

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-210.101 Routine Mail
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that commercial photographs are not allowed to be sent as routine mail.
SUBJECT AREA TO BE ADDRESSED: Routine Mail.
RULEMAKING AUTHORITY: 944.09 FS.
LAW IMPLEMENTED: 20.315, 944.09 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: LaDawna Fleckenstein, 501 South Calhoun Street, Tallahassee, Florida 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-210.101 Routine Mail.

(1) No change.

(2) Inmates will be permitted to receive only the following types of materials through routine mail:

(a) through (b) No change.

(c) Photographs. Photographs will be counted toward the 15 page additional materials limitation. Nude photographs or photographs that reveal genitalia, buttocks, or the female breast will not be permitted. Polaroid photographs and commercial photographs will not be permitted. Commercial photographs are those produced in bulk that are not actual photographs, but are computer or printer copies usually produced for sale or purchase. Photographs will not exceed 8" x 10".

(d) through (e) No change.

(3) through (22) No change.

Rulemaking Authority 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 10-8-76, Amended 10-11-77, 4-19-79, 11-19-81, 3-12-84, 10-15-84, Formerly 33-3.04, Amended 7-8-86, 9-4-88, 3-9-89, 9-1-93, 9-30-96, 5-25-97, 6-1-97, 10-7-97, 5-10-98, Formerly 33-3.004, Amended 12-20-99, Formerly 33-602.401, Amended 12-4-02, 8-5-03, 10-27-03, 9-20-04, 3-23-08, 7-2-09, 5-9-10, 12-5-12, 4-1-13,_____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NO.: RULE TITLE:
61-24.004 Collection and Payment of Fees
PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to reduce the licensure fee and biennial renewal fee for athlete agents.
SUBJECT AREA TO BE ADDRESSED: The reduction of the licensure fee and biennial renewal fee for athlete agents.
RULEMAKING AUTHORITY: 468.457 FS.
LAW IMPLEMENTED: 215.405, 455.203, 455.2281, 455.271, 468.453, 468.4536 FS.
IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Brittany B. Griffith, Assistant General Counsel, Office of the General Counsel, 1940 North Monroe Street, Suite 42, Tallahassee, Florida 32399, (850)488-0062
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.: RULE TITLES:
64E-4.001 Registration
64E-4.002 Definitions
64E-4.011 Notification and Reports of Incidents
64E-4.015 Report to Department
PURPOSE AND EFFECT: Review this Chapter and amend rule language as necessary to ensure that all rules conform to statutory requirements, national laser safety standards, federal regulations, and the current practices and procedures for laser radiation.
SUBJECT AREA TO BE ADDRESSED: Registration; definitions; exemptions; out-of-state laser radiation sources; personnel; maximum permissible exposure; measurement & instrumentation; general requirements for safe operation; caution signs, labels and posting; notification and reports; surveys; records; forms; application procedures and requirements; federal regulations; and national recommendations and standards.

RULEMAKING AUTHORITY: 501.122 FS.
 LAW IMPLEMENTED: 501.122(2), 501.122(2)(a), (c), (d) FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Brenda Andrews, Bin C21, 4052 Bald Cypress Way, Tallahassee, FL 32399-1741, (850)245-4266, Brenda.Andrews@FLHealth.gov
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

Section II Proposed Rules

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.:	RULE TITLES:
5B-62.001	Definitions
5B-62.002	Purpose
5B-62.003	Plant Pest Declaration
5B-62.004	Manuals
5B-62.005	Forms
5B-62.006	Citrus Budwood Technical Advisory Committee
5B-62.007	Citrus Nursery Stock Certification Program
5B-62.008	Requirements for Citrus Nursery Site Approval
5B-62.009	Requirements for Citrus Nursery Sanitation
5B-62.010	Requirements for Citrus Nursery Structure
5B-62.011	Requirements for Citrus Propagation
5B-62.012	Source Trees
5B-62.013	Parent Trees
5B-62.014	Foundation Trees
5B-62.015	Scion Trees
5B-62.016	Increase Trees
5B-62.017	Source Tree Registration Certificate
5B-62.018	Procedure for Identifying and Recording Commercial Citrus Nursery Stock
5B-62.019	Inter- or Intra-Nursery Movement of Plant Material
5B-62.020	Retail Sales
5B-62.021	Requirements for Soil Pit Approval
5B-62.022	Requirements for Utility and Road Construction
5B-62.023	Stop-Sale Notice or Hold Order (DACS-08016)

5B-62.024	Release from Quarantine or Withdrawal of Stop-Sale Notice or Hold Order (DACS-08016)
5B-62.025	Fees
5B-62.026	Citrus Produced for Research Purposes
5B-62.027	Exemptions
5B-62.028	Citrus Seed
5B-62.029	Micropropagation of Citrus Rootstocks and Plants

PURPOSE AND EFFECT: The purpose of these amendments is to clarify the requirements for the propagation and delivery of citrus and closely related plants that are produced for distribution. The effect is to have up-to-date requirements that allow for the propagation of citrus and closely related genera that are free from pests and diseases and are of superior horticultural quality.

SUMMARY: The requirements for Citrus Stock Certification Program participation are established in this chapter. It is intended that there shall be no propagation of citrus nursery stock except as provided in this chapter, and it shall be unlawful to plant citrus nursery stock in Florida unless that citrus nursery stock has been propagated pursuant to this chapter.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department's economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon past experiences with citrus nursery stock certification activities and similar rules. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS.

LAW IMPLEMENTED: 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) 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 Gaskalla, Division Director, Florida Department of Agriculture and Consumer Services, Division of Plant Industry, P. O. Box 147100, Gainesville, Florida 32614-7100, (352)395-4628

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 5B-62.001 follows. See Florida Administrative Code for present text).

5B-62.001 Definitions and Purpose.

(1) For the purpose of this rule chapter, the definitions in Section 581.011, F.S., and the following definitions shall apply:

(a) African Citrus Psyllid. The insect known as African citrus psyllid, Trioza erytrae, classified in the order Hemiptera: family Psyllidae, and all of its life stages. It is a vector of citrus greening.

(b) Approved Citrus Nursery Site. A defined area which meets the certification requirements as prescribed by the Department.

(c) Approved Soil Pit. A soil source used for fill purposes, highway or road construction, or as an ingredient in plant growing or potting media which meet the Department requirements as to the absence of injurious nematodes of citrus.

(d) Asian Citrus Psyllid. The insect known as Asian citrus psyllid, Diaphorina citri, classified in the order Hemiptera: family Psyllidae and all of its life stages. It is a vector of citrus greening.

(e) Australian Citrus Dieback. A disease from Australia similar to citrus greening, but for which neither the causal organism nor the vector has been characterized and identified.

(f) Brown Citrus Aphid. Toxoptera citricida, classified in the order Hemiptera: family Aphididae, and all of its life stages.

(g) Budwood. A portion of a stem or branch with a vegetative bud(s) used in propagation for budding or grafting.

(h) Certified Citrus Nursery. A nursery which has been certified by the Department as meeting the requirements for production of citrus nursery stock free of pests of citrus.

(i) Certified Tree. A scion tree meeting all the requirements of Chapter 5B-62, F.A.C., but not yet having borne fruit or nursery trees propagated from a certified scion tree.

(j) Citrus. All members and any hybrids of the family Rutaceae, including any plants, plant parts, fruits, seeds and any other parts thereof.

(k) Citrus Blight. A root graft-transmissible disease of unknown etiology associated with xylem dysfunction which results in wilting and slow decline of trees.

(l) Citrus Canker. A bacterial disease of citrus incited by the organism *Xanthomonas campestris* subsp. *citri*.

(m) Citrus Cachexia Viroid. A graft- and mechanically-transmissible viroid incited by the organism Hop Stunt viroid in the Pospoviridae family and Hostuviroid genus. Disease symptoms include phloem deterioration and blockage in many mandarin, mandarin hybrids, Citrus macrophylla, Rangpur lime, and sweet lime. This disease causes decline, stunting, and crop reduction.

(n) Citrus Chlorotic Dwarf. A graft-transmissible disease vectored by the bayberry whitefly, *Parabemisia myricae*, classified in the order Hemiptera and family Aleyrodidae. It is a disease of the Eastern Mediterranean causing chlorotic patterns and distortion in young leaves, stunting of young trees and reduced yields in lemon, mandarin, grapefruit and to a lesser degree, sweet orange.

(o) Citrus Exocortis Viroid. The organism that incites a graft- and mechanically-transmissible pathogen in the Pospoviridae family and Pospovirid genus. Disease symptoms include tree decline, stunting of growth, scaling and shelling of the rootstock bark of Poncirus trifoliata and many P. trifoliata hybrids and Rangpur lime.

(p) Citrus Greening. A phloem-limited bacterial disease of citrus and citrus relatives incited by the organism *Candidatus Liberibacter* spp., (also known as huanglongbing or yellow dragon disease) that is vectored by *Diaphorina citri* and *Trioza erytrae*. Disease symptoms include mottled foliage, asymmetrical bitter fruit, and infected trees which become non-productive and die.

(q) Citrus Leaf Blotch Virus. Also known as Dweet Mottle, it is a wide-spread, graft-transmissible and seed-transmissible disease with no known vector. It is incited by a virus in the genus *Citrivirus* in the Betaflexiviridae. It may cause a bud-union disorder in certain varieties on specific rootstocks.

(r) Citrus Leprosis Virus. A non-systemic virus disease incited by a virus in the *Cilevirus* genus, is not currently assigned to a family, and is vectored by mites in the *Brevipalpus* genus. It is a problem in Brazil through to upper Central America. It causes a non-systemic infection in citrus with local necrotic lesions on fruit and leaves with leaf and fruit drop, twig die back and where the vector is not controlled, death of the tree.

(s) Citrus Nursery Stock Certification Program. A mandatory program administered by the Division of Plant Industry whereby registered nurserymen, or other researchers, under permit, are propagating citrus, including all dooryard, own-use and commercial plantings, are required to propagate citrus in accordance with these rules.

(t) Citrus Psorosis Virus. A graft-transmissible virus thought to also be transmitted by a soil fungus in the *Olpidium* genus. Mild psorosis A, and Severe, psorosis B, are caused by

viruses in the Ophiovirus genus in the Ophioviridae family. Symptoms include bark-scaling, internal wood staining, ringspots or irregular chlorotic patterns in the foliage; and/or eventual tree decline.

(u) Citrus Stubborn. A graft-transmissible disease that is incited by Spiroplasma citri and vectored by several species of leaf hopper (order Hemiptera: family Cicadellidae). Symptoms include buds on newly budded trees not sprouting, acorn-shaped fruit on diseased trees, small shoots and leaves, the presence of witches' brooms; and flowering out of season. It is present in California and Arizona.

(v) Citrus Sudden Death. A disease of unknown etiology thought to have an insect vector. Symptoms include rapid decline of trees budded on Rangpur lime and to a lesser extent on Volkamer lemon in Brazil.

(w) Citrus Tatter Leaf Virus. A graft- and mechanically-transmitted disease incited by a virus also called citrange stunt or apple stem grooving virus in the Capillovirus genus which is assigned to the virus family Flexiviridae. Symptoms include a severe bud-union crease, which affects trees on trifoliolate orange or trifoliolate orange hybrid rootstocks causing death of the tree.

(x) Citrus Tristeza Virus. A graft-transmissible Closterovirus in the Closteroviridae which is transmitted by aphids (primarily brown citrus aphid, Toxoptera citricida). Severe strains, as opposed to mild strains, of the virus cause severe stem pitting, seedling yellows or quick decline on sour orange rootstock, any of which can result in reduced crops or death of the trees.

(y) Citrus Variegated Chlorosis. A graft-transmissible disease incited by a strain of Xylella fastidiosa, a fastidious xylem-inhabiting bacterium which is vectored by many species of sharp shooters (order Hemiptera: family Cicadellidae). It is also seed-transmitted. It is found in Brazil and up into Central America. Affected trees are stunted with dieback and have fruit that are small and ripen early.

(z) Citrus Vein-Enation Virus. A graft-transmissible disease also called woody gall is transmitted in a persistent manner by aphid vectors including Toxoptera citricida, Myzus persicae and Aphis gossypii (order Hemiptera: family Aphididae). It is thought to be incited by a virus of unknown etiology possibly closely related to the Luteoviridae. It is widespread throughout the cooler citrus growing regions of the world and is present in California. It is symptomless in the majority of citrus cultivars and is not considered of major economic importance. Wood galls are formed on the trunks and branches of Rough and Volkamer lemons. Severe infection on these rootstocks has been reported to eventually cause tree decline.

(aa) Citrus Viroids. Viroids in the family Pospiviroidae and the genus Apscaviroid (Citrus bent leaf viroid, Citrus viroid I, Citrus viroid V), Citrus viroid III, the genus Cocaviroid (Citrus viroid IV), the genus Pospiviroid (Citrus exocortis viroid) and the genus Hostuviroid (Citrus cachexia viroid).

(bb) Citrus Yellow Mosaic Virus. A graft- and mechanically transmissible disease that is also vectored by the citrus mealybug, Planococcus citri (order Hemiptera: family Pseudococcidae). It is incited by a Badnavirus in the Caulimoviridae family. Symptoms include yellow mosaic on leaves, reduced leaf size, stunted trees and fruit with elevated green areas and depressed yellow patches. It is known to be in India.

(cc) Clone. An asexually reproduced cultivar; a group of genetically uniform plants that have been propagated vegetatively from a single original plant.

(dd) Commercial citrus grove. A solid set plantings of 40 or more citrus trees.

(ee) Commercial Citrus Nursery Stock. Citrus nursery stock to be used in or for establishing a planting of 40 or more citrus trees.

(ff) Concave Gum/Blind Pocket. Graft-transmissible or seed transmitted pathogens causing infected trees to have concavities in the trunk and main branches. The disease is found in most citrus-growing areas where it reduces yield and tree vigor.

(gg) Cooperating Agencies. The University of Florida and the United States Department of Agriculture shall be regarded as cooperating agencies.

(hh) Decline. An unknown disorder that causes citrus trees to become unthrifty and show receding vigor, and/or has a significant amount of dieback.

(ii) Dooryard Citrus Nursery Stock. Citrus plants to be used only in a residential setting or for establishing a planting of less than 40 citrus trees.

(jj) Florida Gummosis. A disease of unknown etiology characterized by bark cracks and gumming of scions. This disease is called Rio Grande gummosis in Texas and ferment gum disease in California.

(kk) Foundation Tree. A citrus tree owned and maintained by the department in accordance with Rule 5B-62.014, F.A.C., that is used to provide a source of budwood to nurserymen, primarily for establishing scion and increase trees.

(ll) Graft-Transmissible Pathogens. Disease agents spread by vegetative propagation including but not limited to budding, grafting, air-layering and cuttings. This general term includes known viruses, viroids, bacteria, spiroplasmas; and other non-identified virus-like pathogens of citrus.

(mm) Horticulturally True-To-Type. A plant which conforms to the description of a particular cultivar and which is from the same genetic line of descent as that cultivar.

(nn) Increase Trees. Specially designated nursery propagations made to rapidly multiply supplies of propagative material for citrus nursery tree production and meeting all the requirements of Rule 5B-62.016, F.A.C.

(oo) Indian Citrus Ringspot Virus. A disease of mandarin in India incited by a Mandarivirus in the Alphaflexiviridae family.

(pp) Melon Aphid. *Aphis gossypii*, classified in the order Hemiptera: family Aphididae and all of its life stages that is also known as the cotton aphid. It is a vector of citrus tristeza virus.

(qq) Micropropagated – The use of a plant part to initiate the tissue culture process.

(rr) Parent Tree. A citrus tree of unique germplasm that has met all of the requirements of Rule 5B-62.013, F.A.C. and has been registered with the Department.

(ss) Polymerase Chain Reaction (PCR). A highly sensitive laboratory test that can detect small amounts of DNA or RNA in a plant tissue sample by amplification of a specific DNA or RNA segment.

(tt) Progeny Nursery Tree. A citrus nursery tree produced from budwood from a registered source tree in accordance with instructions outlined in this rule chapter.

(uu) Propagative Material. Any live plant material used to produce nursery stock, including cuttings, budwood, seeds, seedlings, air layers and tissue culture.

(vv) Registration. The process of certifying source trees as being virus-tested and meeting the requirements of these rules, including annual renewal by notification and fee payment.

(ww) Rootstock. A plant used as the recipient understock in budding or grafting.

(xx) Satsuma Dwarf Virus. A graft- and mechanically-transmissible disease which apparently also has a non-nematode soil vector. It is incited by a Nepovirus species which is assigned to the viral family Comoviridae. Satsuma trees infected with Satsuma Dwarf Virus will display a range of leaf symptoms including narrow, boat or spoon-shaped leaves, the surfaces of which are often distorted or crinkled. A severely affected tree has poor fruit-set, its fruit are small and irregularly shaped, and tree vigor is reduced.

(yy) Scion Tree. A citrus tree grown in accordance with Rule 5B-62.015, F.A.C., from budwood taken from a registered foundation tree and registered with the Department as a source of budwood.

(zz) Seed Source Tree. A tree that is registered by a certified nursery and supplies seed for propagation that has been determined by the Department as being horticulturally true-to-type, seed-transmitted diseases as listed in Rule 5B-62.003, F.A.C., and originated from a foundation or parent tree.

(aaa) Severe Strains of Citrus Tristeza Virus. Strains of Citrus Tristeza Virus that have been identified by the Department as being harmful to citrus production in Florida.

(bbb) Source Tree. A citrus tree that has met all of the requirements as a source of budwood or propagative material, i.e., a scion tree, increase tree, foundation tree, or seed source tree.

(ccc) Tests. Standardized laboratory, biological greenhouse or field plot tests for certain graft-transmissible pathogens before trees are eligible for registration as source trees as contained in the Citrus Budwood Testing Manual, Revised 03/14, or approved by the Citrus Budwood Technical Advisory Committee.

(ddd) Witches' Broom Disease of Lime. A disease of *Citrus aurantiifolia*, small-fruited acid lime. It is found in Asia and is incited by a *Candidatus aurantifolia* phytoplasma and thought to be vectored by *Hishimonous phycitis* (order Hemiptera: family Cicadellidae).

(2) The purpose of this rule chapter is to minimize the spread of serious graft-transmissible diseases and certain other pathogens as well as nematodes of citrus by requiring all nurserymen propagating citrus to participate in a mandatory citrus nursery stock certification program. The requirements for program participation are established in this chapter. It is intended that there shall be no propagation of citrus nursery stock except as provided in this chapter; and it shall be unlawful to plant citrus nursery stock in Florida unless that citrus nursery stock has been propagated pursuant to this chapter.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.002 Purpose.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23) FS. History—New 12-26-06, Repealed _____.

(Substantial rewording of Rule 5B-62.003 follows. See Florida Administrative Code for present text).

5B-62.003 Plant Pest Declaration.

The following arthropods, nematodes, and pathogens, are declared to be plant pests and agricultural and public nuisances:

(1) Arthropods:

(a) *Trioza erytreae* – African citrus psyllid

(b) *Diaphorina citri* – Asian citrus psyllid

(c) *Toxoptera citricida* – brown citrus aphid

(d) *Aphis gossypii* – melon aphid

(a) Plant-parasitic nematodes not known to occur in Florida. The following nematodes present a serious threat to Florida's commercial citrus industry:

1. Hemicycliophora arenaria – a sheath nematode

2. Meloidogyne species – root-knot nematodes

(b) Plant – parasitic nematodes, which are known to be established in Florida. The following nematodes present a serious threat to Florida’s commercial citrus industry:

1. Radopholus similis – burrowing nematode;

2. Tylenchulus semipenetrans – a citrus nematode

3. Pratylenchus coffeae – a root-lesion nematode

(3) Pathogens:

(a) Citrus pathogens not known to occur in Florida. The following pathogens present a serious threat to Florida’s commercial citrus industry:

1. Australian citrus dieback

2. Citrus chlorotic dwarf

3. Citrus leprosis virus

4. Citrus stubborn;

5. Citrus sudden death

6. Citrus variegated chlorosis (seed-transmitted)

7. Citrus vein-enation virus

8. Citrus yellow mosaic virus

9. Indian citrus ringspot virus

10. Satsuma dwarf virus

11. Witches’ broom disease of lime

(b) Economically important endemic citrus pathogens known to occur in Florida and tested by the Citrus Budwood Registration Bureau:

1. Citrus canker

2. Citrus greening (huanglongbing)

3. Citrus leaf blotch virus (seed-transmitted)

4. Citrus psorosis virus

5. Citrus tatter leaf virus (apple stem grooving virus) (seed-transmitted)

6. Citrus viroids

7. Concave gum/blind pocket (seed-transmitted)

8. Citrus tristeza virus (severe strains)

(4) Any plant virus, viroid, plant parasitic nematode, biotype or arthropod not listed and identified as injurious to citrus.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Amended _____.

5B-62.004 Manuals.

The Florida Department of Agriculture and Consumer Services’ Division of Plant Industry The regulations, definitions, and standards in Citrus Nursery Stock Certification Procedure Manual, Revised 03/14 9/08/06, and the Florida Department of Agriculture and Consumer Services’ Division of Plant Industry Citrus Budwood Testing Manual, Revised 03/14 4/01/06 and C. N. Roistacher, Graft transmissible Diseases of Citrus Handbook for detection and diagnosis (Food and Agricultural

Organization of the United Nations, Rome, 1991), are hereby adopted as regulations and rules under the Division of Plant Industry, pursuant to Chapter 581, F.S. and incorporated by reference. Copies may be obtained by contacting the Secretary of State’s Office, Tallahassee, FL. are available from for examination at the Florida Department of Agriculture and Consumer Services, Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, FL 33881, and the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Plant Pathology Section, 1911 S.W. 34th Street, Gainesville, FL 32608-1201. The Citrus Nursery Stock Certification Procedure Manual, Revised 03/14, is available online at <http://www.flrules.org/Gateway/reference>. The Citrus Budwood Testing Manual, Revised 03/14 is available online at <http://www.flrules.org/Gateway/reference>. Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Amended _____.

5B-62.005 Forms.

(1) The following documents All forms required for compliance in the Citrus Nursery Stock Certification Program are listed below and are hereby adopted and incorporated by reference herein. These documents The following forms may be obtained by writing to or visiting the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Citrus Budwood Registration, 3027 Lake Alfred Road, Winter Haven, FL 33881-1438, or online as indicated by visiting.

(a) Form FDACS-08066, Revised 04/08, Application to Produce Citrus Nursery Stock, <http://www.flrules.org/Gateway/reference>.

(b) Form FDACS-08071, Revised 03/14, Growers Record of Registered Scion Tree Movement, <http://www.flrules.org/Gateway/reference>.

(c) Form FDACS-08072, Revised 03/14, Certificate of Source Tree Registration, <http://www.flrules.org/Gateway/reference>.

(d) Form FDACS-08111, Revised 03/14, Certification to Witness Registered Budwood, <http://flrules.org/Gateway/reference>.

(e) Form FDACS-08172, Revised 03/14, Source Tree Bud Cutting Report, <http://flrules.org/Gateway/reference>.

(f) Form FDACS-08218, Revised 05/12, Budwood Order Form, <http://www.flrules.org/Gateway/reference>.

(g) Form FDACS-08274, Revised 05/12, Application and Permit to Plant Citrus Pathogen Infected Stock, <http://www.flrules.org/Gateway/reference>.

(h) Form FDACS-08298, Revised 03/14, Parent Tree Candidate Entry Form, <http://www.flrules.org/Gateway/reference>.

~~(i) Form FDACS-08318, Revised 03/14, Research Facility Compliance Agreement, <http://www.flrules.org/Gateway/reference>.~~

~~(j) Form FDACS-08319, Revised 12/12, Citrus Budwood Bureau Invoice, <http://www.flrules.org/Gateway/reference>.~~

~~Form DACS 08066, Revised 8/06, Application to Produce Citrus Nursery Stock.~~

~~Form DACS 08172, Revised 5/06, Source Tree Bud Cutting Report.~~

~~Form DACS 08072, Revised 7/03, Certificate of Source Tree Registration.~~

~~Form DACS 08111, Revised 7/03, Certification to Witness Registered Budwood.~~

~~Form DACS 08298, Revised 8/06, Parent Tree Candidate Entry Form.~~

~~Form DACS 08071, Revised 7/03, Growers Record of Registered Scion Tree Movement.~~

~~Form DACS 08064, Revised 6/03, Statement of Charges for Annual Source Tree Registration.~~

~~Form DACS 08218, Revised 10/04, Budwood Order Form.~~

~~Form DACS 08031, Revised 7/03, Compliance Agreement—Citrus Tristeza Virus Testing Laboratory Certification.~~

~~Form DACS 08274, Revised 7/03, Application and Permit to Plant Citrus Pathogen Infected Stock.~~

~~The following forms may be obtained by writing or visiting the Florida Department of Agriculture and Consumer Services, Division of Plant Industry, Bureau of Plant and Apiary Inspection, P. O. Box 147100, Gainesville, FL 32614 7100.~~

~~Form DACS 08038, Revised 10/03, Citrus Nursery Stock Inspection Tag.~~

~~Form DACS 08016, Revised 2/10, Stop Sale Notice and Hold Order~~

~~Form DACS 08004, Revised 1/11, Application for Certificate of Registration~~

~~Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.~~

5B-62.006 Citrus Budwood Technical Advisory Committee.

The Commissioner of Agriculture shall name a Citrus Budwood Technical Advisory Committee of sixteen members selected as follows:

(1) Four members who shall be owners or employees of citrus nurseries with one representing a producer of dooryard citrus nursery stock;

(2) Four members who shall be commercial citrus fruit producers or employees of producers;

(3) Four members ~~from who shall represent~~ the Institute of Food and Agricultural Sciences of the University of Florida or the USDA Agricultural Research Service; and who shall be non-voting advisors to the committee;

(4) Four members who shall be employees of the ~~d~~Department; and who shall be non-voting advisors to the committee;

(5) Two alternate members, one who shall be from (1) and one who shall be from (2), and who shall be non-voting members to the committee, and have voting rights only on the absence of members from (1) or (2);

(6) The above appointed committee ~~shall elect a chair and may meet~~ when called by the committee chairman. This committee shall make recommendations to the ~~d~~Department on matters pertaining to this rule chapter such as germplasm introduction, nursery stock certification, testing procedures, and other Citrus Budwood Protection Program procedures. In appointing the committee, the Commissioner will select members from various geographical areas who represent a broad cross-section of the industry and impacted businesses. ~~Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (23), 570.0705, 581.031(1), (14), (17), (23) FS. History—New 12-26-06, Amended _____.~~

5B-62.007 Citrus Nursery Stock Certification Program.

(1) It shall be unlawful for any person to propagate or plant citrus nursery stock, which is not produced in accordance with the provisions of the Citrus Nursery Stock Certification Program. Participation in the Citrus Nursery Stock Certification Program shall not imply any warranty on the part of the nurserymen, the ~~d~~Department, or any employee thereof.

(2) Prior to propagating nursery stock (including dooryard, own-use and commercial citrus), nurserymen and growers shall:

(a) Register with the Division of Plant Industry by filling out ~~an Application for Certificate of Registration, Form FDACS-08004, Revised 03/14, as incorporated in according to~~ Rule 5B-2.002, F.A.C.

(b) ~~Submit an Application to Produce Citrus Nursery Stock, on Form FDACS-08066, Revised 04/08, as incorporated in Rule 5B-62.005, F.A.C. Make Application to Produce Citrus Nursery Stock.~~

(c) Applicants must ~~agree to~~ comply with all the conditions ~~that which~~ apply to the Citrus Nursery Stock Certification Program as specified in this rule chapter. ~~Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23) FS. History—New 12-26-06, Amended _____.~~

5B-62.008 Requirements for Citrus Nursery Site Approval.

(1) Citrus nursery sites must be a minimum of one mile away from commercial citrus groves and 100 feet away from plants not certified by the ~~d~~Department as being free of nematodes listed in Rule 5B-62.003, F.A.C., and free of any exterior, field or container grown plants from all genera, species, and varieties of the Rutaceous subfamilies Aurantioideae, Rutoideae, and Toddalioidae, unless specifically excluded by Rule Chapter 5B-3, F.A.C., or any other ~~the~~ rules of the ~~d~~Department. Citrus nurseries located on sites prior to April 1, 2006₂ will not be required to comply with the one mile setback from commercial citrus groves while continuously operating at the April 1, 2006₁ location. ~~Seed source trees may be kept within 100 feet of a citrus nursery site or on the nursery site until January 1, 2012 provided they are not infested with citrus canker or citrus greening and are treated to control Asian citrus psyllid.~~

(2) Sites found to be infested with nematodes listed in Rule 5B-62.003, F.A.C., will not be approved for ~~field grown or~~ in-ground production of citrus nursery stock. Citrus nursery stock may be produced on the site if grown on benches at least 18 inches above ground.

(3) The site ~~must~~ ~~nursery should~~ be well drained with no runoff from surrounding areas.

(4) The site ~~must~~ ~~should~~ have adequate parking outside the fenced facility.

(5) The site ~~must~~ ~~should~~ incorporate an area for deliveries and shipments.

(6) The site ~~must~~ ~~should~~ have an adequate water supply without using surface water for irrigation.

(7) The site ~~must~~ ~~should~~ incorporate natural or artificial windbreaks designed to that would reduce windblown wind ~~blown~~ rain.

(8) The site ~~nursery~~ must be fenced, or have a barrier of equal integrity, and all entrances must be secured.

(9) Site access must ~~shall~~ have permitted entry only through an area that incorporates decontamination areas for personnel and equipment.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.009 Requirements for Citrus Nursery Sanitation.

(1) All equipment entering or leaving the nursery must be clean of all plant material, soil and decontaminated in accordance with Department procedures using approved decontamination products as described in the Citrus Nursery Stock Certification Manual, Revised 03/14, as incorporated in Rule 5B-62.004, F.A.C.

(a) Budding knives, clippers and other cutting implements shall be sterilized between different groups of propagations using a solution of household bleach 20% by volume. Sterilization solution shall be made up fresh each day.

(b) All equipment, if possible, should be kept on site.

(2) Nursery employees who work with citrus produced outside of the ~~approved~~ structure shall not return to work within the ~~approved~~ structure until the following day.

(3)(a) Prior to entering the nursery everyone must decontaminate with an approved personal decontamination product as described in the Citrus Nursery Stock Certification Manual, Revised 03/14, and wear a clean garment ~~that should~~ be provided by the nursery. If gloves are worn, they must be disposable gloves or decontaminated each day and kept on site.

(b) All persons entering a registered citrus nursery ~~an~~ ~~approved~~ structure or soil storage area as specified in Rule 5B-62.010, F.A.C., shall walk through a sanitizing foot bath containing a decontaminant that is approved by the ~~d~~Department, such as copper sulfate or equivalent product labeled for use by the United States Environmental Protection Agency.

(4) All plants, plant parts (except seed), soil, peat, sawdust, mulch, manure or other plant-growing or potting media entering the approved site for the production of commercial citrus nursery stock must be accompanied by a ~~nematode (BN) certificate~~ letter issued by the department indicating that the product is free from burrowing nematode *Radopholus similis*.

(5)(a) All pots, cans, or other containers used to produce commercial citrus nursery stock free of nematodes of citrus must be stored in such a manner to prevent contact with the ground or contamination by flooding, rain-soil-splatter or ground water runoff.

(b) Growing containers shall be cleaned and decontaminated between crops of commercial citrus nursery stock.

~~(6) All benches approved for nematode certification for commercial citrus nursery stock must be at least 18 inches above the ground. Measurement shall be from the bottom of the bench to the ground surface. Benches shall be cleaned and decontaminated between crops.~~

~~(6)(7)~~ All nematode-certified growing or potting media used for commercial citrus nursery stock must be stored at least 18 inches above the ground or on concrete or asphalt that is above ground level and not subject to flooding or ground water runoff.

~~(7)(8)~~ Non-certified nursery stock shall not ~~cannot~~ be grown in or introduced into the same greenhouse or structure with certified citrus nursery stock.

~~(8)(9)~~ Any plant certified free of nematodes that is dropped or set on the ground no longer meets nematode ~~(BN)~~ certification and shall not be returned to the bench.

~~(9)(10)~~ Nursery records shall be made available to division inspectors for:

- (a) All chemical applications;
- (b) Nursery budding and tree movement records.

~~(10)(11)~~ It shall be the responsibility of the nurseryman to:

(a) Prevent encroachment of Rutaceae subfamilies Aurantioideae, Rutoideae, and Toddalioidae, plants, and the use of non-certified material, which would endanger the nursery site of becoming infested with injurious nematodes of citrus.

(b) Follow established sanitation procedures to prevent nematode, Diaprepes, psyllid, aphid or other common plant pest infestation of the nursery site as described in the Citrus Nursery Stock Certification Manual, Revised 03/14.

~~(11)(12)~~ Nursery areas and perimeter shall remain weed free.

~~(12)(13)~~ Approved Citrus nursery sites must be not planted within 12 months of departmental approval shall be reevaluated prior to use.

~~(13)(14)~~ Any citrus nursery stock or budwood source tree found infected or exposed to plant pest infestation shall be subject to immediate quarantine action and will not be eligible for certification until treated as prescribed by the Department and released from quarantine by the department.

Rulemaking Specific Authority 570.07(23), 581.031(1) FS. Law Implemented 581.031(6) FS. History—New 12-26-06, Amended _____.

5B-62.010 Requirements for Citrus Nursery Structure.

(1) All citrus nursery stock propagated, moved or sold after January 1, 2007 must originate from a greenhouse structure, and the site must be registered and inspected approved by the ~~d~~Department. All citrus nursery stock moved or sold after December 31, 2007, must originate from a greenhouse structure and site approved by the Department.

(2) ~~Effective January 1, 2007~~ All newly propagated commercial and dooryard citrus nursery stock and all budwood source trees must be maintained in an approved structure at an approved site as follows:

(a) ~~An approved~~ structure must have enclosed sides and tops built to exclude insects with positive pressure double-door entries. Sides and roofs shall at a minimum exclude melon aphids.

(b) If cooling pads and fans are used, they must be enclosed with insect screen that will allow for adequate air displacement.

(c) If the integrity of the structure is compromised or breached, the citrus nursery stock shall be subject to immediate quarantine action and will not be eligible for certification until released from quarantine treated as prescribed by the

~~d~~Department, and released from quarantine. Pest monitoring tools such as yellow sticky traps or other detection devices for plant feeding insects should be used by the nursery and may be used by the Department to evaluate the integrity of the structure.

~~(d)~~ Dooryard citrus nursery stock maintained in containers larger than seven inches in diameter may be kept in an enclosed screenhouse designed to deter citrus psyllids.

~~(d)(e)~~ Citrus nursery stock may be moved from one approved structure into another approved structure on the same approved site provided the plants are in the process of being actively relocated and are not subjected via open air exposure to citrus pests and diseases covered.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23) FS. History—New 12-26-06, Amended _____.

5B-62.011 Requirements for Citrus Propagation.

Commercial and dooryard citrus nursery stock shall be propagated according to the following provisions unless for research purposes as provided exempted in Rule 5B-62.026 5B-62.016, F.A.C.

(1) Propagative material including budwood, air-layers, cuttings and all topworking material must be from source trees produced or grown in accordance with Rule 5B-62.012, F.A.C.; and for which a Certificate of Source Tree Registration ~~(DACS-08072)~~ has been issued as specified in Rule 5B-62.017, F.A.C.

(2) Budwood must be taken under the direct supervision of a witness authorized by the ~~d~~Department via a Certification To Witness Registered Budwood, FDACS 08111, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C. Budwood from each source tree shall be wrapped separately. Each bundle shall be labeled showing variety, the tree identification number, and the number of buds counted or estimated.

(3) All propagative material data including topworking must be recorded on a Source Tree Bud Cutting Report, ~~(FDACS-08172, Revised 03/14,)~~ as incorporated in Rule 5B-62.005, F.A.C., and submitted to the Bureau of Citrus Budwood Registration at the time of collection. Persons authorized to fill out a Source Tree Bud Cutting Report, ~~(FDACS-08172, Revised 03/14,)~~ must shall sign a Certification To Witness Registered Budwood ~~form, FDACS-08111, Revised 03/14.~~

(4) Propagations from each source tree shall be maintained in nursery rows or on greenhouse benches so that each group can be traced back to an individual source tree. Nurserymen shall use permanent tags to label each separate group of propagations with the source tree registration number.

(5) All citrus nursery stock and propagative plant parts shall remain within the approved structure at all times or be moved under protective cover.

(6) Topworking must be done using registered or certified budwood grown within a structure as described in the Citrus

Nursery Stock Certification Manual, Revised 03/14, as incorporated in Rule 5B-62.004, F.A.C. Topworked trees cannot be moved after budding. Topworking must comply with (1)-(3) above, all other propagation must comply with (1)-(5) above.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.012 Source Trees.

Source trees shall be registered on a Certificate of Source Tree Registration, ~~(FDACS-08072, Revised 03/14,)~~ as incorporated in Rule 5B-62.005, ~~specified in Rule 5B-62.017, F.A.C.,~~ and must meet the following requirements:

(1) Budwood used to propagate source trees shall be taken under the direct supervision of the ~~d~~Department and shall be reported on a Source Tree Bud Cutting Report, FDACS-08172, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C. ~~Form Source Tree Bud Cutting Report.~~

(2) The source trees shall be budded on nursery rootstocks which have not previously had a bud inserted in them, ~~except that, if~~ re-budding is necessary, buds from the same registered source tree as the original shall be used.

(3) The nurseryman shall furnish the Bureau of Citrus Budwood Registration the Budding Record Location portion on the Source Tree Bud Cutting Report, Form (FDACS-08172, Revised 03/14, Source Tree Bud Cutting Report, within 30 days following date of budding. The Budding Record Location on the Source Tree Bud Cutting Report shall identify the location in the nursery of the progeny trees.

(4) The source trees shall have at no time shown symptoms of graft-transmissible pathogens or other diseases listed in Rule 5B-62.003, F.A.C.;

(5)(a) Parent and scion source trees shall have tested negatively for severe strains of citrus tristeza virus, citrus greening, citrus viroids, citrus leaf blotch virus, psorosis virus, and citrus tatter leaf virus, by the ~~d~~Department ~~at its expense and discretion,~~ and shall be apparently free, based on ~~an annual~~ visual inspections, from Florida gummosis, citrus blight, decline, ~~leprosis,~~ evidence of unacceptable bud mutation, citrus canker, citrus greening and other quarantinable pests.

(b) Source trees meeting the specifications of increase trees will not be individually tested and shall meet the additional requirements of Rule 5B-62.016, F.A.C.

(c) Seed source trees must meet the requirements of Rule 5B-62.028, F.A.C., and be tested and found free of citrus leaf blotch virus and citrus tatter leaf virus. Seed source trees not originating from registered stock must enter the parent tree testing program and be tested and found free of seed transmissible pathogens listed in Rule 5B-62.003, F.A.C.

~~(6)(a)~~ Source trees shall be grown under protective cover as specified in Rule 5B-62.010, F.A.C.

~~(b) Seed source trees are exempt from being grown under protective cover; however, to be propagated they must be grown under cover. Seed source trees must be free of seed-transmissible diseases listed in Rule 5B-62.003, F.A.C.~~

(7) Source trees meeting all the above requirements will be certified sources of budwood and shall have a Certificate of Source Tree Registration, ~~(FDACS-08072, Revised 03/14,)~~ as specified in Rule 5B-62.017, F.A.C., issued. For increase trees, the Source Tree Bud Cutting Report, FDACS-08172, Revised 03/14, must be used.

(8) Source trees meeting all the above requirements and originated from program registered parent clones shall be registered sources of budwood upon being inspected for fruit trueness-to-type.

(a) Increase trees are not required to produce fruit to become registered.

(b) Scion trees that have not fruited may be used as certified sources of budwood to propagate certified nursery trees.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.013 Parent Trees.

Parent trees are selected as unique germplasm, ~~mature trees~~ belonging to a nurseryman, grower, or researcher, or on property that the owner has given written permission to a nurseryman and the ~~d~~Department for access for observation and testing. At the time of entry into the Citrus Nursery Stock Certification Program, the owner shall sign a Parent Tree Candidate Entry Form, ~~(FDACS-08298, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C.~~

(1) Prospective parent trees. As a prerequisite to entry into the program, the person entering the parent tree for consideration must provide a brief history or background of the selection that includes the location of the tree from which the testing material is taken from an authorized representative of the Department must have visually inspected the prospective parent tree selected by the nurseryman, grower, or researcher.

~~(2) The parent tree shall be free of recognizable symptoms of graft transmissible pathogens based on the initial visual inspection; apparently free from Florida gummosis, citrus blight, citrus canker, citrus greening, decline, leprosis, evidence of unacceptable bud mutation, and other quarantinable pests or diseases.~~

~~(2)(3)~~ The parent tree should be exceptional, distinctive, or unique in regards to its vigor, fruit, disease resistance, or any other characteristic that would make it of value to cultivate shall be vigorous, productive, and horticulturally true to type and shall have borne fruit.

~~(3)(4) Prospective parent trees of exceptional horticultural value that are found to be infected with one or more graft-transmissible pathogens can be subjected to shoot-tip grafting or other acceptable techniques to eliminate graft-transmissible pathogens provided this is done under the supervision of the department. Plants that are shoot-tip grafted shall be retested for the graft-transmissible pathogen detected, subject to all other registration requirements, and if shoot-tip grafted by the department, made available for distribution to all interested nurserymen and growers if approved by the owner. The parent tree shall have tested negatively for all disease listed in Rule 5B-62.003, F.A.C.~~

~~(4)(5) The parent tree or shoot-tip graft shall have tested negative for all the endemic diseases listed in Rule 5B-62.003(b), F.A.C. All trees propagated for testing in the Department's facilities shall become property of the Department.~~

~~(5)(6) All trees propagated for testing in the department's facilities shall become property of the department. Prospective parent trees of exceptional horticultural value that are found to be infected with one or more graft-transmissible pathogens can be subjected to shoot tip grafting or other acceptable techniques to eliminate graft-transmissible pathogens provided this is done under the supervision of the Department. Plants that are shoot-tip grafted shall be retested for the graft-transmissible pathogen detected, subject to all other registration requirements, and if shoot tip grafted by the Department, made available for distribution to all other registration requirements, and if shoot tip grafted by the Department, made available for distribution to all interested nurserymen and growers if approved by the owner.~~

~~(6)(7) Parent trees will not be used for a source of propagating material; rather the tested registered propagation from the parent tree or shoot-tip graft will be the source material of the parent tree clone to be used to establish foundation or scion trees.~~

~~Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History--New 12-26-06, Amended _____.~~

5B-62.014 Foundation Trees.

Foundation trees belong to the Florida Department of Agriculture and Consumer Services and are kept in secure greenhouse facilities for budwood cutting and distribution to citrus nurseries. It shall be unlawful for any person to plant any genera, species, and varieties of the Rutaceous subfamilies Aurantioideae, Rutoideae, and Toddalioidae, within one mile of a foundation tree or ~~and unlawful~~ to plant a commercial citrus grove within 10 miles of a foundation tree.

(1) Foundation trees must originate from tested parent trees.

(2) Foundation trees shall be the source for all scion trees.

(3) Foundation trees shall meet all the requirements in Rule 5B-62.012, F.A.C., for source trees.

~~Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23) FS. History--New 12-26-06, Amended _____.~~

5B-62.015 Scion Trees.

Scion trees shall be propagated from foundation trees, be registered on a Certificate of Source Tree Registration, ~~(FDACS-08072, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C., as specified in Rule 5B-62.012, F.A.C.,~~ and must meet the following requirements:

(1) Scion tree planting is witnessed by the ~~d~~Department on Growers Record of Registered Scion Tree Movement, ~~Form (FDACS-08071, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C.~~

(2) Registered scion trees shall be vigorous, productive, and horticulturally true-to-type and shall have borne fruit.

(3) Scion trees on which annual registration fees are not paid shall be removed from the protected greenhouse within 30 days of the second notification of the ~~Statement of Charges for Annual Source Tree Registration (DACS-08064).~~

(4) Scion trees found infected with a pathogen shall be removed from the protected greenhouse within 10 days of notification of test results.

(5) Scion trees shall meet all the requirements in Rule 5B-62.012, F.A.C., for source trees.

~~(6) Effective January 1, 2007, All scion trees must be located in an approved structure as described in Rule 5B-62.010, F.A.C.~~

~~Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23) FS. History--New 12-26-06, Amended _____.~~

5B-62.016 Increase Trees.

Increase trees shall be identified ~~registered~~ on a Source Tree Bud Cutting Report, Registration ~~(FDACS-08172, Revised 03/14, 08072, Rev. 4/08)~~ as incorporated specified in Rule 5B-62.005 ~~5B-62.012, F.A.C., and must be provided they have been~~ propagated as follows:

(1) Budwood must have been obtained under the direct supervision of the ~~d~~Department from foundation, or scion trees.

(2) There must be a minimum vacant space of 24 inches between each clone of increase trees planted in the ground and 12 inches between each clone of plants grown on greenhouse benches (or a well-defined physical barrier between clones) with each clone individually identified.

(3) Trees propagated as increase trees under this rule chapter serve as registered sources of budwood with no testing required for a period of 36 months from budding.

(4) Nursery stock propagated from increase trees shall not serve as further sources of registered budwood.

(5) Increase trees from foundation trees used for increase budwood shall qualify for scion grove planting in accordance with Rule 5B-62.015, F.A.C.

(6) Increase trees shall meet all the requirements in Rule 5B-62.012, F.A.C., for source trees.

(7) Increase trees found infected with a pathogen shall be removed from the protected greenhouse within 10 days of notification of test results.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.017 Source Tree Registration Certificate.

(1) Source tree registration certificate. The ~~d~~Department shall keep a record of all source trees. This record shall indicate the variety, ~~clone strain~~, and age of the source trees; the owner; location of greenhouse; and location of individual trees in the greenhouse, ~~by row~~, and tree number ~~and/or~~ by identification number. ~~This information shall be included in a Certificate of Source Tree Registration (DACS 08072) to be issued by the Department.~~ Only those trees having a “Reg” (Registered) or “Cert” (Certified) in the Reg (Registered) column shall qualify for budwood cutting. This certificate shall be sent to the owner or agent of the source trees; and copies shall be filed in the office of the Bureau of Citrus Budwood Registration at 3027 Lake Alfred Road, Winter Haven, Florida 33881. When registering increase trees, the Source Tree Bud Cutting Report, FDACS-08172, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C., shall be used instead of a Certificate of Source Tree Registration, FDACS 08072, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C.

(2) Duration of registration certificate. The Certificate of Source Tree Registration, ~~(FDACS-08072, Revised 03/14,)~~ shall be valid for a period of 12 months unless revoked due to failure to meet the requirements herein or voluntary withdrawal by the participant. The Source Tree Bud Cutting Report, Registration (FDACS-08172 08072, Revised 03/14,) for increase blocks completed and filed with the Bureau of Citrus Budwood Registration shall be valid for a period of 36 months.

(3) Renewal. Source tree registration may be renewed, subject to continued eligibility, at the end of each 12 months period with the payment of a renewal fee as described in Rule 5B-62.025 5B-62.045, F.A.C.

(4) Billing. Annual source tree registration fees shall be billed annually on the Citrus Budwood Bureau Invoice, FDACS-08319, Revised 12/12, as incorporated in Rule 5B-62.005, F.A.C. Statement of Charges for Annual Source Tree Registration (DACS 08064).

(5) Cancellation. Certificate of Source Tree Registration Certificates (FDACS-08072, Revised 03/14,) will be suspended upon:

(a) The detection of citrus pest or pathogens in the source tree or a progeny of the source tree;

(b) Alteration or misuse of the registration number;

(c) Mishandling of budwood taken from source trees, or the records thereof, which may confuse the facts regarding identity of source trees or nursery stock propagated from source trees;

(d) Evidence of an unacceptable degree of bud mutation on the source or progeny trees;

(e) Evidence that source trees are being allowed to decline or become unthrifty due to neglect, disease, pest infestation; or severe weather conditions;

(f) Failure to follow proper budwood harvesting sanitation procedures;

(g) Failure to pay fees.

(6) Registration fees will not be refunded if the Certificate of Source Tree Registration, ~~(FDACS-08072, Revised 03/14,)~~ is canceled.

(7) Reinstatement. The Certificate of Source Tree Registration suspended as provided above will be reinstated when:

(a) Delinquent fees are paid;

(b) Careful examination or laboratory tests fail to disclose any evidence of the citrus pest or pathogens that cause the suspension;

(c) The source trees found to be pathogen-infected are removed from the planting;

(d) Unthrifty plantings or substandard trees are restored to a healthy condition.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.018 Procedure for Identifying and Recording Commercial Citrus Nursery Stock.

Identification and record of movement for commercial citrus nursery stock. For the benefit of the buyer, the nurseryman or grower shall identify registered nursery stock as being the progeny of registered source trees by completing the Citrus Nursery Stock Movement Report, Inspection Tag (FDACS-08038, Revised 05/12,) as incorporated in Rule 5B-2.010, F.A.C., at the time of delivery.

(1) If the nursery stock was propagated from a certified tree, the Citrus Nursery Stock Movement Report, Inspection Tag (~~FDACS-08038, Revised 05/12,~~) must contain this information and the statement that the certified source had not yet been inspected for fruiting.

(2)(a) All movements of nursery stock shall be recorded on and accompanied by a Citrus Nursery Stock Movement Report, Inspection Tag (~~FDACS-08038, Revised 05/12,~~) The Citrus Nursery Stock Movement Report, Inspection Tag (~~FDACS-08038, Revised 05/12,~~) is substantiation of the movement of citrus trees. The nurseryman or grower shall keep these records (~~FDACS-08038, Revised 05/12,~~) for a period of three years, which shall be available for examination by the ~~d~~Department.

(b) Nurserymen may print the Citrus Nursery Stock Movement Report, Inspection Tag (~~FDACS-08038, Revised 05/12,~~) on their invoices upon approval by the Division of Plant Industry.

(3) All movements of nursery stock shall also comply with all ~~d~~Department requirements pertaining to the inspection and certification as to freedom from plant pests. Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Amended _____.

5B-62.019 Inter- or Intra-Nursery Movement of Plant Material.

(1) Commercial Citrus trees cannot leave a nursery without a Citrus Nursery Stock Movement Report, Inspection Tag, Form (~~FDACS-08038, Revised 05/12,~~) as incorporated in Rule 5B-2.010, F.A.C.

(2) Liners cannot leave or enter a nursery without a Citrus Nursery Stock Movement Report, Inspection Tag, Form (~~FDACS-08038, Revised 05/12,~~).

(3) Budwood cannot leave or enter a nursery without a Source Tree Bud Cutting Report, Form (~~FDACS-08172, Revised 03/14,~~) as incorporated in Rule 5B-62.005, F.A.C.

(4) Scion trees cannot leave or enter a nursery without a Growers Record of Registered Scion Tree Movement, Form (~~FDACS-08071, Revised 3/14,~~) as incorporated in Rule 5B-62.005, F.A.C.

(5) All seed movement must be accompanied with ~~an invoice or~~ a Citrus Nursery Stock Movement Report, Inspection Tag, Form (~~FDACS-08038, Revised 05/12,~~) or an equivalent invoice that indicates the origin of the seed by seed block. Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23) FS. History–New 12-26-06, Amended _____.

5B-62.020 Retail Sales.

Retail sales of dooryard citrus nursery stock shall abide by the following:

(1) All dooryard nursery stock shall originate from greenhouse nursery sites that have produced trees according to Rules 5B- 62.007-.011, F.A.C.

(2) All citrus nursery stock maintained for retail sale, including larger landscape citrus trees, must be segregated from other nursery stock and maintained in a secure screen enclosure.

(a) Prior to entering the enclosure and upon exiting the enclosure, employees and customers must decontaminate hands, shoes and other articles coming into contact with citrus with an approved decontamination product.

(b) Retail outlets having fewer less than 250 500 citrus trees in stock or retail sales areas within a larger nursery where fewer less than 250 500 citrus trees are displayed for sale at any given time are exempt from subsection (2) provided the trees are maintained pest- and disease-free long term maintenance of dooryard trees after leaving the approved structure is regulated by an approved nursery protocol describing steps the nursery will implement to protect, chemically treat and inspect these trees.

(3) All retail citrus trees must be tagged with information to identify the variety of the root stock and scion stock and producing nursery. Each individual tree shall be identified with a slip-on label displaying the following information:

(a) The producing nursery's certificate of nursery registration number that was issued by the ~~d~~Department. It is not necessary to include the name of the producing nursery on the label.

(b) The variety name, rootstock and month and year acquired.

(4) Unsold citrus trees at a retail outlet must may not be returned to the producing nursery or placed back within the approved structure, but must be destroyed by double bagging and burial in an approved landfill. Citrus trees may be returned to the nursery in cases where delivery to the retail outlet was not possible provided they are segregated from other citrus nursery stock.

(5) Any retail citrus tree found to be infested with or exposed to the Asian citrus psyllid shall be subject to quarantine action.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History–New 12-26-06, Amended _____.

5B-62.021 Requirements for Soil Pit Approval.

(1) Upon the request of the owner of a soil pit, the ~~d~~Department ~~shall may~~ use sampling ~~or other approved methods~~ for establishing the absence or presence of nematodes of citrus. All host plants within a minimum distance of 100 feet of a proposed soil pit must be sampled and found free of any injurious nematodes of citrus as described in Rule 5B-62.003, F.A.C. ~~Distances may be increased when, in the opinion of an authorized representative, there may be a threat to the approved soil pit because of slope, drainage, standing water, and other factors that may be present.~~ Minimum distances shall be measured from the dripline of host plants and from the edge of rights-of-way of any public or private thoroughfare.

(2) The soil pit shall be at least the minimum distances specified as follows:

(a) One hundred feet maintained free of hosts from known infestations of any injurious nematodes of citrus as described in Rule 5B-62.003, F.A.C.

(b) Fifty feet maintained free of hosts from land planted or previously planted to host plants and from all rights-of-way or public thoroughfares with a negative sampling.

(3) It shall be the responsibility of the owner of an approved soil pit to maintain adequate security around the approved soil pit to prevent the entry of non-certified regulated articles.

Rulemaking Specific Authority 570.07(23), 581.031(1) FS. Law Implemented 581.031(6) FS. History—New 12-26-06, Amended _____.

5B-62.022 Requirements for Utility and Road Construction.

Road construction companies and governmental agencies building public thoroughfares or road rights-of-way through or within a distance of 50 feet of a commercial citrus grove, commercial citrus grove site, approved citrus nursery site, or approved soil pit shall only use fill dirt that has been sampled by the ~~d~~Department and found free of nematodes injurious to citrus.

Rulemaking Specific Authority 570.07(23), 581.031(1), (5) FS. Law Implemented 581.031(5) FS. History—New 12-26-06, Amended _____.

5B-62.023 Stop-Sale Notice and ~~or~~ Hold Order (~~FDACS-08016~~).

A Stop-Sale Notice and ~~or~~ Hold Order, (FDACS-08016, Revised 02/10, as incorporated by reference in Rule 5B-65.005, F.A.C.) shall be issued for the following reasons:

(1) Compromise or breach of structure.

(2) Failure to submit a Source Tree Bud Cutting Report, FDACS 08172, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C., bud cutting reports to the Bureau of Citrus Budwood Registration.

(3) Misrepresenting citrus nursery stock as being progeny of registered source trees.

(4) Misrepresenting the type of source tree from which citrus nursery stock was produced as certified trees.

(5) Mishandling of budwood or scions, citrus nursery stock, or misuse of records thereof which do not verify or substantiate the correct parentage of citrus nursery stock or source trees.

(6) Knowingly propagating budwood not meeting the requirements of this rule.

(7) Any citrus nursery stock found infected with plant pests listed in Rule 5B-62.003, F.A.C., or exposed to plant pests listed in Rule 5B-62.003, F.A.C., to such a degree that infestation is likely even if no visible symptoms are present. The presence of citrus canker or citrus greening in close proximity to a citrus nursery will not result in an automatic quarantine of the nursery provided the citrus nursery stock is in compliance with the other requirements of this rule chapter.

(8) Any budwood source tree found infected with plant pests listed in Rule 5B-62.003, F.A.C., or exposed to plant pests listed in Rule 5B-62.003, F.A.C., to such a degree that infestation is likely even if no visible symptoms are present. Budwood source trees found infested with Asian citrus psyllids will be immediately quarantined and suspended from budwood cutting.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23) FS. History—New 12-26-06, Amended _____.

5B-62.024 Release from Quarantine or Withdrawal of Stop-Sale Notice and ~~or~~ Hold Order (~~FDACS-08016~~).

(1) Trees shall be released from a Stop-Sale and ~~or~~ Hold Order, (FDACS-08016, Revised 02/10, as incorporated by reference in Rule 5B-65.005, F.A.C.) once conditions causing the Stop-Sale and ~~or~~ Hold Order (~~FDACS-08016~~) have been corrected and/or the pathogen threat has been found not to present a risk after evaluation by ~~d~~Department scientists.

(2) Risk evaluation shall be based on:

(a) ~~Length of time~~ Deficiencies existed prior to correction within the past two years.

(b) Number of past actions taken by the division within the past two years.

(c) Type of pathogen or vector of concern.

(d) Identification of pathogen or vector.

(e) Test results.

(f) Presence or absence of pathogens, vectors and hosts in the geographic area of nursery site at such distances or levels that spread of these pathogens or vectors into the nursery is either likely or not.

(g) Degree of infestation or population numbers of vectors.

(h) Chemical application records supporting appropriate use of pesticides.

(i) Destruction or treatment of infested material.

(j) Interviews with employees or customers familiar with operational procedures.

(k) The implementation of a catastrophic weather plan.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23) FS. History—New 12-26-06, Amended _____.

5B-62.025 Fees.

~~An annual source tree registration fee shall be paid as follows: Source Tree (includes seed source) \$5 per tree per year Miscellaneous fees for citrus budwood program services: division services:~~

Source Tree Registration (includes seed source)	\$5 per tree per year
Biological greenhouse testing	\$50 per test
Laboratory PCR testing	\$25 per test
Laboratory ELISA testing	\$10 per test
Annual scion tree testing	\$5 per tree
Parent tree indexing	\$200 per tree
Shoot-tip grafting	\$500 per selection
Budwood ¹	25 cents/eye, \$5.00 minimum
Cut from foundation trees	
Tip cuttings (6 inches)	\$1.00 each
Tip cuttings (6 inches)	\$2.00 each (Out-of-State)
New Division of Plant Industry releases	\$1.00/eye (first year)
Budwood shipment	\$2.00/eye, plus a \$100 processing fee (Out-of-State/Foreign)
Citrus seed	\$100 per quart
Shipping and handling fee for budwood and seed in Florida	Actual cost

~~Citrus Nursery Site Approval Fee shall include a \$50 per nematode sample plus mileage²~~

¹Requests for budwood are submitted on a Budwood Order Form, (FDACS-08218, Revised 05/12) as incorporated in Rule 5B-62.005, F.A.C.

~~Mileage shall be based on the prevailing state mileage rate.~~

(1) Fees shall be paid prior to obtaining a Certificate of Source Tree Registration, (FDACS-08072, Revised 03/14) as incorporated in Rule 5B-62.005, F.A.C., and annually thereafter on the anniversary date of the certificate.

(2) Fees not paid within 30 days of billing shall be considered past-due. A penalty of \$10.00 or 20 percent of the unpaid balance, whichever is greater, shall be assessed on all past-due fees.

(3) Cooperating research agencies whose registered citrus trees are used exclusively for planting on government property are exempt from payment of an annual registration fee for the first 100 trees.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.026 Citrus Produced for Research Purposes.

~~Citrus trees produced for research purposes shall abide by with the following requirements items and shall not be exempt from other program requirements contained in this rule chapter:~~

(1) Citrus breeding programs at the USDA or University of Florida Institute of Food and Agricultural Sciences centers will be required to meet the same requirements as registered citrus nurseries ~~have protocols approved by the Division of Plant Industry~~ for managing material from the field entering and leaving quarantine greenhouses, specifically dealing with testing for citrus tristeza virus, citrus greening and citrus canker.

(2) Source trees utilized by research agencies may remain on site provided they are maintained under protective cover as specified in Rule 5B-62.010, F.A.C.

(3) Breeding selections intended for general citrus industry release must meet all the requirements of Rule 5B-62.013, F.A.C., Parent Trees.

(4) Research facilities shall sign a Compliance Agreement – Research Facility Compliance Agreement, FDACS-08318, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C. Citrus Tristeza Virus Testing Laboratory Certification, DACS-08031.

(5) Requests to plant pathogen infected material for research projects shall be made on an Application and Permit To Plant Citrus Pathogen Infected Stock, FDACS-08274, Revised 05/12, as incorporated in Rule 5B-62.005, F.A.C.

(6) Citrus breeding programs that propagate and replant evaluation material back on the site from which the material originated without testing the material for diseases contained in Rule 5B-62.003, F.A.C., shall be replanted within 18 months of being moved from the original site. If top-worked, the buds must be top-worked directly back to the original site where the budwood source tree is located and not moved from the tree space where top-worked. Evaluation material cannot be planted in areas other than the original site without being tested for endemic vectored diseases contained in Rule 5B-62.003, F.A.C. Such evaluation material shall be propagated within a citrus nursery structure in accordance with Rule 5B-62.010, F.A.C.,

isolated from any citrus plant material intended for off-site planting.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.027 Exemptions.

(1) Retail outlets or retail sales areas having fewer less than 250 500 citrus trees in stock at any given time, are exempt from subsection 5B-62.020(2), F.A.C.

(2) The dDepartment will propagate and maintain pathogen-infected material for the purpose of testing or shoot-tip grafting. The department will also propagate and maintain citrus and citrus relatives for the purpose of rearing biological-control agents. Such plant material will be kept in enclosed structures on department-owned sites and destroyed when removed from the structure.

(3) Sites for dooryard citrus will be exempt from the nematode certification requirements.

(4) Nurseries producing citrus trees from cuttings or seed for the export trade or as boxed souvenirs shall be exempt from source tree registration as contained in Rule 5B-62.012, F.A.C., provided the cuttings come from a tree grown in a structure in accordance with Rule 5B-62.010, F.A.C., and the source tree has been tested annually and found free of citrus greening and severe strains of citrus tristeza virus. They shall not be exempt from annual testing fees.

(5) Registered tissue culture laboratories producing citrus in an approved lab environment shall be exempt from citrus nursery site approval as contained in Rule 5B-62.008, F.A.C. Tissue culture laboratories will also be exempt from the citrus nursery sanitation and structure requirements contained in Rule 5B-62.009, F.A.C., and Rule 5B-62.010, F.A.C., provided the lab environment maintains standard operating procedures to minimize the spread of serious graft-transmissible diseases and other pathogens of citrus. This exemption only applies to plantlets maintained in the laboratory environment.

(6) Sites producing host plants of citrus greening as listed paragraph 5B-63.001(5)(a), F.A.C., (including *Clausena* spp., *Murraya* spp. and *Severinia* spp.) that are not in the genera *Citrus*, *Poncirus*, and *Fortunella* including any hybrids thereof will be required to be grown in an enclosed structure designed to deter citrus psyllids. Source plants for propagation must be certified free from citrus greening by the department.

Rulemaking Specific Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New 12-26-06, Amended _____.

5B-62.028 Citrus Seed.

Citrus seed must originate from source trees that are registered on a Certificate of Source Tree Registration as specified in Rule 5B-62.017, F.A.C., and must meet the following requirements:

(1) Budwood used to propagate seed source trees must be taken under the direct supervision of the department and shall be reported on a Source Tree Bud Cutting Report, FDACS-08172, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C. The Budding Record Location on the Source Tree Bud Cutting Report must identify the location of the progeny trees in the nursery.

(2) The planting of seed source trees must be witnessed by the department using the Growers Record of Registered Scion Tree Movement, FDACS-08071, Revised 03/14, as incorporated in Rule 5B-62.005, F.A.C.

(3) Existing registered seed source trees can be top-worked to another variety provided the new variety is not similar in leaf or fruit morphology. Topworked seed source trees must comply with subsections (1) and (2) above. Topworked trees must be inspected to assure only the topworked variety is grown.

(4) New seed source trees cannot be within 300 feet of an approved greenhouse structure.

(5) Seed source trees must be inspected by the department and shall have at no time shown symptoms of seed transmissible pathogens listed in Rule 5B-62.003, F.A.C.

(6) Seed source trees must be tested and found free of citrus leaf blotch virus and citrus tatter leaf virus.

(7) Seed source trees not originating from registered stock must enter the parent tree testing program and be tested and found free of seed transmissible pathogens listed in Rule 5B-62.003, F.A.C.

(8) Seed used in commercial citrus nurseries must be treated to prevent the spread of pathogens.

(9) Seed extraction operations must be separated from any approved greenhouse structure.

(10) Seed drying must be separated from extraction areas and away from field citrus trees.

(11) Fruit rinds culled from the extraction process must be removed from the area prior to seed treatment and drying and all personnel/vehicles handling the fruit decontaminated.

(12) Nursery personnel must not enter any approved greenhouse after being involved in the extraction/treatment process, until the following day.

(13) Seed must be hot water treated at 125 degrees Fahrenheit for ten minutes, followed by dipping in 2% household bleach (sodium hypochlorite), by volume for 5 minutes. A surface fungicide must also be applied to the seed prior to storage.

(14) Small lots of seed used for research or own-use nursery are exempt from hot water treatment.

(15) Citrus seed originating outside of Florida must meet the following requirements:

(a) Citrus seed must be imported under a permit issued by the division.

(b) The source trees for seed originating outside of Florida must have tested free of seed-transmissible diseases listed in Rule 5B-62.003, F.A.C.

(c) The tests for citrus seed-transmissible diseases shall have been completed within 36 months of the seed extraction date.

Rulemaking Authority 570.07(23), 581.031(1), (3), (8), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 570.0705, 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New _____.

5B-62.029 Micropropagation of Citrus Rootstocks and Plants.

(1) The plant material for initiation of micropropagated cultures must originate from fully tested foundation material.

(a) Cultures must be re-initiated from foundation material after a maximum of 36 months.

(b) Long term source material can be established in Florida as scion source trees if they meet the conditions of Rule 5B-62.012, F.A.C., and Rule 5B-62.015, F.A.C.

(2) The plant portion micropropagated must come from non-zygotic embryos or shoots from adult plants.

(3) Material grown on contaminated media will be rejected.

(4) Antibiotics that can mask the presence of microorganisms must not be added to any media.

(5) In Florida, once plants leave culture vessels they must be maintained in approved enclosed structures.

(6) All movement reports and shipping labels must include the word, “micropropagated”.

Rulemaking Authority 570.07(23), 581.031(1), 581.1843(3), (4) FS. Law Implemented 570.07(2), (13), 581.031(1), (14), (17), (23), 581.1843(3), (4) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Gaskalla, Division Director

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 31, 2014

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Florida Forest Service

RULE NOS.: RULE TITLES:

5I-2.003 Definitions

5I-2.006 Open Burning Allowed

PURPOSE AND EFFECT: The proposed amendments to Rules 5I-2.003 and 5I-2.006, F.A.C, implement the 2013 legislative changes to Chapter 590, Florida Statutes.

SUMMARY: The changes update definitions, open burning requirements and certifications, extends the Certified Prescribed Burn Manager’s authorizations by one hour, and explains the process a burner must follow to receive Florida Forest Service Certification.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department’s economic analysis of the adverse impact or potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. As part of this analysis, the Department relied upon input from several consulting foresters who have thoroughly reviewed the rule change and have determined that there will actually be a savings to impacted entities based on the changes in the training requirements. All of the changes made, with the exception of the Certification training requirements and the extension of the daytime burn authorization by one hour, were in response to legislative changes made during the 2013 Legislative Session. Additionally, no interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 570.07, 570.548, 590.02, 590.125 FS.

LAW IMPLEMENTED: 570.07, 570.548, 590.015, 590.02, 590.11, 590.125 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: Jim Brenner, Fire Management Administrator, 3125 Conner Blvd., Suite A Room 160, Tallahassee, FL 32399-1650, Email: jim.brenner@freshfromflorida.com, Telephone: (850)681-5916

THE FULL TEXT OF THE PROPOSED RULE IS:

5I-2.003 Definitions.

(1) "Agricultural Burning" is the burning of vegetative material originating on site in conjunction with the cultivation of land, and including: gardening or horticulture, fruit growing, raising of vegetables, trees, shrubs, plants, pastures or rangeland.

(2) "Air Curtain Incinerator" is a portable or stationary combustion device that directs a plane of high velocity forced draft air through a manifold head into a pit with vertical walls in such a manner as to maintain a curtain of air over the surface of the pit and a recirculating motion of air under the curtain.

(3) "Air Pollution" is the presence in the outdoor atmosphere of any one or more substances or contaminants in quantities which are potentially harmful or injurious to human health or welfare, animal or plant life, or property, or which unreasonably interferes with the enjoyment of life or property, including outdoor recreation, unless specifically exempted by state statute.

(4) "Air Pollution Episode" means a day on which generally unhealthy air (an Air Quality Index value of 151 or greater) occurs or is forecast to occur by the Department of Environmental Protection (DEP).

(5) "Broadcast Burning" means the burning of agricultural or natural vegetation by allowing fire to move across a predetermined area of land. The term does not include the burning of vegetative debris that is piled or stacked. ~~"Certified Prescribed Burn Manager" is an individual who successfully completes the certification program of the Division as outlined in subparagraphs 5I-2.006(2)(c)1. through 5., F.A.C., and possesses a valid certification number.~~

(6) "Certified Pile Burner" is an individual who successfully completes the certification program of the Florida Forest Service as outlined in subparagraphs 5I-2.006(8)(c)1. through 3., F.A.C., and possesses a valid certification number.

(7) "Certified Pile Burning" is a pile burn conducted in accordance with a written pile burning plan by a certified pile burner.

(8) "Certified Prescribed Burn Manager" is an individual who successfully completes the certification program of the Florida Forest Service as outlined in subparagraphs 5I-2.006(2)(e)1. through 3., F.A.C., and possesses a valid certification number.

(9) "Certified prescribed burning" means prescribed burning in accordance with a written prescription conducted by a certified prescribed burn manager.

(10) "Completed" means that for:

1. Broadcast burning, no continued lateral movement of fire across the authorized area into entirely unburned fuels within the authorized area.

2. Certified pile burning or pile burning, no visible flames exist.

3. Certified pile burning or pile burning in an area designated as smoke sensitive by the Florida Forest Service, no visible flames, smoke, or emissions exist.

(11) "Contained" means that fire and smoldering exist entirely within established or natural firebreaks.

~~(6) "Certified Pile Burner" is an individual who successfully completes the certification program of the Division as outlined in subparagraphs 5I-2.006(8)(c)1. through 3., F.A.C., and possesses a valid certification number.~~

(12)(7) "Department" is the Department of Agriculture and Consumer Services.

(13)(8) "Dispersion Index" is a numerical index from 0 to infinity supplied daily by National Weather Service (NWS), that estimates the atmosphere's capacity to distribute particles and gases emitted by a wildland fire of any type. The Dispersion Index has two relative scales, one for day and one for night.

~~(9) "Division" is the Florida Forest Service.~~

(14)(10) "Excessive Visible Emissions" are air pollutants emitted in such quantity as to exceed a DEP opacity standard, as determined by a visible emissions observer certified pursuant to Rule 62-297.320, F.A.C., or reduce an observer's view to less than 100 feet.

~~(11) "Extinguished" means that no spreading flame for wildland burning or certified prescribed burning, and no visible flame, smoke or emissions for vegetative land clearing debris burning, exist.~~

(15)(12) "Fine Fuel Moisture" is the amount of moisture, usually expressed as a percentage, found in fast drying, dead fuels such as grass, leaves, draped pine needles, and very small diameter (less than 1/4 inch) twigs.

(16)(13) "Flame Length" is the distance between the flame tip and the base of the flame measured generally at the ground surface.

~~(17)~~(14) “Land Clearing Debris” is uprooted or cleared vegetation resulting from a land clearing operation including untreated wood, e.g., old fence posts, and does not include yard trash.

~~(15)~~ “~~Land Clearing Operation~~” means ~~the uprooting or clearing of vegetation in connection with construction for buildings and rights of way, land development, or mineral operations, but does not include yard trash.~~

~~(18)~~(16) “Mixing Height”, as supplied daily by the National Weather Service, is the height above the land surface in feet to which relatively vigorous mixing of the atmosphere occurs.

~~(19)~~(17) “National Weather Service Air Stagnation Advisory” is an advisory issued by the National Weather Service ~~(NOAA)~~ to caution local and regional agencies on meteorological conditions expected to persist for at least 36 hours, which are conducive to poor dispersion.

~~(20)~~(18) “Occupied Building” means any building that serves as a primary residence, meeting place, or place of business.

~~(21)~~(19) “Open Burning” means any outdoor fire or open combustion of material which produces visible emissions.

~~(22)~~(20) “Pile Burning” is any burning of silvicultural, agricultural or land clearing and tree cutting debris originating on site that has been stacked together in a round or linear (windrow) fashion. Pile burning authorized by the Florida Forest Service is a temporary procedure, which operates on the same site for 6 months or less.

~~(23)~~ “Pile Burn Plan” is a written plan establishing the method of conducting a certified pile burn.

~~(24)~~(21) “Prescribed Burning” means the application of fire, by broadcast burning in accordance with a written prescription for vegetative fuels; under specified environmental conditions while following appropriate ~~precautionary~~ measures to guard against the spread of fire beyond the that ensures public safety and that the fire is confined to a predetermined area to accomplish planned fire or land management objectives.

~~(25)~~(22) “Prescription” is a written plan establishing the conditions and method for conducting necessary criteria for starting, controlling, and extinguishing a certified prescribed burn.

~~(26)~~(23) “Relative Humidity” is the ratio, expressed as a percentage of the amount of moisture in the air, to the maximum amount of moisture the air is capable of holding under the same conditions.

~~(27)~~(24) “Refractory Lined” means any non-metallic ceramic substance that is suitable for use as structural material at high temperatures and is used in Air Curtain Incinerators.

~~(28)~~(25) “Residential Pile Burning Operation” is a pile burning operation that is conducted by a landowner or an individual contracted by the landowner for an existing or planned residential dwelling of not more than two family units. This does not include the burning of yard trash.

~~(29)~~(26) “Silviculture” is a forestry operation dealing with the establishment, development, reproduction, and care of forest flora and fauna.

~~(30)~~(27) “Smoke Sensitive Areas” are areas designated by the Florida Forest Service within which, for reasons of visibility, health or human welfare, smoke could unduly adversely impact public safety e.g., interstates, urban areas, airports, and hospitals.

~~(31)~~ “Smoldering” is the continued consumption of fuels, which may emit flames and smoke, after a fire is contained.

~~(32)~~(28) “Spreading” is continued lateral movement of the fire into unburned fuels.

~~(33)~~(29) “Sunset” is the official time the sun will set as set forth by the U. S. Naval Observatory (tables are available at National Weather Services offices).

~~(34)~~(30) “Surface Wind Speed” is wind speed in miles per hour measured 20 feet above the average local vegetation. Wind speeds supplied by the National Weather Service are “Surface Wind Speeds”.

~~(35)~~(31) “Transport Wind Speed” is a measure of the average rate, in miles per hour, of the horizontal movement of air throughout the mixing layer.

~~(36)~~(32) “Trash” means waste materials resulting from the construction, renovation or demolition of a structure, and other debris such as paper, cardboard, packing material, pharmaceuticals, cloth, glass, street sweepings, vehicle tires and other like matter. The definition does not include untreated wood, land clearing debris, tree cutting debris, or yard trash.

~~(37)~~(33) “Treated Wood” means wood coated or infused with paint, glue, filler, pentachlorophenol, creosote, tar, asphalt, chromated copper arsenate (CCA), or other wood preservatives or treatments.

~~(38)~~(34) “Tree Cutting Debris” is debris consisting of trees, tree stumps, and tree limbs resulting from a tree removal or tree trimming operation that is conducted by the homeowner or an individual contracted by the homeowner of an existing residential dwelling of not more than two family units. It does not include yard trash.

~~(39)~~(35) “Untreated Wood” means wood (including lighter pine, tree trunks, limbs and stumps, shrubs, and lumber) which is free of paint, glue, filler, pentachlorophenol, creosote, tar, asphalt, ~~chromated copper arsenate (CCA)~~, and other wood preservatives or treatments.

~~(40)(36)~~ “Windrow” means a long row of vegetative material originating on the site left to dry.

~~(41)(37)~~ “Yard Trash” (Yard Waste, Chapter 62-256, F.A.C.) means vegetative matter resulting from landscaping and yard maintenance operations and other such routine property cleanup activities. It includes materials such as leaves, shrub trimmings, grass clippings, brush, and palm fronds.

Rulemaking Authority 570.07(23), (28), 590.125(3)(e) FS. Law Implemented 570.07(28), 570.548, 590.02(1)(b), 590.125(2), (3) FS. History—New 7-1-71, Formerly 17-5, Amended 7-1-75, Formerly 5I-2.03, Amended 1-9-91, 8-9-93, 8-16-95, 10-18-99, 10-31-05, 12-16-08, _____.

5I-2.006 Open Burning Allowed.

(1) Open Burning in General. Authorization must be obtained from the Florida Forest Service (FFS) for burns relating to agriculture, silviculture and pile burning. Daytime authorizations for these types of burning are issued on the day of the burn or after 4:00 p.m. of the previous day and ignition of the burn will start at 8:00 AM Central Time or 9:00 AM Eastern Time on the day stated in the FFS authorization unless approval is given by the FFS District or Center Manager or their designee to begin the burn earlier. The ~~FFS Florida Forest Service~~ will set special requirements for all types of authorizations, (certified or non-certified), in order to protect public health and safety, including; on site inspections, restricting wind direction, limiting the burning period, within each day or to a specific number of days for those types of authorizations that allow for multiple burning days, halt or limit burning when fire danger is too high in all, or specific parts of the state, and requiring specific personnel e.g., Certified Burners and containment control equipment on site. Any authorized burn that goes out of compliance, but has not escaped the authorized area will be allowed a maximum of two hours to be brought into compliance by the person responsible. In the event that the ~~FFS Division~~ determines that there is a threat to life, public safety or property, immediate suppression action will be taken by the ~~FFS Florida Forest Service~~.

(2) Open Burning for Certified Prescribed Burn Managers (CPBM). All burning conducted under this section is related to broadcast burning for the purposes of: Silviculture, Wildlife Management, Ecological Maintenance and Restoration, and Agriculture Range and Pasture Management. Open burning authorizations under this section require the Certified Prescribed Burn Manager’s certification number be presented at the time of the request, and that a Certified Prescribed Burn Manager be on site and directly supervises the certified prescribed burn until the burn is completed, after which the Certified Prescribed Burn Manager is not required to be present for the entire burn.

(a) Prescription. A prescription for the burn must be completed prior to any ignition and a paper copy it must be on site and available for inspection by a Department representative. The prescription will contain, as a minimum, the following:

1. Stand or Site Description;
2. Map of the area to be burned;
3. Fire Breaks (External and Internal) to be Constructed or Re-Worked (Map);
- ~~4.3.~~ Minimum number of personnel and equipment types to be used on the prescribed burn;
- ~~5.4.~~ Desired weather factors, including but not limited to surface wind speed and direction, transport wind speed and direction, minimum mixing height, minimum relative humidity, maximum temperature, and the minimum fine fuel moisture;
- ~~6.5.~~ Desired fire behavior factors, such as type of burn technique, flame length, and rate of spread;
- ~~7.6.~~ The time and date the prescription was prepared;
- ~~8.7.~~ The authorization date and the time period of the authorization;
- ~~9.8.~~ An evaluation and approval of the anticipated impact of the proposed burn on related smoke sensitive areas;
- ~~10.9.~~ The signature and number of the Certified Prescribed Burn Manager.

(b) Open Burning Hours.

1. Daytime Certified Prescribed Burn Manager CPBM Authorizations will be issued for the burning to be completed two ~~conducted from 8:00 a.m. (CT) or 9:00 a.m. (ET) and the fire must discontinue spreading one hour~~ after sunset.

2. Nighttime Certified Prescribed Burn Manager CPBM Authorizations will be issued with a Dispersion Index of 6 or above for the burning to be conducted between one hour before sunset and must be completed by 8:00 a.m. (CT) or 9:00 a.m. (ET) the following day. Ignition of these fires is authorized up to midnight, however the fire can continue to spread into unburned fuels until 8:00 a.m. (CT) or 9:00 a.m. (ET) the following day. If additional time is required a new authorization (daytime) must be obtained from the ~~FFS Division~~. The ~~FFS Division~~ will issue authorizations at other times, in designated areas, when the ~~FFS Division~~ has determined that atmospheric conditions in the vicinity of the burn will allow good dispersement of emissions, and the resulting smoke from the burn will not adversely impact smoke sensitive areas, e.g., highways, hospitals and airports.

(c) A new prescription or authorization is not required for smoldering that occurs within the authorized burn area unless new ignitions are conducted by the Certified Prescribed Burn Manager.

(d) Monitoring the smoldering activity of a certified prescribed burn does not require a prescription or an additional authorization even if flames begin to spread within the authorized burn area due to ongoing smoldering.

(e)(e) Burn Manager Certification Process. Certification To become a Certified Prescribed Burn Manager is accomplished by: an individual must complete the required training and conduct a successful certification burn.

1. The Florida Certified Prescribed Burn Manager Training Course is approved by the FFS to meet the required training. It is offered in two formats: Satisfactory completion of the Florida Forest Service's Prescribed Fire Correspondence Course and direct experience in three prescribed burns prior to taking the course; or

a.2. The distance learning format is intended for experienced burners and students must meet the following criteria prior to taking the course; have obtained authorizations from the FFS and conducted a minimum of three broadcast burns in Florida or participation in five broadcast burns in Florida with recommendation from a current Certified Prescribed Burn Manager, or hold a current prescribed burner certification in another State or hold a current Prescribed Fire Burn Boss Type 2 Certification. Satisfactory completion of the Florida Forest Service's Prescribed Fire Classroom version of the Correspondence Course and a minimum of managing three prescribed burns prior to taking the course; or

b.3. The classroom format is open to individuals of all experience levels. After taking this course trainees must obtain direct experience in three broadcast burns prior to conducting a certification burn. If the student meets the criteria for the distance learning format, then the three burns after the course are not necessary. Satisfactory completion of the Florida Inter-Agency Basic Prescribed Fire Course and direct experience in three prescribed burns following successful completion of the classroom training. The burns conducted during the training do not count as part of this three burn requirement.

2.4. Certification burn process. Within three years of completing the course (either format), Applicants must submit a completed prescription for the a proposed certifying burn to their local FFS Florida Forest Service office prior to the burn for review and approval. After the prescription has been approved, and have the burn described in that prescription must be reviewed by the FFS Florida Forest Service during the burn operation. The local FFS Florida Forest Service Center/District Manager (or their designee) will recommend FFS Florida Forest Service Prescribed Burn Manager Certification to the Forest Protection Bureau upon satisfactory completion of both the prescription and the review of the actual burn required number of burns.

3.5. In order to continue to hold the FFS Florida Forest Service Prescribed Burn Manager Certification the burner must comply with paragraph 5I-2.006(2)(f), F.A.C., or Florida Forest Service Division Certification will terminate five years from the date of issue.

(f)(d) Certification Renewal. A Certified Prescribed Burn Manager must satisfy the following requirements in order to retain certification.

1. Participation in a minimum of eight hours of FFS Florida Forest Service approved training every five years relating to the subject of prescribed fire, or participation in a FFS Florida Forest Service recognized Fire Council Meeting; and

2. The Certified Prescribed Burn Manager has submitted their certification number for two completed prescribed burns in the preceding five (5) years; or

3. Participation in five (5) burns and have this documented and verified in writing to the Forest Protection Bureau's Prescribed Fire Manager of the FFS Florida Forest Service by a current Certified Prescribed Burn Manager; or

4. Retaking either the Florida Certified Prescribed Burn Manager Training Course in either format. Fire Correspondence Course or the Inter Agency Basic Prescribed Fire Course.

(g)(e) Decertification. A Certified Prescribed Burn Manager's certification shall be revoked if the Burn Manager's actions constitute violations of Florida law and agency rules which equal or exceed 15 points within any two year period using the Certified Prescribed Burn Manager Violations – Point Assessment Table, September, 2008, which is hereby adopted and incorporated by reference and is available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX> http://www.floridaforestservice.com/wildfire/wf_pdfs/CBMpoints.pdf. A decertified Burn Manager must complete the Burn Manager Certification process outlined in paragraph 5I-2.006(2)(e), F.A.C., in order to be recertified.

(3) Open Burning Non-Certified Broadcast Burners. All burning conducted under this section is related to broadcast burning of acreage not conducted as a certified prescribed burn. Authorizations for this type of burning are issued on the day of the burn or after 4:00 p.m. of the previous day.

(a) Daytime Non-Certified Authorizations will be issued for the burning to be conducted from 8:00 a.m. (CT) or 9:00 a.m. (ET) and the fire must be completed by discontinue spreading one hour before sunset.

(b) Nighttime Non-Certified Broadcast Authorizations will be issued with a Dispersion Index of 8 or above for the burning to be conducted between one hour before sunset and 8:00 a.m. (CT) or 9:00 a.m. (ET) the following morning. Ignition of these

fires is authorized up to midnight CT or ET, specific to the time zone where the fire is located; however the fire must be completed by 8:00 a.m. (CT) or 9:00 a.m. (ET) the following day. If additional time is required, a new daytime authorization must be obtained from the FFS Division.

(c) A new authorization is not required for smoldering that occurs within the authorized burn area unless new ignitions are conducted by the person named responsible in the burn authorization or a designee; and

(d) Monitoring the smoldering activity of a burn does not require an additional authorization even if flames begin to spread within the authorized burn area due to ongoing smoldering.

(4)(a) through (e) No change.

(f) The burning will not exceed 6 months on the same site from the date of the initial authorization from the FFS, unless the FFS is notified of an exemption by the Department of Environmental Protection (DEP), or unless the authorization is for agricultural citrus spot burning.

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

(c) The open burning is conducted in accordance with all provisions applicable to pile burning as set forth by the ~~FFS Florida Forest Service~~ at paragraphs 5I-2.006(4)(a), (b), (c), (d)1., and (e), F.A.C.; and

(d) The open burning is not prohibited by any local, county, or municipal rule or ordinance or the open burning is conducted in accordance with any such rule or ordinance to the extent that such rule or ordinance is stricter than the provisions of this subsection.

(6) Air Curtain Incinerator Burning. The use of an Air Curtain Incinerator is allowed for the combustion of land clearing debris, provided the incinerator has a DEP air permit or has been specifically exempted from air permitting by the DEP. If an air curtain incinerator has been exempted from air permitting by the DEP, prior authorization to use the incinerator must be obtained from the ~~FFS Florida Forest Service~~. Operation of an exempt air curtain incinerator shall be authorized provided that open burning would otherwise be allowed under this chapter and the following conditions are met:

(a) Only kerosene, diesel fuel, drip torch fuel, clean dry wood or lighted pine, virgin oil, natural gas or liquefied petroleum gas may be used to start the fire in the incinerator. The use of used oil, chemicals, gasoline, or tires to start the fire is prohibited.

(b) An air curtain incinerator must be located at least 300 feet from any occupied building and 50 feet from any wildlands, brush, combustible structure, or paved public roadway.

(c) Incinerators equipped with refractory-lined walls, shall begin charging no earlier than sunrise and must complete burning ~~end~~ no later than one hour after sunset.

(d) Incinerators not equipped with refractory lined walls ~~shall begin charging no earlier than 8:00 a.m. (CT) or 9:00 a.m. (ET) and must complete burning end~~ no later than one hour after sunset.

(6)(e) through (j) No change.

~~(k) The burning will not exceed 6 months on the same site from the date of the initial authorization from the Florida Forest Service, unless the Division is notified of an exemption by DEP.~~

~~(k)(4)~~ Exceptions to the setback requirements from occupied buildings shall be granted by the ~~FFS Florida Forest Service~~ when the applicant obtains a signed written statement from every affected resident within the setback area that waives their objections to the open burning associated with the land clearing operation and presents the statement to the ~~FFS Florida Forest Service~~ 48 hours in advance of the burning.

~~(l)(m)~~ If the owner or operator of the air curtain incinerator, by lease or other means, grants authority to operate the incinerator to a person not in the employ of the owner, the owner shall provide such person with a copy of this rule section's requirements.

(7) No change.

(8) Open Burning for Certified Pile Burners ~~(CPB)~~. All burning conducted under this section is related to pile burning in Florida regardless of the purpose. The ~~FFS Florida Forest Service~~ will issue multiple day authorizations up to three days when the Fire Readiness Level has been set to 1 or 2. Certified Pile Burners ~~CPB's~~ must comply with the hours of operation listed in paragraph 5I-2.006(8)(b), F.A.C. A three day authorization does not allow for burning past one hour after sunset each day. ~~Authorizations for this type of burning are issued on the day of the burn or after 4:00 p.m. of the previous day.~~ Open burning authorizations under this section require that the Certified Pile Burner certification number be presented at the time of the request, and that a Certified Pile Burner sign the startup log and shutdown log, indicating that the piles are properly setup and shut down, attached to the burn plan located at each site on a daily basis.

(a) Pile Burn Plan. A plan for the burn must be completed prior to any ignition and a paper copy ~~it~~ must be on site and available for inspection by a Department representative. The plan will contain, as a minimum, the following:

1. Burn location;
2. Soil type and moisture;
3. Number of personnel and equipment types to be used on the pile burn;

4. Desired weather factors, including but not limited to surface wind speed and direction, minimum relative humidity, drought index, days since rain, maximum temperature, and the dispersion index;

5. Fuel type and condition (how long has it been drying);

6. The time and date the plan was prepared;

7. The authorization date and the time period of the authorization;

8. An evaluation and approval of the anticipated impact of the proposed burn on related smoke sensitive areas;

9. Adjacent landowners to notify;

10. Special precautions;

11. The signature and number of the Certified Pile Burner.

(b) Open Burning Hours. Certified Pile Burner's authorized burns must be completed by CPB Authorizations will be issued for the burning to be conducted from 8:00 a.m. (CT) or 9:00 a.m. (ET) and the fire not have any visible flame after one hour after sunset, if the fire is in or impacting a smoke sensitive area its completion time is one hour before sunset except in smoke sensitive areas where there must be no visible emissions one hour before sunset.

(c) Pile Burner Certification Process. Certification to become a Certified Pile Burner is accomplished by:

1. Satisfactory completion of the FFS Florida Forest Service Certified Pile Burner Course, and

2. Applicants must submit a completed plan for a proposed certifying burn to their local FFS Florida Forest Service office within one year of completing the classroom training and prior to the certifying burn for review and approval. After the plan has been approved the burn described in that plan must be reviewed by the Florida Forest Service during the burn operation. The local FFS Florida Forest Service District Manager, or their designee, will recommend Florida Forest Service Pile Burner certification to the Forest Protection Bureau upon satisfactory completion of both the plan and the review of the actual burn.

3. In order to continue to hold the Florida Forest Service Pile Burner Certification the burner must comply with paragraph 5I-2.006(8)(d), F.A.C., or FFS Division Certification will terminate five years from the date of issue.

(d) Certification Renewal. A Certified Pile Burner must satisfy the following requirements in order to retain certification:

1. The Certified Pile Burner has submitted his or her certification number for five completed pile burns in the preceding five (5) years; or

2. He or she must retake the Pile Burner Certification Training Course.

(e) Decertification. A Certified Pile Burner's certification shall be revoked if the Certified Pile Burner's actions constitute violations of Florida law and agency rules which equal or exceed 15 points within any two year period using the Certified Pile Burner Violations – Point Assessment Table, September, 2008, which is hereby adopted and incorporated by reference and is available at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX> http://www.floridaforestservice.com/wildfire/wf_pdfs/CPBpoints.pdf. A decertified Pile Burner must complete the Pile Burner Certification process outlined in paragraph 5I-2.006(8)(c), F.A.C., in order to be recertified.

(9) Open Burning for Non-Certified Pile Burners. The FFS division will issue authorizations for one day only for all pile burning, except for those burning citrus. Citrus pile authorizations will be issued for up to three days. Non-Certified Pile Burners must comply with normal hours of operation listed in this section on a daily basis. A three day authorization does not allow for night time burning. Burns for Non-Certified Pile Burners must be completed by shall not begin burning before 8:00 a.m. (CT) or 9:00 a.m. (ET) and the burn shall have no visible flame one hour before sunset or anytime thereafter. In smoke sensitive areas the piles must be completed extinguished with no visible flame or emissions one hour before sunset. Authorizations for Non-Certified Pile burning are issued on the day of the burn or after 4:00 p.m. of the previous day.

(10) Recreational Open Burning. Nothing in this chapter shall be construed to prohibit the legal open burning of vegetative debris and untreated wood in a campfire, outdoor fireplace, or other contained outdoor heating or cooking device, or on cold days for warming of outdoor workers. Furthermore, nothing in this chapter shall be construed to prohibit the open burning of vegetative debris or untreated wood in a recreational or ceremonial bonfire, as long as the fire is attended at all times and is completely smothered with no visible flame, smoke or emissions extinguished with no visible emissions if the area is to be left unattended. The person or persons responsible for the recreational fire shall ensure compliance with any applicable open burning rules adopted by the FFS Florida Forest Service.

(11) Open Burning Exceptions. The Director of the FFS Florida Forest Service is authorized to grant exceptions in furtherance of public health, safety and welfare, to the open burning rules within Chapter 5I-2, F.A.C., in the event of an emergency that would require the destruction of vegetative debris or animal carcasses in the most expeditious means possible. Examples would include the burning of vegetative matter or animal carcasses resulting from an insect or disease infestation, or resulting from storm damage e.g., hurricanes or tornados.

Rulemaking Authority 570.07(23), (28), 590.125(3)(e) FS. Law Implemented 570.07(28), 570.548, 590.02(1)(b), 590.125(2), (3) FS. History—New 7-1-71, Formerly 17-5, Amended 7-1-75, Formerly 5I-2.06, Amended 1-9-91, 9-8-93, 8-16-95, 10-18-99, 10-31-05, 12-16-08,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
James R. Karels, Director, Florida Forest Service
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Adam H. Putnam,
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 23, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 4, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: RULE TITLE:
61G18-15.0025 Minimum Standards for a Mobile Veterinary Practice for Agricultural Animals

PURPOSE AND EFFECT: The proposed amendment ensures that pharmaceuticals and biologics, the efficacies of which are temperature sensitive, are stored in a fashion consistent with manufacturer's protocol when said items are utilized by Veterinarians whose practice requires the administration of same in an agricultural venue away from an established veterinary premise.

SUMMARY: Storage of pharmaceuticals and biologics.
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: 474.206, 474.215(6) FS.
LAW IMPLEMENTED: 474.215(6) 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: Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-15.0025 Minimum Standards for a Mobile Veterinary Practice for Agricultural Animals.

The following minimum standards shall apply to mobile veterinary medical practices for agricultural animals:

- (1) Mobile units utilized by veterinarians:
 - (a) Shall be clean and orderly.
 - (b) Shall contain the following:
 - 1. Sterile syringes and needles.
 - 2. All pharmaceuticals and biologics shall be maintained at the temperature recommended by the manufacturer in a refrigeration device that is powered by a stable energy source and is capable of maintaining a constant temperature. A thermometer shall be included where the biologics are being stored. Properly stored biologics.
 - 3. through 7. No change.
 - (2) through (4) No change.

Rulemaking Authority 474.206, 474.215(6) FS. Law Implemented 474.215(6) FS. History—New 7-4-95, Amended 7-22-10, 9-26-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Veterinary Medicine
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2014
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 9, 2014

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

RULE NO.: RULE TITLE:
61G18-30.003 Citations

PURPOSE AND EFFECT: The proposed amendment is to facilitate the enforcement of an offense which poses great potential harm to the general public.

SUMMARY: Penalty for invalid or incomplete official certificates of veterinary inspection.

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: 455.224, 474.206 FS.

LAW IMPLEMENTED: 455.224, 474.214 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: Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-30.003 Citations.

(1) through (3) No change.

(4) Pursuant to Section 455.224, F.S. (1991), the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation. The Board hereby designates the following as citation violations which shall result in a penalty of five hundred dollars (\$500.00) unless otherwise noted:

(a) through (g) No change.

(h) Signing and distributing to others invalid or incomplete official certificates of veterinary inspection for the intrastate sale of dogs or cats.

(i)(4) Operating a veterinary establishment without a premises permit for more than 60 days but less than one year. The fine shall be \$100 per month, to a maximum of \$1,200.

(5) through (7) No change.

Rulemaking Specific Authority 455.224, 474.206 FS. Law Implemented 455.224 FS. History—New 1-1-92, Formerly 21X-30.003, Amended 7-4-95, 5-13-96, 2-17-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Veterinary Medicine

NAME OF AGENCY HEAD WHO APPROVED THE

PROPOSED RULE: Board of Veterinary Medicine

DATE PROPOSED RULE APPROVED BY AGENCY

HEAD: March 4, 2014

DATE NOTICE OF PROPOSED RULE DEVELOPMENT

PUBLISHED IN FAR: April 9, 2014

Section III

Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Licensing (Formerly 1C)

RULE NO.: RULE TITLE:

5N-1.134 Licensed Firearms Instructors; Schools or

Training Facilities; License Application

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 40, No. 31, February 14, 2014 issue of the Florida Administrative Register.

The Summary of Statement of Estimated Regulatory Costs and Legislative Ratification should read:

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) 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 SERC, or if no SERC is required, the information expressly relied upon and described herein: Insofar as this proposed rule will allow licensees required by law to receive annual recertification training with a firearm, to fire fewer rounds as part of their training, this rule revision will reduce the economic burden borne by individuals and agencies.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.: RULE TITLE:
61H1-21.001 Independence

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 39, No. 227, November 20, 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 BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-1.004 General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on April 23, 2014, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for paragraph 61C-1.004(1)(a), Florida Administrative Code, and Paragraph 5-202.11(A), 2009 FDA Food Code from Yo-Good located in Cutler Bay. The above referenced F.A.C. addresses the requirement that each establishment have an approved plumbing system installed to transport potable water and wastewater. They are requesting to utilize holding tanks to provide potable water and to collect wastewater at the handwash and three-compartment sinks.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 5 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on April 24, 2014, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 501 East Kennedy Building. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.11.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code, that requires upgrading the elevators with firefighters' emergency operations which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2014-108).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 14, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, Section 3-305.14, 2009 FDA Food Code, Section 6-202.15, 2009 FDA Food Code, Section 6-202.16, 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, and subsection 61C-4.010(6), Florida Administrative Code, from Velasco Lunch Truck II located in Wauchula. The above referenced F.A.C. addresses the requirement for proper handling and dispensing of food. They are requesting to dispense bulk time/temperature control for safety foods other than frankfurters from an open air mobile food dispensing vehicle.

The Petition for this variance was published in Vol. 40, No. 76 of the April 18, 2014, Florida Administrative Register. The Order for this Petition was signed and approved on April 23, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring that each pan within the steam table is properly covered with an individual lid; the steam table is enclosed within a cabinet with tight-fitting doors, and is protected by an air curtain installed and operated according to the manufacturer's specifications that protects against flying vermin or other environmental contaminants; all steam table foods must be properly reheated for hot holding at approved commissaries and held hot at the proper minimum temperature per the parameters of the currently adopted FDA Food Code; and steam table food is to be dispensed by the operator with no customer self-service. The Petitioner shall also strictly adhere to the operating procedures and copies of the variance and operating procedures are to be present on the MFDV during all periods of operation.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-4.010 Sanitation and Safety Requirements

The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants hereby gives notice:

On April 15, 2014, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for Subparagraph 3-305.11(A)(2), 2009 FDA Food Code, subsection 61C-4.010(1), Florida Administrative Code, from Marriott Concierge Lounge located in Ft. Lauderdale. The above referenced F.A.C. addresses the requirement that each establishment have areas for food preparation and storage. They are requesting to share food preparation and food storage areas with another licensed food service establishment under the same ownership and on the same premise.

The Petition for this variance was published in Vol. 40, No. 76 on April 18, 2014. The Order for this Petition was signed and approved on April 23, 2014. After a complete review of the variance request, the Division finds that the application of this Rule will create a financial hardship to the food service establishment. Furthermore, the Division finds that the

Petitioner meets the burden of demonstrating that the underlying statute has been achieved by the Petitioner ensuring food preparation and storage areas within Blue Fire Grill (SEA1612549) are maintained in a clean and sanitary manner and all handwash sinks are provided with hot and cold running water under pressure, soap, an approved hand drying device, and a handwashing sign. These areas must be available to the Marriott Concierge Lounge during all hours of operation. If the ownership of Blue Fire Grill (SEA1612549, PFL VI, LLC) changes, a signed agreement for use of the shared facilities is required immediately.

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Vasilios Diakonis, M.D., on November 20, 2013, seeking a waiver or variance from Rules 64B8-1.007 and 4.009, F.A.C., with regard to the requirement for submission of the AMA profile for the medical licensure application. The Notice was published in Vol. 39, No. 228, of the Florida Administrative Register, on November 22, 2013. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.018 International Medical Graduates; Qualification Requirements

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Georges Mora Rasquin, M.D., on February 10, 2014, seeking a waiver or variance from Rule 64B8-4.018, F.A.C., with regard to the requirement for core clerkships. The Notice was published in Vol. 40, No. 30, of the Florida Administrative Register, on February 13, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application

of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Devendra K. Amin, M.D., on February 18, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. The Notice was published in Vol. 40, No. 35, of the Florida Administrative Register, on February 20, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Amer H. Rustum, M.D., on January 23, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. The Notice was published in Vol. 40, No. 35, of the Florida Administrative Register, on February 20, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Anthony G. Armineous, M.D., on January 24, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. The Notice was published in Vol. 40, No. 42, of the Florida Administrative Register, on February 27, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Mamdouh E. Rayan, M.D., on February 12, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. The Notice was published in Vol. 40, No. 30, of the Florida Administrative Register, on February 13, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance.

The Petition for Waiver or Variance was filed by Ruby Abraham, M.D., on February 11, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 40, No. 30, of the Florida Administrative Register, on February 13, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Kimon M. Violaris, M.D., on January 10, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 40, No. 12, of the Florida Administrative Register, on January 17, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Nassef F. Hassan, M.D., on February 18, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 40, No. 35, of the Florida Administrative Register, on February 20, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that

application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Ammar Sukari, M.D., on January 28, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 40, No. 19, of the Florida Administrative Register, on January 29, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Saad Sakkal, M.D., on March 6, 2014, seeking a waiver or variance from Rules 64B8-1.007 and 4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner's medical school. The Notice was published in Vol. 40, No. 46, of the Florida Administrative Register, on March 7, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Ziad Abdeen, M.D., on January 6, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school. The Notice was published in Vol. 40, No. 5, of the Florida Administrative Register, on January 8, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.018 International Medical Graduates; Qualification Requirements

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Luke Gerald Guillot, M.D., on February 18, 2014, seeking a waiver or variance from Rule 64B8-4.018, F.A.C., with regard to the residency requirement. The Notice was published in Vol. 40, No. 35, of the Florida Administrative Register, on February 20, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed on behalf of Roberto Fogel, M.D., on February 6, 2014, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of the AMA profile for the medical licensure application. The Notice was published in Vol. 40, No. 30, of the Florida Administrative Register, on February 13, 2014. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner

demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: RULE TITLE:

64B8-4.009 Applications

The Board of Medicine hereby gives notice that on April 23, 2014, an Order was filed on the Petition for Waiver or Variance. The Petition for Waiver or Variance was filed by Linda A. DeLuca, M.D., on November 7, 2013, seeking a waiver or variance from Rule 64B8-4.009, F.A.C., with regard to the requirement for submission of documentation of medical education directly from Petitioner’s medical school and the required evaluations from fellowship training programs. The Notice was published in Vol. 39, No. 221, of the Florida Administrative Register, on November 13, 2013. The Board, at its meeting held on April 4, 2014, voted to grant the Petition for Waiver finding that the Petitioner demonstrated a substantial hardship; that application of the rule would violate the principles of fairness; and that the purpose of the underlying statute has been met.

A copy of the Order or additional information may be obtained by contacting: the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 2, 2014, 10:00 a.m. – 11:00 a.m. or until finished

PLACE: Teleconference: 1(888)670-3525, passcode: 7923533220

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Public Awareness Committee Agenda Items.

A copy of the agenda may be obtained by contacting: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319.

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: roy.cosgrove@vr.fldoe.org, (850)245-3319. 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: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 3, 2014, 9:00 a.m. – 10:00 a.m. or until finished

PLACE: Teleconference: 1(888)670-3525, passcode: 7923533220

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Planning and Coordination Committee Agenda Items.

A copy of the agenda may be obtained by contacting: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319.

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: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319. 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: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 10, 2014, 9:00 a.m. – 10:00 a.m. or until finished

PLACE: Teleconference: 1(888)670-3525, passcode: 7923533220

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Legislative Committee Agenda Items.

A copy of the agenda may be obtained by contacting: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319.

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: roy.cosgrove@vr.fldoe.org, (850)245-3319. 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: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 4, 2014, 9:00 a.m. – 10:00 a.m. or until finished

PLACE: Teleconference: 1(888)670-3525, passcode: 7923533220

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Executive Committee Agenda Items.

A copy of the agenda may be obtained by contacting: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319.

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: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319. 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: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319.

DEPARTMENT OF EDUCATION

The Florida Rehabilitation Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: June 12, 2014, 10:00 a.m. – 11:00 a.m. or until finished

PLACE: Teleconference: 1(888)670-3525, passcode: 7923533220

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Rehabilitation Council Evaluation Committee Agenda Items.

A copy of the agenda may be obtained by contacting: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319.

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: Roy Cosgrove, roy.cosgrove@vr.fldoe.org, (850)245-3319. 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: roy.cosgrove@vr.fldoe.org, (850)245-3319.

DEPARTMENT OF EDUCATION

University of West Florida

The Florida Public Archaeology Network announces a public meeting to which all persons are invited.

DATE AND TIME: May 9, 2014, 8:00 a.m. – 12:00 Noon

PLACE: Charlotte County Conference and Event Center, Myakka Room A, Punta Gorda, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Annual Board meeting to discuss current matters and review goal updates.

A copy of the agenda may be obtained by contacting: Cheryl Phelps, FPAN Office Administrator, cphelps@uwf.edu, (850)595-0050.

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: Cheryl Phelps, (850)595-0050. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF EDUCATION
PUBLIC NOTICE

The Florida State College at Jacksonville District Board of Trustees announces the following event for Sunday, May 4, 2014, which is open to the public.

Florida State College at Jacksonville 2014 Commencement:

DATE AND TIME: Sunday, May 4, 2014, 2:00 p.m.

PLACE: Jacksonville Veteran's Memorial Arena, 300 A. Philip Randolph Blvd., Jacksonville, FL 32202

GENERAL SUBJECT MATTER TO BE CONSIDERED: 2014 Commencement Ceremony.

All objections to this notice should be filed in writing with the College President, Florida State College at Jacksonville, on or before May 4, 2014.

If special accommodations are required, please advise Human Resources twenty-four (24) hours in advance of the meetings and/or tour by contacting Associate Vice President of Human Resources Dan Richardson at (904)632-3381 or Dan.Richardson@fscj.edu.

Florida State College at Jacksonville hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, marital status or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

Florida State College At Jacksonville, Dr. Cynthia A. Bioteau, College President

DEPARTMENT OF REVENUE
Property Tax Oversight Program

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

DATE AND TIME: June 17, 2014, 9:00 a.m., during a regular meeting of the Governor and Cabinet

PLACE: Cabinet Meeting Room, Lower Level, the Capitol, Tallahassee, Florida. Please refer to the Cabinet Agenda posted to the Department's Internet site at <http://dor.myflorida.com/dor/rules/> before attending a meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Adoption of and approval to file and certify the following proposed rules with the Department of State under Chapter 120, Florida Statutes. These rules are the subject of this meeting: 12D-1.009, F.A.C. (Mapping Requirements); 12D-1.010, F.A.C. (Reconciliation of Interim Tax Rolls – Form of Notification); 12D-1.011, F.A.C. (Notification to Property Appraiser of Land Development Restriction); 12D-6.006, F.A.C. (Fee Timeshare Real Property); 12D-7.0025, F.A.C. (Application for Certain Exemptions Before Receiving Statutorily Required Documentation); 12D-7.0143, F.A.C. (Additional Homestead Exemptions for Persons 65 and Older Whose Household Income Does Not Exceed \$20,000 Per Year); 12D-8.0065, F.A.C. (Transfer of Homestead Assessment Difference; "Portability"; Sworn Statement Required; Denials; Late Applications); 12D-9.001, F.A.C. (Taxpayer Rights in Value Adjustment Board Proceedings); 12D-9.019, F.A.C. (Scheduling and Notice of a Hearing); 12D-9.020, F.A.C. (Exchange of Evidence); and, 12D-16.002, F.A.C. (Index to Forms).

Copies of these proposed rules, forms, notices, and supporting documents may be obtained by going to PTO's web page at: <http://dor.myflorida.com/dor/property/vab/workshops.html>, or by contacting: Larry Green, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, (850)617-8871, GreenLar@dor.state.fl.us.

The Department held rule development workshops on March 20, 2012, August 14, 2012, and September 19, 2012 at which the public offered comments and suggestions. On September 24, 2013, the Governor and Cabinet authorized the Department to publish Notices of Proposed Rule for the rules listed above. Notices of Proposed Rule were published in the September 25, 2013 edition of the F.A.R. (Vol. 39, No. 187, pp. 4821-4841). Public hearings were subsequently held on October 17, 2013, January 8, 2014 and March 13, 2014.

A copy of the agenda may be obtained by contacting: Larry Green, Tax Law Specialist, Property Tax Oversight Program, Department of Revenue, P. O. Box 3000, Tallahassee, Florida 32315-3000, (850)617-8871, GreenLar@dor.state.fl.us; or by going to PTO's web page at: <http://dor.myflorida.com/dor/property/vab/workshops.html>.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Larry Green at (850)617-8871 or GreenLar@dor.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).

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

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

DATE AND TIME: May 16, 2014, 9:30 a.m.

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, Florida 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Treasure Coast Regional Planning Council will conduct its regular Board meeting.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.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: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

REGIONAL PLANNING COUNCILS

Treasure Coast Regional Planning Council

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

DATE AND TIME: May 16, 2014 (immediately following the regular Board meeting)

PLACE: Indian River State College, Wolf High Technology Center, 2400 SE Salerno Road, Stuart, FL 34997

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a meeting of the Treasure Coast Regional Planning Council's Gubernatorial Committee.

A copy of the agenda may be obtained by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Liz Gulick at (772)221-4060 or lgulick@tcrpc.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: Liz Gulick at (772)221-4060 or lgulick@tcrpc.org.

WATER MANAGEMENT DISTRICTS

Suwannee River Water Management District

The Suwannee River Water Management District- Audit Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: May 2, 2014, 8:00 a.m.

PLACE: District Headquarters, 9225 CR 49, Live Oak, FL 32060

GENERAL SUBJECT MATTER TO BE CONSIDERED: Audit Committee Meeting to consider District business.

A copy of the agenda may be obtained by contacting: Robin Lamm at (386)362-1001 or 1(800)226-1066 (Florida only).

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: Robin Lamm. 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

St. Johns River Water Management District

The North Florida Regional Water Supply Partnership Stakeholder Advisory Committee (the Advisory Committee) is a committee of stakeholders selected by the St. Johns River Water Management District and the Suwannee River Water Management District in consultation with the Florida Department of Environmental Protection, to advise these agencies on issues affecting water supplies in both water management districts. The Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, May 19, 2014, 1:00 p.m.
 PLACE: Florida Gateway College, Wilson S. Rivers Library and Media Center, 149 SE College Place, Building 200, Room 102, Lake City, FL 32025

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Advisory Committee described above. The purpose of the meeting is to review and discuss updates to committee workplan, discuss status of the proposed MFLs and Prevention and Recovery Strategies for the Lower Santa Fe River and the Ichetucknee River and Priority Springs, and receive a briefing on a comparison of the technical data for the upper and lower Santa Fe River. An opportunity for public comment will be provided near the end of the meeting.

NOTE: One or more members of the Governing Board from each of the water management districts named above may attend and participate in the meeting of the Advisory Committee.

A copy of the agenda may be obtained by contacting: St. Johns River Water Management District, Attention: Julie Green, 4049 Reid Street, Palatka, FL 32177, (386)329-4240, email: jgreen@sjrwmd.com or by visiting the North Florida Regional Water Supply Partnership website at www.northfloridawater.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: Vanessa Fultz, Communications/Creative Services Specialist, Suwannee River Water Management District, (386)362-1001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Julie Green, (386)329-4240, email: jgreen@sjrwmd.com.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: May 7, 2014, 9:00 a.m.

PLACE: 7601 Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular monthly meeting to obtain feedback from interested persons on current pending permit applications. The agenda is available at www.watermatters.org/calendar/calendar.php/.

A copy of the agenda may be obtained by contacting: Carol Lynch, (813)985-7481, ext. 2004.

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: SWFWMD, Human Resources Bureau Chief at 1(800)423-1476, ext. 4702; TDD (FL only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Monday, May 12, 2014, 2:00 p.m.

PLACE: Lecanto Government Building, 3600 West Sovereign Path, Room 166, Lecanto, Florida 34461

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussion of task force business for the Citrus County Task Force of the Citrus/Hernando Waterways Restoration Council: Homosassa & Chassahowitzka TMDL, Mercury TMDL, Freshwater Electrofishing Sampling, Managing Forests for increased Regional Water Yield, and Water Quality Reports.

A copy of the agenda may be obtained by contacting: The Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida 34604, 1(352)796-7211 or 1(800)423-1476 (Florida only), extension 4378 or online at www.watermatters.org/waterways.

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: 1(352)796-7211 or 1(800)423-1476 (Florida only), extension 4702; TDD (Florida only) 1(800)231-6103 or email: ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District
 The Water Resource Advisory Commission (WRAC) announces a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2014, 9:00 a.m.

PLACE: Royal Palm Beach Cultural Center, 151 Civic Center Way, Royal Palm Beach, FL 33411

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resource Advisory Commission (WRAC) - Monthly Meeting, a Public Meeting of the Water Resources Advisory Commission (WRAC) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Tia Barnett, (561)682 6286, tbarnett@sfwmd.gov or at our website: <http://my.sfwmd.gov/wrac.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: the District Clerk, (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: Tia Barnett, (561)682 6286.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The Water Resource Advisory Commission (WRAC) and South Florida Ecosystem Restoration Task Force (SFERTF) announce a public meeting to which all persons are invited.

DATE AND TIME: May 6, 2014, 1:00 p.m.

PLACE: Royal Palm Beach Cultural Center, 151 Civic Center Way, Royal Palm Beach, FL 33411

GENERAL SUBJECT MATTER TO BE CONSIDERED: Water Resource Advisory Commission and South Florida Ecosystem Restoration Task Force Joint Meeting: a Public Meeting of the Water Resources Advisory Commission (WRAC) held jointly with the South Florida Ecosystem Restoration Task Force (SFERTF) regarding water resources protection, water supply and flood protection issues. The public is advised that it is possible that one or more members of the Governing Board of the South Florida Water Management District may attend and participate in this meeting.

A copy of the agenda may be obtained by contacting: Tia Barnett, (561)682 6286, tbarnett@sfwmd.gov or at our website: <http://my.sfwmd.gov/wrac.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: the District Clerk, (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: Tia Barnett, (561)682 6286.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NOS.:RULE TITLES:

61G4-15.039 Certification of Industrial Facilities Specialty Contractors

61G4-17.001 Normal Penalty Ranges

The Construction Industry Licensing Board announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, May 14, 2014, 10:00 a.m.

PLACE: Orlando Marriott Lake Mary, 1501 International Parkway, Lake Mary, Florida 32746

GENERAL SUBJECT MATTER TO BE CONSIDERED: Content for the above rules.

A copy of the agenda may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

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: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail: Amanda.Wynn@myfloridalicense.com.

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: RULE TITLE:

64B15-14.0081 Standards for Telemedicine Practice

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

DATE AND TIME: May 5, 2014, 1:00 p.m.

PLACE: Conference call number: 1(888)670-3525; participant passcode: 6558995979

GENERAL SUBJECT MATTER TO BE CONSIDERED: Emergency Rule Conference Call on Rule 64B15-14.0081-Standards for Telemedicine Practice. General business of the Board.

A copy of the agenda may be obtained by contacting: Christy Robinson at (850)245-4161, 4052 Bald Cypress Way, #C-06, Tallahassee, FL 32399.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Christy Robinson at (850)245-4161. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Refugee Services**

The Palm Beach Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, May 16, 2014, 10:00 a.m. – 12:00 Noon

PLACE: Children’s Services Council of Palm Beach County, 2300 High Ridge Road, Boynton Beach, Florida 33426

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Palm Beach Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: Miriam Rosario at (561)227-6722 or Taddese Fessehayee at (407)317-7335.

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: Miriam Rosario at (561)227-6722 or Taddese Fessehayee at (407)317-7335. 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: Miriam Rosario at (561)227-6722 or Taddese Fessehayee at (407)317-7335.

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES
Office on Homelessness**

The Council on Homelessness announces a public meeting to which all persons are invited.

DATE AND TIME: May 16, 2014, 9:00 a.m. – 3:00 p.m.

PLACE: Betty Easley Conference Center, 4075 Esplanade Way, Room 152, Capital Circle Office Center, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discussing and finalizing recommendations for the Council's annual report; reports from Council committees; new and old business.

A copy of the agenda may be obtained by contacting: Office on Homelessness, 1317 Winewood Blvd., Tallahassee, FL 32399-0700 or by calling (850)922-4691.

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: Office on Homelessness, 1317 Winewood Blvd., Tallahassee, FL 32399-0700 or by calling (850)922-4691. 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: Office on Homelessness, 1317 Winewood Blvd., Tallahassee, FL 32399-0700 or by calling (850)922-4691.

**ORANGE COUNTY RESEARCH AND DEVELOPMENT
AUTHORITY**

The Orange County Research and Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: May 8, 2014, 8:00 a.m.

PLACE: Central Florida Research Park, 12424 Research Parkway, Suite 100, Orlando, FL 32826

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

A copy of the agenda may be obtained by contacting: Joe Wallace, (407)282-3944.

TAMPA BAY ESTUARY PROGRAM

The Tampa Bay Estuary Program announces public meetings to which all persons are invited.

DATES AND TIMES: Management Board: May 9, 2014, 9:00 a.m.; August 15, 2014, 9:00 a.m., and November 14, 2014, 9:00 a.m. The 2014 Policy Board meetings will remain the same.

DATES AND TIMES: Policy Board: May 16, 2014, 10:00 a.m.; August 22, 2014, 10:00 a.m., and November 21, 2014, 10:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida
 GENERAL SUBJECT MATTER TO BE CONSIDERED: The agendas for the above meetings may be obtained by emailing ron@tbep.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 days before the workshop/meeting by contacting: ron@tbep.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

LAURA TURNER PLANNING SERVICES

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

DATE AND TIME: Tuesday, May 6, 2014, 5:00 p.m. – 7:00 p.m.

PLACE: Palm Bay (Health First) Hospital Auditorium, 1425 Malabar Road NE, Palm Bay, FL 32907

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) is holding an Alternatives Public Meeting for the Malabar Road (State Road 514) Project Development and Environment (PD&E) Study (Financial Management Number 430136-1-22-01). Design alternatives for widening Malabar Road from a two lane to a four lane facility will be presented. The project is located in Brevard County, Florida with study limits that extend from Babcock Street (State Road 507) to US 1, a distance of approximately 3.64 miles. The need for this widening is based on projected increases in traffic volume. Attendees may review study information, watch an automated video presentation, and discuss the design alternatives with the study team. This meeting provides interested persons an opportunity to express their views concerning the social, economic, and environmental impacts of the proposed design alternatives. Additional project information is located at www.SR514malabar.com.

A copy of the agenda may be obtained by contacting: Ms. Jazlyn Heywood, FDOT Project Manager at (386)943-5388. Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Ms. Jazlyn Heywood, FDOT Project Manager at (386)943-5388. If you are hearing or speech impaired, please

contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Ms. Jazlyn Heywood, FDOT Project Manager at (386)943-5388, by mail at 719 S. Woodland Boulevard, MS 501, DeLand, FL 32720 or by email at jazlyn.heywood@dot.state.fl.us.

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

NOTICE IS HEREBY GIVEN that on April 21, 2014, the Board of Accountancy has received the petition for declaratory statement from Ashland Partners & Company LLP. The petition seeks the agency’s opinion as to the applicability of Section 473.302(8)(a), Florida Statutes, as it applies to the petitioner.

The petition seeks the Board’s interpretation of Section 473.302(8)(a), Florida Statutes, and whether the conduct described in the petition regarding the attestation of investment performance returns constitutes the practice of public accountancy. Except for good cause shown, motions for leave to intervene must be filed within 21 days after publication of this notice.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Veloria Kelly, Division Director, Board of Accountancy, 240 NW 76th Dr., Suite A, Gainesville, Florida 32607, by email at Veloria.Kelly@myfloridalicense.com or by telephone: (352)333-2505.

DEPARTMENT OF HEALTH

Board of Nursing

Notice is hereby given that the Board of Nursing has received a Petition for Declaratory Statement filed by Carolann Robley, on January 22, 2014. The Petitioner seeks a Declaratory Statement from the Board with regard to whether ARNPs can legally order narcotics for patients they treat in the hospital with written protocols from the attending physician.

Except for good cause shown, motions for leave to intervene must be filed within 21 days after the 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, info@floridasnursing.gov or by telephone: (850)245-4125.

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

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

NONE

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

NONE

Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of the
Joint Administrative Procedures Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

SARASOTA MEMORIAL HOSPITAL

Notice of Request for Qualifications

REQUEST FOR STATEMENTS OF QUALIFICATIONS
for ARCHITECTURAL AND ENGINEERING SERVICES

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida (“the Hospital”) is accepting statements of qualifications from Architectural/Engineering Consulting Firms under the provisions of the Consultants’ Competitive Negotiation Act. The scope of work may include programming, schematic design, design development, construction documents, and construction administration for all architectural, interior design, civil, site work, mechanical, electrical, plumbing, fire protection, structural design work for the renovation of an approximately 15,000-square-foot inpatient pediatrics nursing unit.

Services required by qualified firms include architectural design, mechanical, electrical, plumbing, fire protection and structural design and engineering; and construction administration. Firms interested in being considered as candidates are required to submit five bound statements of qualifications that include at least the following data, to be organized in the following order:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Proof of General and Professional Liability Insurability.
3. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm’s current, valid MBE, WMBE certificate is required as part of the submission package.
4. Proposed design team with resumes.
5. A current list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Past design experience on inpatient pediatrics units, and associated support functions.
7. Design and permitting experience within the City of Sarasota, FL and other applicable permitting agencies.
8. Location of the design firm’s main office, and location of the proposed team for this project.
9. An explanation of how the firm intends to respond expeditiously on urgent project matters.
10. Illustrate the project team including resumes for each.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to the firm’s experience with local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications of proposed team design criteria experience as stated above, ability to quickly respond, and the firm’s proposed project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed only to Jim Bugyis, (941)917-1802.

Submissions shall be titled
 Statement of Qualifications for
ARCHITECTURAL AND ENGINEERING SERVICES
 The Sarasota Memorial Hospital
 Pediatrics Unit

5. Submittals must be received by the Hospital no later than 1:30 p.m. on Tuesday, May 20, 2014. Mail statements to the attention of Jim Bugyis, Director of Operation of Plant, 1700 South Tamiami Trail, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Operation of Plant.
7. Interested persons should contact Jim Bugyis at (941)917-1802, with any project-related questions.
8. The selection committee will meet in a public meeting in Sarasota Memorial's first floor Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, on Thursday, June 26, 2014 from 1:00 p.m. to 3:30 p.m. to discuss and announce the top three ranked firms with whom the Hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

SARASOTA MEMORIAL HOSPITAL

Notice of Request for Qualifications
**REQUEST FOR STATEMENTS OF QUALIFICATIONS for
 GENERAL CONTRACTING WORK**

The Sarasota County Public Hospital Board of Sarasota, Sarasota Memorial Hospital, Sarasota County, Florida ("the Hospital") is accepting statements of qualifications from General Contracting Firms. The scope of work may include pre-construction phase services such as cost estimating, value engineering, critical path method scheduling, constructability reviews and cost control, in addition to phased construction management services for the renovation of an approximately 15,000-square-foot inpatient pediatrics nursing unit.

Firms interested in being considered as candidates are required to submit *five bound statements of qualifications* that include at least the following data, *to be organized in the following order*:

1. A copy of Florida construction licensure and corporate registration certificates.
2. Completed AIA Document A305 Contractor's Qualification Statement, latest edition.
3. Proof of general, automobile and workers' compensation liability insurance coverage.
4. A separate statement as to whether the firm is a certified Minority Business Enterprise. If your firm claims MBE, WMBE status, a copy of your firm's current, valid MBE, WMBE certificate is required as part of your qualification statement submittal.

5. A CURRENT list of five client references consisting of name, title, address, telephone number and project name(s) for each project specified.
6. Resumes of key personnel that would be used on this project.
7. Past design experience on inpatient pediatrics projects and associated support functions.
8. Construction building experience with AHCA and within the City of Sarasota, FL.
9. Location of the firm's main office and location of the proposed project team members.

All interested firms are further informed as follows:

1. The Hospital reserves the right to reject any or all submittals at any time during this process.
2. The basis for selecting candidates includes, but is not limited to, the firm's experience with the local regulatory agency having jurisdiction, AHCA experience, consideration of related project experience, qualifications of proposed team, construction management experience as stated above, ability to respond, and project approach.
3. The Hospital reserves the right to request additional information beyond the data set forth above.
4. Questions regarding submissions shall be directed only to Jim Bugyis, Director of Operation of Plant, (941)917-1802.

Submissions shall be titled
 Statement of Qualifications for
GENERAL CONTRACTING WORK
 The Sarasota Memorial Hospital
 Pediatrics Unit

5. Submittals must be received by the Hospital no later than 1:30 p.m. on Tuesday, May 20, 2014. Mail statements to the attention of Jim Bugyis, Director of Operation of Plant, 1700 S. Tamiami Trail, Sarasota, FL 34239. Submittals received after this deadline will remain unopened and available for pick up.
6. Only Jim Bugyis shall be contacted with regard to this Request. No other SMH staff, administrators, or board members shall be contacted. Failure to comply could result in immediate disqualification at the discretion of the Director of Operation of Plant.
7. Interested persons should contact Jim Bugyis at (941)917-1802 with any project-related questions.
8. The selection committee will meet in a public meeting in Sarasota Memorial's First Floor Waldemere Auditorium located at 1700 S. Tamiami Trail, Sarasota, FL 34239, on

Thursday, June 26, 2014 from 8:00 a.m. to 11:00 a.m. to discuss and announce the top three ranked firms with whom the hospital will subsequently engage in contract negotiations. All interested parties are invited to attend.

Section XII
Miscellaneous

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On April 23, 2014, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Tammy Kelley, CNA, Certificate No.: CNA 89333. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Nursing

Notice of Emergency Action

On April 24 2014, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Melissa Posey Cessna, LPN, License No.: LPN 1208861. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Pharmacy

Notice of Emergency Action

On April 24 2014, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Francisca Mercedes Paez, R.P.T., License No.: RPT 451. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF HEALTH
Board of Pharmacy

Notice of Emergency Action

On April 24 2014, State Surgeon General issued an Order of Emergency Suspension of License with regard to the license of Rory Spann, R.P.T., Registration No.: RPT 46582. This Emergency Suspension Order was predicated upon the State Surgeon General’s findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes, (2012-2013). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF FINANCIAL SERVICES
Division of Treasury

Quarterly List of Qualified Public Depositories
DEPARTMENT OF FINANCIAL SERVICES
DIVISION OF TREASURY
BUREAU OF COLLATERAL MANAGEMENT
PUBLIC DEPOSITS SECTION

FOR PUBLIC DEPOSITORS TO RECEIVE THE PROTECTION FROM LOSS PROVIDED IN CHAPTER 280, FLORIDA STATUTES, THEY SHALL COMPLY WITH THE FOLLOWING ON EACH PUBLIC DEPOSIT ACCOUNT IN ADDITION TO ANY OTHER REQUIREMENTS SPECIFIED IN CHAPTER 280: (1) EXECUTE THE PUBLIC DEPOSIT IDENTIFICATION AND ACKNOWLEDGMENT FORM DFS-J1-1295 WITH THE QUALIFIED PUBLIC DEPOSITORY (QPD), MAINTAIN IT AS A VALUABLE RECORD, AND CONFIRM THE ACCOUNT ANNUALLY; (2) EXECUTE A REPLACEMENT FORM DFS-J1-1295 WHEN THERE IS A MERGER, ACQUISITION, NAME CHANGE, OR OTHER EVENT WHICH CHANGES THE ACCOUNT NAME, ACCOUNT NUMBER, OR NAME OF THE QPD.

THE FOLLOWING QPDS ARE AUTHORIZED TO HOLD PUBLIC DEPOSITS. THE CITIES AND STATES LISTED ARE THE HOME OFFICE LOCATIONS. QPDS MARKED WITH AN ASTERISK HAVE LIMITED THE AMOUNT OF PUBLIC DEPOSITS THEY WILL ADMINISTER. QPDS HAVING A DATE BESIDE THEIR NAME ARE IN THE PROCESS OF WITHDRAWING FROM THE PROGRAM AND SHALL NOT RECEIVE OR RETAIN PUBLIC DEPOSITS AFTER THE DATE SHOWN. THEY MAY, HOWEVER, HAVE CERTAIN OBLIGATIONS TO THE PROGRAM AFTER THAT DATE WITH WHICH

THEY MUST COMPLY BEFORE CONCLUDING THE WITHDRAWAL PROCESS.

ALABAMA

ANDALUSIA
CCB COMMUNITY BANK

ATMORE
UNITED BANK

BIRMINGHAM
CADENCE BANK, N.A.
COMPASS BANK
REGIONS BANK
SERVISFIRST BANK

ARKANSAS

CONWAY
CENTENNIAL BANK

DELAWARE

WILMINGTON
PNC BANK, N.A.
TD BANK, N.A.

FLORIDA

ARCADIA
FIRST STATE BANK OF ARCADIA, THE

BELLE GLADE
BANK OF BELLE GLADE

BOCA RATON
1ST UNITED BANK
FIRST SOUTHERN BANK
PARADISE BANK

BRADENTON
FIRST AMERICA BANK

BRANDON
PLATINUM BANK

CHIEFLAND
DRUMMOND COMMUNITY BANK

CHIPLEY
ONE SOUTH BANK

CLEARWATER
USAMERIBANK

CLEWISTON
FIRST BANK

CORAL GABLES
BAC FLORIDA BANK
BANESCO USA
CAPITAL BANK, N.A.
GIBRALTAR PRIVATE BANK & TRUST COMPANY

CRESTVIEW
FIRST NATIONAL BANK OF CRESTVIEW *

DADE CITY
FIRST NATIONAL BANK OF PASCO
FLORIDA TRADITIONS BANK

DANIA BEACH
COMMUNITY BANK OF BROWARD

DAVIE
FLORIDIAN COMMUNITY BANK, INC.
REGENT BANK *

DAYTONA BEACH
FLORIDIAN BANK
GATEWAY BANK OF FLORIDA

DESTIN
FIRST FLORIDA BANK

ENGLEWOOD
ENGLEWOOD BANK & TRUST

FERNANDINA BEACH
CBC NATIONAL BANK

FORT LAUDERDALE
BROWARD BANK OF COMMERCE
STONEGATE BANK
VALLEY BANK *

FORT MYERS
EDISON NATIONAL BANK
FINEMARK NATIONAL BANK & TRUST
PREFERRED COMMUNITY BANK

FORT PIERCE

OCULINA BANK, THE

FORT WALTON BEACH

FIRST CITY BANK OF FLORIDA *

FNBTCOM BANK

FROSTPROOF

CITIZENS BANK & TRUST

GAINESVILLE

FLORIDA CITIZENS BANK

MERCHANTS & SOUTHERN BANK

GRACEVILLE

PEOPLES BANK OF GRACEVILLE

HERNANDO

NATURE COAST BANK

HOMESTEAD

1ST NATIONAL BANK OF SOUTH FLORIDA

COMMUNITY BANK OF FLORIDA

INDIANTOWN

HARBOR COMMUNITY BANK

INVERNESS

BRANNEN BANK

JACKSONVILLE

AMERICAN ENTERPRISE BANK OF FLORIDA *

EVERBANK

FIRSTATLANTIC BANK

JACKSONVILLE BANK, THE

KEY WEST

FIRST STATE BANK OF THE FLORIDA KEYS

LAKE CITY

COLUMBIA BANK *

FIRST FEDERAL BANK OF FLORIDA

PEOPLES STATE BANK

LAKELAND

BANK OF CENTRAL FLORIDA

COMMUNITY SOUTHERN BANK

MADISON

MADISON COUNTY COMMUNITY BANK

MAYO

LAFAYETTE STATE BANK

MELBOURNE

FLORIDA BUSINESS BANK

MERRITT ISLAND

COMMUNITY BANK OF THE SOUTH

MIAMI

CITY NATIONAL BANK OF FLORIDA

COCONUT GROVE BANK

CONTINENTAL NATIONAL BANK OF MIAMI

EASTERN NATIONAL BANK

ESPIRITO SANTO BANK

EXECUTIVE NATIONAL BANK

JGB BANK, N.A.

OCEAN BANK

PACIFIC NATIONAL BANK

SABADELL UNITED BANK, N.A.

SUNSTATE BANK

TOTALBANK

MIAMI LAKES

BANKUNITED, N.A.

MONTICELLO

FARMERS & MERCHANTS BANK

MOUNT DORA

FIRST GREEN BANK

FIRST NATIONAL BANK OF MOUNT DORA, THE

NAPLES

FIRST NATIONAL BANK OF THE GULF COAST

NICEVILLE

PEOPLES NATIONAL BANK

OAKLAND PARK

AMERICAN NATIONAL BANK

OCALA

ALARION BANK

COMMUNITY BANK & TRUST OF FLORIDA

GATEWAY BANK OF CENTRAL FLORIDA

OLDSMAR

JEFFERSON BANK OF FLORIDA

ORLANDO

CNLBANK *
FLORIDA BANK OF COMMERCE
NEW TRADITIONS BANK
OLD FLORIDA NATIONAL BANK
ORANGE BANK OF FLORIDA
SEASIDE NATIONAL BANK & TRUST
URBAN TRUST BANK

OVIEDO

CITIZENS BANK OF FLORIDA

PALM COAST

INTRACOASTAL BANK

PANAMA CITY

FIRST NATIONAL BANK NORTHWEST FLORIDA
SUMMIT BANK, N.A.

PENSACOLA

BANK OF THE SOUTH
GULF COAST COMMUNITY BANK 10/16/2013

PERRY

CITIZENS STATE BANK

PORT CHARLOTTE

CHARLOTTE STATE BANK & TRUST
ENCORE BANK, N.A.

PORT RICHEY

REPUBLIC BANK

ST. PETERSBURG

C1 BANK
RAYMOND JAMES BANK, N.A.

SARASOTA

GATEWAY BANK OF SOUTHWEST FLORIDA

SEBRING

HEARTLAND NATIONAL BANK
HIGHLANDS INDEPENDENT BANK *

SOUTH MIAMI

FIRST NATIONAL BANK OF SOUTH MIAMI

STARKE

COMMUNITY STATE BANK

STUART

SEACOAST NATIONAL BANK

TALLAHASSEE

CAPITAL CITY BANK
PRIME MERIDIAN BANK

TAMPA

BANK OF TAMPA, THE
CENTRAL BANK
FLORIDA BANK
NORTHSTAR BANK

THE VILLAGES

CITIZENS FIRST BANK

TRINITY

PATRIOT BANK

UMATILLA

UNITED SOUTHERN BANK

WAUCHULA

FIRST NATIONAL BANK OF WAUCHULA
WAUCHULA STATE BANK

WESTON

FLORIDA COMMUNITY BANK, N.A.

WEST PALM BEACH

FIRST BANK OF THE PALM BEACHES
FLAGLER BANK
GRAND BANK & TRUST OF FLORIDA

WINTER HAVEN

CENTERSTATE BANK OF FLORIDA, N.A.

WINTER PARK

BANKFIRST
UNITED LEGACY BANK

GEORGIA

ALBANY

HERITAGEBANK OF THE SOUTH

ATLANTA

SUNTRUST BANK

COLQUITT
PEOPLESSOUTH BANK

COLUMBUS
SYNOVUS BANK

DARIEN
SOUTHEASTERN BANK

MOULTRIE
AMERIS BANK

WESTPOINT
CHARTERBANK

ILLINOIS

CHICAGO
BMO HARRIS BANK, N.A.
NORTHERN TRUST COMPANY, THE

IOWA

FORT DODGE
FIRST AMERICAN BANK

LOUISIANA

LAFAYETTE
IBERIABANK

PLAQUEMINE
ANTHEM BANK & TRUST

MASSACHUSETTS

BOSTON
ONEUNITED BANK *

MISSISSIPPI

BILOXI
COMMUNITY BANK, COAST

GULFPORT
WHITNEY BANK DBA HANCOCK BANK IN FLORIDA

JACKSON
TRUSTMARK NATIONAL BANK

TUPELO
BANCORPSOUTH BANK

MISSOURI

CREVE COEUR
FIRST BANK

NEW YORK

NEW YORK CITY
BANCO POPULAR NORTH AMERICA

NORTH CAROLINA

CHARLOTTE
BANK OF AMERICA, N.A.

WINSTON-SALEM
BRANCH BANKING & TRUST COMPANY

OHIO

CINCINNATI
FIFTH THIRD BANK

COLUMBUS
JPMORGAN CHASE BANK, N.A.

SOUTH DAKOTA

SIOUX FALLS
CITIBANK, N.A.
WELLS FARGO BANK, N.A.

TENNESSEE

PIGEON FORGE
SMARTBANK

TEXAS

COLLEGE STATION
AMERICAN MOMENTUM BANK

THE FOLLOWING IS A LIST OF INSTITUTIONS THAT
HAD A CHANGE SINCE THE LAST PUBLICATION OF
THIS REPORT.

DESJARDINS BANK, N.A.

HALLANDALE

DESJARDINS BANK, N.A. LOCATED IN HALLANDALE HAS FULLY WITHDRAWN FROM THE FLORIDA PUBLIC DEPOSITS PROGRAM EFFECTIVE FEBRUARY 14, 2014.

GULFSTREAM BUSINESS BANK

STUART

GULFSTREAM BUSINESS BANK LOCATED IN STUART WAS MERGED WITH/INTO CENTERSTATE BANK OF FLORIDA, N.A.; A QPD LOCATED IN WINTER HAVEN EFFECTIVE AS OF THE CLOSE OF BUSINESS JANUARY 16, 2014.

HANCOCK BANK

GULFPORT

HANCOCK BANK LOCATED IN GULFPORT, MISSISSIPPI CHANGED ITS LEGAL NAME TO

WHITNEY BANK EFFECTIVE AS OF THE CLOSE OF BUSINESS MARCH 31, 2014. PLEASE BE AWARE THAT THIS QPD DECIDED TO DO BUSINESS IN THE STATE OF FLORIDA UNDER THE PREVIOUS NAME OF HANCOCK BANK. ALL LEGAL DOCUMENTS SHOULD BEAR THE NAME OF WHITNEY BANK OR WHITNEY BANK DBA HANCOCK BANK.

SHAMROCK BANK OF FLORIDA

NAPLES

SHAMROCK BANK OF FLORIDA LOCATED IN NAPLES WAS MERGED WITH/INTO FIRST NATIONAL BANK OF THE GULF COAST, A QPD ALSO LOCATED IN NAPLES, EFFECTIVE AS OF THE CLOSE OF BUSINESS MARCH 14, 2014.

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.
