

Section II
Proposed Rules

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

RULE TITLE: Continuing Education Requirements for Mortgage Brokers, Loan Originators, and Principal Representatives
 RULE NO.: 3D-40.0271

PURPOSE, EFFECT AND SUMMARY: The purpose of the proposed amendments to Rule 3D-40.0271 is to include loan originators and associates in the exemption from complying with continuing education requirements during the biennial period in which the comply with the requirements of Rules 3D-40.025 and 3D-40.027, F.A.C., and to require that continuing education course completion certificates identify the number of hours completed (a current requirement) as well as subject area covered in the course (a new requirement).

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 494.0011(2), 494.00295(3) FS.

LAW IMPLEMENTED: 494.0016, 494.0029, 494.00295, 494.0034, 494.0064, 494.0067 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:30 a.m., Tuesday, August 26, 2003

PLACE: Room 547, Office of Financial Regulation, The Fletcher Building, 101 E. Gaines Street, Tallahassee, Florida 32399-0378

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Gregory C. Oaks, Financial Examiner/Analyst Supervisor, Office of Financial Regulation, Bureau of Regulatory Review, 200 East Gaines Street, Rm 533, H, Fletcher Building, Tallahassee, Florida 32399-0378

THE FULL TEXT OF THE PROPOSED RULE IS:

3D-40.0271 Continuing Education Requirements for Mortgage Brokers, Loan Originators, and Principal Representatives.

(1) through (9) No change.

(10) The continuing education requirements for the principal representative, loan originators and associates are waived for the license renewal of the mortgage lender, correspondent mortgage lender, or mortgage lender pursuant to

the savings clause, for the biennial license period in which the principal representative, loan originator or associate completes the 24 hours of classroom education in accordance with Rule 3D-40.027, F.A.C., and also passed a written test in accordance with Rule 3D-40.025, F.A.C., in order to qualify to be designated as a principal representative, or becomes licensed as a mortgage broker.

(11) through (12) No change.

(13) Within five (5) days of completion of each continuing education course, the school shall submit to the student a certificate ~~of completion~~ indicating successful completion of the course. The certificate shall indicate and the number of hours and the subject area covered in each hour of the course ~~consisted of~~. The schools are not to submit copies of the continuing education requirement certificates to the Department. Each mortgage business school shall maintain all student course completion records for at least three (3) years from the completion dates.

Specific Authority 494.0011(2), 494.00295(3) FS. Law Implemented 494.0016, 494.0029, 494.00295, 494.0034, 494.0064, 494.0067 FS. History—New 12-9-01, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory C. Oaks, Financial Examiner/Analyst Supervisor, Office of Financial Regulation, 200 East Gaines St., Rm. 553 H, Fletcher Bldg., Tallahassee, Florida 32399-0378

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Pamela P. Epting, Bureau Chief

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 1, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 16, 2003

DEPARTMENT OF BANKING AND FINANCE

Division of Finance

RULE TITLE: Mortgage Broker License Renewal and Reactivation
 RULE NO.: 3D-40.043

PURPOSE, EFFECT AND SUMMARY: The purpose of the proposed amendments to Rule 3D-40.043, F.A.C., is to: 1. amend form DBF-MB-103 to reflect the correct mailing addresses for the Office of Financial Regulations within both the rule and the form; 2. add a requirement that continuing education certification information must be provided; and 3. advise licensees of the late filing penalty.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 494.0011(2), 494.0034(2) FS.

LAW IMPLEMENTED: 494.00295, 494.0034 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:30 a.m., Tuesday, August 26, 2003
PLACE: Room 547, Office of Financial Regulation, The Fletcher Building, 101 East Gaines Street, Tallahassee, Florida 32399-0378

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Gregory C. Oaks, Financial Examiner/Analyst Supervisor, Office of Financial Regulation, Bureau of Regulatory Review, 200 East Gaines Street, Rm 533, H, Fletcher Building, Tallahassee, Florida 32399-0378

THE FULL TEXT OF THE PROPOSED RULE IS:

3D-40.043 Mortgage Broker License Renewal and Reactivation.

(1) Each active mortgage broker license shall be renewed for the biennial period beginning September 1 of each odd-numbered year upon submission of the statutory renewal fee required by Section 494.0034, F.S., certification compliance with the continuing education requirements of Section 494.00295, F.S., and a completed renewal form. Form ~~OFRDBF~~ MB-103, Mortgage Broker License Renewal and Reactivation Form, revised 05/03 ~~10/01~~, is hereby incorporated by reference and available by mail from the Office of Financial Institutions and Securities Regulation, Bureau of Finance Regulation, 200 East Gaines Street, Fletcher Bldg., Tallahassee, Florida 32399-0378.

(2) through (5) No change.

Specific Authority 494.0011(2), 494.0034(2) FS. Law Implemented 494.00295, 494.0034 FS. History--New 11-2-86, Amended 6-23-91, 11-12-91, 9-3-95, 12-12-99, 2-5-01, 12-19-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Gregory C. Oaks, Financial Examiner/Analyst Supervisor, Office of Financial Institutions and Securities Regulation, 200 East Gaines St., Rm. 553 H, Fletcher Bldg., Tallahassee, Florida 32399-0378

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Pamela P. Epting, Bureau Chief

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: April 1, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 16, 2003

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Highway Traffic Safety Program
RULE CHAPTER NO.: 14-98
RULE TITLES: Application and Award Procedures Forms
RULE NOS.: 14-98.005 14-98.008

PURPOSE AND EFFECT: Subsections 14-98.005(7),(10) and 14-98.008(6), F.A.C., are amended because of a revision to the Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01. Part V. Acceptance and Agreement of that form has been extensively revised.

SUMMARY: Subsection 14-98.008(6), F.A.C., is amended to incorporate by reference a revised version of the Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01. Subsections 14-98.005(7),(10), F.A.C., also are being amended to update the revision date references to the same form.

SPECIFIC AUTHORITY: 334.044(2),(25) FS.

LAW IMPLEMENTED: 334.044(25) FS.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Costs has been prepared.

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-98.005 Application and Award Procedures.

(1) through (6) No change.

(7) Two copies of the application form, Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. 06/03 ~~05/02~~, will be sent to those applicants whose concept papers are selected for funding. Applicants whose concept papers were not selected for funding will be notified by the Office.

(8) through (9) No change.

(10) The Office shall review all applications and will reject any applications not meeting the requirements of these rules and applicable Federal and State laws, within ten working days of receipt of said applications. In the event that an applicant submits a Subgrant Application for Highway Safety Funds, FDOT Form 500-065-01, Rev. 06/03 ~~05/02~~, for an activity that is not included in the Highway Safety Plan, the application shall be rejected. Failure to reject any application within ten days shall not result in the automatic award of a subgrant. All subgrants are subject to funds availability.

(11) No change.

Specific Authority 334.044(2) FS. Law Implemented 334.044(25) FS. History—New 12-30-84, Amended 6-10-85, Formerly 9B-32.05, 9B-32.005, 11-19-89, Formerly 9G-15.005, Amended 12-7-93, 11-29-94, 1-17-99, 4-16-02, 8-6-02, _____.

14-98.008 Forms.

The following forms used in the Highway Traffic Safety Program are hereby incorporated by reference:

(1) through (5) No change.

(6) Subgrant Application for Highway Safety Funds – FDOT Form 500-065-01, Rev. 06/03 ~~05/02~~.

(7) through (8) No change.

Copies of these forms may be obtained by writing or calling the Florida Department of Transportation, State Safety Office, 605 Suwannee Street, MS-17, Tallahassee, Florida 32399-0450; Telephone (850)488-5455.

Specific Authority 334.044(2),(25) FS. Law Implemented 334.044(25) FS. History—New 6-10-85, Formerly 9B-32.08, 9B-32.008, Amended 11-19-89, Formerly 9G-15.008, Amended 12-7-93, 6-14-94, 11-29-94, 4-16-02, 8-6-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Roger J. Doherty, State Safety Office

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: José Abreu, P.E., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 23, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 11, 2003

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF CORRECTIONS

RULE TITLE: Use of Tobacco Products

RULE NO.: 33-401.401

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend the Department’s smoking and tobacco use policies in accordance with recent amendments to the Florida Clean Indoor Air Act.

SUMMARY: The proposed rule prohibits smoking in all enclosed indoor workplaces as defined in s. 386.203, F.S.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09, 944.115 FS.

LAW IMPLEMENTED: 386.201, 386.202, 386.203, 386.204, 386.205, 386.206, 944.09, 944.115 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-401.401 Use of Tobacco Products.

(1) This rule establishes the tobacco products use policy for the Department of Corrections. For the purposes of this rule, “tobacco products” means items such as cigars, cigarettes, snuff, loose tobacco, or similar goods made with any part of the tobacco plant, which are prepared or used for smoking, chewing, dipping, sniffing, or other personal use.

(2)(a) Pursuant to Section 944.115, F.S., uUse of any tobacco products shall be prohibited in all indoor areas of any building or office within a state correctional facility ~~owned, leased or wholly occupied by the Department of Corrections~~ except for employee housing on department grounds and inmate maximum security (death row) housing areas. Only unlighted tobacco product use shall be permitted in death row housing.

(b) Pursuant to Section 386.204, F.S., smoking is prohibited in all enclosed indoor workplaces as defined in Section 386.203, F.S.

(3) Should Department of Corrections’ offices be located in buildings not totally in the control of the department, ~~smoking use of tobacco products~~ shall be prohibited in all enclosed indoor workplaces ~~indoor areas~~ occupied or controlled by the department. ~~Employees may use tobacco products in those indoor areas which have been legally designated as smoking areas by other occupants of the building.~~ Employees may not smoke in areas which do not fully meet the requirements of the Florida Indoor Clean Air Act, Sections 386.201-.209, F.S.

(4) through (7) No change.

Specific Authority 944.09, 944.115 FS. Law Implemented 386.201, 386.202, 386.203, 386.204, 386.205, 386.206, 944.09, 944.115 FS. History—New 12-31-80, Formerly 33-20.01, Amended 3-12-86, 2-24-92, 1-4-94, Formerly 33-20.001, Amended 2-3-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Rathmann

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2003

DEPARTMENT OF CORRECTIONS

RULE TITLE: Interstate Corrections Compact
 RULE NO.: 33-601.401

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to remove unnecessary language from the rule.

SUMMARY: The rule provision that states that copies of lists and contracts with other states can be obtained from the Interstate Corrections Compact Administrator is being deleted.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 941.57, 944.09 FS.

LAW IMPLEMENTED: 941.55, 941.56, 941.57 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.401 Interstate Corrections Compact.

(1) No change.

~~(2) A current list of states that are parties to the Interstate Corrections Compact and copies of contracts with individual party states may be obtained by writing the Interstate Corrections Compact Administrator, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500. A list of party states is also published in Florida Statutes Annotated (West Publishing Co.) at Section 941.55.~~

(3) through (6) renumbered (2) through (5) No change.

Specific Authority 941.57, 944.09 FS. Law Implemented 941.55, 941.56, 941.57 FS. History—New 7-7-81, Formerly 33-21.01, Amended 12-30-96, Formerly 33-21.001, Formerly 33-301.101, Amended 3-9-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Steve Hart

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: James V. Crosby, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 15, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2003

COMMISSION ON ETHICS

RULE TITLE: List of Forms and Instructions
 RULE NO.: 34-7.010

PURPOSE AND EFFECT: The purpose of the proposed amendment is to revise CE Forms 1, 6, 1F, 6F and 6X, which are adopted by reference in Rule 34-7.010, F.A.C.

SUMMARY: CE Forms 1, 6, 1F, 6F and 6X will be affected by this rule making.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of estimated regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: Art. II, Sec. 8(f),(h), Fla. Const., 112.3144, 112.3145, 112.3147, 112.3215(13), 112.322(7),(10), 112.324 FS.

LAW IMPLEMENTED: Art. II, Sec. 8(a),(f),(h), Fla. Const., 112.313(9),(12), 112.3143, 112.3144, 112.3145, 112.3148, 112.3149, 112.3215 FS.

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

TIME AND DATE: 8:00 a.m., September 4, 2003

PLACE: Florida Department of Transportation Auditorium, 605 Suwannee Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Julia Cobb Costas, Senior Attorney, Commission on Ethics

THE FULL TEXT OF THE PROPOSED RULE IS:

34-7.010 List of Forms and Instructions.

(1) The following forms and instructions are adopted by reference and are used by the Commission in its dealings with the public:

(a) Form 1, Statement of Financial Interests. To be utilized by state officers, local officers, candidates for state or local office and specified state employees for compliance with Sections 112.3145(2) and (3), Florida Statutes. Effective 1/2004 ~~1/2003~~.

(b) No change.

(c) Form 6, Full and Public Disclosure of Financial Interests. To be utilized by all elected constitutional officers, candidates for such offices, other statewide elected officers, and others as prescribed by law for compliance with Article II, Section 8(a) and (h), Florida Constitution, as specified in Chapter 34-8 of these rules. Effective 1/2004 ~~1/2003~~.

(d) through (n) No change.

(o) Form 1F, Final Statement of Financial Interests. To be filed within 60 days of leaving public office or employment. Effective 1/2004 ~~1/2003~~.

its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future landowners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operations and maintenance of the District. Under section (d), approval of the petition to establish the District will have only incidental or a positive impact on a small business and will not have any impact on small counties and cities. St. Johns County is not a small county as such is defined. Under section (e), the analysis was based on a straightforward application of economic theory with input received from the developer's engineer and other professionals associated with the developer. Any person who wishes to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

TIME AND DATE: 2:00 p.m. – 4:00 p.m., Monday, August 25, 2003

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

DURBIN CROSSING COMMUNITY DEVELOPMENT DISTRICT

42MM-1.001 Establishment.

The Durbin Crossing Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New

42MM-1.002 Boundary.

The boundaries of the district are as follows:

A PART OF SECTIONS 1, 2, 11, 12, 13 AND 14, TOWNSHIP 5 SOUTH, RANGE 27 EAST TOGETHER WITH A PART OF SECTIONS 6, 7 AND 18, TOWNSHIP 5 SOUTH, RANGE 28 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED

AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 1; THENCE NORTH 02°46'18" WEST ALONG THE WEST LINE OF SAID SECTION 1, A DISTANCE OF 2687.90 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION 1; THENCE SOUTH 87°01'13" WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SECTION 2, A DISTANCE OF 2624.29 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 2; THENCE NORTH 04°00'43" WEST ALONG THE WEST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 2, A DISTANCE OF 1456.66 FEET; THENCE NORTH 89°31'52" EAST, A DISTANCE OF 1323.67 FEET; THENCE NORTH 02°14'55" WEST, A DISTANCE OF 1340.72 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 2; THENCE NORTH 89°18'52" EAST ALONG THE NORTH LINE OF SAID SECTION 2, A DISTANCE OF 1320.98 FEET TO THE NORTHWEST CORNER OF SAID SECTION 1; THENCE NORTH 89°10'39" EAST ALONG THE NORTH LINE OF SAID SECTION 1, A DISTANCE OF 2656.01 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 1; THENCE SOUTH 03°00'20" EAST ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF SAID SECTION 1, A DISTANCE OF 1346.55 FEET; THENCE NORTH 89°14'51" EAST, A DISTANCE OF 2446.18 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF RUSSELL SAMPSON ROAD (A 60.00 FOOT RIGHT-OF-WAY AS NOW ESTABLISHED); THENCE SOUTH 12°50'25" EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 10.50 FEET; THENCE SOUTH 13°08'19" EAST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 3220.08 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 633.18 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 308.74 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 27°06'27" EAST AND A CHORD DISTANCE OF 305.69 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 41°04'35" EAST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 1409.00 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 518.12 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 303.00 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 24°19'22" EAST AND A CHORD DISTANCE OF 298.70 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 07°34'09" EAST CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF

455.49 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 578.44 FEET; THENCE SOUTHEASTERLY CONTINUING ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 423.05 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 28°31'17" EAST AND A CHORD DISTANCE OF 413.69 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 49°28'24" EAST, CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 90.24 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 4773.62 FEET; THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 342.62 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 47°25'02" EAST AND A CHORD DISTANCE OF 342.55 FEET TO A POINT ON SAID CURVE; THENCE SOUTH 25°23'14" WEST, LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 122.52 FEET; THENCE SOUTH 18°05'25" WEST ALONG A LINE 10.00 FEET EASTERLY OF AND PARALLEL WITH THE CENTERLINE OF A TRAIL ROAD AND BEING ALONG THE EASTERLY EDGE OF SAID ROAD, A DISTANCE OF 480.00 FEET TO THE POINT OF CURVE OF A CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 650.00 FEET; THENCE CONTINUING ALONG SAID PARALLEL LINE AND ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 231.61 FEET, SAID ARC BEING SUBTENDED BY A CHORD BEARING OF SOUTH 07°52'57" WEST AND A CHORD DISTANCE OF 230.38 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 02°19'31" EAST CONTINUING ALONG SAID PARALLEL LINE, A DISTANCE OF 3147.16 FEET; THENCE SOUTH 08°02'32" WEST CONTINUING ALONG SAID PARALLEL LINE, A DISTANCE OF 842.87 FEET TO A POINT ON THE EASTERLY LINE OF A 150.00 FOOT WIDE JACKSONVILLE ELECTRIC AUTHORITY EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 2176, PAGE 27 OF THE PUBLIC RECORDS OF ST. JOHNS, COUNTY FLORIDA; THENCE SOUTH 09°21'50" EAST LEAVING SAID TRAIL ROAD AND ALONG SAID EASTERLY EASEMENT LINE, A DISTANCE OF 996.59 FEET TO THE NORTHWEST CORNER OF PARCEL NO. 3 AS DESCRIBED IN OFFICIAL RECORDS BOOK 1276, PAGE 665, OF SAID PUBLIC RECORDS; THENCE DEPARTING SAID EASEMENT LINE SOUTH 01°37'38" WEST, A DISTANCE OF 786.76 FEET TO THE NORTHEAST CORNER OF PARCEL NO. 5 AS DESCRIBED IN OFFICIAL RECORDS BOOK 1276, PAGE 665 OF SAID PUBLIC RECORDS ALSO BEING A POINT ON THE WESTERLY LINE OF SAID 150.00 WIDE JACKSONVILLE ELECTRIC AUTHORITY EASEMENT;

THENCE SOUTH 80°36'52" WEST ALONG THE NORTH LINE OF SAID PARCEL NO. 5 AND ITS WESTERLY PROLONGATION THEREOF, A DISTANCE OF 1139.84 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1031, PAGE 326 OF SAID PUBLIC RECORDS; THENCE WESTERLY NORTHERLY AND SOUTHERLY ALONG THE BOUNDARY OF SAID LANDS THE FOLLOWING 22 COURSES; COURSE NO. 1) NORTH 09°55'59" WEST, A DISTANCE OF 618.40 FEET; COURSE NO. 2) NORTH 17°20'53" WEST, A DISTANCE OF 213.11 FEET; COURSE NO. 3) NORTH 73°12'02" WEST, A DISTANCE OF 538.09 FEET; COURSE NO. 4) NORTH 15°46'44" WEST, A DISTANCE OF 311.55 FEET; COURSE NO. 5) NORTH 31°38'15" WEST, A DISTANCE OF 675.98 FEET; COURSE NO. 6) NORTH 53°33'49" WEST, A DISTANCE OF 236.22 FEET; COURSE NO. 7) NORTH 86°59'29" WEST, A DISTANCE OF 675.63 FEET; COURSE NO. 8) NORTH 46°30'55" WEST, A DISTANCE OF 640.21 FEET; COURSE NO. 9) SOUTH 57°52'19" WEST, A DISTANCE OF 413.48 FEET; COURSE NO. 10) SOUTH 17°16'40" WEST, A DISTANCE OF 339.73 FEET; COURSE NO. 11) SOUTH 82°27'31" WEST, A DISTANCE OF 180.62 FEET; COURSE NO. 12) NORTH 55°54'28" WEST, A DISTANCE OF 265.00 FEET; COURSE NO. 13) NORTH 85°31'26" WEST, A DISTANCE OF 480.00 FEET; COURSE NO. 14) NORTH 50°40'57" WEST, A DISTANCE OF 451.81 FEET; COURSE NO. 15) NORTH 20°36'22" WEST, A DISTANCE OF 105.00 FEET; COURSE NO. 16) NORTH 06°03'15" EAST, A DISTANCE OF 401.86 FEET; COURSE NO. 17) NORTH 67°59'52" WEST, A DISTANCE OF 245.00 FEET; COURSE NO. 18) NORTH 88°08'30" WEST, A DISTANCE OF 294.91 FEET; COURSE NO. 19) SOUTH 60°04'20" WEST, A DISTANCE OF 411.95 FEET; COURSE NO. 20) SOUTH 42°57'55" WEST, A DISTANCE OF 250.05 FEET; COURSE NO. 21) SOUTH 52°34'50" WEST, A DISTANCE OF 603.91 FEET; COURSE NO. 22) SOUTH 34°07'31" WEST, A DISTANCE OF 1311.18 FEET; THENCE DEPARTING SAID LANDS, NORTH 30°30'08" WEST, A DISTANCE OF 2272.31 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 11; THENCE NORTH 02°46'51" WEST, A DISTANCE OF 5404.28 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 11; THENCE NORTH 89°24'45" EAST ALONG THE NORTH LINE OF SAID SECTION 11, A DISTANCE OF 1602.17 FEET TO THE POINT OF BEGINNING, CONTAINING 2048.75 ACRES MORE OR LESS, EXCEPTION PARCEL

A PART OF SECTION 7, TOWNSHIP 5 SOUTH, RANGE 28 EAST ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 7; THENCE

NORTH 88°44'53" EAST ALONG THE SOUTH LINE OF SAID SECTION 7, A DISTANCE OF 1341.66 FEET TO A POINT ON THE CENTERLINE OF AN EXISTING 150.00 FOOT WIDE JACKSONVILLE ELECTRIC AUTHORITY EASEMENT, AS RECORDED IN OFFICIAL RECORDS BOOK 2176, PAGE 27 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 09°21'51" WEST ALONG SAID CENTERLINE OF A 150.00 FOOT WIDE JACKSONVILLE ELECTRIC AUTHORITY EASEMENT, A DISTANCE OF 904.57 FEET; THENCE SOUTH 61°56'23" WEST ALONG THE CENTERLINE OF A 130.00 FOOT WIDE JACKSONVILLE ELECTRIC AUTHORITY EASEMENT, A DISTANCE OF 866.83 FEET; THENCE DEPARTING SAID CENTERLINE, SOUTH 28°03'37" EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 28°03'37" EAST, A DISTANCE OF 160.00 FEET; THENCE SOUTH 61°56'23" WEST, A DISTANCE OF 217.33 FEET; THENCE SOUTH 81°19'30" WEST, A DISTANCE OF 122.50 FEET; THENCE NORTH 11°19'01" EAST, A DISTANCE OF 55.55 FEET; THENCE NORTH 36°44'51" WEST, A DISTANCE OF 82.50 FEET; THENCE NORTH 08°40'30" WEST, A DISTANCE OF 35.00 FEET; THENCE NORTH 81°19'30" EAST, A DISTANCE OF 114.99 FEET; THENCE NORTH 61°56'23" EAST, A DISTANCE OF 190.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.15 ACRES MORE OR LESS. THE ABOVE DESCRIBED EXCEPTION PARCEL BEING THE SAME LANDS AS THOSE INTENDED TO BE DESCRIBED IN OFFICIAL RECORDS BOOK 919, PAGE 1114, PARCEL 2 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

42MM-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: Patrick E. Sessions, Jason R. Sessions, Kenneth Strauss, Leo Johns, and Susan Woods.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1802, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 25, 2003

LAND AND WATER ADJUDICATORY COMMISSION

Aberdeen Community Development District

RULE CHAPTER TITLE: Aberdeen Community Development
RULE CHAPTER NO.: 42NN-1

District 42NN-1
RULE TITLES: Establishment 42NN-1.001
Boundary 42NN-1.002
Supervisors 42NN-1.003

PURPOSE, EFFECT AND SUMMARY: The purpose of this proposed rule is to establish a community development district ("CDD"), the Aberdeen Community Development District ("Aberdeen CDD"), pursuant to Chapter 190, F.S. The petition to establish the District, filed by SouthStar Development Partners, Inc. ("Petitioner"), requests that the Florida Land and Water Adjudicatory Commission establish by rule the Aberdeen CDD. A Notice of Receipt of Petition for the Aberdeen CDD was published in the May 30, 2003, edition of the Florida Administrative Weekly. The land area proposed to be served by the District comprises approximately 1,313 acres. The proposed District is generally located west of Russell Sampson Road, east of State Road 13, south of Race Track Road, and north of Greenbriar Road in St. Johns County. There are two out-parcels located within the external boundaries of the proposed District which are to be excluded from the District. The out-parcels consist of mitigation parcels of 1.01 acres and .31 acres, more or less, that will not be adversely impacted by the establishment of the District. The development plan for the proposed lands within the District includes the construction of approximately 60,000 square feet of commercial space, 40,000 square feet of office space, 1,623 single-family units and 395 multi-family units, parks and an amenity center. The proposed land uses within the District are subject to the Aberdeen Development of Regional Impact Development Order ("DRI") approved by St. Johns County. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The statement of estimated regulatory costs (SERC) supports the petition to establish the District. The complete text of the SERC is contained as Exhibit 13 to the petition to establish the District. The scope of the SERC is limited to evaluating the regulatory costs consequences of approving the proposal to establish the District. The requirements for a SERC are found in Section 120.541(2), F.S. A SERC must contain (a) a good faith estimate of the number and types of individuals likely to be required to comply with the rule or who will be affected; (b) a good faith estimate of the costs to any state and local government entities of implementing and enforcing the

proposed rule, and any anticipated effect on state and local revenues; (c) a good faith estimate of the transactional costs likely to be incurred by individuals and entities; (d) an analysis of the impact on small businesses, small counties, and small cities; (e) any additional information that the agency determines may be useful; and (f) any good faith written proposal submitted under paragraph (1)(a) and either a statement adopting the alternative or a statement rejecting the alternative in favor of the proposed rule. Addressing section (a), the principle entities that are likely to be required to comply with the rules include the District, the State of Florida, and St. Johns County. In addition, future property owners will be affected by the establishment of the proposed District. Under section (b), the FLWAC and State of Florida will incur minimal administrative costs. St. Johns County will also incur one-time administrative costs which are offset by the required filing fee paid to St. Johns County by the Petitioner. Adoption of the proposed rule to approve the formation of the District will not have adverse impact on State and local revenues. Addressing section (c), the District may levy non-ad valorem special assessments on properties within its boundaries to finance infrastructure that the District funds and to defray the costs of operating and maintaining the infrastructure and associated community facilities. The District may issue notes, bonds, or other indebtedness to fund its improvement program. Prospective future landowners would be required to pay off such indebtedness over time in the form of non-ad valorem special assessments or other rates, fees or charges. The District may also impose an annual levy for the operations and maintenance of the District. Under section (d), approval of the petition to establish the District will have only incidental or a positive impact on a small business and will not have any impact on small counties and cities. St. Johns County is not a small county as such is defined. Under section (e), the analysis was based on a straightforward application of economic theory with input received from the developer's engineer and other professionals associated with the developer.

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

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

TIME AND DATE: 2:00 p.m. – 4:00 p.m., Monday, August 25, 2003

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

THE FULL TEXT OF THE PROPOSED RULES IS:

ABERDEEN COMMUNITY DEVELOPMENT DISTRICT

42NN-1.001 Establishment.

The Aberdeen Community Development District is hereby established.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

42NN-1.002 Boundary.

The boundaries of the district are as follows:

A PART OF SECTIONS 3, 4, 5, 9 AND 10, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE NORTH 02°44'57" WEST ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING; THENCE DEPARTING SAID SECTION LINE NORTH 86°42'20" EAST, A DISTANCE OF 485.98 FEET; THENCE NORTH 32°46'32" EAST, A DISTANCE OF 462.32 FEET TO A POINT LYING ON A NORTHERLY BOUNDARY OF A JEA SUBSTATION; THENCE NORTH 89°29'07" EAST ALONG SAID NORTHERLY BOUNDARY LINE, A DISTANCE OF 580.00 FEET; THENCE SOUTH 00°30'53" EAST ALONG THE EASTERLY SIDE OF SAID SUBSTATION, A DISTANCE OF 440.00 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID SECTION 9; THENCE NORTH 89°29'07" EAST ALONG SAID SECTION LINE, A DISTANCE OF 4102.05 FEET; THENCE NORTH 02°41'24" WEST ALONG THE EAST LINE OF SAID SECTION 9, A DISTANCE OF 1358.28 FEET; THENCE DEPARTING SAID SECTION LINE SOUTH 87°48'11" EAST, A DISTANCE OF 128.44 FEET; THENCE NORTH 00°00'02" EAST, A DISTANCE OF 985.03 FEET TO A POINT ON THE NORTH LINE OF THE UNITED WATER PARCEL; THENCE SOUTH 87°48'16" EAST ALONG SAID NORTH LINE AND AN EASTWARD EXTENSION THEREOF, A DISTANCE OF 2146.23 FEET; THENCE NORTH 03°57'36" WEST, A DISTANCE OF 3162.69 FEET; THENCE NORTH 02°35'44" WEST, A DISTANCE OF 2600.00 FEET; THENCE NORTH 62°35'44" WEST, A DISTANCE OF 898.23 FEET; THENCE NORTH 00°46'54" EAST, A DISTANCE OF 2323.50 FEET TO A POINT ON A NORTH LINE OF SAID SECTION 3; THENCE SOUTH 89°13'18" WEST ALONG THE NORTH LINE OF SAID SECTION 3, A DISTANCE OF 1500.56

FEET; THENCE SOUTH 00°46'54" WEST ALONG THE WEST LINE OF SAID SECTION 3, A DISTANCE OF 1331.35 FEET; THENCE SOUTH 00°48'58" EAST, CONTINUING ALONG SAID SECTION LINE, A DISTANCE OF 2682.06 FEET; THENCE SOUTH 89°34'41" WEST ALONG THE SOUTH LINE OF JULINGTON CREEK PLANTATION, A DISTANCE OF 2649.95 FEET; THENCE SOUTH 89°32'30" WEST CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 1328.72 FEET; THENCE NORTH 89°30'21" WEST CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 1342.28 FEET; THENCE SOUTH 89°25'38" WEST, A DISTANCE OF 1345.27 FEET; THENCE SOUTH 00°41'24" EAST ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 1341.58 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 5; THENCE NORTH 89°25'45" EAST ALONG SAID SECTION LINE, A DISTANCE OF 1344.92 FEET; THENCE SOUTH 02°44'57" EAST ALONG THE WEST LINE OF SAID SECTION 9, A DISTANCE OF 5352.09 FEET TO THE POINT OF BEGINNING.

CONTAINING 1267.66 ACRES MORE OR LESS.

ABERDEEN SECTION 17

A PART OF SECTION 17, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 17; THENCE SOUTH 02°39'34" EAST ALONG THE EAST LINE OF SAID SECTION 17, A DISTANCE OF 50.03 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 02°39'34" EAST ALONG SAID SECTION LINE, A DISTANCE OF 2242.37 FEET; THENCE NORTH 40°43'28" WEST ALONG THE SOUTHWEST LINE OF SAID SECTION 17, A DISTANCE OF 2930.08 FEET; THENCE DEPARTING SAID SECTION LINE NORTH 89°23'09" EAST, A DISTANCE OF 1807.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 46.50 ACRES MORE OR LESS.

LESS AND EXCEPT:

JEA MITIGATION PARCEL

A PART OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE NORTH 89°29'07" EAST ALONG THE SOUTH LINE OF SAID SECTION 9, A DISTANCE OF 1318.00 FEET; THENCE DEPARTING SAID LINE NORTH 00°30'53" WEST ALONG THE EAST LINE OF A JEA SUBSTATION, A DISTANCE 255.06 FEET TO A POINT ON THE CENTERLINE OF A 130.00 FOOT WIDE JEA POWER

LINE EASEMENT; THENCE NORTH 75°43'43" EAST ALONG SAID CENTERLINE, A DISTANCE OF 1373.36 FEET; THENCE DEPARTING SAID CENTERLINE SOUTH 14°16'17" EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 75°43'43" EAST, A DISTANCE OF 250.00 FEET; THENCE SOUTH 14°16'17" EAST, A DISTANCE OF 199.00 FEET; THENCE SOUTH 75°43'43" WEST, A DISTANCE OF 100.00 FEET; THENCE NORTH 75°54'08" WEST, A DISTANCE OF 113.65 FEET; THENCE SOUTH 87°02'19" WEST, A DISTANCE OF 50.99 FEET; THENCE NORTH 14°16'17" WEST, A DISTANCE OF 135.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.01 ACRES MORE OR LESS.

JEA OUTPARCEL

A PART OF SECTION 9, TOWNSHIP 5 SOUTH, RANGE 27 EAST, ST. JOHNS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE, COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE NORTH 89°29'07" EAST ALONG THE SOUTH LINE OF SAID SECTION 9, A DISTANCE OF 1318.00 FEET; THENCE DEPARTING SAID LINE NORTH 00°30'53" WEST ALONG THE EAST LINE OF A JEA SUBSTATION, A DISTANCE 255.06 FEET TO A POINT ON THE CENTERLINE OF A 130.00 FOOT WIDE JEA POWER LINE EASEMENT; THENCE NORTH 75°43'43" EAST ALONG SAID CENTERLINE, A DISTANCE OF 1173.36 FEET; THENCE DEPARTING SAID CENTERLINE SOUTH 14°16'17" EAST, A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 75°43'43" EAST, A DISTANCE OF 200.00 FEET; THENCE SOUTH 14°16'17" EAST, A DISTANCE OF 98.14 FEET; THENCE NORTH 71°07'50" WEST, A DISTANCE OF 69.86; THENCE SOUTH 67°56'24" WEST, A DISTANCE OF 52.06 FEET; THENCE SOUTH 83°42'15" WEST, A DISTANCE OF 50.34 FEET; THENCE SOUTH 70°23'36" WEST, A DISTANCE OF 40.25 FEET; THENCE NORTH 14°16'17" WEST, A DISTANCE OF 63.76 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.31 ACRES MORE OR LESS.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

42NN-1.003 Supervisors.

The following five persons are designated as the initial members of the Board of Supervisors: J. Thomas Gillette, III, Thaddeus Rutherford, Leo Johns, L. Alfredo Rodriguez-Walling, and Charlie Hillyer.

Specific Authority 190.005 FS. Law Implemented 190.004, 190.005 FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Teresa Tinker, Florida Land and Water Adjudicatory Commission, Room 1802, The Capitol, Tallahassee, Florida 32399-0001

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Teresa Tinker, Florida Land and Water Adjudicatory Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 18, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: July 25, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE TITLES:	RULE NOS.:
Definitions	61G15-20.001
Application for Licensure by Examination Experience	61G15-20.0010
Rules Governing Candidates Qualifying Under the Provisions of 471.013(1)(a)3., F.S.	61G15-20.002
Educational Requirements	61G15-20.005
	61G15-20.006

PURPOSE AND EFFECT: The Board proposes to amend Rule 61G15-20.001, F.A.C., to clarify the definition of “Board approved engineering programs” as used in the rules. Rule 61G15-20.0010, F.A.C., is being amended to correct the rule cite for the definition of Board approved engineering programs to read subsection 61G15-20.001(2), F.A.C. Rule 61G15-20.002, F.A.C., is being amended to clarify the Board approved engineering programs and adds the cite to subsection 61G15-20.001(2), F.A.C. Rule 61G15-20.005, F.A.C., is being amended to correct obsolete language. Rule 61G15-20.006, F.A.C., is being repealed. Rule 61G15-20.007, F.A.C., is being amended to update the language to clarify foreign degree requirements.

SUMMARY: Rule 61G15-20.001, F.A.C., clarifies the Board’s definition of “Board approved engineering programs” as used in the rules. Rule 61G15-20.0010, F.A.C., sets out the requirements for Application for Licensure by Examination. Rule 61G15-20.002, F.A.C., clarifies Board approved engineering programs and adds the cite to subsection 61G15-20.001(2), F.A.C., defining same. Rule 61G15-20.005, F.A.C., clarifies rules that govern candidates qualifying under the provisions of Section 471.013(1)(a)3., F.S. Rule 61G15-20.006, F.A.C., covering educational requirements is being repealed. Rule 61G15-20.007, F.A.C., clarifies foreign degree requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 471.008, 471.013(1)(a), 471.015 FS.

LAW IMPLEMENTED: 471.005(6), 471.013(1)(a), 471.015 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW. (IF NOT REQUESTED IN WRITING, A HEARING WILL NOT BE HELD)

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Natalie Lowe, Executive Director, Florida Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G15-20.001 Definitions.

As used hereinafter in this chapter the following words or phrases shall be defined as follows:

(1) “Year” shall mean 12 months of full-time employment or a full-time academic year of graduate or undergraduate college education.

(2) “Board approved engineering programs” shall mean:

(a) Engineering programs ~~curricula~~ accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET), programs approved by ABET as substantially equivalent to EAC/ABET accredited programs in the United States, including those programs accredited by foreign boards that are signatories to the Washington Accord, approved by the Board of Professional Engineers as substantially equivalent to an EAC/ABET accredited engineering program pursuant to Rule 61G15-20.007, F.A.C., or

(b) In the case of an applicant who did not graduate from an approved program as set forth in paragraph (2)(a) above, and who holds a post-baccalaureate degree from a school or college in the United States which has an EAC/ABET accredited engineering program in a related discipline at the baccalaureate level, provided the applicant can articulate a baccalaureate in engineering by demonstrating substantial equivalency to an EAC/ABET accredited program pursuant to subsection 61G15-20.007(2), F.A.C., or

(c) Programs which have been approved by the Board of Professional Engineers under the provisions of Section 455.11(3), F.S.

Specific Authority 471.013(1)(a) FS. Law Implemented 471.013(1)(a) FS. History—New 1-8-80, Amended 4-15-80, 7-7-83, 9-13-83, Formerly 21H-20.01, Amended 4-20-86, 8-3-86, 5-20-92, 2-2-93, Formerly 21H-20.001, Amended _____.

61G15-20.0010 Application for Licensure by Examination.

(1) through (b) No change.

(2) Any person desiring to take an examination for the purpose of determining whether he or she is qualified to practice as an engineering intern in this state shall submit a completed application to the Board. There are two engineer intern applications from which to choose, the instructions and application Form FBPE/003 (06/01), entitled, "Application for Engineer Intern", which is hereby incorporated by reference, effective 9-27-01, copies of which may be obtained from the Board office, or the instructions and application Form FBPE/004 (06/01), copies of which may be obtained from the Board office. The Board shall certify as eligible to take the Fundamentals examination only those applicants who have completed the application form, remitted the application and examination fee required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they are in the final year of, or have graduated from, "a Board approved engineering program" as defined by subsection 61G15-20.001(2), Chapter 61G15-20, F.A.C.

Specific Authority 471.008, 471.013, 471.015 FS. Law Implemented 471.013, 471.015 FS. History--New 9-27-01, Amended _____.

61G15-20.002 Experience.

(1)(a) through (b)3. No change.

(2) In order to verify an applicant's experience record, the Board will require evidence of employment from employers or supervisors who are employed in the engineering profession or are professional engineers, who shall set forth the quality and character of the applicant's duties and responsibilities. In addition to the employer verification, an applicant must list three personal references who are professional engineers. Should the Board find the information submitted by the applicant is insufficient or incomplete, the Board may require the applicant to supply additional references or evidence regarding the applicant's experience and background or both so that an intelligent decision may be made on whether admittance to the examination is allowable.

The Board will accept as equivalent to one year's experience a masters degree in engineering from a college or university from a Board approved engineering program as defined in subsection 61G15-20.001(2), F.A.C. approved pursuant to Section 471.013, F.S. The Board will also accept as equivalent to one year's experience a doctorate in engineering from a college or university from a Board approved engineering program as defined in subsection 61G15-20.001(2), F.A.C. approved pursuant to Section 471.013, F.S.

Specific Authority 471.013(1)(a) FS. Law Implemented 471.005(6), 471.013(1)(a) FS. History--New 1-8-80, Amended 3-11-80, 6-23-80, 7-7-83, 9-13-84, Formerly 21H-20.01, Amended 8-18-87, 12-4-91, Formerly 21H-20.002, Amended 12-26-94, 5-20-02, _____.

61G15-20.005 Rules Governing Candidates Qualifying Under the Provisions of 471.013(1)(a)3., Florida Statutes.

(1) No change.

(2) Compliance with the above does not indicate automatic acceptance for examination, nor does it exempt said applicant from meeting the criteria set forth in Sections 471.001 through 471.045, ~~F.S., 539 Florida Statutes~~, and Chapter 61G15, ~~F.A.C. Florida Administrative Code~~. Each application filed will be reviewed and acted upon by the Board of Engineers on an individual basis.

Specific Authority 471.008 FS. Law Implemented 471.013(1)(a)3. FS. History--New 10-25-84, Formerly 21H-20.05, 21H-20.005, Amended 10-19-97, _____.

61G15-20.006 Educational Requirements.

~~(1) The evaluation of curricula and standards of accreditation for approval of degree programs required by Section 471.013, F.S., shall be based upon:~~

~~(a) An overview of engineering programs within the United States accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc., (ABET), and~~

~~(b) An evaluation of such programs and schools, following the definition of the practice of engineering set forth in Section 471.005(6), F.S.~~

~~(2) This rule shall not apply to Board approved engineering programs or where ABET accreditation is available to a school or college of engineering.~~

~~(3) Acceptable curricula requirements and degree programs shall conform to the criteria for accrediting engineering programs set forth by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc., (ABET) and found in the applicable Annual Report of ABET.~~

~~(4) The evaluation of the applicant's transcript and degree program shall include a determination of whether such a transcript and degree program is comparable to the above mentioned model by the Education Advisory Committee as defined in Rule 61G15-18.015, F.A.C.~~

~~(5) In order to verify the applicant's curriculum and engineering program the Board may require evidence from the applicant's institution(s) at the cost of the applicant as to the areas mentioned in subsection 61G15-20.006(3), F.A.C., including when the information necessary for the evaluation set forth in (4) above is not available, a site visit by Educational Advisory Committee of the Board at the expense of the applicant.~~

Specific Authority 471.013(1)(a)3. FS. Law Implemented 471.013(1)(a)3., 471.005(6) FS. History--New 8-18-87, Formerly 21H-20.006, Amended 12-26-94, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 19, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2003

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at http://www.dep.state.fl.us/ under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLES: Biennial Renewal Fee
Tutorial Application Fee
RULE NOS.: 64B1-2.001
64B1-2.007

PURPOSE AND EFFECT: These proposed amendments are for the purpose of revising the biennial renewal fees and to repeal the tutorial application fee.

SUMMARY: The Board determined to reduce the biennial renewal fees for the active and inactive licenses in Rule 64B1-2.001 and to repeal Rule 64B1-2.007, F.A.C., because it is no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 456.036(3), 457.104, 457.107(1), 457.108(2) FS.

LAW IMPLEMENTED: 456.036(3), 457.107(1), 457.108(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

64B1-2.001 Biennial Renewal Fee.

(1) The biennial renewal fee for an active license shall be \$300.00 \$400.

(2) The biennial renewal fee for an inactive license shall be \$150.00 \$200.

Specific Authority 456.036(3), 457.104, 457.107(1), 457.108(2) FS. Law Implemented 456.036(3), 457.107(1), 457.108(2) FS. History-New 4-5-84, Amended 11-19-85, Formerly 21AA-2.01, Amended 12-21-87, 7-16-89, Formerly 21AA-2.001, 61F1-2.001, Amended 10-25-95, Formerly 59M-2.001, Amended 5-8-00.

64B1-2.007 Tutorial Application Fee.

Specific Authority 457.104, 457.105(2)(d) FS. Law Implemented 457.105(2)(d) FS. History-New 5-12-87, Formerly 21AA-2.007, 61F1-2.007, 59M-2.007, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 20, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 4, 2003

DEPARTMENT OF HEALTH

Board of Acupuncture

RULE TITLE: Tutorial
RULE NO.: 64B1-4.002

PURPOSE AND EFFECT: To repeal this rule as it is no longer necessary.

SUMMARY: The Board proposes to repeal this rule as the time-frame of the tutorial program has expired.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 457.104, 457.105 FS.

LAW IMPLEMENTED: 457.105 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

64B1-4.002 Tutorial.

Specific Authority 457.104, 457.105 FS. Law Implemented 457.105 FS. History-New 8-15-84, Formerly 21AA-4.02, Amended 5-7-87, 9-19-89, 3-18-92, Formerly 21AA-4.002, 61F1-4.002, Amended 11-26-95, 5-1-97, Formerly 59M-4.002, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 20, 2003

DEPARTMENT OF HEALTH

Board of Acupuncture

Table with 2 columns: RULE TITLES and RULE NOS.: Board Approved Tutorial Programs 64B1-5.001, Definitions 64B1-5.002, Qualifications of Preceptor 64B1-5.004, Requirements for Approval of an Acupuncture Tutorial Program 64B1-5.005, Responsibilities of Trainee 64B1-5.006, Responsibilities of Preceptor 64B1-5.007, Termination of Tutorial Program: Change of Preceptor; Temporary Discontinuance Enforcement 64B1-5.009

PURPOSE AND EFFECT: To repeal these rules as they are no longer necessary.

SUMMARY: The Board proposes the repeal of these rules as the time-frame of the tutorial program has expired.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 457.104, 457.105(2)(b) FS.

LAW IMPLEMENTED: 457.105(2)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pamela King, Executive Director, Board of Acupuncture, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULES IS:

64B1-5.001 Board Approved Tutorial Programs.

Specific Authority 457.104, 457.105 FS. Law Implemented 457.105 FS. History--New 5-10-87, Amended 11-2-88, Formerly 21AA-5.001, 61F1-5.001, Amended 1-16-97, Formerly 59M-5.001, Amended 11-23-97, 4-7-98, Repealed

64B1-5.002 Definitions.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History--New 5-10-87, Amended 5-17-90, Formerly 21AA-5.002, 61F1-5.002, Amended 10-25-95, 1-16-97, Formerly 59M-5.002, Amended 4-25-00, Repealed

64B1-5.004 Qualifications of Preceptor.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History--New 5-10-87, Amended 2-24-88, 12-30-92, Formerly 21AA-5.004, 61F1-5.004, Amended 5-1-97, Formerly 59M-5.004, Amended 11-23-97, Repealed

64B1-5.005 Requirements for Approval of an Acupuncture Tutorial Program.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History--New 5-10-87, Amended 8-8-89, 5-17-90, 7-8-91, Formerly 21AA-5.005, Amended 7-4-94, Formerly 61F1-5.005, Amended 10-25-95, 1-16-97, Formerly 59M-5.005, Repealed

64B1-5.006 Responsibilities of Trainee.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History--New 5-10-87, Formerly 21AA-5.006, 61F1-5.006, Amended 1-16-97, Formerly 59M-5.006, Repealed

64B1-5.007 Responsibilities of Preceptor.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History--New 5-10-87, Amended 2-24-88, 8-8-89, Formerly 21AA-5.007, 61F1-5.007, Amended 1-16-97, Formerly 59M-5.007, Repealed

64B1-5.008 Termination of Tutorial Program; Change of Preceptor; Temporary Discontinuance.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History--New 5-10-87, Formerly 21AA-5.008, 61F1-5.008, Amended 5-1-97, Formerly 59M-5.008, Repealed

64B1-5.009 Enforcement.

Specific Authority 457.104, 457.105(2)(b) FS. Law Implemented 457.105(2)(b) FS. History--New 5-10-87, Formerly 21AA-5.009, 61F1-5.009, Amended 4-10-97, Formerly 59M-5.009, Repealed

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Acupuncture

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Acupuncture

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 20, 2003

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Specific Regulations for Type I Wildlife Management Areas -- North Central Region 68A-15.062

PURPOSE AND EFFECT: The purpose of the proposed changes is to establish specific regulations for Lochloosa, Gulf Hammock, and Grove Park Wildlife Management Areas (WMAs). The effect would be to require recreational user permits for public access on these privately-owned WMAs.

SUMMARY: The proposed changes would establish specific rules for Grove Park WMA and revise specific rules for Lochloosa and Gulf Hammock WMAs to accommodate conversion of privately-owned lands to the Recreational User Permit Program. Proposed revisions on Gulf Hammock would

restrict access to only those individuals possessing a recreational user permit, except as provided by s. 372.57, F.S., and add a 3-day muzzleloading gun season.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: It is estimated that the proposed action will cost the agency approximately \$275 for administrative preparation and \$375 for legal advertising. No other significant economic impacts are expected.

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

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Fla. Const.

LAW IMPLEMENTED: Art. IV, Sec. 9, Fla. Const.

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

TIME AND DATES: 8:30 a.m. each day, September 3-5, 2003

PLACE: Clarion Suites Resort, 20 Via DeLuna, Pensacola, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE AND ECONOMIC STATEMENT IS: James Antista, General Counsel, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.062 Specific Regulations for Type I Wildlife Management Areas – North Central Region.

(1) through (2) No change.

(3) Gulf Hammock Wildlife Management Area.

(a) Open season:

1. General gun – November 8 through January 4.

2. Spring turkey – March 20 through April 25.

3. Archery – September 20 through October 19.

4. Muzzleloading gun – October 31 through November 2.

~~5.4.~~ Fishing and frogging – Permitted only during periods when hunting is allowed.

(b) Legal to take: All legal game, fish, frogs and furbearers. Wild hogs may not be taken after the first 23 days of general gun season.

(c) Camping: Permitted only at designated campsites during periods in which hunting is allowed.

(d) General regulations:

1. Camps may be set up beginning one day before each hunting period and shall be removed from campsites within one day following the close of each hunt period. Camping is limited to tents, trailers and self-propelled vehicles.

2. Vehicles may be operated only on established roads.

3. Public access is permitted only when hunting is allowed and on the Friday prior to archery and spring turkey season and on the consecutive Friday, Saturday, and Sunday prior to the general gun season.

4. Public access to the area is permitted only at designated entrances. Public access during periods when hunting is permitted is limited to entering the area no earlier than one hour before legal shooting hours and exiting the area no later than one hour after legal shooting hours.

5. Fires other than campfires are prohibited.

6. Access is permitted only by individuals possessing a valid recreational user permit, except as provided by s. 372.57, F.S.

7. The taking of wildlife by use of a gun on or from the right-of-way of Butler Road south of its intersection with Buckhead Road is prohibited as provided by Rule 68A-4.008, F.A.C.

(4) Lochloosa Wildlife Management Area.

(a) Open season:

1. General gun – November 8 through January 4.

2. Spring turkey – March 20 through April 25.

3. Archery – September 20 through October 19.

4. Muzzleloading gun – October 24-26.

5. Duck and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.

6. Fishing and frogging – Throughout year.

~~7. Trapping – December 1 through January 4 in the still hunt portion of the area only.~~

(b) Legal to take: All legal game, fish, frogs and furbearers. No size or bag limit on hogs.

(c) Camping: Camping allowed only by permit from the St. Johns River Water Management District, and only at the designated campsite.

(d) General regulations:

~~1.2. Hunting with dogs other than bird dogs is prohibited west of County Road 325 and north of County Road 2082 during general gun season.~~

1.2. The taking of hogs by the use of dogs is prohibited.

~~2.3. Vehicles are prohibited year round in the still hunt areas west of and including Old Rail Bed Road, south of County Road 346, and north of County Road 2082. Vehicles are restricted to established roads in the remaining portion of the area. Non-motorized bicycles are permitted, but may be ridden only on established roads.~~

~~3.4. During the general gun season, hunting as specified by paragraph 68A-24.002(2)(b), F.A.C., is permitted except west of C.R. 325.~~

4.5. Taking of wildlife by use of a gun on or from the rights-of-way of County Roads 325 and 346 is prohibited as provided by Rule 68A-4.008, F.A.C.

~~6. Hunting with dogs is prohibited during the archery and muzzleloading gun seasons.~~

5.7. Fires are prohibited on the area.

6.8. Horses are permitted only during periods closed to hunting. Horses may be ridden only on established roads.

(5) through (33) No change.

(34) Grove Park Wildlife Management Area (Alachua County)

(a) Open season:

1. Archery – September 20 through October 19.

2. Muzzleloading gun – October 24-26.

3. General gun – November 8 through January 4.

4. Duck and coot – During the duck and coot season established by Rule 68A-13.003, F.A.C.

5. Trapping – December 1 through January 4.

6. Spring turkey – March 20 through April 25.

7. Fish and frogging – Throughout year.

(b) Legal to take: All legal game, fish, frogs and furbearers. No size or bag limit on hogs.

(c) Camping: Prohibited

(d) General regulations:

1. Hunting with dogs other than bird dogs is prohibited.

2. Vehicles are prohibited year-round in the Camps Canal area, in those lands lying south of County Road 346, and in those lands lying north of County Road 2082. Vehicles are restricted to established roads in the remaining portion of the area. Non-motorized bicycles are permitted, but may be ridden only on established roads.

3. Taking of wildlife by use of a gun on or from the rights-of-way of County Roads 325, 2082, and 346 is prohibited as provided by Rule 68A-4.008, F.A.C.

4. Fires are prohibited on the area.

5. Horses are permitted only during periods closed to hunting. Horses may be ridden only on established roads.

6. Access is permitted only by individuals possessing a valid recreational user permit, except as provided by s. 372.57, F.S.

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 372.121, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 11-17-83, 7-5-84, 7-1-85, 2-16-86, 5-7-86, 6-10-86, 11-27-86, 5-10-87, 5-1-88, 6-7-88, 7-1-89, 8-17-89, 7-1-90, 9-1-90, 7-1-91, 7-2-91, 7-1-92, 7-2-92, 8-23-92, 10-22-92, 7-1-93, 7-1-94, 2-9-95, 7-1-95, 7-1-96, 9-15-96, 6-1-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.062, Amended 12-9-99, 7-1-00, 7-1-01, 11-11-01, 6-2-02, 10-16-02, 5-25-03, 7-7-03, _____

NAME OF PERSON ORIGINATING PROPOSED RULE:
Timothy A. Breault

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Mr. Kenneth D. Haddad

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 14, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2002

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT

CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.W.

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.:
4-167.002

RULE TITLE:
Private Passenger Motor Vehicle Insurance; Completion of Underwriting Notice of Incorrect Premium, Return of Unearned Premium

NOTICE OF WITHDRAWAL

Notice is hereby given that the above as noticed in Vol. 27, No. 14, April 6, 2001, of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Dairy Industry

RULE NO.:
5D-1.012

RULE TITLE:
Future Dairy Farms, Milk Plants and Frozen Dessert Plants

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 26, June 27, 2003 issue of the Florida Administrative Weekly.

5D-1.012 Future Dairy Farms, Milk Plants and Frozen Dessert Plants.

(1) Milk barn, stable or parlor and milkhouse or room construction.

(a) Walls, ventilation and light. Walls shall be of smooth finish impervious to water. ~~Cement plaster over concrete block walls painted light in color with enamel dairy paint or new type epoxy finish is suggested. Tile blocks are satisfactory. A light color plaster finish on cement will not require painting.~~ Ten percent of wall area shall be windowed of the ventilating type, unless adequate mechanical ventilation ~~is and light are~~ furnished. Pipes penetrating walls shall be ~~shielded and~~ sufficiently tight as to prevent any open space between the pipe and the wall penetration.

(2) Milk plant, frozen dessert plant, receiving station or transfer station construction.

(a) Walls. Walls shall be of smooth finish impervious to water. ~~Cement plaster over concrete block walls painted light in color with enamel dairy paint or new type epoxy finish is suggested. Tile block walls are satisfactory. Ten percent of wall area should be windowed.~~