

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-555.330	Engineering References for Public Water Systems
62-555.360	Cross-Connection Control for Public Water Systems
62-555.900	Forms and Instructions

PURPOSE AND EFFECT: These rules are being amended to clarify, and thus, achieve more consistent compliance with, cross-connection control requirements for public water systems (PWSs). Also, these rules are being amended to significantly reduce the overall regulatory burden of cross-connection control requirements on community water systems (CWSs) and their residential customers by: (1) allowing a dual check device to be used as backflow protection at service connections from CWSs to residential premises where there is any type of auxiliary or reclaimed water system; and (2) allowing biennial instead of annual testing of backflow preventer assemblies required at service connections from CWSs to residential premises. Furthermore, these rules are being amended to require large CWSs – i.e., CWSs serving more than 10,000 persons – to submit annual cross-connection control program reports using a brief new two-page form. This requirement will be a slight additional burden on large CWSs, but these annual reports will enable the Department to better ascertain the operational adequacy of large CWSs and to more efficiently conduct sanitary surveys of large CWSs.

SUBJECT AREA TO BE ADDRESSED: Rule 62-555.330, F.A.C., is being amended to incorporate the current or third edition of American Water Works Association (AWWA) Manual M14 instead of the second edition of this manual, which is no longer available from the publisher. Subsection 62-555.360(1), F.A.C., is being amended to clarify that cross-connections are prohibited except where an appropriate type of backflow preventer is installed; to clarify that a PWS may interconnect to another PWS of the same type without installing a backflow preventer; and to clarify appropriate types of backflow preventers for various applications. Subsection 62-555.360(2), F.A.C., is being amended to require that only CWSs must establish and implement a cross-connection control program; to clarify that the purpose of a CWS cross-connection control program is to protect the CWS from contamination caused by cross-connections at customers’ premises; and to add Tables 62-555.360-1 and 62-555.360-2. Table 62-555.360-1 clarifies the minimum components that each CWS shall include in its written cross-connection control plan in order to accomplish recommended practices in AWWA Manual M14, and this table also modifies recommended practices in AWWA Manual M14

by allowing biennial instead of annual testing of backflow preventer assemblies required at service connections from CWSs to residential premises. Table 62-555.360-2 clarifies the categories of customers for which each CWS shall require or provide minimum backflow protection at the water service connection in order to accomplish recommended practices in AWWA Manual M14, and this table also modifies recommended practices in AWWA Manual M14 by allowing a dual check device to be used as backflow protection at service connections from CWSs to residential premises where there is any type of auxiliary or reclaimed water system. Additionally, subsection 62-555.360(2), F.A.C., is being amended to require large CWSs to submit annual cross-connection control program reports using a brief new two-page form. Subsection 62-555.360(3), F.A.C., is being amended to clarify the action PWSs are required to take upon discovery of a prohibited cross-connection. Subsections 62-555.360(4) and 62-555.360(5), F.A.C., are being deleted as unnecessary because of the clarifications being made to subsections 62-555.360(1) through 62-555.360(3), F.A.C. Rule 62-555.900, F.A.C., is being amended to add new Form 62-555.900(13) to the list of forms in this rule.

RULEMAKING AUTHORITY: 403.086(8), 403.8055, 403.853(3), 403.861, 403.861(9) FS.

LAW IMPLEMENTED: 367.031, 403.086(8), 403.0877, 403.852(12), 403.853(1), 403.855(3), 403.861, 403.861(7), 403.861(17), 403.8615 FS.

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

DATE AND TIME: Wednesday, April 17, 2013, 10:00 a.m. EDT

PLACE: Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399. Also, this workshop will be transmitted as a webinar. Persons can register to attend the webinar on their personal computer with audio via their computer’s microphone and speakers (no charges will apply) or with audio via their telephone (regular long distance telephone charges will apply). Webinar registration is at <https://www2.gotomeeting.com/register/794440170>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least five days before the workshop/meeting by contacting: Jeffrey G. Lawson, Department of Environmental Protection, 2600 Blair Stone Road, MS 3520, Tallahassee, Florida 32399-2400, (850)245-8599, jeffrey.lawson@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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Jeffrey G. Lawson, Department of Environmental Protection, 2600 Blair

Stone Road, MS 3520, Tallahassee, Florida 32399-2400, (850)245-8599, jeffrey.lawson@dep.state.fl.us. (OGC No. 13-0847)

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

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

RULE NOS.:	RULE TITLES:
5A-17.001	Definitions
5A-17.002	Acknowledgment Requirements
5A-17.003	Form

PURPOSE AND EFFECT: The purpose of this rulemaking is to adopt rules for the Agricultural Land Acknowledgment Act, Section 163.3163, Florida Statutes, which was created by Section 2 of Chapter 2011-007, Laws of Florida, (HB 7103). The Department of Agriculture and Consumer Services, in cooperation with the Department of Revenue, was delegated authority to adopt rules to administer the Act. The Department received several requests for rulemaking to ensure common application of the Act across the state and worked with interested parties to draft the proposed rules.

SUMMARY: The proposed rules provide definitions, procedural and formatting requirements for written acknowledgments required by the Agricultural Land Acknowledgment Act, Section 163.3163, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department contacted interested individuals representing public and private entities and requested examples of potential regulatory costs that may result from the proposed rules and no costs were identified. Additionally, no interested party submitted additional information regarding the economic impact.

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: 163.3163(4)(c), 570.07(23) FS.

LAW IMPLEMENTED: 163.3163 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Steven Hall, Senior Attorney, Department of Agriculture and Consumer Services by email at “Steven.Hall@FreshFromFlorida.com” or by phone (850)245-1000

THE FULL TEXT OF THE PROPOSED RULE IS:

5A-17.001 Definitions.

The definitions contained in Section 163.3163, Florida Statutes, and the following shall apply:

(1) Act – means Section 163.3163, Florida Statutes, the Agricultural Land Acknowledgement Act.

(2) Local land use permit – means Development Permit as defined in Section 163.3164(16), Florida Statutes.

(3) Legal Description of Contiguous Sustainable Agricultural Land – means the property appraiser’s parcel identification number or a description of land for use in legal instruments for conveyance of property rights.

(4) Legal Description of Nonagricultural Land Contiguous to Sustainable Agricultural land- means a description of land for use in legal instruments for conveyance of property rights.

Rulemaking Authority 163.3163, 570.07(23) FS. Law Implemented 163.3163 FS. History–New _____.

5A-17.002 Acknowledgment Requirements.

(1) The written acknowledgement required by the Act must be submitted by the applicant to the political subdivision before issuance of a local land use permit, building permit, or certificate of occupancy.

(2) The applicant shall be responsible for recording the required acknowledgement pursuant to the Act.

(3) If an acknowledgement required by the Act was previously recorded, that includes the applicant’s property, a subsequent acknowledgement is not required and the requirements of the Act are satisfied.

Rulemaking Authority 163.3163, 570.07(23) FS. Law Implemented 163.3163 FS. History–New _____.

5A-17.003 Form.

The written acknowledgement required by the Act shall be in the following form:

ACKNOWLEDGEMENT OF CONTIGUOUS SUSTAINABLE AGRICULTURAL LAND

I, (name of applicant), understand that my property located at (address of nonagricultural land), as further described in the attached legal description, is contiguous to sustainable agricultural land located at (address of agricultural land), as further described in the attached legal description.

I acknowledge and understand that the farm operation on the contiguous sustainable agricultural land identified herein will be conducted according to generally accepted agricultural practices as provided in the Florida Right to Farm Act, Section 823.14, Florida Statutes.

Signature: (signature of applicant)

Date: (date)

Rulemaking Authority 163.3163, 570.07(23) FS. Law Implemented 163.3163 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mike Gresham, Director, Division of Administration

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 12, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 18, 2013

DEPARTMENT OF HEALTH

Board of Chiropractic

RULE NO.: 64B2-11.001
RULE TITLE: Application for Licensure Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment in order to incorporate the revised application form into the rule.

SUMMARY: The incorporated application form will be revised.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and

that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 460.405, 460.406 FS.

LAW IMPLEMENTED: 460.406 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bill Miller, Executive Director, Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin # C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-11.001 Application for Licensure Examination.

(1) Any person desiring to be licensed as a chiropractor shall apply to the Department of Health on board approved form DH-MQA 1147, (Rev 01/2013 06/12), Application for Chiropractic Examination and Initial Licensure, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01994>, which is hereby incorporated by reference, and may be obtained from the Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257, or from the web at http://www.doh.state.fl.us/mqa/chiro/ap_chap.doc.

(2) through (4) No change.

Rulemaking Authority 460.405, 460.406 FS. Law Implemented 456.039, 460.406 FS. History—New 1-10-80, Amended 3-15-81, 10-10-85, Formerly 21D-11.01, Amended 2-19-86, 10-6-86, 1-28-87, 2-1-88, 4-19-89, 12-31-89, 5-7-90, 7-8-90, 7-15-91, 2-2-93, Formerly 21D-11.001, Amended 4-18-94, Formerly 61F2-11.001, Amended 2-20-95, Formerly 59N-11.001, Amended 11-4-98, 3-23-00, 2-3-08, 6-17-09, 7-5-10, 2-9-12, 12-4-12_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic Medicine

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Chiropractic Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 14, 2013

DEPARTMENT OF HEALTH

Board of Nursing Home Administrators

RULE NO.: 64B10-15.001
RULE TITLE: Continuing Education for Licensure Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to establish additional methods for obtaining continuing education.

SUMMARY: Additional methods for obtaining continuing education will be established.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.033, 468.1685(1), 468.1715(3), 468.1725 FS.

LAW IMPLEMENTED: 456.013(6), 456.033, 468.1715(3), 468.1725 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: William Miller, Executive Director, Board of Nursing Home Administrators, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE PROPOSED RULE IS:

64B10-15.001 Continuing Education for Licensure Renewal.

(1) through (7) No change.

(8) Board members, and former board members, serving on probable cause panels, shall receive 12 hours of continuing education credit toward applicable domains of practice as defined in Rule 64B10-16.005, F.A.C., for each full or partial biennium served on the board.

(9) Any licensee presenting a continuing education course shall earn the same amount of contact hours as the attendees up to a maximum of 12 contact hours per biennium.

Rulemaking Authority 456.033, 468.1685(1), 468.1715(3), 468.1725 FS. Law Implemented 456.013(6), 456.033, 468.1715(3), 468.1725 FS. History—New 12-11-80, Amended 2-20-83, 5-2-84, Formerly 21Z-15.01, Amended 12-31-86, 2-26-89, 11-19-91, Formerly 21Z-15.001, 61G12-15.001, Amended 9-4-96, 10-20-96, 7-21-97, Formerly 59T-15.001, Amended 5-15-00, 11-4-02, 5-7-06, 4-8-07, 10-24-07, 10-11-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Nursing Home Administrators

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Nursing Home Administrators

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 13, 2012

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-14.0038 **RULE TITLE:** Recreational Snapper Seasons

PURPOSE AND EFFECT: The Commission is considering changes to state regulations that would set the recreational harvest season for red snapper in state waters of the Gulf of Mexico to be July 1 through July 14. The purpose of this rule is to increase recreational red snapper fishing opportunities in Gulf state waters.

The effect of these rule amendments is to avoid reducing recreational fishing opportunities for red snapper in state waters. The June 1 through July 14 season was proposed by the Commission based on testimony from anglers and reports that the ongoing red snapper stock assessment would likely show that the red snapper population is improving.

SUMMARY: The proposed final rule would modify the recreational harvest season for red snapper in all state waters of the Gulf of Mexico to be July 1 through July 14.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

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

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

DATES AND TIME: During the Commission’s regular meeting April 17-18, 2013, 8:30 a.m. – 5:00 p.m., each day

PLACE: Florida Public Safety Institute, Pat Thomas Law Enforcement Academy, 85 Academy Drive, Havana, FL 32333

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301 and (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-14.0038 Recreational Snapper Seasons.

(1) Recreational Red Snapper Season. In all state waters of the Gulf of Mexico, the season for the recreational harvest and possession of red snapper shall be from June 1 through July 14 10, each year (~~consistent with the Federal Standard established in vol. 77 of the Fed. Reg. page 31734~~). Except for persons harvesting red snapper for commercial purposes pursuant to Rule 68B-14.0045, F.A.C., from July 15 11 through May 31, no person shall harvest in or from state waters of the Gulf of Mexico, nor possess while in or on state waters of the Gulf of Mexico, any red snapper.

(2) No change.

PROPOSED EFFECTIVE DATE: May 31, 2013.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 10-20-98, Formerly 46-14.0038, Amended 12-30-99, 3-12-09, 8-7-09, 10-16-09, 6-4-10, 10-8-10, 7-22-11, 7-6-12, 5-31-13.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 13, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 28, 2012

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-118.002	Definitions
14-118.004	Application and Award Procedures

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 21, January 31, 2013 issue of the Florida Administrative Register.

14-118.002(1) shall read:

(1) “Applicant” means any person or entity seeking funding under the Intermodal Logistic Center Infrastructure Support Program.

Rule 14-118.004 shall read:

14-118.004 Application and Award Procedures.

(1) Requests for funding must be submitted on the Application for Intermodal Logistics Center Infrastructure Support Program. DOT Form 725-085-01, 3/13, incorporated herein by reference at <http://www.flrules.org/Gateway/reference.asp?No=Ref-02432>, and available as an electronic application on the Department’s website at www.dot.state.fl.us/seaport. Upon receipt of a completed Application, the Department will consider the Project’s eligibility for funding. There are no deadlines for submitting Applications. The Department will consider an Application as long as there are funds available within a given fiscal year. Funding is subject to legislative appropriations. Any unused funds will be requested to carryover to the subsequent fiscal year.

(2) All information requested on Application for Intermodal Logistics Center Infrastructure Support Program must be included, and the Applicant must include documentation demonstrating the following:

(a) The ILC’s financial stability, contribution to the achievement of state economic goals and policies, and the extent to which the ILC will contribute to increased state economic activity, including job creation, increased wages, and revenues. The Applicant must submit:

1. A business plan for the ILC and a finance plan that fully funds the ILC, or the phase of the ILC under construction, including all contingencies, and identifies the investments made, or to be made, by the owner or developer of the ILC.

2. Documentation of commitments from private sector businesses currently operating at the ILC, or that have executed a contract to locate operations at the ILC.

3. Documentation of current memorandums of understandings with one or more seaport(s) listed in Section 311.09(1), F.S., to convey or ship goods to and from the ILC through the seaport, and an estimate of the amount of cargo expected to be handled at the ILC and conveyed from each appropriate seaport.

4. A Return on Investment estimate report for the ILC and the Project, as applicable, demonstrating what will be contributed to regional and/or statewide economic activity. Estimates for the ILC must be current (within 6 months of the Application) and certified by a nationally recognized consulting firm (i.e. traffic and revenue consultant or Certified Public Accountant).

(b) The positive contribution of the Project to the state transportation system, and the ability of the Project to improve the cost effective and efficient movement of goods to and from one or more seaports. If the Application is submitted by a private entity, the Applicant must clearly explain the public benefit from the Project, such as how the Project provides a benefit to the associated seaport(s) and to the State, and how the regional and/or statewide transportation of goods is improved with the development of ILC and the Project. The Applicant must provide:

1. Project cost estimates, current (within six months of the Application) and certified by the Department’s project cost estimating system, or a nationally recognized firm of consulting engineers. Contingency amounts, representing a minimum of 10% of total costs, must be included to help ensure that the Project can be fully funded and completed.

2. Documentation of a 50 percent or more funding match for the Project, including what entity is providing the match and how the match will be provided.

3. Documentation from the appropriate local government(s) supporting the ILC and the Project, and affirming the ILC and the Project’s conformance with all appropriate local land use regulations and requirements.

4. Documentation demonstrating the Project’s consistency with local Metropolitan Planning Organization plans and local government comprehensive plans.

(3) through (4) No change.

(5) The Department Secretary will determine which Projects will receive funding support in accordance with the provisions of this rule chapter. All funding is contingent upon legislative appropriations. Funding in a single fiscal year may be distributed among several projects and no single project will receive in excess of 50% of available Program funds in a single fiscal year. The Department will respond to Applicants with a final decision on funding after the review of Applications is completed, and the Secretary has made project selections. After funding decisions are made, the Department will include the funded project in the work program in accordance with Section 339.135, F.S., as expeditiously as possible.

(6) No change.

Rulemaking Authority 311.101 FS. Law Implemented 311.101 FS. History—New _____.

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

RULE NO.: RULE TITLE:

6M-8.201: Child Registration Procedures; Application; Parent Orientation Session

NOTICE IS HEREBY GIVEN that on March 7, 2013, the Office of Early Learning, received a petition for Temporary Waiver of paragraph 6M-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by the Early Learning Coalition of Southwest Florida, 2675 Winkler Ave, Suite #300. Fort Myers, FL 33901.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Todd Twilley, Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399, email: Todd.Twilley@oel.myflorida.com.

DEPARTMENT OF EDUCATION

Florida’s Office of Early Learning

RULE NO.: RULE TITLE:

6M-8.201: Child Registration Procedures; Application; Parent Orientation Session

NOTICE IS HEREBY GIVEN that on March 14, 2013, the Office of Early Learning, received a petition for Temporary Waiver of paragraph 6M-8.201(4)(a), F.A.C., which provides requirements for conducting parent orientation sessions for parents registering their children for the VPK program. The Petition was filed by the Early Learning Coalition of Clay, Nassau, Baker and Bradford Counties, 1845 Town Center Blvd., Ste. 150, Orange Park, FL 32003.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Todd Twilley, Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399, email: Todd.Twilley@oel.myflorida.com.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

RULE NO.: RULE TITLE:

6M-4.210: Maintaining Eligibility for Financial Assistance; Breaks in Employment

NOTICE IS HEREBY GIVEN that on March 14, 2013, the Office of Early Learning, received a petition for Variance of subsection 6M-4.210(1), F.A.C., which provides requirements for maintaining school readiness eligibility and allows an individual to be unemployed for a maximum of 30 days before losing eligibility to receive services. The Petition was filed by the Early Learning Coalition of Clay, Nassau, Baker and Bradford Counties, 1845 Town Center Blvd., Suite 150, Orange Park, FL 32003.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Todd Twilley, Florida's Office of Early Learning, 250 Marriott Drive, Tallahassee, FL 32399, email: Todd.Twilley@oel.myflorida.com.

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 that on March 25, 2013, it has issued an order.

Petitioner's Name: ELW Water Acquisition, LLC and ClubCorp Golf of Florida, LLC – Tracking No. 13-4139.

Date Petition Filed: November 13, 2012. Subsection 40D-22.201(4), F.A.C. Nature of the rule for which variance or waiver is sought: lawn and landscape irrigation. Date petition published in the Florida Administrative Register: November 21, 2012. General Basis for Agency Decision: Petition granted as Petitioners 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 x. 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 March 6, 2013 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from International Uniserve Portable Food Cart #1 located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, facilities for manually washing, rinsing and sanitizing equipment and utensils, and areas for food preparation and storage. They are requesting to install holding tanks at a portable handwash sink, and share warewashing, food preparation and food storage areas with another licensed food service establishment under a different ownership on the same premises.

The Petition for this variance was published in Vol. 39/50 on March 13, 2013. The Order for this Petition was signed and approved on March 19, 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 the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The Petitioner shall also ensure the three-compartment sink, food preparation and storage areas within Centerplate @ Phase III Kitchen (SEA5807961) are maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Centerplate @ Phase III Kitchen (SEA5807961) changes, an updated signed agreement for use of the shared facilities is required immediately.

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

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

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 March 6, 2013 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from The Crepe Factory 1 located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, facilities for manually washing, rinsing and sanitizing equipment and utensils, and areas for food preparation and storage. They are requesting to install holding tanks at a portable handwash sink, and share warewashing, food preparation and food storage areas with another licensed food service establishment under a different ownership on the same premises.

The Petition for this variance was published in Vol. 39/50 on March 13, 2013. The Order for this Petition was signed and approved on March 19, 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 the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The Petitioner shall also ensure the three-compartment sink, food preparation and storage areas within Centerplate @ PHS DR V Kitchen (SEA5811092) are maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Centerplate @ PHS DR V Kitchen (SEA5811092) changes, an updated signed agreement for use of the shared facilities is required immediately.

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 March 6, 2013 the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, Paragraph 5-202.11(A), 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from Centerplate Portable Food Cart #5 located in Orlando. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater, facilities for manually washing, rinsing and sanitizing equipment and utensils, and areas for food preparation and storage. They are requesting to install holding tanks at a portable handwash sink, and share warewashing, food preparation and food storage areas with another licensed food service establishment on the same premises and under the same ownership.

The Petition for this variance was published in Vol. 39/50 on March 13, 2013. The Order for this Petition was signed and approved on March 19, 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 the wastewater holding tank for the handwash sink is emptied at a frequency as to not create a sanitary nuisance; potable water provided must come from an approved source and be protected from contamination during handling. The Petitioner shall also ensure the handwash sink is provided with hot and cold running water under pressure, soap, an approved hand drying device and a handwashing sign. The Petitioner shall also ensure the three-compartment sink, food preparation and storage areas within Centerplate @ Phase III Kitchen (SEA5807961) are maintained in a clean and sanitary manner and all sinks are provided with hot and cold running water under pressure and available during all hours of operation. If the ownership of Centerplate @ PHS DR V Kitchen (SEA5811092) changes, an updated signed agreement for use of the shared facilities is required immediately.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that on March 14, 2013, the Construction Industry Licensing Board received a petition for variance or waiver, filed by Daniel Chen-Fung. The Petitioner is seeking a permanent variance or waiver of Rule 61G4-16.005, F.A.C., limiting the period a passing grade is valid for purposes of certification to 4 years.

Comments on this petition should be filed with Construction Industry Licensing Board, Northwood Center, 1940 North Monroe Street, Tallahassee, FL 32399, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, at above address or telephone: (850)487-1395.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:

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

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, filed on December 11, 2012, by Marcio P. Moraes. The Notice of Petition for Waiver or Variance was published in Vol. 38, No. 97, of the December 26, 2012, Florida Administrative Register. Petitioner sought a waiver or variance of Rule 64B5-2.0144, F.A.C., entitled "Licensure Requirements for Dental Hygiene Applicants from Unaccredited Dental Schools or Colleges". The Board considered the instant Petition at a duly-noticed public meeting, held February 22, 2013, in Tampa, Florida.

The Board's Order, filed March 12, 2013, granted a one-time waiver of remedial education requirements imposed by the rule.

A copy of the Order or additional information may be obtained by contacting Susan Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: RULE TITLE:

69A-40.028: Standards of the National Fire Protection Association Adopted

69A-40.031: Automatic Fire Sprinkler Systems

NOTICE IS HEREBY GIVEN that on March 12, 2013, the Division of the State Fire Marshal received a petition for waiver or variance filed by Dayspring Village, Inc., from paragraph 69A-40.028(2)(a), F.A.C., and Rule 69A-40.031, F.A.C., in regard to the requirement that new assisted living facilities install particular automatic sprinkler systems.

Comments on this petition should be filed with Casia Sinco, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, at casio.sinco@myfloridacfo.com within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: R. Terry Butler, Esq., Division of Legal Services, at terry.butler@myfloridacfo.com.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF LEGAL AFFAIRS

The Florida Commission on the Status of Women announces telephone conference calls to which all persons are invited.

DATE AND TIME: April 9, 2013, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Awards and Recognition Task Force.

DATE AND TIME: April 9, 2013, 3:00 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Bylaws Committee.

DATE AND TIME: April 10, 2013, 11:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Policy Committee.

DATE AND TIME: April 11, 2013, 9:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Finance/Budget Committee

DATE AND TIME: April 16, 2013, 1:30 p.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Outreach Task Force

DATE AND TIME: April 17, 2013, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Women's Hall of Fame Committee.

DATE AND TIME: April 18, 2013, 1:00 p.m.
 PLACE: Please call (850)414-3300 for instructions on participation.
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Mentoring Task Force
 NOTE: In the absence of a quorum, items on this agenda will be discussed as workshop, and notes will be recorded although no formal action will be taken. If you have any questions, please call (850)414-3300.

A copy of the agenda may be obtained by contacting: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050. Phone: (850)414-3300, fax (850)921-4131.

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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050. Phone: (850)414-3300, fax (850)921-4131. 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: Florida Commission on the Status of Women at the Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050. Phone: (850)414-3300, fax (850)921-4131.

DEPARTMENT OF EDUCATION

Division of Florida Colleges
 Florida State College at Jacksonville announces the following Impact Bargaining Meeting on Wednesday, April 3, 2013. The meeting will be held at the College's Advanced Technology Center, 401 West State Street, Jacksonville, FL 32202.

DATE AND TIME: Wednesday, April 3, 2013, 1:30 p.m. – 4:30 p.m.

PLACE: The College's Advanced Technology Center, 401 West State Street, Jacksonville, FL 32202, Room T-116

GENERAL SUBJECT MATTER TO BE CONSIDERED: Impact Bargaining and discussion regarding the Faculty Collective Bargaining Agreement and related labor matters pursuant to Section 447.605, Florida Statutes (2012) regarding the College's class size policies.

All objections to this notice or the propriety of the scheduled meeting should be filed in writing with the Interim College President, Florida State College at Jacksonville, on or before April 3, 2013. All legal issues should be brought to the College's attention and an attempt made to resolve them prior

to the meeting. The College does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in employment or the provision of services and is an equal access/equal opportunity/affirmative action college. If special accommodations are required, please advise Human Resources 24 hours in advance of the meeting.

Florida State College At Jacksonville
 Dr. Willis N. Holcombe
 Interim College President

DEPARTMENT OF REVENUE

RULE NO.: RULE TITLE:
 12-3.007: Delegation of Authority
 Office of Financial Management, Purchasing Department
 The Department of Revenue announces a public meeting to which all persons are invited.

DATE AND TIME: April 25, 2013, 10:00 a.m.

PLACE: Department of Revenue, 2450 Shumard Oak Blvd Building 2, Suite 1600, Tallahassee, Florida 32399-0109

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, a Request for Qualifications Response opening is hereby noticed within the timeline for the Request for Qualifications (Number: RFQ 12/13-17) for Statewide Digital Ortho Photography which is posted in the Vendor Bid System. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. Notice of any changes or additional meetings will be posted within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Register (FAR). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

Agenda: The names of firms responding to the RFQ will be read aloud and no other information will be provided at the opening. Contact Steve Wharton at (850)717-7567 or email: whartons@dor.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 Steve Wharton at (850)717-7567 or email: whartons@dor.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).

PUBLIC SERVICE COMMISSION

NOTICE OF SECURITIES APPLICATION
 The Florida Public Service Commission will consider at its April 9, 2013, Commission Conference, Docket No. 130062-EI, the application of Florida Power & Light Company for authority to issue and sell securities pursuant to Section

366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code. The Company seeks PSC approval pursuant to Section 366.04, Florida Statutes, and Chapter 25-8, Florida Administrative Code, to issue and sell, and/or exchange any combination of the long-term debt and equity securities and/or to assume liabilities or obligations as guarantor, endorser, or surety in an aggregate amount not to exceed \$6.1 billion during calendar year 2013. In addition, the Company seeks permission to issue and sell short-term securities during the calendar years 2013 and 2014 in an amount or amounts such that the aggregate principal amount of short-term securities outstanding at the time of, and including, any such sale shall not exceed \$4.0 billion.

DATE AND TIME: Tuesday, April 9, 2013. The Commission Conference begins at 9:30 a.m., although the time at which this item will be heard cannot be determined at this time.

PLACE: Commission Hearing Room 148, Betty Easley Conference Center, 4075 Esplanade Way, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To take final action in Docket No. 130062-EI.

Emergency Cancellation of Meeting: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199. In accordance with the American with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via (800)955-8770 (Voice) or (800)955-8771 (TDD), Florida Relay Service. For more information, please contact Martha F. Barrera, Office of the General Counsel, (850)413-6218.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The West Florida Regional Planning Council and the Walton/Okaloosa/Santa Rosa Regional Utility Authority announces a public meeting to which all persons are invited.

DATE AND TIME: April 2, 2013, 10:00 a.m.

PLACE: Niceville City Hall, 208 Partin Dr N, Niceville, FL 32578

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Regional Utility Authority.

A copy of the agenda may be obtained by contacting: Michael Reistad, michael.reistad@wfrpc.org, (850)332-7976, x222.

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: Michael Reistad, michael.reistad@wfrpc.org, (850)332-7976, x222. 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: Michael Reistad at michael.reistad@wfrpc.org, (850)332-7976, x222.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

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

DATE AND TIME: Tuesday, April 9, 2013, 8:15 a.m., Chairman's meeting; 9:30 a.m., Projects and Lands Committee. The Finance, Administration and Audit Committee will begin upon conclusion of the Projects and Lands Committee. Regulatory Committee will begin at 11:00 a.m. The Governing Board meeting will begin upon conclusion of the Regulatory Committee.

PLACE: District Headquarters, 4049 Reid Street (Hwy 100 West), Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion and consideration of District business including regulatory and non-regulatory matters. Staff may recommend approval of external amendments which affect the adopted budget.

NOTE: One or more Governing Board members may attend and participate in the meetings by means of communications media technology.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Kyia Tiffany, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4101, or by visiting the District's website at floridaswater.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: District Clerk at (386)329-4500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (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: St. Johns River Water Management District, Attention: Kyia Tiffany, 4049 Reid Street, Palatka, FL 32177, or by phone at (386)329-4101, or by visiting the District's website at floridaswater.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-1.0026: Approval of Matches, Fight Cards, Issuance of Permits; Assignment of Event Officials

The Florida State Boxing Commission announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 5, 2013, 10:00 a.m.

PLACE: Conference call number is (888)670-3525; passcode is 3051490078, then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Discussion and vote regarding rules 61K1-1.0026, 61K1-3.0055, 61K1-3.042, 61K1-4.008, and 61K1-4.028, F.A.C., regarding Commission office duties, pro-debut requirements, pro-am events, pre-match physical of amateurs, and amateur tournament variances.

A copy of the agenda may be obtained by contacting: Lina Hurtado, (850)488-8500.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 24 hours before the workshop/meeting by contacting: Lina Hurtado, (850)488-8500. 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: Lina Hurtado, (850)488-8500.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, March 29, 2013, 10:30 a.m. EST.

PLACE: Department of Health, Tallahassee at Meet Me Number (888)670-3525, code 4764781998.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Centennial Committee Planning Discussion.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3252.

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

RULE NO.: RULE TITLE:

64E-11.015: Afterschool Meal Program

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

DATE AND TIME: April 11, 2013, 8:00 a.m.

PLACE: Bureau of Environmental Health, 4025 Esplanade Way, Conference Room 301, Tallahassee, Florida 32399-1710

GENERAL SUBJECT MATTER TO BE CONSIDERED: The

rule workshop is being held to gather public comments regarding proposed Rule 64E-11.015, F.A.C., as noticed in Vol. 39, No. 16, in the January 24, 2013, edition of the Florida Administrative Register. This rule will provide the minimum standards for USDA Afterschool Meal Program sites that are not regulated by another state agency for compliance with sanitation standards and are not used for any other food service operation. A copy of the preliminary rule draft may be obtained by contacting: Ric Mathis, 4052 Bald Cypress Way, Bin A08, Tallahassee, FL 32399-1710; (850)245-4444, x. 2337; ric_mathis@doh.state.fl.us.

A copy of the agenda may be obtained by contacting: Ric Mathis at the address listed above.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Laura Wehunt at (850)245-4275. 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 ECONOMIC OPPORTUNITY

The Department of Economic Opportunity (f/k/a the Agency for Workforce Innovation), Reemployment Assistance Claims and Benefits Information System, Executive Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 10, 2013, 10:30 a.m. – 12:00 Noon

PLACE: Caldwell Building, Conference room B-49, 107 E. Madison Street, Tallahassee, Florida 32399, or by conference call: (888)670-3525, passcode 1188081993 then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular recurring meeting to review project status and act on any decisions required of the Committee.

A copy of the agenda may be obtained by contacting: <http://www.floridajobs.org/calendar>.

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: Monique Manns, (850)921-3870. 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).

TRANSPORTATION AND EXPRESSWAY AUTHORITY MEMBERSHIP OF FLORIDA (TEAMFL)

The Transportation and Expressway Authority Membership of Florida (TEAMFL) announces public meetings to which all persons are invited.

DATES AND TIMES: Tuesday April 9, 2013, 2:30 p.m. – 7:30 p.m.; Wednesday April 10, 2013, 9:00 a.m. – 12:30 p.m.

PLACE: Hyatt Regency Coral Gables, 50 Alhambra Plaza, Coral Gables, FL 33134

GENERAL SUBJECT MATTER TO BE CONSIDERED: TEAMFL Quarterly meeting co-hosted by the Miami Dade Expressway Authority.

April 9, 2013: FOCUS SESSIONS: 2:30 p.m. – 4:00 p.m. Toll Operations and Finance; 4:15 p.m. – 5:15 p.m. Engineering and Public Involvement.

April 10, 2013: GENERAL SESSION: 9:00 a.m. Call to Order by A. Wayne Rich, Chairman, 9:15 a.m. recognition of new members & sponsors by Bob Hartnett, President/CEO of TEAMFL. Presentations include: "MDX Projects and Partners" – Javier Rodrigues, P.E., Executive Director, MDX, "South Florida Regional Managed Lanes Network Study" – Andrew Smith, HNTB, "All Aboard Florida" – Husein Cumber, Vice President, Florida East Coast Industries, "Florida's Turnpike Express Lanes" – Paul Wai, Director of Highway Operations, FTE, "Map 21! What's next" – Frank McCartney, Vice President, Parsons Brinkerhoff, and updates on district 4 and 6 which will be made by FDOT.

A copy of the agenda may be obtained by contacting: TEAMFL at www.teamfl.org or 2121 Camden Road, Suite B, Orlando, FL 32803, (407)896-0035.

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: Mr. Bob Hartnett, 2121 Camden Road, Suite B, Orlando, FL 32803, (407)896-0035 or email teamfl@teamfl.org at least 7 days prior to the meeting. 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).

HDR, INC.

The Florida Department of Transportation, District One announces a public meeting to which all persons are invited.

DATES AND TIME: April 3 to April 12, 2013, anytime

PLACE: www.us41enterprise-sumter.com

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District One announces an online public meeting concerning the design improvements for US 41 from Enterprise Drive to Sumter Boulevard; Financial Project ID Numbers #422710-2-32-01 and #422710-5-31-01. This project is located in Charlotte and Sarasota Counties. At your convenience, you can attend this meeting anytime from April 3 to April 12, 2013.

The purpose of the online public meeting is to provide citizens the opportunity to comment on upgrading the existing four-lane divided roadway to a six-lane divided roadway. The project includes roadway drainage improvements and replacement of traffic signals.

You may view the design plans and related documents at the FDOT District One office: 801 N. Broadway Ave., Bartow, Florida 33830-3809; at the North Port Public Library in Sarasota County: 13800 S. Tamiami Trail, North Port, FL 34287, or the Mid County Regional Library in Charlotte County, 2050 Forrest Nelson Blvd., Port Charlotte, FL 33592.

A copy of the agenda may be obtained by contacting: There is no agenda for this meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Robin Parrish, (863)519-2675. 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: Donnie Holcomb, P.E., project manager for HDR Engineering, Inc., (941)342-2705 or donnie.holcomb@hdrinc.com.

KITTELSON & ASSOCIATES, INC

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

DATE AND TIME: April 16, 2013, 6:00 p.m. – 8:00 p.m.

PLACE: New Smyrna Beach City Hall, Council Chambers, 210 Sams Avenue, New Smyrna Beach, Florida 32168

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 405854-1-12-05. Project Description: State Road (SR) 44 from Samsula Drive to Myrtle Avenue, New Smyrna Beach.

The purpose of this public information meeting is to present the recommendations of the SR 44 Corridor Management Plan. A copy of the agenda may be obtained by contacting: Judy Pizzo, GISP, Systems Planner for FDOT at 133 S. Semoran Boulevard, Orlando, FL 32807, (407)482-7880, Judy.Pizzo@dot.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ryan Cunningham, PE at Kittelson & Associates, 225 E. Robinson Street, Orlando, FL 32801, (407)540-0555, rcunningham@kittelson.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).

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: Either Judy Pizzo, GISP, Systems Planner for the FDOT, (407)482-7880, Judy.Pizzo@dot.state.fl.us; or Ryan Cunningham, PE at Kittelson & Associates, (407)540-0555, rcunningham@kittelson.com.

**Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

NOTICE IS HEREBY GIVEN that the Board of Cosmetology has received the petition for declaratory statement from Ericka Nelson, filed on January 10, 2013. The petition seeks the agency's opinion as to the applicability of Section 477.025, Florida Statutes as it applies to the petitioner.

The Petitioner does not state in her request which statute the Petitioner seeks the Board to interpret. However, Petitioner appears to be requesting an interpretation of Section 477.025, Florida Statutes, to determine whether a cosmetology license is required to provide use of a Neurotris, microcurrent facial and body toning equipment without offering any other spa, body wrapping, nail, hair, or cosmetology services.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robyn Barineau, Executive Director, Board of Cosmetology, P. O. Box 5377, Tallahassee, Florida 32314-5377.

**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**

NONE

**Section XII
Miscellaneous**

EXPRESSWAY AUTHORITIES
Orlando-Orange County Expressway Authority

NOTICE

Under the provisions of Section 121.055, Florida Statutes, the Orlando-Orange County Expressway Authority intends to designate the position of Director of Toll Operations and the position of Director of Engineering in the Senior Management Service Class.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

FINAL ORDER NO.: DEO-13-018

STATE OF FLORIDA

DEPARTMENT OF ECONOMIC OPPORTUNITY

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 004-2013

FINAL ORDER

APPROVING MONROE COUNTY ORDINANCE NO.
004-2013

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Fla. Stat. (2012), approving land development regulations adopted by Monroe County, Florida, Ordinance No. 004-2013 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Fla. Stat., as an area of critical state concern. Monroe County is a local government within the Florida Keys Area.

2. The Ordinance was adopted by Monroe County on January 16, 2013, and rendered to the Department on February 4, 2013.

3. The Ordinance amends Section 130-160 of the Monroe County Code to revise the regulations related to transferrable development rights to correct inconsistencies with the Monroe County Comprehensive Plan pertaining to criteria for receiver and sender sites. The Ordinance also clarifies the application and approval process.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are adopted by any local government in an area of critical state concern. §§ 380.05(6) and (11) and § 380.0552(9), Fla. Stat.

5. “Land development regulations” include local zoning, subdivision, building, and other regulations controlling the development of land. § 380.031(8), Fla. Stat. The regulations adopted by the Ordinance are land development regulations.

6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that

area. §§ 380.05(6) and 380.0552(9), Fla. Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Fla. Stat.

7. The Ordinance is consistent with the Principles for Guiding Development as a whole, and specifically furthers the following Principle in § 380.0552(7), Fla. Stat.:

(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

(c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

8. The Ordinance is consistent with Objective 101.13 and Policies 101.13.1, 101.13.2, 101.13.3 and 101.13.4 of the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Monroe County Ordinance No. 004-2013 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern and is hereby APPROVED.

This Order becomes effective 21 days after publication in the Florida Administrative Register unless a petition is timely filed as described in the Notice of Administrative Rights below.

DONE AND ORDERED in Tallahassee, Florida.

 /s/

William B. Killingsworth, Director
Division of Community Development
Department of Economic Opportunity

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY’S ACTION. DEPENDING UPON WHETHER YOU ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT’S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA

ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND FILE EXCEPTIONS TO ANY RECOMMENDED ORDER.

IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF ECONOMIC OPPORTUNITY A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY:

AGENCY CLERK
DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON STREET, MSC 110
TALLAHASSEE, FLORIDA 32399-4128
Fax Number (850)921-3230

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE

PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

A PERSON WHO HAS FILED A PETITION MAY REQUEST MEDIATION. A REQUEST FOR MEDIATION MUST INCLUDE THE INFORMATION REQUIRED BY RULE 28-106.402, FLORIDA ADMINISTRATIVE CODE. CHOOSING MEDIATION DOES NOT AFFECT THE RIGHT TO AN ADMINISTRATIVE HEARING.

YOU WAIVE THE RIGHT TO AN INFORMAL ADMINISTRATIVE PROCEEDING OR A FORMAL HEARING IF YOU DO NOT FILE A PETITION WITH THE AGENCY CLERK WITHIN 21 DAYS OF PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the methods indicated this 26th day of March, 2013.

/s/ _____
Miriam Snipes, Agency Clerk
Department of Economic Opportunity
107 East Madison Street, MSC 110
Tallahassee, FL 32399-4128
Telephone: (850)717-8531

By U.S. Mail:
The Honorable George Neugent
Mayor, Monroe County
500 Whitehead Street
Key West, FL 33040

Amy Heavilin
Clerk to the Board of County Commissioners
500 Whitehead Street
Key West, FL 33040

Christine Hurley, Director
Monroe County Growth Management Division
2798 Overseas Highway, Suite 400
Marathon, FL 33050

By Hand Delivery or Interagency Mail:
Rebecca Jetton, ACSC Administrator, DEO Tallahassee

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.
