

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.035 Medicaid Certified School Match Program

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.035, F.A.C., is to incorporate by reference the Florida Medicaid Certified School Match Coverage and Limitations Handbook,_____. The incorporated handbook will clarify language and make modifications to provider qualifications, certification and education requirements.

SUBJECT AREA TO BE ADDRESSED: Medicaid Certified School Match Program.

An additional area to be addressed during the workshop will be the potential regulatory impact the amendment to Rule 59G-4.035, F.A.C., will have as provided for under sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.906, 409.9071, 409.908, 409.9122, 409.9126, 1011.70 FS.

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

DATE AND TIME: Thursday, June 27, 2013, 10:00 a.m. – 11:00 a.m.

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

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: Derica Smith at the Bureau of Medicaid Services, (850)412-4239. 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: Derica Smith, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4239, e-mail: derica.smith@ahca.myflorida.com.

To download a draft copy of the reference material, if available, go to <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.035 Medicaid Certified School Match Program.

(1) This rule applies to all school districts enrolled in the Florida Medicaid certified school match program, as described in Section 409.9071, Florida Statutes ~~F.S.~~.

(2) All school district providers enrolled in Florida Medicaid under the certified school match program must be in compliance with the provisions of the Florida Medicaid Certified School Match Coverage and Limitations Handbook, _____ ~~January 2005~~, incorporated by reference, ~~and the Florida Medicaid Provider Reimbursement Handbook, CMS 1500, which is incorporated by reference in Rule 59G-4.001, F.A.C. The Both handbooks is are~~ available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Provider Handbooks. Paper copies of the handbook may be obtained by calling the Provider Services Contact Center at 1(800)289-7799 and selecting Option 7.

Rulemaking Specific Authority 409.919 FS. Law Implemented 409.905, 409.906, 409.9071, 409.908, 409.9122, 409.9126, 1011.70 FS. History–New 4-9-98, Amended 11-23-99, 5-27-01, 10-31-02, 10-28-03, 1-10-06,_____.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.071 Durable Medical Equipment and Medical Supply Services Provider Fee Schedules

PURPOSE AND EFFECT: The purpose of the amendment to Rule 59G-4.071, F.A.C., is to incorporate by reference the Florida Medicaid Durable Medical Equipment and Supply Services Provider Fee Schedules,_____. The amendment updates durable medical equipment (DME) and medical suppliers who provide services to Medicaid recipients.

SUBJECT AREA TO BE ADDRESSED: Durable Medical Equipment and Medical Supply Services Provider Fee Schedules.

An additional area to be addressed during the workshop will be the potential regulatory impact of Rule 59G-4.071 as provided for under Sections 120.54 and 120.541, Florida Statutes.

RULEMAKING AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS.

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

DATE AND TIME: Monday, June 17, 2013, 10:00 a.m. – 11:00 a.m.

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

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: Dan Gabric at the Bureau of Medicaid Services, (850)412-4209. 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: Dan Gabric, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, telephone: (850)412-4209, e-mail: dan.gabric@ahca.myflorida.com.

To download a draft copy of the reference material, if available, go to <http://ahca.myflorida.com/Medicaid/review/index.shtml>.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.071 Durable Medical Equipment and Medical Supply Services Provider Fee Schedules. Medicaid durable medical equipment and medical supply services are reimbursed according to ~~providers and their billing agents who submit claims on their behalf must be in compliance with the provisions of~~ the Florida Medicaid Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for All Medicaid Recipients, ~~June 2012~~, and the Florida Medicaid Durable Medical Equipment and Medical Supply Services Provider Fee Schedule for Medicaid Recipients Under Age 21, ~~June 2012~~, which are incorporated by reference. The fee schedules are available from the Medicaid fiscal agent's Web site at www.mymedicaid-florida.com. Select Public Information for Providers, then Provider Support, and then Fee Schedules. Paper copies of the fee schedules may be obtained by calling the Provider Services Contact Center at 1-800-289-7799 ~~1(800)-289-7799~~ and select Option 7. Rulemaking Authority 409.919 FS. Law Implemented 409.902, 409.906, 409.907, 409.908, 409.912, 409.913 FS. History—New 5-7-07, Amended 5-8-08, 9-21-11, 2-26-13,_____.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.:	RULE TITLES:
65C-14.001	Definitions
65C-14.002	Licensed Child Caring Agencies
65C-14.003	Application and Licensing Study
65C-14.004	On Site Visits
65C-14.005	Grievance Procedure
65C-14.006	Administration and Organization
65C-14.007	Buildings, Grounds and Equipment
65C-14.008	Interior Accommodations
65C-14.009	Ventilation and Lighting
65C-14.010	General Sanitation and Safety
65C-14.011	Fire Regulations
65C-14.012	Transportation Safety
65C-14.013	Food and Nutrition
65C-14.014	Health Services
65C-14.015	Administration of Medication
65C-14.016	Incident Notification Procedures
65C-14.017	Child Abuse and Neglect
65C-14.018	Community Interaction
65C-14.019	Recreation, Leisure Activities and Work Experience
65C-14.020	Clothing and Personal Belongings
65C-14.021	Discipline, Control and Punishment
65C-14.022	Permanent Register
65C-14.023	Staff Qualifications
65C-14.024	Staffing Requirements
65C-14.025	Volunteers
65C-14.026	Organization
65C-14.027	Confidentiality Related to HIV Infected Children
65C-14.040	Admission and Planning
65C-14.041	Medical Information
65C-14.042	Orientation
65C-14.043	Child's Case Record
65C-14.044	Placement Agreement
65C-14.045	Program Services for Children in Care
65C-14.046	Continuing Service Plan and Review
65C-14.047	Educational and Vocational Services
65C-14.048	Release Planning and Aftercare
65C-14.049	Religious and Ethnic Heritage
65C-14.050	Interior Space
65C-14.051	Food Service
65C-14.052	Health Care
65C-14.053	Apparel and Allowance
65C-14.054	Personnel
65C-14.055	Job Functions and Staff Qualifications
65C-14.056	Staff Development

- 65C-14.060 Standards for Contracted Emergency Shelters
- 65C-14.061 Standards for Runaway Shelters
- 65C-14.062 Medical Care in All Runaway Shelters
- 65C-14.070 Specific Rules for Maternity Residences
- 65C-14.071 Admission and Planning
- 65C-14.072 Medical Information
- 65C-14.073 Discharge
- 65C-14.074 Counseling Services
- 65C-14.075 Education and Vocational Service
- 65C-14.076 Orientation
- 65C-14.077 Case Record
- 65C-14.078 Interior Furnishings and Space
- 65C-14.079 Staffing Requirements for Maternity Residences
- 65C-14.080 Food Service
- 65C-14.081 Health Care
- 65C-14.082 Apparel and Allowance
- 65C-14.083 Personnel
- 65C-14.084 Job Functions and Staff Qualifications
- 65C-14.085 Staff Development
- 65C-14.090 Exemptions
- 65C-14.091 Administrative Organization
- 65C-14.092 Course Admission and Planning
- 65C-14.093 Medical History
- 65C-14.094 Program Orientation
- 65C-14.095 Case Record
- 65C-14.096 Case Plan
- 65C-14.097 Food Service
- 65C-14.098 Health
- 65C-14.099 Aquatic Safety Procedures
- 65C-14.100 Fire and Weather Safety
- 65C-14.101 Sedentary Programs
- 65C-14.102 Mobile Programs
- 65C-14.103 Personnel Practices
- 65C-14.104 Job Descriptions
- 65C-14.105 Training
- 65C-14.110 Specific Exemptions for Wilderness Camps
- 65C-14.111 Structural and Safety Requirements
- 65C-14.112 Clothing and Personal Needs
- 65C-14.113 Water Safety
- 65C-14.114 Admission, Education and Case Record Procedures
- 65C-14.115 Wilderness Camp Personnel Policies

PURPOSE AND EFFECT: Proposal to amend Chapter 14 to modify regulatory requirements for residential group care providers licensed by the department. Rules will be amended or repealed to eliminate duplication and unnecessary regulations. The chapter title will be changed from Group Care to Group Care Licensing.

SUBJECT AREA TO BE ADDRESSED: These amendments and repeals will address licensing requirements for residential group care facilities and programs licensed by the department.

RULEMAKING AUTHORITY: 39.012, 39.0121, 409.175 FS.

LAW IMPLEMENTED: 409.175(4)(a), 419.001(1)(a) FS.

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

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: Eleese Davis, Florida Department of Children and Families, 1317 Winewood Blvd., Tallahassee, Florida 32309, (850)717-4650 or eleese_davis@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 PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Eleese Davis, Florida Department of Children and Families, 1317 Winewood Blvd., Tallahassee, Florida 32309, (850)717-4650 or eleese_davis@dcf.state.fl.us

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

Section II Proposed Rules

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-716.300	General Grant Application Requirements
62-716.310	Disbursement of Funds
62-716.450	Solid Waste Annual Reports
62-716.500	Specific Small County Grant Application Requirements
62-716.600	Specific Waste Tire Grant Application Requirements
62-716.900	Forms

PURPOSE AND EFFECT: The Department proposes to amend Chapter 62-716, Florida Administrative Code, which contains regulations for solid waste grants and annual reports from counties to the Department. In 2010, the Legislature modified annual county solid waste management and recycling reporting requirements. The Legislature also directed the Department to adopt rules establishing the method and criteria to be used by counties in calculating their recycling rates. This chapter is being amended to address both the modified reporting requirements and the calculation of county recycling rates. Additionally, the 2010 Legislature required public sector entities (such as schools, state and local government agencies) to annually report to counties how much material they recycle using the Department's designated

reporting format. The Legislature also encouraged, but did not require, private businesses to annually report to counties how much material they recycle using the Department's designated reporting format. This chapter is being amended to include the reporting formats for both the public sector and the private businesses. Finally, the 2010 Legislature created a voluntary certification program for materials recovery facilities. The chapter is being amended to include the qualifications for certification and the application form for certification.

SUMMARY: A new form is created for counties to use in submitting their annual solid waste reports. Previously this report was included with grant application forms, which no longer exist. Two new forms are created for public entities and private businesses to use in submitting their annual recycling reports. A new form is created for owners or operators of materials recovery facilities to use in applying for a voluntary certification program, and criteria are established for such certifications. Methods and criteria for counties to use in calculating their recycling rates are established. Forms for small county consolidated grant applications and waste tire grant applications are being updated.

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 proposed changes create forms to implement provisions established in statute; make clerical or technical changes; and establish the methods and criteria that counties will use to calculate recycling rates. There are no costs associated with any of the proposed changes.

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: 120.55, 403.061, 403.704, 403.7095 FS.

LAW IMPLEMENTED: 120.55, 403.7032, 403.706, 403.7095 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: June 27, 2013, 1:00 p.m. – 5:00 p.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Ron Henricks, Department of Environmental Protection, MS 4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8717 or email at Ron.Henricks@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ron Henricks, Department of Environmental Protection, MS 4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8717 or email at Ron.Henricks@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

SOLID WASTE GRANTS, ANNUAL REPORTS, AND RECYCLING PROGRAM

62-716.300 General Grant Application Requirements

(1) No change.

(2) Applications received from local governments ~~that~~ which have not returned to the Department any unexpended or unaccounted-for funds from prior year solid waste grants shall be rejected by the Department. Applications from local governments ~~that~~ which have not met their obligations under the terms of any previous grant agreements for funds under this ~~Chapter rule~~ shall also be rejected by the Department.

Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented ~~403.706~~, 403.7095 FS. History—New 5-16-89, Formerly 17-716.300, Amended 11-16-94,_____.

62-716.310 Disbursement of Funds.

(1) No change.

(2) The grant agreement will be forwarded to the applicant to be signed by a local government representative or other eligible applicant and submitted to the Department.

(3) No change.

(4) The Department has the right to terminate a grant award and demand refund of grant funds for non-compliance with the terms of the award or these rules resulting in the Department declaring the grantee local government ineligible for further participation in the program until the grantee local government complies with the terms of the grant award.

~~Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.706, 403.7095 FS. History—New 5-16-89, Amended 7-14-91, Formerly 17-716.310, Amended 11-16-94.~~

62-716.450 Solid Waste Annual Reports.

~~By April 1 of each year, beginning in 2013, October 1, 1989, and each year thereafter, each county shall submit a report to the Department concerning its annual solid waste management program and recycling activities. This report shall be submitted electronically or on paper on Form 62-716.900(4), and shall include the information required by Section 403.706(7), F.S. Form 62-716.900(4), County Annual Report, effective [eff. date], is hereby adopted and incorporated by reference. Copies of this form are available on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-716.htm or by contacting the Waste Reduction Section, MS 4555, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. A county which has submitted a recycling and education grant application which meets all the requirements of Rule Section 62-716.410(2), F.A.C., shall not be required to submit an annual report. The annual report by the county shall include:~~

~~(1) A description of the public education program on recycling;~~

~~(2) The amount and type of solid waste disposed of at solid waste disposal facilities, including yard trash, white goods, construction and demolition debris, tires, and unseparated solid waste;~~

~~(3) The amount and type of materials from the solid waste stream that were recycled;~~

~~(4) The estimated percentage of the population participating in various types of recycling activities instituted;~~

~~(5) The percent reduction of municipal solid waste disposed of at solid waste disposal facilities in the previous year;~~

~~(6) A description of the recycling activities attempted, their success rates, the perceived reasons for failure or success, and the public and private sector recycling activities which are ongoing and most successful; and~~

~~(7) A description of any recycling activities implemented or existing prior to July 1, 1989.~~

~~Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.706, 403.7095 FS. History—New 5-16-89, Formerly 17-716.450, Amended _____.~~

62-716.460 Annual Recycling Reports.

(1) Section 403.7032(3), F.S., requires each state agency, K-12 public school, public institution of higher learning, community college, and state university, including all buildings that are occupied by municipal, county, or state

employees and entities occupying buildings managed by the Department of Management Services, to annually report all recycled materials to the county using the Department's designated reporting format. That designated format is Form 62-716.900(5), Annual Recycling Report from Public Sector Entities to Counties, effective [eff. date], hereby adopted and incorporated by reference, and which may be submitted electronically or on paper. Copies of this form are available on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-716.htm, from a local District Office or by writing to the Department of Environmental Protection, Waste Reduction Section, 4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(2) Section 403.7032(3), F.S., encourages certain private businesses to annually report the amount of materials they recycle to the county using the Department's designated reporting format. That designated format is Form 62-716.900(6), Annual Voluntary Recycling Recognition Form, effective [eff. date], hereby adopted and incorporated by reference, and which may be submitted electronically or on paper. Copies of this form are available on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-716.htm or by contacting the Waste Reduction Section, MS 4555, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(3) In accordance with Section 403.7032, F.S., Florida's long-term goal for recycling efforts is to recycle at least 75 percent of the municipal solid waste that would otherwise be disposed. As part of the Department's comprehensive recycling program that is designed to achieve this goal, it is important for the Department to provide statewide recognition of successful recycling efforts by schools, businesses, public groups, and private citizens. In order to be considered for such recognition, those entities must complete Form 62-716.900(6), Annual Voluntary Recycling Recognition Form, as discussed in subsection (2) above.

Rulemaking Authority 403.704 FS. Law Implemented 403.7032, 403.706 FS. History—New _____.

62-716.470 Voluntary Certification Program for Materials Recovery Facilities.

(1) Any owner or operator of a materials recovery facility that wishes to participate in the voluntary certification program established in Section 403.705(4), F.S., shall submit an application electronically or on paper for certification using Form 62-716.900(1), Application for Voluntary Materials Recovery Facility Certification, effective [eff. date], hereby adopted and incorporated by reference. Copies of this form are available on the internet at

http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-716.htm or by contacting the Waste Reduction Section, MS 4555, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. This form may be submitted along with a request to modify the facility's permit, or it may be submitted as part of a new or renewal permit application.

(2) To qualify for certification, the owner or operator must demonstrate that:

(a) The facility recycles at least 50% of the municipal solid waste received, on an average annual basis; and

(b) Neither the facility nor the owner or operator have been the subject of a formal enforcement action that resulted in a finding that a violation of Florida statutes, rules, orders, or permit conditions occurred within 12 months prior to the submittal of the certification application.

Rulemaking Authority 403.704 FS. Law Implemented 403.7032, 403.706 FS. History—New _____.

62-716.480 Methods and Criteria for Calculating County Recycling Rates

(1) Section 403.7032, F.S., establishes a statewide goal to recycle at least 75 percent of municipal solid waste by the year 2020. Section 403.706, F.S., establishes interim recycling goals for counties, and requires the Department to adopt rules establishing the method and criteria to be used by counties in calculating their recycling rates. This rule section is intended to implement this statutory requirement.

(2) Methods.

(a) In order to calculate its annual recycling rate, a county shall use the following formula: total amount of municipal solid waste generated within its boundaries that is recycled, divided by the total amount of municipal solid waste generated within its boundaries that is recycled, land disposed, or combusted.

(b) Per Section 403.706(4)(a), F.S., each megawatt-hour produced by a renewable energy facility using solid waste as a fuel shall count as 1 ton of recycled material. If a county creating renewable energy from solid waste implements and maintains a program to recycle at least 50 percent of municipal solid waste by means other than creating renewable energy, that county shall count 1.25 tons of recycled materials for each megawatt-hour produced. If waste originates from a county other than the county in which the renewable energy facility resides, the originating county shall receive such recycling credit. The above calculations apply equally to facilities producing renewable energy from either waste-to-energy or landfill gas.

(c) Any byproduct resulting from the creation of renewable energy that is recycled shall count towards the

county recycling goals in accordance with the methods and criteria developed in this section.

(d) For Class I landfills that collect and beneficially use landfill gas and accept yard trash, if the landfill gas is used to generate electricity, the recycled materials credit for the yard trash component is included in the recycled materials credit calculation for all solid waste in (b) above. For other beneficial uses of landfill gas in Class I landfills, the recycled materials credit attributable for yard trash is determined by the following process:

1. Determine the fraction of the municipal solid waste that was disposed in the landfill which was attributable to yard trash, after subtracting any amounts of yard trash that were used for landfill cover or other uses that have already received recycling credit.

2. Determine the megawatt-hours equivalent of the landfill gas beneficial use which was attributable to yard trash. Unless the owner or operator demonstrates that a different conversion rate is more accurate for site-specific conditions, for the purposes of this section, 1,000,000 cubic feet of landfill gas will be considered equivalent to 150 megawatt-hours of electricity.

3. Multiply item 1 above by item 2 above to determine the equivalent electricity generation that would have been attributable to landfill gas derived from yard-trash. Each megawatt-hour equivalent derived from yard trash will count as one ton of recycled material.

4. For example, assume that a landfill receives 1,000 tons of municipal solid waste in a year, of which 200 tons is yard trash. 50 tons of this yard trash was used as cover material and separately receives recycling credit for this use, so 150 tons of yard trash counts toward the production of landfill gas. This landfill produces 1,000,000 cubic feet of natural gas in a year. Thus, the landfill produces the equivalent of 150 megawatt-hours, for which 15% of the waste stream is yard trash, so the landfill would get credit for recycling the equivalent of 22.5 megawatt-hours or 22.5 tons of yard trash associated municipal solid waste.

(e) Each ton of municipal solid waste used as daily, intermediate, or final cover in solid waste disposal facilities in accordance with the permit conditions for such facilities shall count as one ton of recycled material. This recycled materials credit shall be limited to the amount required for the particular category of cover on a given facility. Material used in excess of this amount shall be counted as waste disposed. If recycling credit is being claimed for the use of municipal solid waste in landfill cover, any landfill gas renewable energy recycling credit shall be reduced by the ratio of municipal solid waste used as landfill cover (in tons) divided by total municipal solid waste disposed in that landfill.

(3) Criteria.

(a) Municipal solid waste includes only that waste that is, or if not otherwise recycled, may normally be collected through a public or private solid waste management service. Such services can include garbage collection services, recycling collection services, and remediation services. All construction and demolition debris shall be considered municipal solid waste for the purposes of this section. Automobiles, including scrap metal or shredder residue, are not considered municipal solid waste. Asphalt or other byproducts from road building or maintenance that are directly reused as part of an associated works project are also not considered municipal solid waste;

(b) Municipal solid waste does not include solid waste from industrial, mining, or agricultural operations, even if that waste is collected by a public or private solid waste management service. However, office and cafeteria waste from these facilities is considered municipal solid waste.

(c) Recycling includes any process by which municipal solid waste is reused or returned to use in the form of raw materials or products. Raw materials or products may include fuels or

fuel substitutes. For example, the use of waste tires as fuel, or the production of biofuels made from municipal solid waste, would be considered recycling for the purpose of calculating county recycling rates. However, the amount of recycled materials credit that may be claimed for the production of certain fuel products made solely from wood or paper wastes is limited in accordance with Section 403.706(4)(b), F.S. Incineration for purposes of disposal shall not be considered recycling except as may otherwise be provided in this Chapter.

(d) Recycling does not include any process that is a use that constitutes disposal, even if that process does have some beneficial use. For example, the use of municipal solid waste as fill material in a manner that constitutes disposal, such as filling a borrow pit with unprocessed construction and demolition debris, would not be considered recycling for the purpose of calculating county recycling rates. The use of processed clean debris as fill material, or the use of other processed municipal solid waste authorized by the department for use as fill material, is not considered a use that constitutes disposal, as long as such use is integral to a land improvement project (including environmental land reclamation or restoration) or is necessary for the construction of appurtenant structures or facilities as part of a real property improvement. Rulemaking Authority 403.704, 403.706, 403.708, FS. Law Implemented 403.7032, 403.706, 403.708 FS. History—New _____.

62-716.500 Specific Small County Consolidated Grant Application Requirements.

(1) All counties with a total population of fewer than 100,000 ~~50,000~~ are eligible for annual consolidated grants of \$50,000, pursuant to Section 403.7095(1)(7), F.S.

(2) By June 1 of each year, ~~t~~The Department shall provide each eligible county with application Form 62-716.900(2), Small County Consolidated Solid Waste Grant Application, effective [eff. date], hereby adopted and incorporated by reference. Copies of this form are available on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-716.htm or by contacting the Waste Reduction Section, MS 4555, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 ~~by June 1, 1989, and each year thereafter through 1996.~~

(3) No later than August 1 of each year, each eligible county applying for a grant shall submit electronically or on paper a complete application to the Department for approval a ~~complete application.~~

(4) Consolidated grants may be used for general solid waste management, litter prevention and control, waste tire collection and disposal, and recycling and education programs. Rulemaking Specific Authority 403.704, 403.7095 FS. Law Implemented 403.7095 FS. History—New 5-16-89, Formerly 17-716.500, Amended 11-16-94, _____.

62-716.600 Specific Waste Tire Grant Application Requirements.

(1) ~~The Department shall provide each county with an application Form 62-716.900(3) by May 1 of each year.~~

(2) By June 1 of each year, ~~c~~Completed applications for the ~~second year~~ grant program shall be submitted to the Department for approval on Form 62-716.900(3), Waste Tire Grant Application, effective [eff. date], hereby adopted and incorporated by reference. Copies of this form are available on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-716.htm or by contacting the Waste Reduction Section, MS 4555, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 ~~July 1, 1991, and each year thereafter.~~

Rulemaking Specific Authority 403.704, 403.7095, ~~403.719~~ FS. Law Implemented 403.7095, ~~403.716~~ FS. History—New 5-16-89, Amended 7-14-91, Formerly 17-716.600, Amended 11-16-94, _____.

62-716.900 Forms.

The forms and instructions used by the Department in the Recycling Grant Program are adopted and incorporated by reference elsewhere in this chapter. These forms may be submitted electronically, including using electronic systems where established by the Department, or on paper. The following list of forms is provided solely for convenience in this section. Copies of these forms are available on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-716.htm or by contacting the Waste Reduction Section, MS 4555, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. The forms are listed by rule number, which is also the form number, and with the subject title. Copies of forms may be obtained by writing to the Administrator, Solid Waste Section, Bureau of Solid and Hazardous Waste, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

- (1) Application for Voluntary Materials Recovery Facility Certification Solid Waste Recycling and Education Grant Application, effective ~~11-16-94~~.
- (2) Small County Consolidated Solid Waste Grant Application, effective [eff. date] ~~11-16-94~~.
- (3) Waste Tire Grant Application, effective [eff. date] ~~2-20-96~~.
- (4) County Annual Report, effective [eff. date] ~~Litter Control and Prevention Grant application, effective 11-16-94~~.
- (5) Annual Recycling Report from Public Sector Entities to Counties, effective [eff. date] ~~Small County Landfill Closure Grant Application, effective 11-16-94~~.
- (6) Annual Voluntary Recycling Recognition Form [eff. date] ~~Small County Landfill Closure Reimbursement Grant Application, effective 2-20-96~~.

Rulemaking Specific Authority ~~120.55 120.53(1)~~, 403.061, 403.704 FS. Law Implemented ~~120.53(1)~~, 120.55, 403.0875, 403.7032, 403.706, 403.7095 FS. History—New 5-16-89, Amended 7-14-91, Formerly 17-716.900, Amended 11-16-94, 2-20-96, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Jorge Caspary, Director, Division of Waste Management
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 13, 2010

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:
 62-722.200 Definitions
 62-722.400 Procedures for Certification and Reporting

PURPOSE AND EFFECT: The Department proposes to amend Chapter 62-722, Florida Administrative Code (F.A.C.), which contains certification and reporting regulations for persons who handle, purchase, receive, recover, sell, or are end users of 600 tons or more per year of recovered materials as defined per statute. In 2010 the Legislature modified the deadline for recovered materials dealers to annually report their recycling tonnages to DEP. This rule chapter is being amended to update that deadline per statute. There are also some minor clarifying amendments. Additionally, two forms that are used in this program that were previously found in Rule 62-701.900 are being incorporated into this chapter.

SUMMARY: Two definitions are being clarified. Two forms that were previously found in Rule 62-701.900 (Forms 62-701.900(26) and (27)) are being renumbered and adopted and incorporated by reference into this chapter, but are otherwise unchanged.

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 substantive changes to the rule other than changing a due date. There are no costs associated with any of the proposed changes.

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: 403.061, 403.704, 403.7046 FS.

LAW IMPLEMENTED: 403.703, 403.704, 403.705, 403.7046 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: June 27, 2013, 1:00 p.m. – 5:00 p.m.

PLACE: Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 hours before the workshop/meeting by contacting: Ron Henricks, Department of Environmental Protection, MS 4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8717 or email at Ron.Henricks@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Ron Henricks, Department of Environmental Protection, MS 4555, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8717 or email at Ron.Henricks@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

REGULATION OF RECOVERED MATERIALS

62-722.200 Definitions.

In addition to applicable definitions in Rule 62-701.200, F.A.C., the following words, phrases, or terms as used in this chapter, unless the context clearly indicates otherwise, shall have the following meanings:

(1) No change.

(2) "Certified person" means any person who handles, purchases, receives, recovers, sells or is an end user of 600 tons or more per year of recovered materials, reports to, and is certified by the Department pursuant to this chapter. A person whose activities are limited strictly to the transportation of recovered materials is not considered to be a person who handles, purchases, receives, recovers, sells or is an end user of recovered materials.

(3) through (8) No change.

(9) "Recovered materials" means metal, paper (including cardboard), glass, plastic, textile, or rubber materials that have known recycling potential, can be feasibly recycled, and have been diverted and source separated or have been removed from the solid waste stream for sale, use, or reuse as raw materials, whether or not the materials require subsequent processing or separation from each other, but does not include materials destined for any use that constitutes disposal. Recovered materials do not include lumber, concrete, brick, wallboard, waste tires, used oil filters, and other materials that

are not one of the six types of recovered materials that are specifically identified in this subsection.

(10) "Recovered materials processing facility" means a facility engaged solely in the storage, processing, resale, or reuse of recovered materials. Such a facility is not a solid waste management facility if it meets the conditions of Section 403.7045(1)(e)(f), F.S.

(11) through (13) No change.

~~(14) "Type of recovered materials" means old newspaper (ONP), old corrugated containers (OCC), high grade/office paper, mixed paper, plastic bottles, all other plastic, aluminum cans, other non ferrous, steel cans, other ferrous (other than used oil filters), glass, rubber (other than waste tires) and textiles.~~

~~Rulemaking Specific Authority 403.061, 403.704, 403.7046 FS. Law Implemented 403.703, 403.704, 403.7046 FS. History--New 1-1-95, Amended _____.~~

62-722.400 Procedures for Certification and Reporting.

~~(1) Beginning January 1, 1995, Any person in this state who handles, purchases, receives, recovers, sells or is an end user of 600 tons or more of recovered materials must annually apply for certification to the Department no later than April 1 and beginning January 1, 1996, annually report to the Department, not later than April 1 of each year, certain information for the preceding calendar year, unless such person is exempt pursuant to Rule 62-722.300, F.A.C., or is otherwise not subject to the requirements of this chapter. Certification applications shall be accompanied by a \$50 fee, and shall be submitted on Form 62-722.400(9)(a), Application for Recovered Materials Certification, effective [eff. date], hereby adopted and incorporated by reference. Copies of this form are available on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-722.htm, from a local District Office or by writing to the Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.~~

(2) Any person in this state who handles, purchases, receives, recovers, sells or is an end user of 600 tons or more of recovered materials must annually report to the Department, and to all counties from which it received materials, certain information for the preceding calendar year, unless such person is exempt pursuant to Rule 62-722.300, F.A.C., or is otherwise not subject to the requirements of this chapter. Such reports shall be submitted by February 1 on Form 62-722.400(9)(b), Reporting Form for Recovered Materials, effective date [eff. date], hereby adopted and incorporated by reference. Copies of this form are available on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-722.htm, from a local District Office or by writing to the

Department of Environmental Protection, Solid Waste Section, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. This report shall include the following information:

(a) through (d) No change.

~~(3)(2)~~ No change.

~~(3) The information specified in subsection (1) above shall be provided by the applicant on Form 62-701.900(23), F.A.C., and shall be accompanied by an annual \$50.00 certification fee.~~

(4) through (8) No change.

(9) The forms used by the Department in this Chapter are adopted and incorporated by reference elsewhere. The following list of forms is provided solely for convenience and can be obtained on the internet at http://www.dep.state.fl.us/waste/quick_topics/forms/pages/62-722.htm or by contacting the Waste Reduction Section, MS 4555, Division of Waste Management, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

(a) Application for Recovered Materials Certification, effective [eff. date].

(b) Reporting Form for Recovered Materials, effective date [eff. date].

Rulemaking Specific Authority 403.061, 403.704, 403.7046 FS. Law Implemented 403.705, 403.7046 FS. History—New 1-1-95, Amended 12-17-96,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Jorge Caspary, Director, Division of Waste Management

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 19, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 13, 2010

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: 62-302.300
 RULE TITLE: Findings, Intent, and Antidegradation Policy for Surface Water Quality

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the Notice of Change for Rule 62-302.300, F.A.C., published in Vol. 39, No. 103, May 28, 2013 issue of the Florida Administrative Register. The Notice of Change incorrectly identified that the notice of proposed rule was

published in Vol. 39, No. 53, March 18, 2013 issue of the Florida Administrative Register, when the notice of proposed rule was published in Vol. 39, No. 54, March 19, 2013 issue of the Florida Administrative Register.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

RULE NOS.: RULE TITLES:

65C-38.001 Definitions

65C-38.002 Child Abuse, Neglect, Abandonment Investigations

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 106, May 31, 2013 issue of the Florida Administrative Register. Date of the notice of proposed rule development is corrected to be January 8, 2013.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-22.201: Year-Round Water Conservation Measures

The Southwest Florida Water Management District hereby gives notice: it has issued an order granting a variance.

Petitioner's Name: Highlands Community Development District – File Tracking No. 13-4159

Date Petition Filed: April 24, 2013

Rule No.: 40D-22.201, F.A.C.

Nature of the rule for which variance or waiver was sought: lawn and landscape irrigation

Date Petition Published in the Florida Administrative Register: April 27, 2013

General Basis for Agency Decision: Petitioner demonstrated substantial hardship and proposed an alternative means of achieving the purpose of the statute implemented by the rule.

A copy of the Order or additional information may be obtained by contacting: Lois Sorensen, 7601 US Highway 301, Tampa, Florida 33637, (813)985-7481, ext. 2298, water.variances@watermatters.org.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: on May 21, 2013, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2001 FDA Food Code, Paragraph 4-301.12(A), 2001 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, and Paragraph 4-301.11, 2009 FDA Food Code from Best Western Naples Inn & Suites located in Naples. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided and that each establishment have an adequate number of facilities to maintain all time/temperature control for safety foods at proper temperatures. They are requesting to utilize the mopsink, dishwashing and food storage and prep facilities located within another licensed establishment on the same premises and under the same ownership.

The Petition for this variance was published in Vol. 39/101 on May 23, 2013. The Order for this Petition was signed and approved on May 29, 2013. 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 that the mop sink and dishwashing areas within Chardonnay Bar and Grill (SEA2101332) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and available during all hours of operation. The Petitioner shall also ensure that the food storage facilities in Chardonnay Bar and Grill are maintained in a clean and sanitary manner and are capable of keeping time/temperature control for safety foods at the proper temperatures. If the ownership of Chardonnay Bar and Grill (Buccaneer Motel Corporation) changes, a written agreement must be provided to the division immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004: General Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice: on May 15, 2013, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Section 5-203.13, 2001 FDA Food Code, paragraph 61C-1.004(2)(a), Florida Administrative Code, subsection 61C-4.010(7), Florida Administrative Code, subsection 61C-4.010(6), Florida Administrative Code, and Section 6-402.11, 2001 FDA Food Code from Greenhouse Restaurant located in Pensacola. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water and at least one accessible bathroom be provided for use by customers and employees. They are requesting to share the mop sink and bathrooms located within Jerry's Cajun Cafe.

The Petition for this variance was published in Vol. 39/101 on May 23, 2013. The Order for this Petition was signed and approved on May 29, 2013. 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 that the mop sink and bathroom areas within Jerry's Cajun Café (SEA2706231) are maintained in a clean and sanitary manner, all sinks are provided with hot and cold running water under pressure and available during all hours of operation. The Petitioner shall also ensure the bathrooms located within Jerry's Cajun Café are provided with soap, approved hand drying devices, and directional signage is installed within or outside the establishment clearly stating the location of the bathrooms. If the ownership of the Jerry's Cajun Café (Airstream Restaurants LLC) changes, an updated signed agreement for use of all facilities is required immediately.

A copy of the Order or additional information may be obtained by contacting: Lydia.Gonzalez@myfloridalicense.com, Division of Hotels and Restaurants 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 30, 2013, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Keuper Building at Fla. Inst. of Technology #1, filed May 15, 2013, and advertised on May 20, 2013 in Vol. 39, No. 98, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.4.1.5 and 2.15.9.2 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators pit and use of a retractable toe guard because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-147).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 30, 2013 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Keuper Building at Fla. Inst. Of Technology #2, filed May 15, 2013, and advertised on May 20, 2013 in Vol. 39, No. 98, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1)&(2) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-146).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 30, 2013 the Division issued an order. The Final Order was in response to a Petition for an emergency temporary Variance from Palms West Children's Hospital, filed May 8, 2013, and advertised on May 13, 2013 in Vol. 39, No. 93, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-140).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 30, 2013, the Division issued an order. The Final Order was in response to a Petition for a Variance from NCCER, filed April 30, 2013, and advertised on May 3, 2013 in Vol. 39, No. 87, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4, 2.18.5.1, and 8.11.2.1.3(cc)(1)&(3) ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-128).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 30, 2013 the Division issued an order. The Final Order was in response to a Petition for a temporary Variance from Tampa Housing Authority Headquarters, filed April 30, 2013, and advertised on May 3, 2013 in Vol. 39, No. 87, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators with firefighters' emergency operations because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-129).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 30, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Ibis Walk, filed May 6, 2013, and advertised on May 9, 2013 in Vol. 39, No. 91, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4 and 2.24.2.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires the use of a 9.5 mm steel rope and requirement of a metallic sheave because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-134).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 30, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Sid Lickton Park-Restroom/Press Box/Concession, filed May 7, 2013, and advertised on May 9, 2013 in Vol. 39, No. 91, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1 and 2.20.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-135).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 30, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Richey Woods Elev. #2, filed May 7, 2013, and advertised on May 9, 2013 in Vol. 39, No. 91, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1 and 2.20.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-137).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on May 30, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Richey Woods Elev. #1, filed May 7, 2013, and advertised on May 9, 2013 in Vol. 39, No. 91, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1 and 2.20.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW2013-136).

A copy of the Order or additional information may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 30, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Six/Ten Corporation. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 2.2.1, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators machine rooms and machinery spaces enclosures 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 (VW2013-173).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 24, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Rogers Hall. Petitioner seeks an emergency variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations 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 (VW2013-170).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 24, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Embry Riddle Aeronautical University. Petitioner seeks an emergency variance of the requirements of ASME A17.1b, Section 2.20.4, 2.18.5.1 and 8.11.2.1.3(cc)(1) & (3) as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2013-171).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 29, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Trio @ Encore. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.18.5.1, 2.20.4 and 2.24.2.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of a 9.5 mm steel rope and requirement of a metallic sheave which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-172).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

NOTICE IS HEREBY GIVEN that on May 30, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Legacy Bayway. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.18.5.1, 2.20.4 and 2.24.2.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires the use of a 9.5 mm steel rope and requirement of a metallic sheave which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-174).

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:

61H1-28.0052: Number of Sittings, and Granting of Credit, Release of Grades and Completion of Examination, Transition Rules

NOTICE IS HEREBY GIVEN that on May 21, 2013, the Board of Accountancy received a petition for Ashley Reese, seeking a variance or waiver of paragraph 61H1-28.0052(1)(b), Florida Administrative Code, that requires candidates to pass all four test sections of the CPA Examination within a rolling eighteen-month period, which begins on the NASBA grade release date for the first test section(s) passed. In the event all four test sections of the CPA Examination are not passed within the rolling eighteen-month period, credit for any test section(s) passed outside the eighteen-month period will expire and that test section(s) must be retaken.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis announces a public meeting to which all persons are invited.

DATE AND TIME: June 17, 2013, 4:00 p.m., Finance and Investment Committee Meeting

PLACE: Mission San Luis, 2100 W Tennessee Street, Tallahassee, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Committee members will discuss financial reports, vendor contracts, budget amendments and other Friends business.

A copy of the agenda may be obtained by contacting: Katie.Hart@DOS.myflorida.com or (850)245-6379.

DEPARTMENT OF STATE

Division of Historical Resources

The Friends of Mission San Luis, Inc. announces a public meeting to which all persons are invited.

DATE AND TIME: June 20, 2013, 6:00 p.m.
PLACE: Mission San Luis; 2100 W Tennessee St; Tallahassee, FL
GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors will discuss vendor contracts, budget amendments, financials, and other Friend's business.
A copy of the agenda may be obtained by contacting: Katie.Hart@DOS.myflorida.com or (850)245-6379.

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: June 13, 2013, 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, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).
For more information, you may contact: Ms. Suzanne Cooper, (727)570-5151, ext. 32.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: Thursday, June 20, 2013, 9:00 a.m.
PLACE: Southwest Florida Regional Planning Council – 1st Floor Conference Room at 1926 Victoria Avenue in Fort Myers
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: the offices of the SWFRPC at (239)338-2550. 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 visit the SWFRPC's website at www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District
The Suwannee River Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: June 11, 2013, 9:00 a.m.
PLACE: SRWMD District Headquarters, 9225 CR 49, Live Oak, FL 32060
GENERAL SUBJECT MATTER TO BE CONSIDERED: Governing Board Meetings to consider District business and conduct public hearings on regulatory and real estate matters. A workshop will follow the meeting.

A copy of the agenda may be obtained by contacting: Lisa Cheshire at (386)362-1001, (800)226-1066 (Florida only) or on the District's website at www.mysuwanneeriver.com.
Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting Lisa Cheshire at (386)362-1001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board
The Probable Cause Panel of the Construction Industry Licensing Board announces public meetings to which all persons are invited.

DATE AND TIMES: June 25, 2013, 9:00 a.m. and 10:00 a.m.
PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202
GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

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: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202. 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: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202.

DEPARTMENT OF HEALTH

Office of Statewide Research

The Florida Department of Health-Institutional Review Board – Committee I announces a public meeting to which all persons are invited.

DATE AND TIME: June 19, 2013, 1:30 p.m.

PLACE: Capital Circle Office Complex, Building 2585, Conference Room 310A, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct review of new research studies involving human participants, modifications to existing studies, and continuing review of ongoing research to make sure research studies comply with regulations and the Department's ethical standards.

A copy of the agenda may be obtained by contacting: Donna West, Assistant Administrator, Institutional Review Board, (850)245-4034.

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: Donna West, Assistant Administrator, Institutional Review Board, (850)245-4034. 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: Donna West, Assistant Administrator, Institutional Review Board, (850)245-4034.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Workforce Services

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

DATES AND TIMES: Tuesday, June 11, 2013, 1:00 p.m. – 8:00 p.m. and Wednesday, June 12, 2013, 8:00 a.m. – 5:00 p.m.

PLACES: Tuesday, June 11, 2013: The Caldwell Bldg. Room 114, 107 E. Madison St., Tallahassee, FL 32399; Wednesday, June 12, 2013, Workforce Florida, Inc., 1580 Waldo Palmer Lane, Suite 1, Tallahassee, FL 32308. Both meetings may be accessed by conference call dial-in number: (888)670-3525, conference code: 2967573617.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing meeting of the Executive Steering Committee for the Workforce Information Technology Procurement Project and Vendor Presentations.

A copy of the agenda may be obtained by contacting: Mable Hicks at: mable.hicks@deo.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 48 hours before the workshop/meeting by contacting: Mable Hicks at: mable.hicks@deo.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).

INFINITE SOURCE COMMUNICATIONS GROUP, LLC
 The Florida Department of Transportation District Six announces a hearing to which all persons are invited.
 DATE AND TIME: Wednesday, June 12, 2013, 6:00 p.m. – 8:00 p.m.
 PLACE: MDC Carrie P. Meek Entrepreneurial Education Center, Rm. 1103, 6300 NW 7th Avenue, Miami, FL 33150
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Six will hold a Public Hearing for an intersection safety project on State Road (SR) 7/US 441/NW 7th Avenue and the intersection of NW 60th Street, in Miami-Dade County, to discuss the project’s design and scope of work. The project identification number is 431635-1-32-01.
 The public hearing will follow an informal format allowing the public to arrive at any time from 6:00 p.m. to 8:00 p.m. Graphic displays will be shown, and FDOT representatives will be available to discuss the project and answer questions. A copy of the agenda may be obtained by contacting: Public Information Specialist, Lillie Carrero at (305)480-9938, email: Lillie.carrero@atectrans.com.
 Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111th 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, Lillie Carrero at (305)480-9938, email: Lillie.carrero@atectrans.com.

Section VI
Notice of Petitions and Dispositions
Regarding Declaratory Statements

NONE

Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filled with the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notice 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

NONE

Section XII Miscellaneous

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

ENDANGERED AND THREATENED NATIVE FLORA CONSERVATION GRANTS PROGRAM

May 31, 2013

Dear Friend of Endangered and Threatened Native Plants,

The purpose of this letter is to announce that the Florida Department of Agriculture and Consumer Services is once again soliciting applications for review for the Endangered and Threatened Native Flora Conservation Grants Program. The program was authorized by the 1997 Florida Legislature to support the protection, curation, propagation, reintroduction and monitoring of native plant species of the state that are endangered or threatened.

Who is eligible to apply?

By law, a qualified corporation is a not-for-profit corporation pursuant to s. 501(c)(3) of the Internal Revenue Code of 1954, and which is described in, and allowed to receive contributions pursuant to the provisions of, s. 170 of the Internal Revenue Code of 1954, and which is a corporation not for profit incorporated pursuant to chapter 617 Florida Statutes, and which can demonstrate, based on program criteria, the ability to protect, conserve, propagate, reintroduce and monitor endangered and threatened native flora.

What specific criteria must the applicant document to be eligible for consideration?

The law required that each applicant must successfully document:

- (1) Existing Florida-based conservation experience with endangered and threatened native flora.
- (2) Existing Florida-based facilities appropriate for program needs.
- (3) Existing programs administered by the corporation that successfully protect, conserve, propagate, reintroduce, and monitor native flora of Florida.
- (4) Existing Florida-based record-keeping and data that is accessible to national database of endangered and threatened plants.

- (5) Qualified Florida-based staff with demonstrated experience in native plant conservation.
- (6) Evidence of collaboration with related state, national, or international conservation programs.
- (7) Successful experience propagating and reintroducing endangered and threatened native flora.
- (8) Florida-based public exhibition/relations programs publicizing the conservation of native species.
- (9) Fiscal stability and match funding.

What projects are eligible for funding?

Activities which may receive Endangered and Threatened Native Flora Conservation grant funding are:

- Activities which provide recognition of those native flora to the state that are endangered and threatened.
- Activities that encourage, within a controlled program, the protection, curation, propagation, reintroduction and monitoring of native flora that are identified as endangered or threatened.

Local Match

In all cases, applicants eligible to receive state funds must document matching funds. Local match may be in the form of cash, in-kind services, donated services, or materials.

Application Deadline

To be considered for funding applications must be delivered to the Division of Plant Industry on or before 5:00 p.m., July 31, 2013, or clearly be postmarked or show evidence of submission to an express mail service on or before the same time and date.

Application Review and Project Selection

All eligible applications will be evaluated on a competitive basis by the Endangered Plant Advisory Council at a public meeting scheduled for the fall of 2013. The Council consists of members appointed by the Florida Commissioner of Agriculture. The Council will review the applications in accordance with the criteria and procedures established in Rule Chapter 5B-40, Florida Administrative Code and recommend those applications which should be included in the Department's budget request to the 2014 Legislature. A level of funding (full or partial) will be suggested for each project recommended for inclusion. The Advisory Council will also rank in priority order those projects which it recommends.

Final selection of projects for inclusion in the Department of Agriculture and Consumer Services 2014 legislative budget request will be made by the Florida Commissioner of Agriculture and will be based on Council recommendations.

The selection will not result in an immediate grant award. Rather, the proposed grants will be subject to approval of the department's budget request before the 2014 Legislature. The award and level of funding of each project will be subject to legislative consideration.

If projects receive 2014 legislative funding, funds will become available after July 1, 2014, the beginning of the next fiscal year. The funds will need to be obligated by June 30, 2015. Any unexpended balance of grant funds not under terms of a contract will revert to the state.

Administrative Requirements

To receive grant funds, grantees will be required to sign a grant award contract. The grant award contract shall be prepared by the Division and shall contain by reference all regulations, rules, and other conditions governing the grant award. In addition, each grant recipient shall cause an annual post audit to be conducted by an independent certified public

accountant. The annual audit report must be submitted to the Department for review.

Please feel free to direct any questions you may have regarding the Endangered and Threatened Native Flora Conservation Grants Program to Mr. Bryan K. Benson, Division of Plant Industry, and Telephone (352)395-4704.

Sincerely,

ADAM H. PUTNAM
COMMISSIONER OF AGRICULTURE

Richard D. Gaskalla
Division Director

RDG/bb

cc: Shannon Shepp, Deputy Commissioner of Agriculture

Section XIII
Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
