Board of Pharmacy

Notice of Emergency Action

On December 4, 2012, State Surgeon General, issued an Order of Emergency Suspension Order with regard to the license of Amanda Marie Laurenzo, R.Ph., License # PS 45657. 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 (2011). 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.

Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012.
