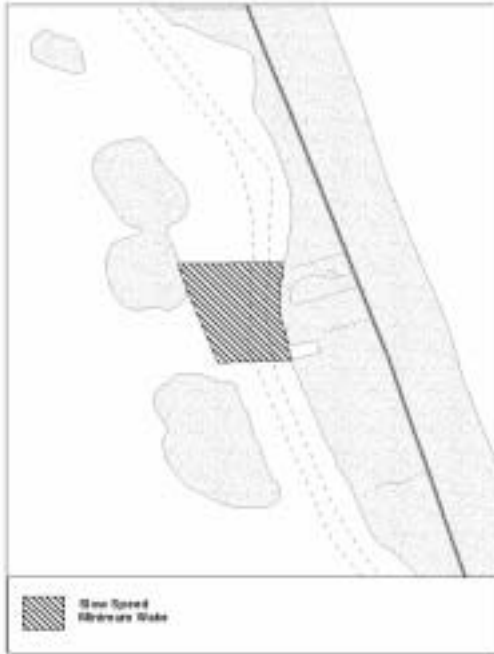


Section III
Notices of Changes, Corrections and
Withdrawals



Drawing F – Devil’s Elbow Boat Ramp

Rulemaking Specific Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New 12-11-97, Formerly 62N-24.155, Amended 11-14-01, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Colonel Jim Brown, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, 620 South Meridian Street, Tallahassee, Florida 32399-1600

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 23, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 24, 2010

DEPARTMENT OF LEGAL AFFAIRS
Division of Victim Services and Criminal Justice Programs

RULE NOS.:	RULE TITLES:
2A-7.0021	Eligibility
2A-7.0022	Application Process
2A-7.0024	Applicant Assistant Duties and Responsibilities

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. 36, No. 51, December 23, 2010 issue of the Florida Administrative Weekly.

The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. In Rule 2A-7.0021, subsections (3) and (4) are deleted in their entirety; the remaining paragraphs are renumbered; and (4) shall now read as follows: Participation in this program cannot be used to circumvent or nullify any other Florida law that requires an individual to register her or his address with another public agency.

2. In Rule 2A-7.0021, the Law Implemented shall now read as follows: 97.0585(3), 741.403, 741.404, 741.405, 741.406, 741.409, 741.465, 775.13, 775.21, 784.048, 944.606, 944.607, 944.608, 944.609, FS.

3. In Rule 2A-7.0022, subsection (1), (b) is deleted and (c) through (m) are renumbered (b) through (l).

4. In Rule 2A-7.0022, subsection (1)(k) shall now read as follows: An affirmation that the applicant is not required to register her or his address with any other public agency under Florida law.

5. In Rule 2A-7.0022, subsections (2), (3), and (8) are deleted in their entirety. The remaining paragraphs are renumbered (2) through (7).

6. In Rule 2A-7.0022, the Law Implemented shall now read as follows: 97.0585(3), 741.403, 741.404, 741.405, 741.406, 741.409, 741.465, 775.13, 775.21, 784.048, 944.606, 944.607, 944.608, 944.609, FS.

7. In Rule 2A-7.0024, subsection (3) shall now read as follows: The applicant assistant will forward original and supporting documents to the department within 72 hours of completion.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Christina Harris, Chief, Bureau of Advocacy and Grants Management, Department of Legal Affairs, PL-01 The Capitol, Tallahassee, Florida 32399-1050

transactional costs. The rule affects small businesses, but not small counties or cities. Alternatives to the text were discussed and considered at the rule hearing held by the department.

The person to be contacted regarding the above notice is: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin C06, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH

Division of Medical Quality Assurance

RULE NO.: 64B-7.003
 RULE TITLE: Counterfeit-Resistant Prescription Blanks

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 36, No. 45, November 12, 2010 issue of the Florida Administrative Weekly.

The FSU Center for Economic Forecasting and Analysis (Center) prepared an economic analysis and revised the SERC in compliance with Chapter 2010-279, Laws of Florida. JAPC suggested corrections and, on February 14, 2011, the Center issued the revised SERC.

The SERC economic analysis shows that the proposed rule is not likely to adversely impact economic growth, job creation, investment, business competitiveness, productivity, or innovation in excess of \$1 million in the aggregate within 5 years after rule implementation. The economic analysis shows that the proposed rule is likely to increase regulatory costs, including transactional costs, in excess of \$1 million in the aggregate within 5 years after rule implementation and, therefore, the rule requires legislative ratification. It estimates the number of pain-management clinic physicians who are subject to the rule. The rule will not affect costs to the agency, other governmental entities, nor will it effect state or local revenues. Transactional costs of approximately 3.8 cents per controlled substance prescription yield a total of over \$422,500 per year statewide, but no other transactional costs are expected. The rule affects small businesses, but is not expected to affect small counties or cities. Alternatives to the proposal were not submitted to the department.

The person to be contacted regarding the above notice is: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin C #06, Tallahassee, Florida 32399-3253.

**Section IV
 Emergency Rules**

NONE

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

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Emergency Management

The Department of Community Affairs hereby gives notice that a Final Order Denying a Petition for Variance was issued on February 2, 2011. (This is a corrected notice; previous notice was published in the February 18, 2011, edition of the Florida Administrative Weekly.)

NAME OF PETITIONER: Kissimmee Bay Country Club.

DATE PETITION WAS RECEIVED: November 8, 2010.

NOTICE OF RECEIPT OF PETITION: Vol. 36, No. 47, November 24, 2010 (previously omitted).

RULE NUMBER AND NATURE OF RULE FROM WHICH WAIVER OR VARIANCE WAS SOUGHT: Rule No. 9G-14.003, F.A.C., Annual Registration Fee, relating to annual registration fees for hazardous chemicals. This waiver was requested pursuant to the provisions of Section 120.542, F.S. and Rule 28-104.002, F.A.C. It was assigned the number DCA10-WAI-229.

GENERAL BASIS FOR THE AGENCY DECISION: The Department determined that the petition did not meet the criteria for granting a variance or waiver to a rule under Section 120.542, F.S. and Chapter 28-104, F.A.C., in that it did not specify how a variance would serve the purposes of the underlying statute and did not explain how the rule affected the Petitioner in a manner significantly different from the way it affects other similarly situated facilities that are subject to the rule.

A copy of the Order or additional information may be obtained by contacting: Paula P. Ford, Agency Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that on February 22, 2011, the Suwannee River Water Management District, received a petition for waiver from Bruce Rankin, 9859 N.W. 38th Terrace, Branford, FL 32008, pursuant to Section 120.542, F.S. Petitioner is seeking waiver from subsection 40B-4.3030(9), F.A.C., Conditions for Issuance of Works of the District Development Permits, as to the zero rise certification requirements. Petitioner intends to replace the existing home above the 100-year flood elevation further landward, in Gilchrist County, located in Township 7 South, Range 13 East, Section 14. These rules are intended to set forth criteria for development activities within a Work of the District. The petition has been assigned ERP Number 02-0303M, B. Rankin District Floodway Project.