

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-1.607 Permit Processing Fee

PURPOSE AND EFFECT: The purpose of this rulemaking is to amend the District's permit processing fee rule to adopt standardized permitting fee categories for Environmental Resource Permits (ERPs). This is being done as part of a statewide ERP rulemaking effort being undertaken by the Department of Environmental Protection in conjunction with the state's five water management districts, pursuant to Section 373.4131, F.S. Each water management district as well as the DEP will be adopting the same standardized fee categories, for statewide consistency. The effect of this rulemaking will be to have standardized fee categories applicable statewide for various types of activities that require an ERP. Standardized fee categories are also established for confirmation of qualification of exemption, informal or formal determinations of wetland or other surface waters and variances or waivers of permitting rules. Each water management district and DEP will establish its own fees within each fee category, to be based upon existing fees. It is anticipated that the new fee categories will not take effect until the statewide ERP rules take effect, which are proposed to become effective in July 2013.

SUBJECT AREA TO BE ADDRESSED: Environmental Resource Permitting.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.109, 373.421(2), 373.4131 FS.

Pursuant to the provisions of 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 SWFWMD Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660) (OGC #2013014)

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: RULE TITLE:
61D-9.005 Intertrack and Interstate Wagering,
Hub Systems Requirements

PURPOSE AND EFFECT: The purpose and effect of the proposed rule will be to implement Florida Statutes pertaining to totalisator security requirements.

SUBJECT AREA TO BE ADDRESSED: This proposed rule addresses the integrity of the transmission of wagering data, which includes totalisator and hub equipment.

RULEMAKING AUTHORITY: 550.0251(3), (7), 550.125(2)(b), 550.155(1), 550.3551(10), 550.495(4), 550.6305(5) FS.

LAW IMPLEMENTED: 550.0251, 550.125, 550.155, 550.3551, 550.495, 550.615, 550.625, 550.6305 FS.

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

DATE AND TIME: May 22, 2013, 9:00 a.m. – 12:00 Noon

PLACE: Florida Department of Business and Professional Regulation, Northwood Centre, Board Room, 1940 N. Monroe Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary Polombo at (850) 717-1098. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Polombo, Clerk, Division of Pari-Mutuel Wagering, 1940 North Monroe Street, Tallahassee, Florida 32399-1035

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

Section II

Proposed Rules

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:
19-8.028 Reimbursement Premium Formula

PURPOSE AND EFFECT: This rule is promulgated to implement Section 215.555, Florida Statutes, regarding the Florida Hurricane Catastrophe Fund, for the 2013-2014 contract year.

SUMMARY: In accordance with Section 215.555(5), Florida Statutes, proposed amended Rule 19-8.028, F.A.C., Reimbursement Premium Formula, adopts the 2013-2014 reimbursement premium formula and the 2013-2014 reimbursement premium rates for the Florida Hurricane Catastrophe Fund. In addition, the proposed amended Rule specifies exposure reporting requirements and provisional premiums for specified new participants, revises exemptions from coverage for policies predominantly covering specialized fine arts risks or scheduled personal property meeting specified criteria, and deletes obsolete or unnecessary language. The proposed amendments to Rule 19-8.028, F.A.C., Reimbursement Premium Formula, are necessitated by Section 215.555(5), Florida Statutes, which requires the State Board of Administration to employ an independent consultant to develop actuarially indicated premiums for the annual reimbursement contract, by the need to provide additional clarification, and by the Governor’s initiative to reduce duplicative, obsolete, or unnecessary rule provisions.

OTHER RULES INCORPORATING THIS RULE: There are no other rules incorporating this rule. However, there are three rules which reference this rule: subparagraph 19-8.012(3)(d)2., F.A.C., paragraph 19-8.013(2)(q), and paragraph 19-8.030(3)(m), F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed changes to this rule have no impact on any of the three rules referencing this rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Upon review of the proposed changes to the rule and the incorporated documents, the State Board of Administration of Florida has determined that the rule does not meet the statutory threshold for ratification by the legislature.

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

RULEMAKING AUTHORITY: 215.555(3) FS.

LAW IMPLEMENTED: 215.555(2), (3), (4), (5), (6), (7) 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: May 28, 2013, 9:00 a.m. until conclusion of meeting

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida 32308

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Leonard Schulte, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1335, leonard.schulte@sbafla.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Leonard Schulte, Director of Legal Analysis and Risk Evaluation, Florida Hurricane Catastrophe Fund, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, telephone (850)413-1335, leonard.schulte@sbafla.com

THE FULL TEXT OF THE PROPOSED RULE IS:

19-8.028 Reimbursement Premium Formula.

(1) Purpose. The purpose of this rule is to adopt the Premium Formula to determine the Actuarially Indicated Reimbursement Premium to be paid to the Florida Hurricane Catastrophe Fund (FHCF or Fund), as required by Section 215.555(5)(b), F.S.

(2) Definitions. The terms defined below will be capitalized in this rule.

(a) Actuarially Indicated Premium means Premiums which are derived according to or consistent with accepted actuarial standards of practice. Actuarially Indicated means an amount determined according to principles of actuarial science to be adequate, but not excessive, in the aggregate, to pay current and future obligations and expenses of the Fund, and determined according to principles of actuarial science to reflect each insurer’s relative exposure to hurricane losses.

(b) Board or SBA means the State Board of Administration of Florida.

(c) Citizens Property Insurance Corporation or Citizens means the entity formed under Section 627.351, F.S., and refers to both Citizens Property Insurance Corporation Coastal Account and Citizens Property Insurance Corporation Personal Lines and Commercial Lines Accounts.

(d) Contract Year means the time period which begins at 12:00:01 Eastern Time on June 1 of each calendar year and ends at 12:00 p.m. midnight on May 31 of the following calendar year.

(e) Covered Policy is defined in Section 215.555(2)(c), F.S., and the Reimbursement Contract adopted by and incorporated into Rule 19-8.010, F.A.C.

(f) Data Call or Florida Hurricane Catastrophe Fund Data Call means the annual reporting of insured values form FHCF-D1A, as adopted and incorporated into Rule 19-8.029, F.A.C.

(g) Formula or the Premium Formula means the Formula approved by the SBA for the purpose of determining the Actuarially Indicated Premium to be paid to the FHCF. The Premium Formula is defined as an approach or methodology which leads to the creation of premium rates. The resulting rates are therefore incorporated as part of the Premium Formula, and are the result of the approach or methodology employed.

(h) FHCF or Fund means the Florida Hurricane Catastrophe Fund.

(i) Independent Consultant or Consultant means the independent individual, firm, or organization with which the SBA contracts to prepare the Premium Formula and any other actuarial services for the FHCF, as determined under the contract with the Consultant.

(j) New Participants. The term means all Companies which are granted a certificate of authority by the Department of Financial Services after the beginning of the FHCF's Contract Year on June 1 and which write Covered Policies, or which already have a certificate of authority and begin writing Covered Policies on or after the beginning of the FHCF's Contract Year on June 1 and did not or was not required to enter into a contract on June 1 of the Contract Year. A Company that enters into an assumption agreement with Citizens that includes Covered Policies and is effective on or after June 1 and had written no other Covered Policies on or before June 1 is also considered a New Participant.

(k) Premium means the same as Reimbursement Premium, which is the Premium which is determined by multiplying each \$1,000 of insured value reported by the Company in accordance with paragraph (5)(b) of the statute, by the rate as derived from the Premium Formula.

(3) The Premium Formula.

(a) Because of the diversity of the insurers and the risks they insure which are affected by Section 215.555, F.S., the Premium Formula is adopted in this subsection and special circumstances are addressed in subsection (4), below. The Formula for determining the Actuarially Indicated Premium to be paid to the Fund, as required by Section 215.555(5)(b), F.S., is the rate times the exposure per \$1,000 of insured value and this equals the Premium to be paid in dollars. The rates adopted below were determined by taking into account geographic location by zip code; construction type; policy deductible; type of insurance and other such factors deemed by the Board to be

appropriate. The Formula is developed by an Independent Consultant selected by the Board, as required by Section 215.555(5)(b), F.S.

~~(b) For the 2004 2005 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2004 Ratemaking Formula Report to the State Board of Administration of Florida, March 17, 2004, Revised May 11, 2004" is hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 13, 2004 and revised on May 11, 2004, are hereby adopted and incorporated by reference in Form FHCF Rates 2004, a two part form titled "Florida Hurricane Catastrophe Fund Proposed 2004 Rates, March 17, 2004, (Revised May 11, 2004) Layer: \$11 Billion xs \$4.866 Billion" and "Florida Hurricane Catastrophe Fund Proposed 2004 Rates, March 17, 2004, (Revised May 11, 2004) Layer: \$15 Billion xs \$4.5 Billion".~~

~~(c) For the 2005 2006 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2005 Ratemaking Formula Report to the State Board of Administration of Florida, March 16, 2005" is hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 5, 2005, are hereby adopted and incorporated by reference in Form FHCF Rates 2005, "Florida Hurricane Catastrophe Fund Proposed 2005 Rates, March 16, 2005." The forms may be obtained from the Fund's Administrator at the address stated in subsection (5).~~

~~(d) For the 2006 2007 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2006 Ratemaking Formula Report to the State Board of Administration of Florida, March 15, 2006" is hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 4, 2006, are hereby adopted and incorporated by reference in Form FHCF Rates 2006, "Florida Hurricane Catastrophe Fund Proposed 2006 Rates, March 15, 2006." The forms may be obtained from the Fund's Administrator at the address stated in subsection (5).~~

~~(e) For the 2007 2008 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2007 Ratemaking Formula Report to the State Board of Administration of Florida, March 20, 2007" is hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 3, 2007, are hereby adopted and incorporated by reference in Form FHCF Rates 2007, "Florida Hurricane Catastrophe Fund Proposed 2007 Rates, March 20, 2007." These incorporated documents may be obtained directly from~~

~~the SBA website, www.sbafla.com/fhcf or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.~~

~~(f) For the 2008-2009 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2008 Ratemaking Formula Report to the State Board of Administration of Florida, March 26, 2008" is hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 15, 2008, are hereby adopted and incorporated by reference in Form FHCF-Rates 2008, "Florida Hurricane Catastrophe Fund Proposed 2008 Rates, March 26, 2008." These incorporated documents may be obtained directly from the SBA website, www.sbafla.com/fhcf or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.~~

~~(b)(g)~~ For the 2009-2010 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2009 Ratemaking Formula Report to the State Board of Administration of Florida, March 20, 2009" and the Addendum to the 2009 Ratemaking Formula Report Dated May 27, 2009 are hereby adopted and incorporated by reference. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 14, 2009, are hereby adopted and incorporated by reference in Form FHCF-Rates 2009, "Florida Hurricane Catastrophe Fund Proposed 2009 Rates, March 20, 2009, revised May 27, 2009." The Addendum to the 2009 Ratemaking Formula Report Dated May 27, 2009, was approved by the Board on May 27, 2009, and is hereby adopted and incorporated by reference. These incorporated documents may be obtained directly from the SBA website: www.sbafla.com/fhcf or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.

~~(c)(h)~~ For the 2010-2011 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2010 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 18, 2010" is hereby adopted and incorporated by reference into this rule. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 13, 2010, are hereby adopted and incorporated by reference in Form FHCF-Rates 2010, "Florida Hurricane Catastrophe Fund Proposed 2010 Rates Presented to the State Board of Administration of Florida, March 18, 2010" and is hereby adopted and incorporated by reference into this rule. These incorporated documents may be obtained directly from the SBA website: www.sbafla.com/fhcf or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.

(d)(i) For the 2011-2012 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2011 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 17, 2011" is hereby adopted and incorporated by reference into this rule, <http://www.flrules.org/Gateway/reference.asp?No=ref-00275>. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on May 3, 2011, are hereby adopted and incorporated by reference in Form FHCF-Rates 2011, "Florida Hurricane Catastrophe Fund Proposed 2011 Rates Presented to the State Board of Administration of Florida, March 17, 2011" is hereby adopted and incorporated by reference into this rule, <http://www.flrules.org/Gateway/reference.asp?No=ref-00276> and <http://www.flrules.org/Gateway/reference.asp?No=ref-00277>. These incorporated documents may be obtained directly from the SBA website: www.sbafla.com/fhcf or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.

(e)(j) For the 2012-2013 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2012 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 22, 2012," <http://www.flrules.org/Gateway/reference.asp?No=Ref-01175>, is hereby adopted and incorporated by reference into this rule. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 24, 2012, are hereby adopted and incorporated by reference in Form FHCF-Rates 2012, "Florida Hurricane Catastrophe Fund Proposed 2012 Rates Presented to the State Board of Administration of Florida, March 22, 2012," <http://www.flrules.org/Gateway/reference.asp?No=Ref-01176>, is hereby adopted and incorporated by reference into this rule. These incorporated documents may be obtained directly from the SBA website: www.sbafla.com/fhcf or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.

(f) For the 2013-2014 Contract Year, the Formula developed by the Board's Independent Consultant, "Florida Hurricane Catastrophe Fund: 2013 Ratemaking Formula Report Presented to the State Board of Administration of Florida, March 21, 2013," <http://www.flrules.org/Gateway/reference.asp?No=ref-XXXXX>, is hereby adopted and incorporated by reference into this rule. The basic premium rates developed in accordance with the Premium Formula methodology approved by the Board on April 23, 2013, are hereby adopted and incorporated by reference in Form FHCF-Rates 2013, "Florida Hurricane Catastrophe Fund Proposed 2013 Rates Presented to the State Board of Administration of Florida, March 21, 2013," <http://www.flrules.org/Gateway/reference.asp?No=ref-XXXXX>, hereby adopted and incorporated by reference into this rule. These

incorporated documents may be obtained directly from the SBA website: www.sbafla.com/fhcf or by contacting the SBA by mail, P. O. Box 13300, Tallahassee, FL 32317-3300, with a request for the documents.

(4)(a) Special Circumstances.

1. Allocation of Premium. Premiums paid to the FHCF with reference to property covered by Quota Share Primary Insurance Arrangements, as that phrase is defined in Section 627.351(6)(c)2.a.(I), F.S., will be allocated by the FHCF between the Insurer and Citizens in accordance with the percentages specified in the Quota Share Primary Insurance Arrangement for the purposes of premium billing, calculating retentions and determining reimbursement payments.

2. Special Rating Circumstances. The Premium Formula for policies that, based upon sound actuarial principles, require individual ratemaking and which are not excluded by rule will be based on the use of computer modeling for each individual Company for which it is applicable, i.e., portfolio modeling. The Independent Consultant will recommend guidelines for individual company portfolio reporting and modeling to estimate individual company FHCF expected losses. Individual company FHCF expected losses for portfolio modeling exposures will be loaded for investments and expenses on the same basis as the FHCF premium rates used for non-portfolio modeling exposures, but will also include a loading for the additional cost of individual company modeling. The minimum exposure threshold for FHCF portfolio modeling rating will be sufficient to generate estimated FHCF premium greater than the cost of modeling and other considerations and will be calculated by the Independent Consultant for the separate coverage levels of 45%, 75%, and 90% using the rates established pursuant to subsection (3) herein. The methodology used by the Independent Consultant will be based on sound actuarial principles to establish greater actuarial equity in the premium structure.

(b) Forfeiture or Surrender of Certificates of Authority; Insurers Which Do Not Have Exposure For Covered Policies For An Entire Contract Year.

1. Insurers which have forfeited their certificates of authority or which have withdrawn from the state or discontinued writing all kinds of insurance in this state after the beginning of the Contract Year shall have their Premiums determined in accordance with subsection (3), above.

2. Special recognition is not given to insurers which do not have exposure for Covered Policies for an entire Contract Year, except for New Participants as described in paragraph (c) of this subsection (4).

3. Any insurer which has forfeited its certificate of authority or which has discontinued writing in accordance with an order issued by the Department of Financial Services effective prior to June 1 of each calendar year shall not be

required to execute a Reimbursement Contract with the Board provided that the insurer has no exposure to hurricane loss after June 1.

(c) New Participants.

1. All New Participants shall enter into a Reimbursement Contract with the Fund.

2. All New Participants shall pay a Reimbursement Premium to the Fund in accordance with the applicable subparagraphs below and in accordance with the applicable provisions of the Reimbursement Contract.

3. This subparagraph applies to Companies writing new business after June 1 but prior to December 1 of the Contract Year.

a. All New Participants writing new business during the period specified above shall pay a provisional Premium of \$1,000 to provide consideration for the contract.

b. For the 2012/2013 and earlier Contract Years, on or before March 1 of the Contract Year, the Company shall report its actual exposure as of December 31 of the Contract Year to the Administrator in accordance with the Data Call. For the 2012/2013 Contract Year, New Participants had the option of reporting exposure as of November 30 by February 1 of the Contract Year. The Administrator shall calculate the Company's actual Reimbursement Premium for the applicable Contract Year period specified in subparagraph (e)2- based on its actual exposure. To recognize that New Participants have limited exposure during this period, the actual Premium as determined by processing the Company's exposure data shall then be divided in half, the provisional Premium shall be credited, and the resulting amount shall be the total Premium due for the Company for the remainder of the Contract Year. However, if that amount is less than \$1,000, then the Company shall pay \$1,000. The Premium payment is due no later than May 1 of the Contract Year (or April 1 if the November 30 option was chosen for the 2012/13 Contract Year). The Company's retention and coverage will be determined based on the total Premium due which is the Premium calculated based on the Company's December 31 exposure (or November if appropriate) and divided in half as described in this sub-subparagraph.

c. For the 2013/2014 and subsequent Contract Years, the Company shall report its actual exposure as of November 30 of the Contract Year to the Administrator in accordance with the Data Call. The Administrator shall calculate the Company's actual Reimbursement Premium for the applicable Contract Year based on its actual exposure. To recognize that New Participants have limited exposure during this period, the actual Premium as determined by processing the Company's exposure data shall then be divided in half, the provisional Premium shall be credited, and the resulting amount shall be the total Premium due for the Company for the remainder of the Contract Year. However, if that amount is less than \$1,000, then the Company shall pay \$1,000. The Premium payment is

due no later than April 1 of the Contract Year. The Company's retention and coverage will be determined based on the total Premium due which is the Premium calculated based on the Company's November 30 exposure and divided in half as described in this sub-subparagraph.

4. This subparagraph applies to Companies writing new business on or after December 1 but up to and including May 31 of the Contract Year. All New Participants writing new business during this period shall pay a Premium of \$1,000 to provide consideration for the Contract. The Company shall pay no other Premium for the remainder of the Contract Year. The Company shall not report its exposure data for this period to the Board. The Premium shall be paid upon signing the Reimbursement Contract.

5. For purposes of paragraph (4)(c), the requirement that a report is due on a certain date means that the report shall be in the physical possession of the Fund's Administrator in Minneapolis no later than 5:00 p.m., Central Time, on the due date applicable to the particular report. If the applicable due date is a Saturday, Sunday or legal holiday, then the applicable due date will be the day immediately following the applicable due date which is not a Saturday, Sunday or legal holiday. For purposes of the timeliness of the submission, neither the United States Postal Service postmark nor a postage meter date is in any way determinative. Reports sent to the Board in Tallahassee, Florida, will be returned to the sender. Reports not in the physical possession of the Fund's Administrator by 5:00 p.m. (Central Time), on the applicable due date are late.

(d) Specialized Fine Arts Risks. The provisions of this paragraph apply to certain policies and endorsements predominantly ~~or exclusively~~ covering specialized fine arts risks that are subject to loss control measures as specified in subparagraph 1. and scheduled personal property as specified in subparagraph 2.

1. Any policy or endorsement predominantly exclusively covering Specialized Fine Arts Risks and not covering any residential structure and/or contents thereof other than such specialized fine arts items covered in the fine arts policy, shall be exempt from the Fund as a risk meeting specialized loss control requirements if the insurer employs underwriting criteria that adheres to sub-subparagraphs a. through c., immediately below. For purposes of the exemption in this subparagraph, a Specialized Fine Arts Risk is a policy or endorsement which insures paintings, works on paper, etchings, art glass windows, pictures, statuary, sculptures, tapestries, antique furniture, antique silver, antique rugs, rare books, and other bona fide works of art, of rarity, of historic value, or artistic merit; which charges a minimum premium of \$500; which insures scheduled items valued, in the aggregate, at no less than \$100,000; and which requires an investment by the insured in loss control measures to protect the Specialized Fine Arts Risks being insured.

a. The insurer must perform a periodic and thorough specialized inspection and must provide a specialized loss prevention service designed to prevent or minimize loss.

b. The structure and its fine arts contents must be provided with satisfactory watchman or alarm service or its equivalent where necessary.

c. The insurer must maintain a force of trained and competent loss prevention specialists, who perform the following tasks:

(I) Make complete loss prevention surveys of each Specialized Fine Arts Risk;

(II) Make available specialized loss prevention service for the purpose of providing consultation regarding hazards to the fine arts being insured;

(III) Confirm through periodic inspections that loss prevention devices are properly maintained;

(IV) Investigate reported losses; and

(V) Confer with the policyholder and confirm through periodic and unannounced inspections that recommended safety and loss control improvements are actually made.

2. Any individual policy written to solely cover scheduled personal property with a policy limit equal to or exceeding \$~~2~~ 40 million and which predominantly covers one or more classes of collectible types of property shall be exempt from coverage under the Fund. Generally such classes of collectible property have unusually high values due to their investible, artistic, or unique intrinsic nature. Additionally, such exempt policy may also include coverage for incidental items of personal property that may also be scheduled although such property may not be considered as a collectible. The predominant class of property covered under such excluded policy ~~is~~ is intended to ~~provide provide~~ coverage for a class or classes of property that is not typical for the contents coverage under residential property insurance policies. In many cases property may be located at various locations either in or outside the state of Florida or the location of the property may change from time to time.

(5) All the forms adopted and incorporated by reference in this rule may be obtained from: Administrator, Florida Hurricane Catastrophe Fund, Paragon Strategic Solutions Inc., 8200 Tower, 5600 West 83rd Street, Suite, 1100, Minneapolis, MN 55437.

Rulemaking Authority 215.555(3) FS. Law Implemented 215.555(2), (3), (4), (5), (6), (7) FS. History—New 9-20-99, Amended 7-3-00, 9-17-01, 7-17-02, 7-2-03, 7-29-04, 7-17-05, 7-6-06, 7-17-07, 6-16-08, 8-2-09, 7-8-10, 7-3-11, 6-25-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Jack E. Nicholson, FHCF Chief Operating Officer, State Board of Administration of Florida

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Trustees of the State Board of Administration of Florida

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 20, 2012, Vol. 38, No. 95

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

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

PURPOSE AND EFFECT: To adopt the newest version of the licensing applications and inspection forms.

SUMMARY: Amends effective dates to adopt current version of applications for public food service establishment license, mobile food dispensing vehicle license with plan review, mobile food dispensing vehicle plan review, and the lodging and food service inspection reports.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

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 economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 509.032, 509.241 FS.

LAW IMPLEMENTED: 213.0535, 509.032, 509.221, 509.241, 509.242, 509.251, 509.261, 559.79 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: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133, Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.002 Licensing and Inspection Requirements.

(1) No change.

(2) To apply for licensure, an applicant must submit the appropriate application and the required fee, pursuant to Section 509.251, F.S., and Rule 61C-1.008, F.A.C., to the division. Any license fee received by the division is non-refundable once the establishment commences operation.

(a) License Applications.

1. No change.

2. No change.

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

a. DBPR HR-7007, APPLICATION FOR PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02629>), incorporated herein by reference and effective ~~November 1 October 15~~, 2012.

b. No change.

c. DBPR HR-7031, APPLICATION FOR MOBILE FOOD DISPENSING VEHICLE LICENSE WITH PLAN REVIEW (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02630>), incorporated herein by reference and effective ~~November 1 October 15~~, 2012.

4. No change.

(b) No change.

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

(3) through (4) No change.

(5) Public food service establishments, as defined in Section 509.013(5), F.S., are licensed in accordance with the following classifications and requirements:

(a) through (b) No change.

(c) Plan Reviews.

1. No change.

2. The plans and specifications shall indicate the general operation of the establishment; the intended menu items; location of employee and public bathrooms; proposed layout, including all work, guest, and employee areas and storage facilities; construction finishes of work areas; and equipment location, design and installation, including the type of proposed fixed equipment and facilities. Plans and specifications must be submitted by the owner, prospective operator or their designated representative along with DBPR HR-7005, APPLICATION FOR PLAN REVIEW

(<https://www.flrules.org/Gateway/reference.asp?No=Ref-01864>), incorporated by reference herein and effective October 15, 2012, or DBPR HR-7030, APPLICATION FOR PUBLIC FOOD SERVICE ESTABLISHMENT LICENSE WITH PLAN REVIEW. Plans and specifications, for mobile food dispensing vehicles must be submitted by the owner, prospective operator or their designated representative along with DBPR HR-7006, MOBILE FOOD DISPENSING VEHICLE PLAN REVIEW APPLICATION (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02631>), incorporated herein by reference and effective ~~October 15, 2012~~ November 1, 2013, or DBPR HR-7031, APPLICATION FOR MOBILE FOOD DISPENSING VEHICLE LICENSE WITH PLAN REVIEW. The division shall grant or deny approval of the plans in writing pursuant to the provisions of Chapter 120, F.S.

- 3. No change.
- (d) No change.
- (6) through (7) No change.
- (8) General Inspection Requirements.
- (a) Division personnel shall inspect all public lodging establishments as often as necessary for enforcement of the provisions of law and rule and protection of the public’s health, safety and welfare. The result of each inspection shall be recorded on DBPR Form HR-5022-014, LODGING INSPECTION REPORT (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02632>), incorporated herein by reference and effective ~~January 1, 2013~~ December 3, 2009, a legible copy of which shall be provided to the operator.

(b) Division personnel shall inspect all public food service establishments and other places where food is served to or prepared for service to the public as often as necessary for enforcement of the provisions of law and rule and protection of the public’s health, safety and welfare. The result of each inspection shall be recorded on DBPR Form HR-5022-015, FOOD SERVICE INSPECTION REPORT (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02633>), incorporated herein by reference and effective ~~January 1, 2013~~ October 1, 2009, a legible copy of which shall be provided to the operator. Persons operating a public food service establishment shall permit division personnel right of entry during operating hours to observe food preparation and service, and if necessary examine records of the establishment to obtain pertinent information pertaining to food and supplies purchased, received or used.

- (c) through (d) No change.
- (9) No change.

Rulemaking Authority 509.032, 509.241 FS. Law Implemented 213.0535, 509.032, 509.221, 509.241, 509.242, 509.251, 559.79 FS. History—Amended 1-20-63, 9-19-63, 5-20-64, 2-23-66, 8-9-68, Revised 2-4-71, Amended 10-18-71, Repromulgated 12-18-74, Amended 9-1-83, 10-1-83, Formerly 7C-1.02, Amended 1-30-90, 12-31-90, 2-27-92, 6-15-92, Formerly 7C-1.002, Amended 3-31-94, 3-15-95, 10-9-95, 9-25-96, 5-11-98, 9-9-03, 1-1-13, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diann Worzalla, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 22, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 22, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-4.0161
 RULE TITLE: Mobile Food Dispensing Vehicles and Theme Park Food Carts
 PURPOSE AND EFFECT: Adopt current commissary notification form.
 SUMMARY: Amends effective date to adopt current commissary notification form and deletes instructions.
 OTHER RULES INCORPORATING THIS RULE: None.
 EFFECT ON THOSE OTHER RULES: N/A
 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 economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 509.032, 509.221 FS.
 LAW IMPLEMENTED: 509.032, 509.101, 509.211, 509.215, 509.221 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Comingore, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)488-1133; Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-4.0161 Mobile Food Dispensing Vehicles and Theme Park Food Carts.

(1) Except as otherwise specified in this rule, mobile food dispensing vehicles and theme park food carts shall comply with applicable requirements of Rules 61C-4.010 and 61C-4.023, F.A.C.

(2) Mobile food dispensing vehicles shall meet the following additional requirements:

(a) through (d) No change.

(e) The owner of each mobile food dispensing vehicle shall notify the division of each commissary they intend to utilize for support services before using the commissary by submitting DBPR HR-7022, COMMISSARY NOTIFICATION (<https://www.flrules.org/Gateway/reference.asp?No=Ref-02628>), incorporated herein by reference and effective 2012 November 2009 January 1. ~~Instructions for filling in DBPR HR 7022 are provided in DBPR HR 7022i, INSTRUCTIONS FOR COMPLETING COMMISSARY NOTIFICATION, incorporated herein by reference and effective 2009 January 1.~~

(f) through (g) No change.

(3) through (9) No change.

Rulemaking Authority 509.032, 509.221 FS. Law Implemented 509.032, 509.101, 509.211, 509.215, 509.221 FS. History—New 2-21-91, Formerly 10D-13.0291, 7C-4.0161, Amended 3-31-94, 9-25-96, 5-11-98, 7-2-98, 2-12-08, 8-12-08, 6-13-10, 11-1-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diann Worzalla, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 22, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 22, 2013

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Employee Leasing Companies

RULE NO.:	RULE TITLE:
61G7-5.005	Deficiency in Tangible Accounting and Accounting Net Worth; Guaranty Form Acceptable to Board; Sufficient Evidence of Guarantor's Adequate Resources

PURPOSE AND EFFECT: The Board proposes the rule amendment to update incorporated materials in the rule.

SUMMARY: The incorporated 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: 468.522, 468.525(3)(d) FS.

LAW IMPLEMENTED: 468.525(3) 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: Richard Morrison, Executive Director, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G7-5.005 Deficiency in Tangible Accounting and Accounting Net Worth; Guaranty Form Acceptable to Board; Sufficient Evidence of Guarantor's Adequate Resources.

(1) When an applicant chooses to have a guaranty to offset any deficiency in tangible accounting net worth regarding an initial application, accounting net worth or working capital regarding a renewal application, such guaranty shall be made on Form DBPR EL 4505, entitled "Board Approved Guaranty Form," effective ~~03/2013 3-18-04~~, which is incorporated herein by reference and available from the Board at 1940 North Monroe Street, Tallahassee, Florida 32399-0750 and from its Website located at <http://www.myflorida.com/dbpr/pro/emplo/forms.html>, or from the website located at <https://www.flrules.org/Gateway/reference.asp?No=Ref-00508>. Such guaranty shall be irrevocable until such time that the deficiency causing the guaranty has been corrected, as demonstrated by the applicant's annual financial statement, meeting the requirements of either Rule 61G7-5.0031, F.A.C.

or Rule 61G7-5.0032, F.A.C., or until a new guaranty has been submitted and found acceptable by the Board to replace the previously submitted guaranty.

(2) through (3) No change.

Rulemaking Authority 468.522, 468.525(3)(d) FS. Law Implemented 468.525(3) FS. History—New 9-6-93, Amended 5-29-94, 5-26-96, 9-5-04, 6-8-08, 8-16-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Employee Leasing Companies
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Employee Leasing Companies
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 29, 2012
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 25, 2013

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-51.006
RULE TITLE: Rule Governing Licensure and Inspection of Electrology Facilities

PURPOSE AND EFFECT: The Board proposes the rule amendment to comply with Section 456.0635, F.S.

SUMMARY: The incorporated application form will be revised in order to comply with Section 456.0635, F.S.

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: 456.037, 478.43(1), (4), 478.51(3) FS.

LAW IMPLEMENTED: 456.037(2), (3), (5), 478.49, 478.51 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: Allen Hall, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-51.006 Rule Governing Licensure and Inspection of Electrology Facilities.

- (1) No change.
- (2) Electrology Facility Licensure.
 - (a) No change.

(b) To obtain the license, the applicant shall provide information to the Department as required by this rule on a form provided by the Department and approved and incorporated herein by reference by the Board as Form DH-MQA 1213, ~~11/09~~, entitled "Application for Electrolysis Facility Licensure," effective 3/13 ~~11/09~~, which can be obtained from the Department Council at The Florida Department of Health, Electrolysis Council, Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3256, and is available on the web at: <http://www.doh.state.fl.us/mqa>. The applicant must pay a \$100 application fee, which is nonrefundable, \$100 inspection fee, \$100 licensure fee and a \$5.00 unlicensed activity fee.

- (3) through (7) No change.

Rulemaking Authority 456.037, 478.43(1), (4), 478.51(3) FS. Law Implemented 456.037(2), (3), (5), 478.49, 478.51 FS. History—New 11-16-93, Formerly 61F6-76.006, Amended 5-11-95, 6-26-96, Formerly 59R-51.006, Amended 12-23-97, 12-22-98, 2-17-00, 3-25-01, 4-8-02, 6-16-03, 7-29-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Electrolysis Council
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 15, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 12, 2013

Section III
Notices of Changes, Corrections and
Withdrawals

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-14.0572
RULE TITLE: Safety Issues in Courses Offered by Florida College System Institutions

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 28, February 11, 2013 issue of the Florida Administrative Register has been withdrawn.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-14.0581 RULE TITLE: Sponsorship of Athletic Activities

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 26, February 7, 2013 issue of the Florida Administrative Register has been withdrawn.

**Section IV
Emergency Rules**

NONE

**Section V
Petitions and Dispositions Regarding Rule
Variance or Waiver**

DEPARTMENT OF LAW ENFORCEMENT

Criminal Justice Standards and Training Commission

RULE NO.: 11B-35.003: Basic Recruit Training Programs for Law Enforcement, Correctional, and Correctional Probation Auxiliary Training

NOTICE IS HEREBY GIVEN that on April 29, 2013, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-35.003(4), F.A.C., by Scot Hollingsworth. Petitioner wishes to waive that portion of the rule which requires an officer to take and pass high liability courses as part of the basic recruit curriculum in order to become a certified full-time law enforcement officer.

Petitioner believes that his employment as a reserve deputy holding auxiliary law enforcement certification at the Hillsborough County Sheriff’s Office has more than prepared him at a high level for dealing with all aspects of the high liability courses. He wishes to have his attendance at these courses waived in favor of his achievements as a reserve deputy. Petitioner requests a one-year waiver to begin September 1, 2013.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, or by telephoning (850)410-7676.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-4.018: International Medical Graduates; Qualification Requirements

NOTICE IS HEREBY GIVEN that on April 29, 2013, the Board of Medicine, received a petition for waiver or variance filed by Gurpaul Brar, M.D., from Rule 64B8-4.018, F.A.C., with regard to the requirement for core clerkships. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allison M. Dudley, J.D., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-4.009: Applications

NOTICE IS HEREBY GIVEN that on April 18, 2013, the Board of Medicine, received a petition for waiver filed by Jose Santiago, M.D., from Rules 64B8-1.007 and 64B8-4.009, F.A.C., with regard to the requirement for submission of the AMA profile for the medical licensure application. Comments on this petition should be filed with the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allison M. Dudley, J.D., Executive Director, Board of Medicine, at the above address, or telephone (850)245-4131.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing hereby gives notice that on April 20, 2013, it received a Petition for Variance or Waiver filed by Renee Williams. The petition seeks the agency's approval to waive the renewal fee due April 30, 2013. The Board will address this petition at its next meeting.

Comments on this petition should be filed with the Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

The Department of Agriculture and Consumer Services announces a public meeting to which all persons are invited.

DATE AND TIME: May 22, 2013, 1:30 p.m. – 3:00 p.m.

PLACE: Ocala Hilton, 3600 SE 36th Avenue, Ocala, FL 34474

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This is a meeting of the Florida Propane Gas Education, Safety and Research Council and representatives of the Florida Dept. of Agriculture and Consumer Services to discuss and review council programs and budget issues.

A copy of the agenda may be obtained by contacting: Tianna Baity, Bureau of LP Gas Inspection at (850)921-1600.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Ms. Lisa Bassett (850)921-1600. 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: Lisa M. Bassett, Chief, Bureau of LP Gas Inspection, 3125 Conner Blvd., Ste E., Tallahassee, FL 32399-1650, (850)921-1600.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

The Citrus Research and Development Foundation, Inc. acting as the Advisory Council for the Citrus Research Marketing Order announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, June 13, 2013, 1:30 p.m. (Eastern Daylight Time)

PLACE: Hyatt Regency Coconut Point, 5001 Coconut Road, Bonita Springs, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

General meeting to discuss and set the assessment rate for the upcoming 2013-2014 season.

Those desiring to participate may conference by dialing 1(800)615-2900 and entering participant code 393338# when prompted to connect to the meeting.

A copy of the agenda may be obtained by contacting: Diane Johnson at (863)956-8817 or djohnson@citrusrdf.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Diane Johnson at (863)956-8817 or djohnson@citrusrdf.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Diane Johnson at (863)956-8817 or djohnson@citrusrdf.org.

DEPARTMENT OF EDUCATION

Florida's Office of Early Learning

The Office of Early Learning announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, May 22, 2013, 9:30 a.m. – 3:30 p.m. (EST) or until business is concluded.

PLACE: Office of Early Learning, Powerball Conference Room, Lottery Building, 250 Marriott Drive, Tallahassee, Florida 32399 or Call-in number: 1(888)670-3525, Participant passcode: 639 343 7979 then #

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2014-2015 Child Care Development Fund (CCDF) Plan.

An opportunity for individuals and organizations to provide comments on specific items contained in the proposed 2014-2015 CCDF Plan.

The draft 2014-2015 CCDF Plan will be available May 2, 2013, on the Office of Early Learning website at http://www.floridaeearlylearning.com/OEL_SysDev_CCDF.html.

As part of the State Plan preparation process, federal law, Child Care Development Block Grant Act (CCDBG and CCDF regulations [CCDBG 658E; 45 CFR 98.16]) requires the lead agency to convene a public hearing to provide an opportunity for the public to comment on the provision of child care services and quality improvement activities under the plan before it is submitted to the federal government. The public will have an opportunity to indicate support, opposition, suggested changes, additions, or deletions pertaining to specific items. Please offer constructive solutions in your statement and reference the section number, heading, and page number in each comment.

A copy of the agenda may be obtained by contacting: Toshiba Griffin, (850)717-8626 or Toshiba.Griffin@OEL.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 seven days before the workshop/meeting by contacting: Toshiba Griffin, Early Learning Programs Coordinator, 250 Marriott Drive, Tallahassee, FL 32399,

Telephone (850)717-8626. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: May 14, 2013, 9:30 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366, and 367, F.S.

Persons who may be affected by Commission action on certain items on the conference agenda may be allowed to address the Commission, either informally or by oral argument, when those items are taken up for discussion at the conference, pursuant to Rules 25-22.0021 and 25-22.0022, F.A.C.

The Florida Public Service Commission Conference's Notice, Agenda, related documents, and contact information may be obtained from www.floridapsc.com.

Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*Changes to this notice will be published at the earliest practicable time on the Commission's Web site.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: May 15, 2013, 9:30 a.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

Internal Affairs Agendas and Florida Public Service Commission's contact information may be obtained from www.floridapsc.com.

Persons needing ADA accommodation to participate should contact the FPSC at least five days prior to the conference via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD) Florida Relay Service.

*Changes to this notice will be published at the earliest practicable time on the Commission's Web site.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Bay Area Resource Council (BARC) announces a public meeting to which all persons are invited.

DATES AND TIMES: BARC TAC, May 22, 2013, 1:00 p.m.; BARC, May 22, 2013, 2:30 p.m.

PLACE: West Florida Regional Planning Council, 4081 E. Olive Rd, Suite A, Pensacola, Florida 32514

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Bay Area Resource Council.

A copy of the agenda may be obtained by contacting: Mike Reistad, West Florida Regional Planning Council, michael.reistad@wfrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Mike Reistad, West Florida Regional Planning Council, michael.reistad@wfrpc.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Mike Reistad, West Florida Regional Planning Council, michael.reistad@wfrpc.org.

REGIONAL PLANNING COUNCILS

Withlacoochee Regional Planning Council

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

DATE AND TIME: WRPC Board of Directors, Thursday, May 16, 2013, 7:00 p.m.

PLACE: Withlacoochee Regional Planning Council, 1241 S. W. 10th Street, Ocala, FL 34471-0323

GENERAL SUBJECT MATTER TO BE CONSIDERED: The WRPC Board of Directors will meet to conduct the regular business of the Council.

A copy of the agenda may be obtained by contacting: the Executive Director, Withlacoochee Regional Planning Council at 1241 S. W. 10th Street, Ocala, FL 34471-0323 or website – wrpc.cc.

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.

REGIONAL PLANNING COUNCILS

Central Florida Regional Planning Council

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

DATE AND TIME: May 16, 2013, 9:30 a.m.

PLACE: Hardee County Health Department, 115 K.D. Revell Road, Wauchula, FL 33873

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular quarterly meeting of the Local Emergency Planning Committee (LEPC) and/or its subcommittees, to discuss the provision of the Emergency Planning Community Right-to-Know Program. Also, items pertaining to the State Emergency Response Commission (SERC) may be discussed.

A copy of the agenda may be obtained by contacting: Chuck Carter at ccarter@cfrpc.org or (863)534-7130, ext. 107.

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.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District, Projects and Land Committee announces a public meeting to which all persons are invited

DATE AND TIME: Monday, May 13, 2013, 10:00 a.m., Projects and Land Committee site visit.

PLACE: Starting location: Wekiwa Spring State Park, 1800 Wekiwa Circle, Apopka, FL 32712. Phone: (407)884-2008. The location of the site visit may be changed due to inclement weather or other unforeseen circumstances. Notice of such change will be available by contacting: St. Johns River Water Management District, Attention: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, via email at hbarnes@sjrwmd.com or by phone at (386)329-4347 or (386)937-9717.

Website & map location viewable at: <http://www.floridastateparks.org/wekiwasprings/default.cfm>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Issues of interest in the Wekiva springshed, Wekiwa Spring, Wekiva River, Rock Spring, St. Johns River and Blue Spring.

A copy of the agenda may be obtained by contacting: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, via email at hbarnes@sjrwmd.com, by phone at (386)329-4347, by visiting the District's website at www.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, 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: Heather Barnes, 4049 Reid Street, Palatka, FL 32177, via email at hbarnes@sjrwmd.com, by phone at (386)329-4347.

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, May 14, 2013, 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, 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.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2013, 10:00 a.m.

Governing Board Meeting – Joint Workshop Tour of Rookery Bay with the Big Cypress Basin Board

PLACE: Rookery Bay National Estuarine Research Reserve, Boat Dock, 300 Tower Road, Naples, FL 34113

The Governing Board may take official action at the meetings on any item appearing on the agenda and on any item that is added to the agenda as a result of a change to the agenda approved by the presiding officer of the meeting pursuant to Section 120.525, Florida Statutes.

GENERAL SUBJECT MATTER TO BE CONSIDERED: SFWMD Governing Board and the Big Cypress Basin Board will tour Rookery Bay.

A copy of the agenda may be obtained by contacting: Jacki McGorty, (561)682-2087 or at <https://www.sfwmd.gov>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Jacki McGorty, (561)682-2087. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Jacki McGorty at (561)682-2087 or jmcgorty@sfwmd.gov.

Members of the public interested in attending the workshop/tour should contact Reagan Walker at (561)682-6262 or Jacki McGorty at (561)682-2087 for additional information.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Cosmetology

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

DATE AND TIME: May 28, 2013, 3:00 p.m.

PLACE: Conference Call: 1(888)670-3525, Participant Code: 8492079683#

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Board of Cosmetology, 1940 N. Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: May 10, 2013, 9:00 a.m.

PLACE: Marathon Government Center, Board Meeting Room, 2798 Overseas Highway, Marathon, FL 33050

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to update the members of the Canal Restoration Advisory Subcommittee on the progress of ongoing projects and to discuss future actions. The meeting is opened to the public.

A copy of the agenda may be obtained by contacting: Gus Rios, Department of Environmental Protection, 2796 Overseas Highway, Suite 221, Marathon, FL 33050, (305)289-7081, gus.rios@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Gus Rios, Department of Environmental Protection, 2796 Overseas Highway, Suite 221, Marathon, FL 33050, (305)289-7081, gus.rios@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).

DEPARTMENT OF HEALTH

The Department of Health announces a telephone conference call to which all persons are invited.

DATE AND TIME: Cancelled for Wednesday, May 1, 2013, 2:00p.m., Eastern Time

PLACE: Call-in toll-free number: 1(888)670-3525 (US),
Attendee access code: 277 680 0919

WEB-EX:

<https://suncom.webex.com/suncom/j.php?ED=178473782&UID=492507417&RT=MiMxMQ%3D%3D>; Meeting Number: 643 577 474

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This meeting published on 4/23/2013 is Cancelled.

Healthy Start Subject Matter Expert Workgroup Meeting

For more information, you may contact: Carol Scoggins, Bureau of Family Health Services, (850)245-4444, ext. 4103 or email: Carol_Scoggins@doh.state.fl.us.

DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: May 8, 2013, 10:30 a.m.

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

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

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

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

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-9.001: General

64E-9.002: Definitions

64E-9.003: Forms

64E-9.0035: Exemptions

64E-9.004: Operational Requirements

64E-9.005: Construction Plan or Modification Plan Approval

64E-9.006: Construction Plan Approval Standards

64E-9.007: Recirculation and Treatment System Requirements

64E-9.008: Supervision and Safety

64E-9.009: Wading Pools

64E-9.010: Spa Pools

64E-9.011: Water Recreation Attractions and Specialized Pools

64E-9.013: Bathing Places

64E-9.015: Fee Schedule

64E-9.016: Variances

64E-9.017: Enforcement

64E-9.018: Public Pool Service Technician Certification

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

DATES AND TIMES: May 9, 2013, 9:30 a.m.; July 10, 2013, 9:30 a.m.; September 12, 2013, 9:30 a.m.; November 14, 2013, 9:30 a.m.

PLACE: All meetings will be held at: Conference Room N101, North Tower, 1st Floor, Hurston Building, 400 West Robinson Street, Orlando, Florida 32801

GENERAL SUBJECT MATTER TO BE CONSIDERED: These are meetings of the Chapter 64E-9, FAC, Public Swimming Pool and Bathing Places Advisory Review Board Members. The purpose of these meetings will be for the board to make recommendations to the department for agency action on public pool variance requests and other technical issues.

A copy of the agenda may be obtained by contacting: Robert S. Pryor, Public Pool Engineering, Department of Health, Water and Onsite Sewage Section, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710. Telephone (850)245-4444, Ext. *2369.

Pursuant to the provisions of 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: Robert S. Pryor, Public Pool Engineering, Department of Health, Water and Onsite Sewage Section, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710. Telephone (850)245-4444, Ext. *2369. 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: Robert S. Pryor, Public Pool Engineering, Department of Health, Water and Onsite Sewage Section, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710. Telephone (850)245-4444, Ext. *2369.

NORTH FLORIDA BROADBAND AUTHORITY

The North Florida Broadband Authority announces a public meeting to which all persons are invited.

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

PLACE: Town of Cross City, City Hall, Council Meeting Room, 99NE 210th Avenue, Cross City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will address general policy and operational matters of the NFBA.

A copy of the agenda may be obtained by contacting: www.nfba.net 48 hours prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Springfield Law, P.A. at (352) 371-9909. 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.

NORTHWOOD SHARED RESOURCE CENTER

The Northwood Shared Resource Center (NSRC) Finance and Auditing Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 10, 2013, 9:00 a.m. – 11:00 a.m., Meeting has been CANCELLED

PLACE: Department of Juvenile Justice, Knight Building CR 1134, 2737 Centerview Drive, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting has been CANCELLED.

A copy of the agenda may be obtained by contacting: Jane Geier, jane.geier@nsrc.myflorida.com, (850)487-9442.

Pursuant to the provisions of 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: Jane Geier, jane.geier@nsrc.myflorida.com, (850)487-9442. 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: Jane Geier, jane.geier@nsrc.myflorida.com, (850)487-9442.

ENTERPRISE FLORIDA, INC.

The Enterprise Florida, Inc. and the Florida Defense Support Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, May 16, 2013, 9:00 a.m. CST – 11:00 a.m. CST

PLACE: La Quinta Inn & Suites, 7115 Coastal Palms Blvd., Panama City Beach, FL 32408

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting will discuss on-going issues, developing issues and other matters.

A copy of the agenda may be obtained by contacting: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Donna Cucinella, (850)878-4566, dcucinella@eflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Bruce Grant, (850)878-0826, bgrant@eflorida.com.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Allen Gezelman, P.E. The petition seeks the agency's opinion as to the applicability of Section R4402.11.3.5, Florida Building Code, Residential (2010) as it applies to the petitioner.

Petitioner seeks clarification as to whether Section R4402.11.3.5, Florida Building Code, Residential (2010) applies to solar thermal collector condensate lines for a hot water design project within the HVHZ.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: Mo Madani, Planning Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399.

April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

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

HILLSBOROUGH COUNTY AVIATION AUTHORITY
HCAA RFQ 13-411-020 Taxiway J Bridge Reconstruction
HILLSBOROUGH COUNTY AVIATION AUTHORITY
(AUTHORITY)

Request for Qualifications
Solicitation Number 13-411-020
Project Number 5895 14

Sealed qualifications for the Taxiway J Bridge Reconstruction will be received from Design-Build firms by the Authority at Tampa International Airport Offices located at 4160 George J. Bean Parkway, Suite 2400, Administrative Building, Second Level, Red Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampairport.com, Airport Business, Active Solicitations on Wednesday, May 8, 2013 by 5:00 p.m.

HILLSBOROUGH COUNTY AVIATION AUTHORITY
HCAA RFQ eALP

HILLSBOROUGH COUNTY AVIATION AUTHORITY
(AUTHORITY)

Request for Qualifications
Solicitation Number 13-411-024
Project Number 5885 13

Sealed qualifications for the eALP will be received from consulting firms by the Authority at Tampa International Airport Offices located at 4160 George J. Bean Parkway, Suite 2400, Administrative Building, Second Level, Red Side, Tampa, Florida 33607.

Solicitation documents and detailed requirements will be available on the Tampa International Airport website at www.tampairport.com, Airport Business, Active Solicitations on Wednesday May 1, 2013, by 5:00 p.m.

Section XII
Miscellaneous

DEPARTMENT OF STATE
Division of Historical Resources
Bureau of Historic Preservation

2015 Small Matching Historic Preservation Grants
Formal Solicitation for Applications
May 1, 2013 – June 30, 2013

The purpose of this notice is to formally announce that the Florida Department of State is currently soliciting applications for Small Matching Grant-in-Aid assistance for historic

preservation projects. Project's must be associated with Historic Preservation in Florida and must meet guidelines under 1A-39, Florida Administrative Code.

The solicitation period begins May 1, 2013, and extends through June 30, 2013. A preview of the online application will be available at flheritage.com/grants and submissions of the application will be accepted beginning May 1, 2013. Applications must be submitted online by 11:59 p.m. on June 30, 2013. Application attachments must be delivered to the Bureau of Historic Preservation, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250 no later than 5:00 p.m., June 30, 2013, OR be clearly postmarked on or before June 30, 2013, OR show evidence of submission to an express mail service on or before June 30, 2013. Arrangements for the submission of paper applications may be made by calling the Bureau at (850)245-6333 or toll free at 1(800)847-7278.

GRANT PERIOD

If awarded, all grants will begin July 1, 2014 and expire June 30, 2015.

FUNDS AVAILABLE

State-Funded Small Grant Applications:

Funding availability will depend upon legislative appropriation during the 2014 Legislative Session. Recommended grant awards will not exceed \$50,000.00, except in cases of Special Projects as specifically described herein.

Federally-Funded CLG Small Grant Applications:

Further, it is projected that at least \$118,250 will be made available for Certified Local Government (CLG) program grants for conducting survey and planning, community education, and registration projects. These funds will be comprised of the required 10% of Florida's 2013 Federal Historic Preservation Fund apportionment, and will be available only to those local governments that are already CLG-certified or meet the requirements of item (d) below. Applicants are not required to provide match for these CLG applications. A list of currently designated CLGs may be viewed [here](#).

WHO IS ELIGIBLE TO APPLY

Eligible applicants include:

- (a) Departments or agencies of the State of Florida (including state universities);
- (b) Units of county, municipal or other local governments;
- (c) Any Florida not-for-profit corporation, institution, or organization; and
- (d) Certified Local Governments or any local government that has received such certification by June 30, 2013.

Non-secular organizations are eligible to apply for grant-in-aid assistance. However, eligible development activities involving non-secular properties are limited to work on the exterior of the property and only those interior activities that are essential to the preservation of the structural integrity of the property.

PROJECTS ELIGIBLE FOR FUNDING

Small Matching grant funds will be available to support both Acquisition & Development and Protection & Education activities.

Acquisition & Development projects include acquisition, preservation, protection, restoration, rehabilitation and stabilization of historical and archaeological properties; also the investigation of archaeological sites, the taking of photographs, the preparation of measured drawings and such other records as are necessary to record historical and archaeological sites and properties threatened with damage or destruction; and planning for eligible Acquisition & Development activities, such as the preparation of plans and specifications.

Protection & Education projects include survey and evaluation of historical and archaeological properties; preparation of data for and the actual listing or registering of historical and archaeological properties in the Florida Master Site File or the National Register of Historic Places; preparation of long-range historic preservation and management plans for historical and archaeological properties; development of automated information systems to facilitate the recording of property data or to facilitate the management of information on other subjects pertaining to historic preservation; community education and community relations projects promoting the preservation of historical and archaeological properties in general; research to study the effectiveness and results of historic preservation programs, methods and techniques; research of historical documents for the purpose of documenting and evaluating the significance of historical and archaeological properties; and use of staff or a private consultant hired through appropriate procurement standards to organize a Certified Local Government program or its components.

NON-MATCHING SPECIAL PROJECTS

Small Matching grant funds will also be made available to support the following Non-Matching Special Projects. These projects do not require a match. The Grant Review Panels reserve the right to decline to recommend funding for any applications in these areas if, in the judgment of the Bureau and the Panel, the goals of these areas would not be sufficiently met. The following Non-Matching Special Projects are of statewide significance, and if recommended by the panel and

the Secretary of State, will receive top rankings in the 2015 Historic Preservation Small-Matching Grants Recommended List that will be submitted to the Legislature.

1. Inventory of Archaeological Sites and Past Archaeological Investigations in St. Augustine

Special consideration will be given to applications for the inventory of archaeological sites and archaeological investigations within the St. Augustine “Walled City/Town Plan.” The boundaries of this area are roughly those of the St. Augustine National Register of Historic Places District. A maximum of \$75,000 will be available for this project. If the project can be done for a lesser amount, this is encouraged. Multiple applications may compete to determine the best and the most cost-effective project. Though St. Augustine has been the subject archaeological investigation for many years, the Florida Department of State has limited information recorded in the Florida Master Site File (FMSF) concerning the location of the city’s archaeological sites. This project will include only research and proper recording of all known archaeological investigations, including archaeological survey, testing, and excavation taking place prior to January 1, 2015. The outcome of the project will be a complete record of past archaeological investigations within St. Augustine as described above; **the grant shall not include new archaeological investigations or any new ground disturbance.**

Special attention should be given to past archaeological investigations within the “Colonial Quarter” area and to other state-owned properties in St. Augustine. Due to the nature and scope of this project, it is expected that the applicant, if funded, will hire a Cultural Resource Management consultant to complete the project, rather than planning this as an in-house project. In addition to working closely with the Division of Historical Resources and the FMSF, this project will require consultation with the City of St. Augustine, the University of Florida, archaeologists that have worked within St. Augustine, and other informants that may assist in this documentation project. This project will compile all available archaeological information and submit it to the FMSF so that it may become part of the state’s archaeological inventory. Work will include completion of survey report data with Survey Log Sheets and completion of FMSF forms for all known archaeological sites within St. Augustine. Information on archaeological investigations performed should include the year, Principal Investigator and site number in addition to other details of the investigations. Decisions about where site boundaries begin and end should be determined by the consultant in close consultation with the FMSF. In some cases, sites may be found to overlap; should an array of single component sites within St. Augustine not be feasible, multi-component site forms shall be prepared.

Product **deliverables** required for the St. Augustine “Walled City/Town Plan” project area as described above are as follows: 1) both electronic and hard copies of FMSF forms for all known archaeological sites; 2) applicable archaeological survey or excavation reports/documentation complete with Site File Survey Log Sheets OR Archaeological Site Forms as directed by the FMSF; 3) one electronic copy of project GIS data including a site boundary layer for recorded archaeological sites and a layer detailing the boundaries of surveyed and excavated areas; 4) one electronic copy of a color overlay map depicting all recorded archaeological sites and all archaeological investigations performed prior to January 1, 2015; and 5) a Process Paper approximately 5-10 pages in length, which discusses the consultant’s methods of researching and recording information during this project. The Process Paper will be given a manuscript number and will become part of the FMSF.

2. Phase II of the production of two full-color booklets, Florida Historic Golf Trail Guide and Florida Historic Golf Trail Travel Guide

A maximum of \$50,000 will be available for this project. Multiple applications may compete to determine the best and the most cost-effective project. In addition to a historical overview of the impact and influence of Golf in Florida, the hard-copy booklet will include a listing and map of selected publicly accessible historic golf courses by region and county; sidebars of special interest; and biographies of significant individuals associated with golf in Florida. The preceding Phase I of the project will be accomplished internally by the Department of State, Division of Historical Resources, prior to July 1, 2014 (and prior to Phase II grant funding). Phase I work accomplished by the Division of Historical Resources will include: historical research, information gathering from active historic golf courses; gathering of photographic materials, and content writing. If completed, the Division will make Phase I research available as an online resource prior to Phase II funding.

This grant project for Phase II of the Florida Historic Golf Trail (FHGT) will include additional photographic selections and copyright permissions, creation of an electronic and printable statewide map showing publically accessible golf sites/courses, graphic design, layout, printing, and delivery of at least 20,000 copies the completed booklet to the Department of State, as well as delivery of a digital format for use on the Department of State website and for use in future printing.

The FHGT Guide hard-copy booklet produced by this grant will be similar in content and design of preceding issues in the Florida Heritage Trail series as developed by the Division of Historical Resources, such as Florida Native American Heritage Trail, Florida World War II Heritage Trail, Florida Women’s Heritage Trail, Florida Black Heritage Trail, and the

Florida Civil War Heritage Trail. For copies of these booklets, please contact the Division of Historical Resources at 1(800)847-7278. Electronic versions of several of the Heritage Trails are available at flheritage.com/preservation/trails. Content shall include but not be limited to a background essay on the overall history of golf in Florida; listing and description of the roughly 50 public golf courses still in use in Florida, organized by region and county; and sidebars of special interest golf courses and related historical sites and biographies of individuals significant to the development of golf in Florida. The proposal shall include a methodology for the selection of sites and coordination with the Division of Historical Resources on these selections. The proposal shall include cost estimates for development, design and delivery of a minimum of 20,000 printed copies of the full color final product, as well as delivery of an identical digital format for use on the Department of State website.

In addition, the awardee will be responsible for the graphic design, layout, printing, and delivery of a sampling of approximately 2,000 copies of the second completed full-color booklet to the Department of State, as well as delivery of a digital format for use on the Department of State website and for use in future printing. The FHGT Travel Guide shall have the same look as the booklet described in the above paragraph. The FHGT Travel Guide will be produced as a flip book style format similar to a golf scorecard/yardage book; approximately 5 by 8 inches, so that the guide will easily fit into an average golf bag. All products shall be developed in close consultation with the Division of Historical Resources.

3. Full production of the full-color booklet, Florida Seminole War Heritage Trail Guide

A maximum of \$50,000 will be available to produce a Seminole War Heritage Trail booklet. Multiple applications may compete to determine the best and the most cost-effective project. The content and design of the publication will follow the layout of the Florida Department of State's Florida Heritage Trail publication series as developed by the Division of Historical Resources, such as Florida Native American Heritage Trail, Florida World War II Heritage Trail, Florida Women's Heritage Trail, Florida Black Heritage Trail, and the Florida Civil War Heritage Trail. For copies of these booklets, please contact the Division of Historical Resources at 1(800)847-7278. Electronic versions of several of the Heritage Trails are available at flheritage.com/preservation/trails. The grantee shall be responsible for writing and compiling all content, which shall include but not be limited to a background essay on the overall history of the Seminole Wars in Florida; listing and description of approximately 50 or more publicly accessible sites organized by region and county; and sidebars of special interest sites and biographies of significant individuals. The grant application shall include a methodology for the selection of sites, as well as a plan for coordination with

the Division of Historical Resources on these selections. The proposal shall include cost estimates for research, development, design, printing and delivery of a minimum of 15,000 printed copies of the full-color final product, as well as delivery of an identical digital format for use on the Department of State website and for use in future printing. The product shall be developed in close consultation with the Division of Historical Resources.

4. Florida Main Street Program

Newly selected Florida Main Street communities will be eligible for non-matching Main Street "start-up" grants of \$10,000.

GENERAL PRIORITIES – Historic Preservation

The goal of the Bureau is to locate, identify and protect the significant historic properties of the state as rapidly as possible to provide a basis for effective preservation planning throughout the state. Applications for all types of eligible projects will be judged on their merits, in accordance with the application evaluation criteria outlined in Chapter 1A-39, Florida Administrative Code ("Division of Historical Resources Grants Programs"). Projects shall be compatible with the following priorities:

A. Survey Priorities

1. Surveys to identify, evaluate and document historic properties and archaeological sites associated with Florida's minority heritage.
2. Surveys of broad areas where no previous surveys have been undertaken.
3. Surveys located in areas subject to intensive development pressure.
4. Surveys designed to complete comprehensive coverage of areas in which partial surveys have been made.
5. Surveys that address historic themes not covered or under-represented in previous surveys.

B. Registration (National Register) Priorities

1. Registration of historical resources identified by previous survey activity.
2. Registration of properties of national significance, and not previously listed in the National Register.
3. Registration of properties of statewide or local significance, and not previously listed in the National Register.

C. Planning Priorities

1. Development of historic preservation elements (or historic preservation components of coastal management, future land use or housing elements) of Local Government Comprehensive Plans.

2. Development of plans for informing the public as to the economic and other benefits of preserving historical resources.
3. Development of protection tools, such as local ordinances.
4. Implementation of automated information systems to facilitate the recording of site data or information on other historic preservation subjects.

D. Community Education Priorities

1. Historic preservation education programs for school children.
2. Projects having to do with minority historic preservation.
3. General publications about preservation.
4. Self-guided tours of historic areas.

E. Acquisition and Development Priorities

1. Assistance for stabilization or other appropriate preservation treatments for properties which are in imminent danger of being lost due to physical deterioration or planned development.
2. Assistance in the development of plans for the restoration or rehabilitation of properties, particularly those that will be placed in public use.
3. Assistance in the restoration and rehabilitation of properties for which appropriate preservation planning is complete or well underway, particularly those which will be placed in public use.
4. Assistance for restoration or rehabilitation projects which will yield technical innovations which will have application in other projects.

SPECIAL CONSIDERATION

Priority ranking during the Acquisition and Development review will be given to projects whose objective is in accordance with the first priority for Acquisition and Development projects: The stabilization or other appropriate preservation treatments for properties which are in imminent danger of being lost due to physical deterioration or planned development.

MATCH REQUIREMENTS AND PROJECT SUPPORT

Applications submitted by local governments and not-for-profit organizations for projects located in Rural Economic Development Initiative (REDI)-designated communities are eligible to request a waiver of all matching requirements as per S. 288.06561, Florida Statutes. Please visit florida-redi.com to view a list of all currently-designated REDI communities.

In addition to REDI applications, Non-Matching Special Projects and CLG applications do not require matching contributions from applicants. All other applications require a

1:1, equivalent match. That is, grant funds will be given to support up to 50% of the cost of an eligible project, with the other 50% provided by the grant recipient (grantee) in the form of cash match or match in the form of allowable in-kind services and materials with a specified cash value. The required match must include a minimum cash match contribution of 25%. In valuing in-kind and donated services, please be sure to use a value that reflects a typical fair market value you would pay if you were purchasing such services. All match contributions must occur during the July 1, 2014 – June 30, 2015 grant period. Any expenditures or donations made prior to the grant period are not allowable match contributions. Further, in computing grant match, please note that, while direct administrative and project management costs for conducting grant activities may be considered allowable, indirect administrative charges or overhead are not allowable as match and are not reimbursable grant expenditures.

It is important that the applicant document support for the project for which funding is requested. Several letters of support, endorsements, resolutions, and other documentation evidencing local, regional or statewide support for the project contribute significantly to the application review.

APPLICATION REVIEW AND PROJECT SELECTION

All eligible applications will be evaluated on a competitive basis by Grant Review Panels appointed by the Secretary of State in public meetings scheduled for **August 14-16, 2013**.

The Grant Review Panels will prioritize all applications and recommend a level of funding (full or partial) for each project. In accordance with the Government Performance and Accountability Act of 1994, the Division of Historical Resources is mandated to increase the number of historic and archaeological properties protected or preserved for public use.

Please note that many projects may not be recommended for the full amount requested; rather, the Grant Review Panel members may recommend an amount intended as a significant contribution to the project. Final project selection will be made by the Department of State and will depend heavily upon the Grant Review Panels' recommendations.

Projects selected for grant awards will be announced by July 1, 2015. Grant award agreements will be forwarded to grantees by July 1, 2015. No work begun before July 1, 2014, will be eligible for grant reimbursement.

HOW-TO-APPLY and GRANT APPLICATION REVIEW WEBINARS

Applicants are strongly encouraged to attend a free **How-to-Apply webinar** presented by Division Grants Staff, currently scheduled for **Monday, May 13, 2013 from 1:00**

a.m. to 2:30 a.m., EST. Applicants may receive updated information and an agenda, and register for the webinar at flheritage.com/grants beginning May 1, 2013. The webinar will provide an overview of the Small Matching Grants Program, a review of the Online Grant Application including application attachments and signature pages, and a discussion of the requirements for submission of the application. The webinar will also explain the application review process and the procedures for funding the grant project proposals. A question and answer session will conclude the webinar.

Additionally, Division Grants Staff will present a **Grant Panelist Orientation Webinar** to the members of the Grant Review Panels. The webinar is free and open to members of the public; it is used for technical instruction on how the panelists can use the online scoring system, rather than project discussion and decision making. The webinar will provide a Power Point presentation on the application review process, a review of the application attachments, a demonstration of the Online Review System and review of a sample application. Other topics to be covered include evaluation criteria, applicant administrative capability, meeting procedures, conflict of interest, staff recommendations, and the voting and ranking procedures. The webinar will conclude with a question and answer session. Information about the webinar and registration will be posted at flheritage.com/grants not later than June 1, 2013.

ADDITIONAL INFORMATION

If you have any questions regarding proposed projects or the application process, please contact Grants staff at 1(800)847-7278 (PAST) or (850)245-6333 or BHPgrants@DOS.MyFlorida.com.

Please visit flheritage.com/grants for more information on the grants program and to begin the application process.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Halo Auto Sports, LLC, for the establishment of OREI lsv line

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Oreion Motors, LLC, intends to allow the establishment of Halo Auto Sports, LLC, as a dealership for the sale of low-speed vehicles manufactured by Oreion Motors, LLC (line-make OREI) at 501 16th Street North, St. Petersburg, (Pinellas County), Florida 33705, on or after May 31, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Halo Auto Sports, LLC, are dealer operator(s): Heather Craig, 535 21st Avenue Northeast, St. Petersburg, Florida 33704; principal investor(s): Heather Craig, 535 21st Avenue Northeast, St. Petersburg, Florida 33704.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Roseanne Knox, Oreion Motors LLC, 702 Carmony Lane Northeast, Albuquerque, New Mexico 87107.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Jaguar Power Sports, LLC, for the DAIX line-make

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Pacific Rim International West, Inc., intends to allow the establishment of Jaguar Power Sports, LLC, as a dealership for the sale of motorcycles manufactured by Huzhou Daixi Zhenhua Technology Trade Co. Ltd. (line-make DAIX) at 4680 Blanding Boulevard, Jacksonville, (Duval County), Florida, 32210, on or after May 31, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Jaguar Power Sports, LLC, are dealer operator(s): Shaun Jackrel, 4955 Northwest 21st Street, Gainesville, Florida 32605; principal investor(s): Shaun Jackrel, 4955 Northwest 21st Street, Gainesville, Florida 32605.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Wendy Yu, Pacific Rim International West, Inc., 2181 East Francis Street, Ontario, California 91761.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Lynch Cycles, LLC, for the establishment of HYOS mc y line

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Hyosung Motors America, Inc., intends to allow the establishment of Lynch Cycles, LLC, as a dealership for the sale of motorcycles manufactured by Hyosung (line-make HYOS) at 1404 Mayport Road, Atlantic Beach, (Duval County), Florida 32233, on or after May 31, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Lynch Cycles, LLC, are dealer operator(s): Palmer Lynch, 1404 Mayport Road, Atlantic Beach, Florida 32233; principal investor(s): Palmer Lynch, 1404 Mayport Road, Atlantic Beach, Florida 32233.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be

submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Tony Tae-in Kim, Hyosung Motors America, Inc., 5815 Brook Hollow Parkway, Suite C, Norcross, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Motorcycles Under 250cc, LLC for the ZHNG line-make

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Valley Scooters, LLC, intends to allow the establishment of Motorcycles Under 250cc, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (line-make ZHNG) at 969 Aurora Road, Melbourne, (Brevard County), Florida 32935, on or after May 31, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Motorcycles Under 250cc, LLC, are dealer operator(s): Steve Gordon, 969 Aurora Road, Melbourne, Florida 32935 and Linda M. Gordon, 969 Aurora Road, Melbourne, Florida 32935; principal investor(s): Steve Gordon, 969 Aurora Road, Melbourne, Florida 32935 and Linda M. Gordon, 969 Aurora Road, Melbourne, Florida 32935.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: John Dikov, Valley Scooters, LLC, 1687 Blythe Island Drive, Brunswick, Georgia 31523.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Performance Sound and Auto Accessories, for the establishment of BASH mcv line

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Peace Industry Group (USA), Inc., intends to allow the establishment of Performance Sound and Auto Accessories, as a dealership for the sale of motorcycles manufactured by Astronautical Bashan Motorcycle Manufacturer Co. Ltd. (line-make BASH) at 407 West Madison Street, Starke, (Bradford County), Florida 32091, on or after May 22, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Performance Sound and Auto Accessories are dealer operator(s): Danny Nugent, 407 West Madison Street, Starke, Florida 32091, principal investor(s): Danny Nugent, 407 West Madison Street, Starke, Florida 32091.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Meiredith Huang, Peace Industry Group (USA), Inc., 2640 Mountain Industrial Boulevard, Tucker, Georgia 30084.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

PMA Customs, LLC, for the establishment of VICO mcv line
Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Polaris Sales, Inc., intends to allow the establishment of PMA Customs, LLC, d/b/a Haus of Trikes and Bikes as a dealership for the sale of motorcycles manufactured by Victory (line-make VICO) at 4601 Fowler Street, Fort Myers, (Lee County), Florida 33907, on or after May 31, 2013.

The name and address of the dealer operator(s) and principal investor(s) of PMA Customs, LLC, d/b/a Haus of Trikes and Bikes are dealer operator(s): Manfred Glanzner, 1506 Argyle Drive, Ft. Myers, Florida 33919, Deborah Skrzyzniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904, Paul Skrzyzniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904; principal investor(s): Manfred Glanzner, 1506 Argyle Drive, Ft. Myers, Florida 33919, Deborah Skrzyzniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904, Paul Skrzyzniarz, 1740 Southeast 44th Street, Cape Coral, Florida 33904.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Michael W. Malone, Polaris Sales, Inc., 2100 Highway 55, Medina, Minnesota, 55340.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Pirate Coast Cycles, LLC, for the establishment of ZHNG mcycle line

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Road Rat Motors, LLC, intends to allow the establishment of Pirate Coast Cycles, LLC, as a dealership for the sale of motorcycles manufactured by Taizhou Zhongneng Motorcycle Co. Ltd. (line-make ZHNG) at 941 Country Club Boulevard, Unit A, Cape Coral, (Lee County), Florida, 33990, on or after May 31, 2013.

The name and address of the dealer operator(s) and principal investor(s) of Pirate Coast Cycles, LLC, are dealer operator(s): John W. Ottervanger, 2910 SE 5th Court, Cape Coral, Florida 33904, Fernando De Moya, 5616 Southwest 10th Avenue, Cape Coral, Florida 33914; principal investor(s): John W. Ottervanger, 2910 SE 5th Court, Cape Coral, Florida 33904, Fernando De Moya, 5616 Southwest 10th Avenue, Cape Coral, Florida 33914.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Justin Jackrel, Road Rat Motors, LLC, 7065 Northwest 22nd Street, Suite A, Gainesville, Florida 32653.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

State Revolving Fund Program

NOTICE OF AVAILABILITY

FLORIDA FINDING OF NO SIGNIFICANT IMPACT

City of Daytona Beach

The Florida Department of Environmental Protection has determined that the City of Daytona Beach's projects involving the replacement of Lift Station Number 10 and associated wastewater infrastructure improvements as well as replacement of wastewater and drinking water infrastructure along Orange Avenue will not adversely affect the environment. The total project cost is estimated at \$19,810,849 for wastewater and \$2,351,570 for drinking water. The project may qualify for State Revolving Fund loans composed of federal funds and state funds.

Public comment must be received at the address below within 30 days of this notice. A full copy of the Florida Finding of No Significant Impact can be obtained by writing to: Brian Moody, Department of Environmental Protection, State Revolving Fund Program, 2600 Blair Stone Road, MS#3505, Tallahassee, Florida 32399-2400 or calling (850)245-7546.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.: RULE TITLE:

62-4.244: Mixing Zones: Surface Waters

NOTICE OF INTENT TO GRANT VARIANCE

The Department of Environmental Protection gives notice of its intent to grant a variance under Section 403.201, F.S., from the provisions of paragraph 62-4.244(5)(c), F.A.C., to Lee County, to temporarily establish an expanded mixing zone of up to 650 meters downcurrent and 150 meters offshore for the nourishment site at Bonita Beach, and another expanded mixing zone of up to 2,500 meters downcurrent and 300 meters offshore for the nourishment site at Lover's Key, associated with Joint Coastal Permit No. 0311811-001-JC. The nourishment site on Lovers Key is located from 500 feet north of DEP Reference Monument R-215 to 500 feet south of R-220, and the nourishment site on Bonita Beach is located from 50 feet south of R-226 to R-230 on Little Hickory Island, both in Lee County. The variance is being granted because there is no practicable means known or available for the adequate control of the pollution involved. The Department's file on this matter (FDEP No. 0311811-002-BV) is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, 4708 N.W. Capital Circle, Tallahassee, Florida 32303, Telephone:

(850)488-7708 or at the Department's Internet Web site at: ftp://ftp.dep.state.fl.us/pub/ENV-PRMT/lee/pending/0311811_%20Bonita%20Beach%20and%20Lovers%20Key%20Bech%20Nourishment%20Project/

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Mediation under Section 120.573 of the F.S. is not available.

Because the administrative hearing process is designed to redetermine final agency action on the application, the filing of a petition for an administrative hearing may result in a modification of the agency action or even a denial of the application. If a sufficient petition for an administrative hearing or request for an extension of time to file a petition is timely filed, this agency action automatically becomes only proposed agency action on the application, subject to the result of the administrative review process. Accordingly, the applicant is advised not to commence construction or other activities in accordance with this variance until the deadlines noted below for filing a petition for an administrative hearing, or request for an extension of time has expired.

Under subsections 28-106.111(3) and 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, before the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. If a request is filed late, the Department may still grant it upon a motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect.

In the event that a timely and sufficient petition for an administrative hearing is filed, other persons whose substantial interests will be affected by the outcome of the administrative process have the right to petition to intervene in the proceeding. Any intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

In accordance with Rules 28-106.111(2) and 62-110.106(3)(a)(4), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than

the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition for an administrative hearing within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action; and (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action; (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301. Under Sections 120.569(2)(c) and (d), F.S., a petition for administrative hearing must be dismissed by the agency if the petition does not substantially comply with the above requirements or is untimely filed.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

This variance constitutes an order of the Department. The applicant has the right to seek judicial review of the order under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rule 9.110, Florida Rules of Appellate

Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Office of the Secretary

Florida State Clearinghouse

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. This includes Outer Continental Shelf activities and other actions subject to federal consistency review under the Florida Coastal Management Program. A list of projects, comments deadlines and the address for providing comments are available at: <http://approd.dep.state.fl.us/clearinghouse/>. For information, call (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

Final Order No. DEO-13-040

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-13-040 on April 30, 2013, in response to an application submitted by Cinnamon Bay Homeowners Association, Inc. for covenant revitalization under Chapter 720, Part III, Florida Statutes. The Department determined that the application met the statutory requirements for covenant revitalization. Accordingly, the Department's Final Order approved the application for covenant revitalization. A copy of the final order may be obtained by writing to Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or miriam.snipes@deo.myflorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

FINAL ORDER NO. DEO-13-026

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

In re: LAND DEVELOPMENT REGULATIONS
ADOPTED BY CITY OF AUBURNDALE
ORDINANCE NO. 1405

FINAL ORDER

APPROVING AUBURNDALE ORDINANCE NO. 1405

The Department of Economic Opportunity (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., approving City of Auburndale Ordinance No. 1405 (the "Ordinance") as it relates to the Green Swamp Area of Critical State Concern.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern. § 380.0551, Fla. Stat. The City of Auburndale is a local government within the Green Swamp Area.
2. The Ordinance was adopted by the City Commission of Auburndale, Florida, on February 18, 2013, and was rendered to the Department on March 19, 2013.
3. The Ordinance amends Ordinance No. 764, the City's Land Development Regulations, by amending Chapter 14, Flood Protection, to replace the City's existing regulations with the model floodplain management ordinance developed by the State of Florida and the Federal Emergency Management Agency to implement the National Flood Insurance program as provided in section 553.73(5), Fla. Stat. The Ordinance requires that floodplain and building permits include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.
5. The City of Auburndale is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat., and Rule Chapter 28-26, Fla. Admin. Code.
6. "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.
7. 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), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").
8. Ordinance No. 1405 is consistent with the Principles in Rule 28-26.003, Fla. Admin. Code, as a whole and furthers the following Principles:

- a. Minimize the adverse impacts of development on the resources of the Floridan aquifer, wetlands, and flood-detention areas.
- j. Protect the natural flow regime of drainage basins.
- k. Protect the design capacity of flood-detention areas and the water-management objectives of these areas through the maintenance of hydrologic characteristics of drainage basins.
- 9. Ordinance No. 1405 is consistent with the City of Auburndale Comprehensive Plan as a whole and furthers Future Land Use Element Policy 11.16, Wetlands, Lakes and Floodplains.

WHEREFORE, IT IS ORDERED that City of Auburndale Ordinance No. 1405 is found to be consistent with the Principles for Guiding Development for the Green Swamp 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 filed as described 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 AFTER PUBLICATION OF THIS FINAL ORDER. 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 (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 RULE 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 AFTER 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 30th day of April, 2013.

Miriam Snipes, Agency Clerk

By U.S. Mail:

The Honorable Richard Hamann, Mayor
City of Auburndale
1 Bobby Green Plaza
Auburndale, FL 33823

Shirley Lowrance, City Clerk
City of Auburndale
1 Bobby Green Plaza
Auburndale, FL 33823

Amy Palmer, AICP
Community Development Director
P. O. Box 186
Auburndale, FL 33823

By Hand Delivery or Interagency Mail:

Rebecca Jetton, Community Planning Administrator, DEO Tallahassee
Sherry A. Spiers, Assistant General Counsel, DEO Tallahassee

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
Final Order No. DEO-13-027
STATE OF FLORIDA
DEPARTMENT OF ECONOMIC OPPORTUNITY
In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY ISLAMORADA, VILLAGE OF
ISLANDS, FLORIDA, ORDINANCE NO. 13-08

FINAL ORDER
APPROVING ISLAMORADA ORDINANCE NO. 13-08

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 Islamorada, Village of Islands, Florida, Ordinance No. 13-08 (the “Ordinance”).

FINDINGS OF FACT

1. The Florida Keys Area is designated by § 380.0552, Fla. Stat., as an area of critical state concern. Islamorada, Village of Islands, is a local government within the Florida Keys Area.
2. The Ordinance was adopted by Islamorada, Village of Islands, on February 14, 2013, and rendered to the Department on March 18, 2013.
3. The Ordinance amends the Village Code of Ordinances, Chapter 30 “Land Development Regulations,” Article V “Schedule of District Use and Development Standards,” Division 7 “Off-Street Parking, Loading and Driveway Standards,” to amend and clarify driveway width requirements, establish a new optional vehicle parking space credit for boat slips that are designated as short-term boat parking under circumstances identified in the Ordinance, eliminate the off-street loading space requirement for non-residential uses less than 5,000 square feet in gross floor area, and require that driveway connections to U.S. 1 be designed in conformance with state Department of Transportation standards.

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 Principles:
 - (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without continuing the area of critical state concern designation.
 - (d) Ensuring the maximum well-being of the Florida Keys and its citizens through sound economic development.

8. The Ordinance is consistent with Policies 2-1.3.6 and 5-1.2.3 of the Islamorada, Village of Islands, Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Islamorada, Village of Islands, Ordinance No. 13-08 is found to be consistent with the Principles for Guiding Development for 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 (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 RULE 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 following persons by the methods indicated this 30th day of April, 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:

Honorable Ken Philipson
Mayor, Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Edward Koconis, Director
Planning and Development Services
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

Ariana S. Lawson
Village Clerk
Islamorada, Village of Islands
86800 Overseas Highway
Islamorada, FL 33036

By Hand Delivery or Interagency Mail:

Rebecca Jetton, ACSC Administrator, DEO Tallahassee
Sherry A. Spiers, Assistant General Counsel, DEO Tallahassee

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
FINAL ORDER NO. DEO-13-037
STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
In re: LAKE COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
LAKE COUNTY ORDINANCE NO. 2013-16

FINAL ORDER

APPROVING LAKE COUNTY ORDINANCE NO. 2013-16

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., approving Lake County Ordinance No. 2013-16 (“Ordinance”) as it relates to the Green Swamp Area of Critical State Concern.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern. § 380.0551, Fla. Stat. Lake County is a local government within the Green Swamp Area.
2. The Ordinance was adopted by the Lake County Board of County Commissioners on March 26, 2013, and was rendered to the Department on April 3, 2013.
3. The Ordinance amends the following provisions in the County’s Land Development Regulations, Lake County Code, Appendix E, regarding mining, to be consistent with the Lake County 2030 Comprehensive Plan:
 - a. Chapter II, “Definitions,” to add definitions of “borrow activities,” “borrow pit,” “improperly closed mines,” and “intermediate confining unit,” and to amend the definition of “mining activities” to include borrow pits; to change references from “mining site plan” to “mining conditional use permit,” and to change references from “operating permit” to “operating plan,” to clarify that the operating plan is the site plan, and to add a definition for “protected recharge areas”;
 - b. Chapter VI, “Resource Protection Standards,” Section 6.06.00 entitled “Mining,” to add provisions primarily related to areas and conditions where limestone and peat mining are not allowed and to address improperly closed mines;
 - c. Chapter VIII, entitled “Green Swamp,” Section 8.00.05 “Development Review Criteria,” to delete unnecessary conditions and provide that all mines must meet the requirements of Chapter VI, Section 6.06.00, on mining.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.
5. Lake County is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat., and Rule Chapter 28-26, Fla. Admin. Code.
6. “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.
7. 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), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. (“Principles”).

8. The Ordinance is consistent with the Principles in Rule 28-26.003, Fla. Admin. Code, as a whole and further the following Principles:
 - a. Minimize the adverse impacts of development on the resources of the Floridan Aquifer, wetlands, and flood-detention areas,
 - d. Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer,
 - j. Protect the normal supply of ground and surface water.
9. The Ordinance is consistent with Future Land Use Element Policies 1-4.1.5 and 1-7.5.10, and Conservation Element Policy III-3.5.2, of the Lake County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that the land development regulations in Ordinance No. 2013-16 are consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and are hereby APPROVED.

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

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ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS AFTER PUBLICATION OF THIS FINAL ORDER. 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 (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 RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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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 30th day of April, 2013.

_____/s/_____
Miriam Snipes, Agency Clerk

By U.S. Mail:

The Honorable Leslie Campione, Chairman
Lake County Board of County Commissioners
P. O. Box 7800
Tavares, FL 32778-7800

Neil Kelly, Clerk of the
Lake County Board of County Commissioners
P. O. Box 7800
Tavares, FL 32778-7800

Amye King, Director
Lake County Department of Growth Management
P. O. Box 7800
Tavares, FL 32778-7800

By Hand Delivery or Interagency Mail:

Rebecca Jetton, Community Planning Administrator, DEO Tallahassee
Sherry A. Spiers, Assistant General Counsel, 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.
