

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09401 Student Performance Standards

PURPOSE AND EFFECT: The purpose of this rule development is to revise Next Generation Sunshine State Standards for Social Studies, The Arts, Health Education, Physical Education, Gifted Education and Special Skills, and Next Generation Sunshine State Standards (Common Core) for Mathematics, including core content connectors. The effect will be the proposed adoption of the Next Generation Sunshine State Standards in Social Studies, The Arts, Health Education, Physical Education, Gifted Education and Special Skills, and Next Generation Sunshine State Standards (Common Core) for Mathematics, including core content connectors.

SUBJECT AREA TO BE ADDRESSED: Standards for Social Studies, The Arts, Health Education, Physical Education, Gifted Education, Special Skills, and Mathematics.

RULEMAKING AUTHORITY: 1001.02, 1003.41 FS.

LAW IMPLEMENTED: 1001.03, 1003.41 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: August 9, 2013, 10:00 a.m. – 10:30 a.m.

PLACE: Via Conference call #: 1(888)670-3525, Passcode: 6865599751#

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Jane Tappen, Deputy Chancellor, Curriculum, Instruction and Student Services, Department of Education, 325 West Gaines Street, Room 1502, Tallahassee, FL, (850)245-0818, Mary.Tappen@fldoe.org. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09412 Course Requirements – Grades K-12 Basic and Adult Secondary Programs

PURPOSE AND EFFECT: The purpose of this rule development is to revise course requirements for each course contained in the “2013-2014 Course Code Directory and Instructional Personnel Assignments” and the “2014-2015 Course Code Directory and Instructional Personnel Assignments” for Grades K-12/Adult, Basic Education. The effect will be the proposed adoption of the 2013-2014 and 2014-2015 course descriptions which include literacy, mathematical practices, and health education standards as appropriate for each grade level and content area.

SUBJECT AREA TO BE ADDRESSED: Public school course descriptions for Basic Education programs for grades K-12 and Adult Secondary Programs.

RULEMAKING AUTHORITY: 1001.02, 1011.62(1)(t) FS.

LAW IMPLEMENTED: 1001.03, 1011.62(1)(t) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: August 9, 2013, 10:30 a.m. – 11:00 a.m.

PLACE: Via Conference Call #: 1(888)670-3525, Passcode: 6865599751#

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Jane Tappen, Deputy Chancellor, Curriculum, Instruction and Student Services, Department of Education, 325 West Gaines Street, Room 1502, Tallahassee, FL, (850)245-0818, Mary.Tappen@fldoe.org. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-1.09414 Course Requirements – Grades PK-12 Exceptional Student Education

PURPOSE AND EFFECT: The purpose of this rule development is to revise course requirements for each course contained in the “2013-2014 Course Code Directory and Instructional Personnel Assignments” and the “2014-2015 Course Code Directory and Instructional Personnel

Assignments” for Grades PK-12 Exceptional Student Education. The effect will be the proposed adoption of the 2013-2014 and 2014-15 course descriptions which include literacy, mathematical practices, and health education standards as appropriate for each grade level and content area.

SUBJECT AREA TO BE ADDRESSED: Course descriptions for public school exceptional student education in Grades PK-12.

RULEMAKING AUTHORITY: 1001.02, 1001.03, 1011.62(1)(t) FS.

LAW IMPLEMENTED: 1001.03, 1003.42, 1011.62(1)(t) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: August 9, 2013, 11:00 a.m. – 11:30 a.m.

PLACE: Via Conference call #1(888)670-3525, Passcode: 6865599751#

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mary Jane Tappen, Deputy Chancellor, Curriculum, Instruction and Student Services, Department of Education, 325 West Gaines Street, Room 1502, Tallahassee, FL, (850)245-0818, Mary.Tappen@fldoe.org. To request a rule development workshop, please contact: Lynn Abbott, Agency Clerk, (850)245-9661 or e-mail lynn.abbott@fldoe.org or go to <https://app1.fldoe.org/rules/default.aspx>

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT: <https://app1.fldoe.org/rules/default.aspx>

DEPARTMENT OF MANAGEMENT SERVICES

Commission on Human Relations

RULE NO.: RULE TITLE:

60Y-7.001 Complaints

PURPOSE AND EFFECT: The proposed rule amendment is sought in response to Chapter 2013-207, Laws of Florida, which became effective July 1, 2013. The new law passed Senate Bill 1464/House Bill 1147, which amended Florida Statute, Section 760.34, F.S., as follows:

(4) If, within 180 days after a complaint is filed with the commission or within 180 days after expiration of any period of reference under subsection (3), the commission has been unable to obtain voluntary compliance with Sections 760.20-760.37, F.S., the person aggrieved may commence a civil action in any appropriate court against the respondent named in the complaint or petition for an administrative determination pursuant to Section 760.35, F.S., to enforce the rights granted or protected by Sections 760.20-760.37, F.S. If, as a result of its investigation under subsection (1), the

commission finds there is reasonable cause to believe that a discriminatory housing practice has occurred, at the request of the person aggrieved, the Attorney General may shall bring an action in the name of the state on behalf of the aggrieved person to enforce the provisions of Sections 760.20-760.37, F.S.

The U.S. Department of Housing and Urban Development (HUD) has certified that the Florida Commission on Human Relations enforces the Florida Fair Housing Act which provides substantive rights, procedures, remedies and judicial review provisions that are substantially equivalent to the federal Fair Housing Act. As a certified agency, the Florida Commission on Human Relations receives referrals of housing discrimination complaints for investigation from HUD, and in return for investigating those complaints, the Florida Commission on Human Relations receives funding from HUD. HUD has expressed concern that the law change identified above will impact the Commission’s substantial equivalency certification because of the possibility that if the Attorney General, in its discretion, decided not to bring a civil action in the name of the state on the aggrieved person’s behalf, the aggrieved person would be left without appropriate redress and/or representation.

SUBJECT AREA TO BE ADDRESSED: The proposed rule would confirm that in those circumstances where the Attorney General decides not to bring a civil action in the name of the state on the aggrieved person’s behalf, the Florida Commission on Human Relations will bring a civil action.

RULEMAKING AUTHORITY: 760.31(5) FS.

LAW IMPLEMENTED: 760.34 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: Cheyanne Costilla, Florida Commission on Human Relations, 2009 Apalachee Parkway, Suite 100, Tallahassee, FL 32301, (850)488-7082, Cheyanne.Costilla@fchr.myflorida.com

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

60Y-7.001 Complaints.

(1) through (7) No change.

(8)(a)1. Notice to Respondent. When it is determined that a complaint is complete and has been timely filed, the Executive Director shall cause notice of the filing and a copy of the complaint to be served upon the respondent. Notice

should be served within 10 days of the date of filing. An amendment likewise shall be served upon the respondent.

2. The notice shall advise the respondent of relevant procedural rights and obligations by referencing, for example, Sections 760.20-760.37, F.S., and Chapters 60Y-6, 60Y-7, 60Y-8, and 60Y-9, F.A.C.

3. The notice shall advise the respondent of the complainant’s right to commence a civil action under Section 760.35, F.S., in court, not later than two years after the occurrence or termination of the alleged discriminatory housing practice. If filed in federal court under federal law, the notice will state that the computation of this two-year period excludes any time during which the matter is pending for administrative relief with respect to a complaint or charge based on the alleged discriminatory housing practice. The notice will also state, however, that the time period includes the time during which an action arising from a breach of a conciliation agreement under Section 760.36, F.S., is pending.

4. The notice shall advise the respondent that retaliation against any person because he or she made a complaint or testified, assisted or participated in an investigation or conciliation under Florida’s Fair Housing Act is a discriminatory housing practice that is prohibited.

(b) Notice to Complainant.

1. The Commission shall serve notice upon the complainant acknowledging the filing of the complaint, advising the complainant of the time limits set forth in Rule 60Y-7.004, F.A.C.

2. The Commission shall serve notice upon the complainant advising the complainant of the statutory remedies and choice of forums by referencing Sections 760.34, 760.35 and 760.37, F.S., and by informing the complainant that Section 760.34, F.S., is neither an obstacle nor a prerequisite to commencement of a separate civil action on his own under Section 760.35, F.S.

3. The notice shall advise the complainant of his right to commence a civil action under Section 760.35, F.S., in a court, not later than two years after the occurrence or termination of the alleged discriminatory housing practice. The notice will state that, if filing in federal court under federal law, the computation of this two-year period excludes any time during which the matter is pending for administrative relief with respect to a complaint or charge, based on the alleged discriminatory housing practice. The notice will also state, however, that the time period includes the time during which an action arising from a breach of a conciliation agreement under Section 760.36, F.S., is pending.

4. The notice shall advise the complainant that retaliation against any person because he or she made a complaint or testified, assisted, or participated in an investigation or

conciliation under Florida’s Fair Housing Act is a discriminatory housing practice that is prohibited.

5. Upon an investigatory determination of reasonable cause, the Commission shall serve notice upon the complainant advising the complainant that at the election of the complainant, the Attorney General ~~may~~ shall bring an action in the name of the state on behalf of the complainant to enforce the provisions of Sections 760.20-.37, F.S.

6. The complainant must make his election within 20 days after receipt of the notice. If an election is made for a civil action by the Attorney General, then a civil action ~~may~~ shall be commenced and maintained within a reasonable time from the date of the election. If the Attorney General, in its discretion, determines that it will not initiate a civil action on behalf of the aggrieved person, the Commission shall institute a civil action in an appropriate court.

7. In addition, complainant shall be advised that, as an alternative to the Attorney General bringing an action, the Commission petition for an administrative hearing and seek relief for complainant under Section 120.57, F.S., and prosecute the matter to a final agency order, which may include defending against an appeal by the respondent.

8. At all times, however, Complainant retains the right to seek administrative or judicial relief without governmental assistance.

(9) No change.

Rulemaking Specific Authority 760.31(5) FS. Law Implemented 760.34 FS. History—New 1-25-90, Amended 11-20-91, Formerly 22T-21.001, Amended 9-17-98, 12-31-03, _____.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-64.005
 RULE TITLE: Adjustments to Reflect Consumer Price Index

PURPOSE AND EFFECT: The purpose of the amendment is to adjust the firefighter death benefits provided in Section 112.191(2), F.S., for the 2013-2014 year based on the Consumer Price Index (CPI) for All Urban Consumers published by the United States Department of Labor.

SUBJECT AREA TO BE ADDRESSED: Firefighter line of duty death benefits.

RULEMAKING AUTHORITY: 112.191(2)(i) FS.

LAW IMPLEMENTED: 112.191 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

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

PLACE: Division of State Fire Marshal, 3rd Floor Conference Room, The Atrium Building, 325 John Knox Road, Tallahassee, FL

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: Jason Fryar at (850)413-3647 or Jason.Fryar@MyFloridaCFO.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Jason Fryar, Government Analyst II, Division of State Fire Marshal, 200 E. Gaines Street, Tallahassee, FL 32399-0342, (850)413-3647 or Jason.Fryar@MyFloridaCFO.com. The text of the proposed rule is also available on the Department's website @ <http://www.MyFloridaCFO.com/LegalServices/ruleHearing/> THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:
61G15-21.001 Written Examination Designated; General Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and to add new language to clarify general requirements for written examinations.

SUMMARY: The rule amendment will delete unnecessary language and to add new language to clarify general requirements for written examinations.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: 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: 455.217(1) FS.

LAW IMPLEMENTED: 455.217(1), 471.015 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303

THE FULL TEXT OF THE PROPOSED RULE IS:

61G15-21.001 Written Examination Designated; General Requirements.

(1) The Florida Board of Engineers hereby determines that a written examination shall be given and passed prior to any applicant receiving a license to practice as a professional engineer, or as an engineer intern in the State of Florida except as provided in Section 471.015, F.S. The examination shall be provided by the National Council of Examiners for Engineers and Surveyors (NCEES). The examination consists of two parts, Part I, or the fundamentals examination, and Part II, or the principles and practices examination. After January 1, 2014, the fundamentals examination will be a computer-based examination rather than written.

(a) ~~Part One I~~ of the examination provided by NCEES is the fundamentals examination. ~~and is eight (8) hours. The engineer intern examination is defined to be Part One of the written examination provided by the NCEES.~~

(b) ~~Part II Two~~ of the examination provided by NCEES for all disciplines other than structural is the principles and practice examination, ~~is eight (8) hours, and is given by discipline. The principles and practice examination for structural engineering, however, is sixteen (16) hours. Candidates are permitted to bring certain reference materials and calculators. A list of approved reference materials and calculators will be provided to all candidates prior to each examination.~~ National examination security requirements as set forth by the NCEES shall be followed throughout the administration of the examination.

(c) For Part II of the examination for structural engineering, an applicant can take either the structural

component of the civil engineering exam or can take the separate structural examination which is sixteen (16) hours, consisting of an eight (8) hour vertical forces component and eight (8) hour lateral forces component.

(2) No change.

Rulemaking Authority 455.217(1) FS. Law Implemented 455.217(1), 471.015 FS. History--New 1-8-80, Formerly 21H-21.01, Amended 10-5-92, Formerly 21H-21.001, Amended 11-15-94, 10-14-02, 3-9-04, 2-3-05, 2-2-12, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:

Board of Professional Engineers

NAME AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 5-6, 2012

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 7, 2013

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Strategic Business Development

RULE NOS.: RULE TITLES:

- 73A-5.001 Applicability and Limitations
- 73A-5.002 Definitions
- 73A-5.003 Tables
- 73A-5.004 Application Process for Approval to Earn Tax Credits or to Create Transferable Tax Credits
- 73A-5.005 Early Review of an Application for Approval
- 73A-5.006 Application Process for Certification to Take or Transfer Tax Credits
- 73A-5.007 Revocation or Modification of Certification to Take or Transfer Tax Credits
- 73A-5.008 Forms

PURPOSE AND EFFECT: These Rules will administer Section 220.194, Florida Statutes. The Department of Economic Opportunity is mandated to adopt rules in order to instruct spaceflight businesses on how to comply with this section of Florida Statutes. The Rules provide guidance to spaceflight businesses by providing timelines, applications, and definitions needed to implement the Florida Space Business Incentives Act.

SUMMARY: These Rules address how space flight businesses can qualify and apply for tax incentives for their business activities that will attract launch, payload, research, and development, as well as other space business, to the State of Florida. These Rules provide the form and applications needed for space flight businesses to apply, receive, and/or transfer tax credits. These Rules clarify deadlines for application submittal.

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 Agency has performed a review of the statutory requirements and has determined that its proposed rules 73A-5 have no adverse impact or regulatory costs which exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. The rules are therefore expected be able to take effect without the need of being ratified by the Legislature.

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

RULEMAKING AUTHORITY: 220.194(8) FS.

LAW IMPLEMENTED: 220.194 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: Katherine Morrison, Division of Strategic Business Development, Department of Economic Opportunity, 107 E. Madison Street, Mail Station 80, Caldwell Building, Tallahassee, Florida 32399, (850)717-8973

THE FULL TEXT OF THE PROPOSED RULE IS:

73A-5.001 Applicability and Limitations.

(1) This chapter applies to an Applicant as defined in Rule 73A-5.002, F.A.C. An Applicant shall submit an Application for Approval using Form DEO/SBD194(1), or an Application for Certification using Form DEO/SBD 194(2), using the parameters established in Table 1 and Table 2, of Rule 73A-5.003, F.A.C., and must be an eligible "Taxpayer" as defined in section 220.03, Florida Statutes. Copies of these Forms are available from the Department of Economic Opportunity (DEO) at 107 E. Madison Street, Mail Station 80, Caldwell Building, Tallahassee, Florida 32399, or on DEO's website: <http://www.floridajobs.org>.

(2) An Applicant shall not submit an Application for Approval to Earn Nontransferable Corporate Income Tax Credits and an Application for Approval to Create Transferable Net Operating Loss Tax Credits in the same State

Fiscal Year. The deadlines established for submittal of an Application for Approval are shown in Table 1 of Rule 73A-5.003, F.A.C.

(3) An Applicant shall not submit an Application for Certification of a Nontransferable Corporate Income Tax Credit and an Application for Certification of a Transferable Net Operating Loss Tax Credit in the same State Fiscal Year. The deadlines established for submittal of an Application for Certification are shown in Table 1 of Rule 73A-5.003, F.A.C.

(4) Only one category of Application for Approval may be submitted in a single State Fiscal Year, and only one category of Application for Certification shall be approved in a single State Fiscal Year. Incomplete applications do not secure a place in the first-come, first-served application line. Therefore, the application deadlines established in Table 1 of Rule 73A-5.003, F.A.C., are intended to allow sufficient time for application deficiencies to be corrected.

(5) The maximum Nontransferable Tax Credit amount that shall be approved by DEO, the maximum Nontransferable Corporate Income Tax Credit that shall be certified by DEO, and the minimum amount of Spaceflight Project Job Creation and non-state funded investment amounts which may be included in an application, are shown in Table 2 of Rule 73A-5.003, F.A.C. No Applications to Earn Nontransferable Corporate Income Tax Credits shall be approved after October 1, 2017; therefore no such Applications shall be accepted by DEO after July 31, 2017.

(6) The maximum Transferable Net Operating Loss Tax Credit that shall be approved by DEO, the maximum Transferable Net Operating Loss Tax Credit that shall be certified by DEO, and the minimum amount of Spaceflight Project Job Creation and non-state funded investment amounts which may be included in an application are shown in Table 2 of Rule 73A-5.003, F.A.C. No Applications to Create Nontransferable Corporate Income Tax Credits shall be approved after October 1, 2017; therefore no such Applications shall be accepted by DEO after July 31, 2017.

(7) An Applicant's Application for Certification must include the documented creation of 35 "new jobs." The period for the creation of these new jobs does not begin until after an Application for Approval is approved by DEO. Once the 35 new jobs have been created, the new employees must be paid at least 115% of the statewide or countywide average annual private sector wage for 3 years, as described in section 220.194, Florida Statutes, before the Applicant is eligible to submit the relevant Application for Certification.

(8) Each application will be completely evaluated and no Applicant will receive approval or certification until DEO is able to verify the requirements set forth in Sections 220.194(4), (5) and (6), Florida Statutes. Applicants must provide assistance to DEO when verification is necessary.

DEO may use, but is not limited to, the following methods of verification of the information submitted:

(a) Request more detailed information or explanation from the Applicant in writing; and/or

(b) Examine the methods of the calculations used in the application process; and/or

(c) Meet with and/or discuss concerns with the Applicant or its designated authority.

(9) An Applicant seeking a tax credit pursuant to Section 220.194, Florida Statutes, shall use Form DEO/SBD 194(1) or Form DEO/SBD194(2), adopted pursuant to this Chapter and incorporated herein by reference, for the Tax Credit Applications defined in Table 1 of Rule 73A-5.003, F.A.C. Applicants shall submit their applications to Space Florida at 505 Odyssey Way, Suite 300, Exploration Park, Florida 32953, for preliminary review at least 30 days prior to the submittal deadlines identified in Table 1 of Rule 73A-5.003, F.A.C. Upon receipt of an Application for Approval or Certification, as provided in the Act and by this Chapter, Space Florida will assist DEO and the Applicant by completely evaluating such application and either providing the Applicant with a written favorable recommendation or a written explanation of the application's deficiencies within 60 days of receiving the relevant application. The Applicant shall only submit applications to DEO that include a positive recommendation from Space Florida.

(10) An application for Approval or for Certification will not be considered by DEO unless it includes a written and positive recommendation from Space Florida. The Applicant must submit its application to DEO using the application processes adopted pursuant to this Chapter.

(11) Applicants must file their annual report on the spaceflight project's progress with the Department of Economic Opportunity by October 1 of the relevant year.

(12) DOR will not disburse any funds in connection with the Nontransferable Corporate Income Tax Credit or with the Transferable Net Operating Loss Tax Credit programs, regardless if the total credits certified exceed the amount of tax owed.

Rulemaking Authority 220.194(8) FS. Law Implemented 220.194(4) FS. History—New _____.

73A-5.002 Definitions.

This Rule defines terms and phrases used throughout Chapter 73A-5, F.A.C. In this Chapter, terms and phrases shall have the meanings defined by Section 220.194, Florida Statutes, or by this Rule. Terms and phrases not defined by statute or rule shall be construed according to their plain meaning, and in all cases with the objective of advancing the purpose of the rule in which they appear.

(1) “Act” means Section 15 of Chapter 2011-76, Laws of Florida, codified at Section 220.194, Florida Statutes.

(2) “Applicant” means a Spaceflight Business registered with the Department of State and engaged in (a) spaceflight project(s), that has submitted an Application for Approval and/or an Application for Certification to the Department of Economic Opportunity.

(3) “Application for Approval” means Form DEO/SBD194(1), Florida Space Business Incentive Act: Application for Approval.

(4) “Application for Certification” means Form DEO/SBD194(2), Florida Space Business Incentive Act: Application for Certification.

(5) “Certification Letter” means the “Spaceflight Business Incentive Program Certification Decision Letter,” signed by the Department of Economic Opportunity and provided to the Certified Applicant.

(6) “DOR” means the Florida Department of Revenue, whose email address is: revenueaccounting@dor.state.fl.us.

(7) “DEO” or “Department of Economic Opportunity” means the Florida Department of Economic Opportunity, whose address is 107 East Madison Street, Caldwell Building, Tallahassee, Florida 32399.

(8) “Job Creation” means at least 35 new, direct, full-time jobs, located in this state, that have been created as a result of the Applicant’s eligible spaceflight project activities.

(9) “Letter of Approval” means the letter issued by the Department of Economic Opportunity to an Applicant approving an Application for Approval within 60 days after the receipt of the completed application.

(10) “Letter of Certification” means the letter issued by the Department of Economic Opportunity to an Applicant approving their Application for Certification within 90 days after the receipt of the completed application. The Department of Economic Opportunity shall include in the Letter of Certification any restrictions imposed. A copy of the Letter of Certification shall be submitted to the Department of Revenue within 10 days of being issued.

(11) “Notice of Intent to Deny an Application for Approval” means the notice issued by the Department of Economic Opportunity to an Applicant denying their Application for Approval. Such Notice of Intent to Deny an Application for Approval shall inform the Applicant of the grounds for the denial.

(12) “Notice of Intent to Deny an Application for Certification” means the notice issued by the Department of Economic Opportunity to an Applicant denying their Application for Certification. Such Notice of Intent to Deny an Application for Certification shall inform the Applicant of the grounds for the denial.

(13) “Notice of Revocation or Modification” means the notice issued by the Department of Economic Opportunity to an Applicant and to the Department of Revenue revoking or modifying a Certification. The Department of Economic Opportunity may issue a Notice of Revocation or Modification where it determines that a certified spaceflight business made a false statement or representation in any application, record, report, plan, or other document filed in an attempt to receive tax credits under the Act and/or this Chapter. The Department of Economic Opportunity shall immediately notify the Department of Revenue of any revoked or modified orders affecting previously granted tax credits. The certified spaceflight business must notify the Department of Economic Opportunity and the Department of Revenue of any change in its claimed tax credit.

(14) “State” means the State of Florida, either as a political entity or in the sense of geographical boundaries, as made clear from the context.

(15) “Transfer Statement” means Form DEO/SBD194(3).

(16) “Transferable Tax Credit” means a certified spaceflight business’s Florida net operating loss that would otherwise be available to be taken on a return filed under this chapter, provided that the activity giving rise to such net operating loss must have occurred after July 1, 2011.

Rulemaking Authority 220.194(8) FS. Law Implemented 220.194 FS. History—New _____.

73A-5.003 Tables.

Table 1: Submittal of Applications for Nontransferable and Transferable Tax Credits per Rules 73A-5.001 and 73A-5.004, F.A.C.

Application Type	Applications for Approval		Applications for Certification	
	“Approval” to Earn Nontransferable Corporate Income Tax Credits ¹	“Approval” to Create Transferable Net Operating Loss Tax Credits ¹	“Certification” of a Nontransferable Corporate Income Tax Credit	“Certification” of a Transferable Net Operating Loss Tax Credit
Number of Complete Applications Allowed	One	One	One	One
Application Deadline for Applicants requesting one type of Tax Credit Certification ¹	July 1, 2017	July 1, 2017	?	?
Application Deadline for Applicants requesting both types of Tax Credit Certification ¹	May 31, 2017	May 31, 2017	?	?

¹ The job creation and investment requirement are per tax credit. In order to claim both credits the Applicant must have created a minimum of 70 eligible jobs and must have invested at least \$30,000,000 as a direct result of the Applicant’s eligible Florida Spaceflight Projects. The investment cannot be from the use of state funds.

Table 2: Tax Credit Maximum Amounts and Minimum Requirements for Eligible Spaceflight Projects in Florida

	Nontransferable Corporate Income Tax Credit	Transferable Net Operating Loss Tax Credit
Application Frequency per State Fiscal Year	Once	Once
Nonrefundable Application Fee	\$250	\$250
For Use in Taxable Year Beginning	October 1, 2015	October 1, 2015
Maximum Tax Credit per Applicant and Maximum Tax Credits per Program	\$1,000,000/Applicant \$3,000,000 Cumulative	\$2,500,000/Applicant \$7,000,000 Cumulative
Minimum Direct Jobs Created and Investment made during the Preceding 3-years ¹	35 Jobs \$15,000,000 in Investment	35 Jobs \$15,000,000 in Investment
Maximum Percentage of Tax Liability for the Taxable Year in Which the Credit is Taken	50%	Not Applicable
Timeframe for Net Operating Loss Tax Credit	Not Applicable	The immediate 3 taxable years before the transfer, but subsequent to July 1, 2011

¹ The job creation and investment requirement are per tax credit. In order to claim both credits the Applicant must have created a minimum of 70 eligible jobs and must have invested at least \$30,000,000 as a direct result of the Applicant’s eligible Florida Spaceflight Projects. The investment cannot be from the use of state funds.

Rulemaking Authority 220.194(8) FS. Law Implemented 220.194(5), (6) FS. History—New _____.

73A-5.004 Application Process for Approval to Earn Tax Credits or to Create Transferable Tax Credits.

In addition to the approval process outlined in Section 220.194, Florida Statutes, and this Chapter, Applications for Approval are subject to the following requirements:

(1) In order to request a tax credit under the Act and this Chapter, an Application for Approval must be submitted to DEO in accordance with the timelines established in Table 1 of Rule 73A-5.003, F.A.C. All Applications for Approval that are submitted to DEO must include a written and positive recommendation from Space Florida addressing the Applicant’s likelihood of receiving a Letter of Approval from DEO.

(2) Approval of any available tax credits shall be provided on a first-come, first-served basis, based on the date that an Applicant’s completed application is date stamped as being received by DEO. An Applicant may submit a hardcopy of their Application for Approval to DEO at 107 E. Madison Street, Mail Station 80, Caldwell Building, Tallahassee, Florida 32399, or electronically at: <http://www.floridajobs.org>. The time indicated on the electronic confirmation will serve as the Applicant’s date stamp.

(3) Within 30 days of the date stamp, an application shall be reviewed by DEO for completeness and to determine whether the application contains all required information. If necessary, this review will include an interview with the contact person listed on the application.

(4) If DEO determines that all required information has been submitted, it shall deem the application complete and begin the process of approving or denying the application.

(5) If DEO determines that the Application for Approval is incomplete, DEO shall notify the Applicant by email, and advise the Applicant on what is missing from the application. The Applicant shall have 30 days from the date of such email to correct any deficiencies and resubmit the Application for Approval for entry into the first-come, first-served application line.

Rulemaking Authority 220.194(8) FS. Law Implemented 220.194(5) FS. History—New _____.

73A-5.005 Early Review of an Application for Approval.

In addition to the process outlined in Section 220.194, Florida Statutes, and this Chapter, Applications for Approval are subject to the following:

(1) An Applicant may submit an electronic copy of its Application for Approval to DEO for early review; however, the electronic copy must include the written and positive recommendation from Space Florida in order to be reviewed. An application submitted for early review will not secure an Applicant’s place in the first-come, first-served application line.

(2) DEO will not accept an incomplete placeholder application, but, following review of the application, will advise the Applicant of all known deficiencies for correction.

Rulemaking Authority 220.194(8) FS. Law Implemented 220.194(7) FS. History—New _____.

73A-5.006 Application Process for Certification to Take or Transfer Tax Credits.

In addition to the application requirements in section 220.194, Florida Statutes, and this Chapter, Applications for Certification are subject to the following:

(1) In order to take or transfer tax credits under the Act and this Chapter, an Approved spaceflight business must submit an Application for Certification in accordance with Section 220.194, Florida Statutes, within the timelines established in Table 1 of Rule 73A-5.003, F.A.C., and the minimum requirements established in Table 2 of Rule 73A-5.003, F.A.C. All Applications for Certification that are submitted to DEO must include a written and positive recommendation from Space Florida addressing the Applicant's likelihood of receiving a Letter of Certification from DEO.

(2) An Applicant may submit a hardcopy of its Application for Certification along with the \$250 nonrefundable application review fee to DEO at 107 E. Madison Street, Mail Station 80, Caldwell Building, Tallahassee, Florida 32399.

(3) Within 30 days of its receipt, DEO shall review an Application for Certification for completeness and to determine whether the application contains all required information. Applications that do not include the \$250 nonrefundable application review fee will not be reviewed. If necessary, the review will include an interview with the contact person listed on the Application for Certification.

(4) If DEO determines that all the required information has been submitted, it shall deem the application complete and begin the process of approving or denying the application.

(5) If DEO determines that the Application for Certification is incomplete, DEO shall notify the Applicant via e-mail, and advise the Applicant of what is missing from the application. The Applicant shall have 30 days from the date of such email to correct any deficiencies and resubmit the Application for Certification.

(6) DEO may approve such a transfer in writing or via email, to an Applicant.

(7) Once transferred, a Net Operating Loss Tax Credit may not be transferred again.

Rulemaking Authority 220.194(8) FS. Law Implemented 220.194(5), (6) FS. History—New _____.

73A-5.007 Revocation or Modification of Certification to Take or Transfer Tax Credits.

(1) At any time, DEO may revoke or modify a Certification Letter granting the eligibility for tax credits if it finds that the certified spaceflight business made a false

statement or representation in any application, record, report, plan, or other document filed in an attempt to receive tax credits under the Act or this Chapter by issuing the certified spaceflight business a Notice of Intent to Deny an Application for Certification, via certified mail.

(2) Within 30 days of its receipt of a Notice of Intent to Deny an Application for Certification a certified spaceflight business shall notify DEO in writing if it disputes any allegation(s) contained in the Notice. The certified spaceflight business shall identify all of the allegations it specifically denies and explain why it believes DEO's determination is in error.

(3) If the certified spaceflight business does not dispute the Notice of Intent to Deny an Application for Certification within 30 days of the certified mail received date, the original notice shall become final and DEO shall issue the certified spaceflight business a Notice of Revocation or Modification.

(4) The certified spaceflight business may not use or transfer a tax credit once a Notification of Revocation or Modification has been issued; unless DEO, the DOR and the certified spaceflight business all agree in writing that the Notice of Revocation or Modification was in error.

(5) DEO may submit an electronic copy of a Notice of Intent to Deny an Application for Certification or a Notice of Revocation or Modification to the DOR.

Rulemaking Authority 220.194(8) FS. Law Implemented 220.194(7) FS. History—New _____.

73A-5.008 Forms.

(1) The following forms are prescribed for use with these rules and are incorporated by reference:

(a) Form DEO/SBD194(1), Application for Approval, effective _____.

(b) Form DEO/SBD194(2), Application for Certification, effective _____.

(c) Form DEO/SBD194(3), Transfer Statement, effective _____.

(2) These forms may be obtained without cost from the Department of Economic Opportunity (DEO) at 107 E. Madison Street, Mail Station 80, Caldwell Building, Tallahassee, Florida 32399, or on DEO's website: <http://www.floridajobs.org>.

Rulemaking Authority 220.194(8) FS. Law Implemented 220.194(7) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Katherine Morrison, Division of Strategic Business Development

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jesse Panuccio

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 30, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: May 15, 2013

Section III
Notice of Changes, Corrections and
Withdrawals

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

RULE NO.: RULE TITLE:
 29F-1.108 Officers, Term of Office and Duties
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 141, July 22, 2013 issue of the Florida Administrative Register.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to this rule the Council has determined that the amendments will not result in any adverse economic impact or regulatory cost increases, or exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541 (2)(a), F.S.

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.

REGIONAL PLANNING COUNCILS

East Central Florida Regional Planning Council

RULE NO.: RULE TITLE:
 29F-21.001 Strategic Regional Policy Plan
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 141, July 22, 2013 issue of the Florida Administrative Register.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or

indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: upon review of the proposed changes to this rule the Council has determined that the amendments will not result in any adverse economic impact or regulatory cost increases, or exceed any one of the economic analysis criteria in a SERC as set forth in Section 120.541 (2)(a), F.S.

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.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:
 59G-13.131 Traumatic Brain Injury and Spinal Cord
 Injury Waiver Services Fee Schedule
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 139, July 18, 2013 issue of the Florida Administrative Register.

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: A checklist was prepared by the Agency to determine the need for a SERC. Based on this information at the time of the analysis and pursuant to Section 120.541, Florida Statutes, the rule will not require legislative ratification.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
 64B19-11.011 Provisional License; Supervision of
 Provisional Licensees
 NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule language in the Notice of Proposed

Rulemaking in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 77, of the April 19, 2013, issue of the Florida Administrative Register. The change is in response to comments stated by the Joint Administrative Procedures Committee in a letter dated April 26, 2013. The change is as follows:

64B19-11.011 Provisional License; Supervision of Provisional Licensees.
 Rulemaking Authority: Reference to Subsection 490.003(6), Florida Statutes, shall be deleted “Rulemaking Authority.”
 Law Implemented: Reference to Subsection 490.004(4), Florida Statutes, shall be deleted from “Law Implemented.”
 Reference to Subsection 456.0635, Florida Statutes, shall be cited in “Law Implemented.”
 Form DH-MQA 1189:
 Page six section 31, entitled “Statement of Applicant,” reference to Section 775.082, Florida Statutes shall be cited. Also, the citation to section 775.0083, Florida Statutes will be corrected to read as 775.083, Florida Statutes.
 Reference to the requirement that the applicant sign the application “under penalty of perjury” will be deleted from the form.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:
 64B19-11.012 Application Forms
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 77, April 19, 2013 issue of the Florida Administrative Register. The change is in response to comments stated by the Joint Administrative Procedures Committee in a letter dated April 26, 2013 and concerns by the Board stated at its meeting on April 26, 2013.

The change is as follows:

64B19-11.012 Application Forms.
 Law Implemented: Reference to Sections 456.0635 and 490.006, Florida Statutes, shall be cited in “Law Implemented.”
 Form DH-MQA 1187:
 Page two: Section 10b, entitled “Email Address:” have been deleted from the application form.

Page seven: Section 37, entitled “Statement of Applicant,” reference to Section 775.082, Florida Statutes shall be cited. Also, the citation to Section 775.0083, Florida Statutes will be corrected to read as 775.083, Florida Statutes.

Reference to the requirement that the applicant sign the application “under penalty of perjury” will be deleted from the form.

Page five of the instructions: Language has been added to clarify the procedures once the Board of Psychology has approved the application.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: RULE TITLE:
 68D-24.010 Pinellas County Boating Restricted Areas
 NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 39, No. 80, April 24, 2013, issue of the Florida Administrative Register. A public hearing was held on June 12-13, 2013 in Lakeland and will conclude on September 4-6, 2013 in Pensacola.

Rule 68D-24.010 is being changed in the following way:

68D-24.010 Pinellas County Boating Restricted Areas.

(1) The following year-round zones are established regulating the speed and operation of vessel traffic on and adjacent to the Florida Intracoastal Waterway within Pinellas County. The zones exclude all associated tributaries, creeks, canals, channels, backwaters, boat basins and other waterways unless otherwise designated or specifically described for inclusion:

(a) SLOW SPEED MINIMUM WAKE ZONES

1. Pinellas Bayway (SR679) (SR 682) Bridges–

a. All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet southeast of the Pinellas Bayway (SR 679) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,500 feet northwest of said bridge, bounded on the northeast by a line drawn parallel to the Florida Intracoastal Waterway from a point (27 41.748N, 82 42.986W) and bounded on the southwest by the southwestern shoreline as depicted in drawing A.

b. All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet south of the Pinellas Bayway (SR 682) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of said bridge, bounded on the east by the eastern shoreline and bounded on the west by a line drawn parallel to the Florida Intracoastal Waterway from a point (27 42.563N, 82 43.583W), as depicted in drawing A.

2. Corey Causeway (SR 699) Bridge to Treasure Island Causeway (SR 150) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway, from shoreline to shoreline, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 800 feet southeast of the Corey Causeway (SR 699) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of the Treasure Island Causeway (SR 150) Bridge, as depicted in drawing B.

3. Tom Stuart (Welch) Causeway (~~SR 666 SR 150~~) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,600 feet southeast of the Tom Stuart (Welch) Causeway (SR 666) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,000 feet northwest of said bridge, bounded on the northeast by a line drawn parallel to the Florida Intracoastal Waterway from a point (~~27 48.463N, 82 47.657W 27 48.455N, 82 47.660W~~) and bounded on the southwest by a line drawn parallel to the Florida Intracoastal Waterway from a point (~~27 48.383N, 82 47.741W 27 48.377N, 82 47.743W~~), as depicted in drawing C.

4. Park Boulevard (SR 694) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway, from shoreline to shoreline, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway ~~6,270 7,000~~ feet southeast of the Park Boulevard (SR 694) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway ~~3,050 3,500~~ feet north of said bridge, including the backwater immediately adjacent to Bayhaven Drive, as depicted in drawing D.

5. Indian Rocks (SR 688) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway, from shoreline to shoreline, from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway ~~7,340 8,300~~ feet south of the Indian Rocks (SR 688) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway ~~1,790 1,900~~ feet north of said bridge, as depicted in drawing E.

6. Belleair Causeway (CR-416) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet south of the center bridge span of the Belleair Causeway (CR-416) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of the center bridge span of said bridge, bounded on the east by a point (~~27 54.924N, 82 49.801W 27 54.932N, 82 49.797W~~) and following the contour of the eastern shoreline north to a point (27 54.954N, 82 49.750W) then running parallel to the channel from said point to the terminus of the north boundary and bounded on the west by a line drawn parallel to the Florida Intracoastal Waterway from a point (~~27 55.007N, 82 49.970W 27 55.007N, 82 49.973W~~), as depicted in drawing F.

7. Memorial Causeway (SR 60) Bridge -

a. All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 1,215 feet southwest of Memorial Causeway (SR 60) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 920 feet northeast of said bridge, bounded on the west by a line drawn parallel to the Florida Intracoastal Waterway from a point (27 58.018N, 82 48.429W) and bounded on the east by the City of Clearwater shoreline, as depicted in drawing G.

b. All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 920 feet northeast of the Memorial Causeway (SR 60) Bridge, to a line drawn perpendicular to the Florida Intracoastal Waterway ~~3,315 3,700~~ feet north of said bridge, bounded on the west by the boundaries of the marked channel of the Florida Intracoastal Waterway and bounded on the east by the City of Clearwater Shoreline, as depicted in drawing G.

8. Honeymoon Island Causeway (SR 586) Bridge – All waters in and adjacent to the Florida Intracoastal Waterway from a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet south of the Honeymoon Island Causeway (SR 586) Bridge, to a line drawn perpendicular to the centerline of the Florida Intracoastal Waterway 500 feet north of said bridge, bounded on the east by a line drawn parallel to the Florida Intracoastal Waterway from a point (28 3.068N, 82 47.621W) and bounded on the west by a line drawn parallel to the Florida Intracoastal Waterway from a point (28 3.070N, 82 47.829W), as depicted in drawing H.

(2) The boating restricted areas are depicted in the following drawings:

**PLEASE SEE INDIVIDUAL SECTION III
NOTICE OF CHANGES, CORRECTIONS
AND WITHDRAWALS FOR DRAWINGS**

Rulemaking Specific Authority 327.46 FS. Law Implemented 327.46 FS. History—New 9-18-88, Amended 12-7-89, Formerly 16N-24.010, Amended 10-1-96, Formerly 62N-24.010, Amended 10-2-00,_____.

**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-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on July 18, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Sevilla Condo Association. Petitioner seeks an emergency variance of the requirements of an unspecified Section of A17.3, as adopted by subsection 61C-5.001(1), Florida Administrative Code that requires upgrading the elevators operations which poses a significant economic/financial hardship. Any interested person may file comments within 5 days of the publication of this notice with Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW2013-240).

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-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on July 19, 2013, the Department of Business and Professional Regulation, Division

of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for City of Clearwater Fire Station #45. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2013-241).

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-5.001 Safety Standards

NOTICE IS HEREBY GIVEN that on July 22, 2013, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Forever 21/Altamonte Mall. Petitioner seeks a variance of the requirements of ASME A17.1b, Section 2.20.1, 2.18.5.1, 2.20.4, 2.20.5 and 2.20.9 as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm 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 (VW2013-242).

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

NOTICE IS HEREBY GIVEN that on July 18, 2013, the Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2009 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code from The Sweet Peddler located in Panama City Beach. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually

washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to share the three-compartment sink located within an adjacent business under a different ownership.

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-1.004: General Sanitation and Safety Requirements

NOTICE IS HEREBY GIVEN that on July 17, 2013, 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, Section 5-203.13, 2009 FDA Food Code, Paragraph 4-301.12(A), 2009 FDA Food Code, subsection 61C-4.010(5), Florida Administrative Code, and Paragraph 4-301.11, 2009 FDA Food Code from Subway at Bayonet Point Hospital located in Hudson. The above referenced F.A.C. addresses the requirement that at least one service sink is provided for the cleaning of mops or similar cleaning tools and the disposal of mop water; that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided and that each establishment have an adequate number of facilities to maintain all time/temperature control for safety foods at proper temperatures. They are requesting to utilize the mopsink, dishwashing and food storage and prep facilities located within another licensed establishment under a different ownership on the same premises.

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.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:

61J1-10.003 Certified Residential Appraiser

NOTICE IS HEREBY GIVEN that on July 11, 2013, the Florida Real Estate Appraisal Board received a petition for a permanent waiver or variance of subsection 61J1-10.003(1), F.A.C., file by Thomas H. Hill, SRA, in regards that an

applicant must meet the minimum education, experience, and examination requirements for certification as a residential real estate appraiser.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Comments on this petition should be filed with the Florida Real Estate Appraisal Board, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801, within 14 days of publication of this notice.

For a copy of the petition, contact: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Suite N801, Orlando, Florida 32801.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-1.030 Rounds

The Florida State Boxing Commission hereby gives notice of the issuance of an Order regarding the Petition for Variance or Waiver for Cory Schafer, ISKA Mixed Martial Arts, filed on March 8, 2013. The Petitioner was seeking a permanent variance or waiver of subsection 61K1-1.030(4), F.A.C., with regards to allowing the professional mixed martial arts matches to be scheduled for one (1) round lasting five (5) minutes. The Notice of Petition for Variance or Waiver was published in Vol. 39, No. 58, of the March 25, 2013, Florida Administrative Register. The Board considered the Petition at a duly-noticed public meeting held on May 17, 2013. The Board's Order, filed on July 19, 2013, grants the Petition for Variance or Waiver. The variance would merely reduce the minimum of scheduled rounds from two to one. The Board determined that the Petitioner has demonstrated that he meets the requirements of Section 120.542, F.S.

A copy of the Order or additional information may be obtained by contacting Cynthia Hefren, Executive Director, Florida State Boxing Commission, at the above address or telephone (850)488-8500.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces hearings to which all persons are invited.

DATES AND TIMES: August 7, 2013, 9:00 a.m. or as soon thereafter, as can be heard on a Hiring Organizational Meeting August 8, 2013, 8:30 a.m. or as soon thereafter, as can be heard on a Teacher Hearing Panel

August 8, 2013, 2:00 p.m. or as soon thereafter, as can be heard on a Teacher Hearing Panel

PLACE: Crowne Plaza Tampa Westshore, 5303 West Kennedy Boulevard, Tampa, Florida 33609, (813)289-1950

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The Hiring Organizational Meeting is being held to discuss the hiring process of the Executive Director and to review and select applications for that position. The Hearing Panels of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Kathleen M. Richards at (850)245-0455.

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: Kathleen M. Richards at (850)245-0455. 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: Lisa Forbess or Kathleen M. Richards at (850)245-0455.

PUBLIC SERVICE COMMISSION

The Florida Public Service Commission announces a public customer meeting in the following docket to which all persons are invited.

DATE AND TIME: Wednesday, August 21, 2013, 6:00 p.m. – 10:00 p.m.

PLACE: Lake Placid High School, Commons Center, 202 Green Dragon Drive, Lake Placid, Florida 33852

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Docket No. 130025-WU – Application for increase in water rates in Highland County by Placid Lakes Utilities, Inc.

The purpose of the meeting is to give customers and other interested persons an opportunity to offer comments regarding the quality of service and the proposed rate increase, as well as to ask questions and comment on other issues. One or more of the Commissioners of the Florida Public Service Commission may attend and participate in this meeting. For questions, contact Commission staff, Julia Gilcher at (850)413-6320.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard

Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: August 15, 2013, 10:00 a.m.

PLACE: Columbia County Emergency Operations Center, 263 Northwest Lake City Avenue, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

To conduct the regular business of the North Central Florida (District 3) Local Emergency Planning Committee.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, FL 32653.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

DATE AND TIME: August 15, 2013, 1:00 p.m.

PLACE: Columbia County Emergency Operations Center, 263 Northwest Lake City Avenue, Lake City, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

To conduct the regular business of the North Central Florida Regional Hazardous Materials Response Team Policy Board.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 NW 67th Place, Gainesville, Florida 32653-1603.

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 business days before the workshop/meeting by contacting: (352)955-2200. 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

Southwest Florida Water Management District

RULE NOS.:RULE TITLES:

- 40D-1.603 Permit Application Procedures
- 40D-1.607 Permit Processing Fee
- 40D-1.659 Forms and Instructions

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

DATE AND TIME: August 22, 2013, 1:30 p.m.

PLACE: SWFWMD, Tampa Service Office, Governing Board Meeting Room, 7601 US Highway 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes develop new rules as well as amend and repeal existing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP). This necessitates addressing procedural rules. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) modification of permits; (8) 10-year compliance reports; (9) compliance monitoring and forms; (10) application forms; (11) permit fees to address related changes to permit thresholds or permit types; (12) the District's Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water levels and rates of flows rules in Chapter 40D-8; (15) water shortage plan rules in Chapter 40D-21, F.A.C.; and (15) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

A copy of the agenda may be obtained by contacting: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759,

(813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702, 1(800)423-1476 (FL only), ext. 4702 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us (OGC #2012007).

The preliminary text of the proposed rule development will be available prior to the workshop.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:RULE TITLES:

- 40D-2.011 Policy and Purpose
- 40D-2.021 Definitions
- 40D-2.031 Implementation
- 40D-2.041 Permits Required
- 40D-2.051 Exemptions
- 40D-2.091 Publications Incorporated by Reference
- 40D-2.101 Content of Application
- 40D-2.301 Conditions for Issuance of Permits
- 40D-2.321 Duration of Permits
- 40D-2.331 Modification of Permits
- 40D-2.341 Revocation and Cancellation of Permits
- 40D-2.351 Transfer of Permits
- 40D-2.361 Renewal of Permits
- 40D-2.371 Ten Year Compliance Reporting
- 40D-2.381 Standard Permit Conditions
- 40D-2.401 Identification Tags
- 40D-2.501 Permit Use Types
- 40D-2.621 Water-Conserving Credits
- 40D-2.801 Water Use Caution Areas

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

DATE AND TIME: August 22, 2013, 1:30 p.m.

PLACE: SWFWMD, Tampa Service Office, Governing Board Meeting Room, 7601 US Highway 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes develop new rules as well as amend and repeal existing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase

consistency in the consumptive use permitting (CUP). This necessitates addressing procedural rules. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) modification of permits; (8) 10-year compliance reports; (9) compliance monitoring and forms; (10) application forms; (11) permit fees to address related changes to permit thresholds or permit types; (12) the District's Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water levels and rates of flows rules in Chapter 40D-8; (15) water shortage plan rules in Chapter 40D-21, F.A.C.; and (15) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

A copy of the agenda may be obtained by contacting: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702, 1(800)423-1476 (FL only), ext. 4702 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us (OGC #2012007).

The preliminary text of the proposed rule development will be available prior to the workshop.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:

40D-8.031 Implementation

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

DATE AND TIME: August 22, 2013, 1:30 p.m.

PLACE: SWFWMD, Tampa Service Office, Governing Board Meeting Room, 7601 US Highway 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: The District proposes develop new rules as well as amend and repeal existing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP). This necessitates addressing procedural rules. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) modification of permits; (8) 10-year compliance reports; (9) compliance monitoring and forms; (10) application forms; (11) permit fees to address related changes to permit thresholds or permit types; (12) the District's Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water levels and rates of flows rules in Chapter 40D-8; (15) water shortage plan rules in Chapter 40D-21, F.A.C.; and (15) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

A copy of the agenda may be obtained by contacting: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702, 1(800)423-1476 (FL only), ext. 4702 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us (OGC #2012007).

The preliminary text of the proposed rule development will be available prior to the workshop.

WATER MANAGEMENT DISTRICTS

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

DATE AND TIME: Tuesday, August 13, 2013, 1:00 p.m.

PLACE: SWFWMD Tampa Service Office, 7601 US Highway 301 North, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED: Joint Industrial and Public Supply Advisory Committee meeting: To discuss committee business. Governing Board Members may attend. All or part of this meeting may be conducted by means of communications media technology in order to permit maximum participation of Governing Board members.

A copy of the agenda may be obtained by contacting: WaterMatters.org – Boards, Meetings & Event Calendar; 1(800)423-1476 (FL only) or (352)796-7211.

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

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: Lori.Manuel@watermatters.org, 1(800)423-1476 (FL only) or (352)796-7211, ext. 4606 (Ad Order EXE0271).

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:RULE TITLES:

40D-21.631 Phase II: Severe Water Shortage

40D-21.641 Phase III: Extreme Water Shortage

40D-21.651 Phase IV: Critical Water Shortage

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

DATE AND TIME: August 22, 2013, 1:30 p.m.

PLACE: SWFWMD, Tampa Service Office, Governing Board Meeting Room, 7601 US Highway 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes develop new rules as well as amend and repeal existing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP). This necessitates addressing procedural rules. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to accomplish CUP consistency goals, on the following subjects:

(1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) modification of permits; (8) 10-year compliance reports; (9) compliance monitoring and forms; (10) application forms; (11) permit fees to address related changes to permit thresholds or permit types; (12) the District's Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water levels and rates of flows rules in Chapter 40D-8; (15) water shortage plan rules in Chapter 40D-21, F.A.C.; and (15) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

A copy of the agenda may be obtained by contacting: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702, 1(800)423-1476 (FL only), ext. 4702 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us (OGC #2012007).

The preliminary text of the proposed rule development will be available prior to the workshop.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:RULE TITLES:

40D-80.073 Comprehensive Environmental Resources Recovery Plan for the Northern Tampa Bay Water Use Caution Area, and the Hillsborough River Strategy

40D-80.074 Regulatory Portion of Recovery Strategy for the Southern Water Use Caution Area

40D-80.075 Regulatory Portion of Recovery Strategy for the Dover/Plant City Water Use Caution Area

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

DATE AND TIME: August 22, 2013, 1:30 p.m.

PLACE: SWFWMD, Tampa Service Office, Governing Board Meeting Room, 7601 US Highway 301 N, Tampa, FL 33637

GENERAL SUBJECT MATTER TO BE CONSIDERED:

The District proposes develop new rules as well as amend and repeal existing rules as part of a statewide effort headed by the Florida Department of Environmental Protection (DEP) and joined by all water management districts (WMDs) to increase consistency in the consumptive use permitting (CUP). This necessitates addressing procedural rules. The changes will address the goals of the DEP and the WMDs in streamlining the permitting process and making the permitting process less confusing for applicants. Additional information about the statewide CUP consistency initiative and this rulemaking process is available at DEP's website at: <http://www.dep.state.fl.us/water/waterpolicy/cupcon.htm>.

Among other things, this rule development will cover the amendment, repeal, or development of rules as needed to

accomplish CUP consistency goals, on the following subjects: (1) consumptive use permit criteria; (2) limiting conditions (permit conditions by rule); (3) permit thresholds; (4) permit types; (5) permit duration; (6) water conservation requirements; (7) modification of permits; (8) 10-year compliance reports; (9) compliance monitoring and forms; (10) application forms; (11) permit fees to address related changes to permit thresholds or permit types; (12) the District's Water Use Permit Information Manual Part B, Basis of Review for Water Use Permit Applications; (13) procedural rules in Chapter 40D-1, F.A.C.; (14) water levels and rates of flows rules in Chapter 40D-8; (15) water shortage plan rules in Chapter 40D-21, F.A.C.; and (15) other rules for which conforming amendments may be needed along with any rule changes made in the subject areas identified above.

Note: Members of the District's Governing Board may attend the scheduled Rule Development Workshop.

A copy of the agenda may be obtained by contacting: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: SWFWMD Human Resources Director, (352)796-7211, ext. 4702, 1(800)423-1476 (FL only), ext. 4702 or email to ADACoordinator@swfwmd.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Sonya White, 7601 Highway 301 North, Tampa, FL 33637-6759, (813)985-7481 (4660), email sonya.white@swfwmd.state.fl.us (OGC #2012007).

The preliminary text of the proposed rule development will be available prior to the workshop.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Commission for the Transportation Disadvantaged announces a public meeting to which all persons are invited.

DATE AND TIME: August 8, 2013, 9:00 a.m.

PLACE: Daytona Beach Hilton, 100 North Atlantic Avenue, Daytona Beach, FL 32118

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss regular Commission business.

A copy of the agenda may be obtained by contacting: Vicki Scheffer, 605 Suwannee St., MS49, Tallahassee, FL 32399, (850)410-5700 or 1(800)983-2435.

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: Vicki Scheffer, 605 Suwannee St., MS49, Tallahassee, FL 32399, (850)410-5700 or 1(800)983-2435. 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 MANAGEMENT SERVICES

Commission on Human Relations

The Florida Commission on Human Relations announces a telephone conference call to which all persons are invited.

DATE AND TIME: Monday, August 19, 2013, 10:00 a.m. ET

PLACE: Call 1(888)670-3525, and when prompted, enter Pass Code 1760507820 followed by the # key

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Jim Mallue at (727)570-5151, extension 13 or Jim.Mallue@fchr.myflorida.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Denise Crawford at (850)488-7082, extension 1032 or Denise.Crawford@fchr.myflorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Jim Mallue at (727)570-5151, extension 13 or Jim.Mallue@fchr.myflorida.com.

DEPARTMENT OF HEALTH

Board of Nursing

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

DATE AND TIME: August 26, 2013, 2:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number 1(888)670-3525, Code 9638257208.

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

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: the Board at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Board of Optometry

The Board of Optometry announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, August 23, 2013, 9:00 a.m.

PLACE: Renaissance at Sea World, 6677 Sea Harbor Drive, Orlando, Florida 32821, (407)351-5555

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Rules Committee Meeting.

A copy of the agenda may be obtained by contacting: Sherra W Causey, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257 or by accessing the board's web site at: www.doh.state.fl.us/mqa/optometry/index.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: Sherra W Causey. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Florida Department of Health, Children's Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, August 3, 2013, 10:00 a.m. (Eastern Daylight Time)

PLACE: Tampa Airport Marriott at the Tampa International Airport, 4200 George J. Bean Parkway, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Children's Medical Services Cardiac Technical Advisory Panel.

A copy of the agenda may be obtained by contacting: Chrishonda Jenkins, RN, BSN, at (850)245-4200, extension 2247.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES
The Department of Children and Family Services, Circuit 7 announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 13, 2013, 5:30 p.m. – 7:30 p.m.

PLACE: St. Johns County Health and Human Services Auditorium, 1955 U.S. Highway 1 South, St. Augustine, FL 32086

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department of Children and Families, Circuit 7, announces a public forum to discuss child welfare in St. Johns County: what is working in the current system of care, identification of gaps in services, and critical areas needing improvement.

A copy of the agenda may be obtained by contacting: Patricia Edgemon, phone: (904)485-9702, email: patricia_edgemon@dcf.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Patricia Edgemon, phone: (904)485-9702, email: patricia_edgemon@dcf.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

Notice is hereby given that the hearing of the State Historical Task Force, as noticed in Vol. 39, No. 140 of the Florida Administrative Register, to be held at the following date, time and place has been CANCELLED.

DATE AND TIME: July 26, 2013, 1:00 p.m. – 4:00 p.m.

PLACE: Mayor's Conference Room, 4th Floor, Miami Beach City Hall, 1700 Convention Center Drive, Miami Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A system of fire protection and lifesafety support necessary for a public lodging establishment structure known as the Sadigo Court South Beach, 334 20th Street, Miami Beach, Florida.

A copy of the agenda may be obtained by contacting: Belinda Chukes, Division of State Fire Marshal, Bureau of Fire

Prevention, 200 East Gaines Street, Tallahassee, FL 32399-0342, (850)413-3619, fax: (850)414-6119.

DEPARTMENT OF ECONOMIC OPPORTUNITY

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

DATE AND TIME: Wednesday, August 14, 2013, 10:30 a.m. – 12:00 Noon

PLACE: Caldwell Building, Conference room B-49, 107 E. Madison Street, Tallahassee, Florida 32399 or by Conference Call: 1(888)670-3525 Passcode 1188081993 then #

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

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

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The Florida Atlantic Research & Development Authority announces a public meeting to which all persons are invited.

DATE AND TIME: August 9, 2013, 9:00 a.m.

PLACE: Technology Business Incubator, 3651 FAU Blvd., Suite 400, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: HR Committee Meeting.

A copy of the agenda may be obtained by contacting: cc@research-park.org.

For more information, you may contact: Christine Burres, cc@research-park.org.

ENTERPRISE FLORIDA, INC.

The Florida Development Finance Corporation ("FDFC") announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, July 29, 2013, 3:30 p.m. – 5:00 p.m.

PLACE: Enterprise Florida, Inc., 800 North Magnolia Avenue, Suite 1100, Orlando, FL 32803

GENERAL SUBJECT MATTER TO BE CONSIDERED: General discussion of policies and updating the board.

A copy of the agenda may be obtained by contacting: Bill Spivey at (407)956-5695.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 1 days before the workshop/meeting by contacting: Bill Spivey at (407) 956-5695. 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: Bill Spivey at (407)956-5695.

Section VI

Notice of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has issued an order disposing of the petition for declaratory statement filed by inmate William Browning, DC# J36868 on June 11, 2013. The following is a summary of the agency's disposition of the petition:

Inmate William Browning, DC# J36868 sought a Declaratory Statement regarding Chapter 33-602, Florida Administrative Code, as it pertains to what types of folders are permitted under the rules. Pursuant to subsection 120.81(3), Florida Statutes, the Department lacks the jurisdiction to issue a declaratory statement for inmates. As an inmate of the Florida Department of Corrections, William Browning, DC# J36868 is limited to participation in administrative proceedings under Section 120.54(3)(c) or (7), Florida Statutes. See § 120.81(3)(a), Fla. Stat. (2012).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Janet Holmes, 501 S. Calhoun Street, Tallahassee, Florida 32399.

Please refer all comments to: LaDawna Fleckenstein, 501 S. Calhoun Street, Tallahassee, Florida 32399.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has issued an order disposing of the petition for declaratory statement filed by inmate William Browning, DC# J36868 on June 11, 2013. The following is a summary of the agency's disposition of the petition:

Inmate William Browning, DC# J36868 sought a Declaratory Statement regarding the purchase of toothbrushes, toothpaste, and soap for inmates in confinement and the timeframe for ordering and delivery of such items. Pursuant to Section 120.81(3), Florida Statutes, the Department lacks the jurisdiction to issue a declaratory statement for inmates. As an inmate of the Florida Department of Corrections, William Browning, DC# J36868 is limited to participation in administrative proceedings under Section 120.54(3)(c) or (7), Florida Statutes. See § 120.81(3)(a), Fla. Stat. (2012).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Janet Holmes, 501 S. Calhoun Street, Tallahassee, Florida 32399.

Please refer all comments to: LaDawna Fleckenstein, 501 S. Calhoun Street, Tallahassee, Florida 32399.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN that the Florida Department of Corrections has issued an order disposing of the petition for declaratory statement filed by inmate William Browning, DC# J36868 on June 11, 2013. The following is a summary of the agency's disposition of the petition:

Inmate William Browning, DC# J36868 sought a Declaratory Statement regarding the amount of time an inmate has to appeal a finding of guilt by the disciplinary hearing team. Pursuant to Section 120.81(3), Florida Statutes, the Department lacks the jurisdiction to issue a declaratory statement for inmates. As an inmate of the Florida Department of Corrections, William Browning, DC# J36868 is limited to participation in administrative proceedings under Section 120.54(3)(c) or (7), Florida Statutes. See § 120.81(3)(a), Fla. Stat. (2012).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Janet Holmes, 501 S. Calhoun Street, Tallahassee, Florida 32399.

Please refer all comments to: LaDawna Fleckenstein, 501 S. Calhoun Street, Tallahassee, Florida 32399.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that The Asbestos Licensing Unit, Department of Business and Professional Regulation has received the petition for declaratory statement from Pece of Mind Environmental, Inc. The petition seeks the agency's opinion as to the applicability of F.S., Chapter 469, as it applies to the petitioner.

The petition was filed with the agency clerk on July 22, 2013, and asks whether under F.S., Chapter. 469, a building manager, unlicensed independent contractor, or separate unlicensed demolition contractor requires a license to schedule, coordinate, and compensate asbestos abatement work by a licensed asbestos abatement contractor.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Department of Business and Professional Regulation, Agency Clerk's Office, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2202. Telephone: (850)921-0342, email: AGC.Filing@myfloridalicense.com.

Please refer all comments to: Richard Morrison, Executive Director, Home Inspector Licensing Unit, 1940 North Monroe Street, Tallahassee, Florida 32399, (850)487-1395.

Except for good cause shown, motions for leave to intervene must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Florida Condominiums, Timeshares and Mobile Homes

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Telese B. McKay, Esq., In Re: Windward Bay, Inc., Docket No. 2013029787, filed on July 19, 2013. The petition seeks the agency's opinion as to the applicability of section 718.113, Florida Statutes as it applies to the petitioner.

Whether Windward Bay, Inc. or the unit owners are responsible for the maintenance of the units' windows, doors, and screens under section 718.113, Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Robin McDaniel, Division Clerk, at Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217, (850)717-1424, robin.mcdaniel@myfloridalicense.com.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202. Responses, motions to intervene, or requests for an agency hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Horacio Gonzalez on April 24, 2013. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 39, No. 88, of the May 6, 2013, Florida Administrative Register. The Board's Order, filed on July 16, 2013, issues a declaratory statement that Section 489.113(9), Florida Statutes, does not require a licensed engineer or architect, when preparing drawings, specifications, plans, or master design manuals for use by any licensed contractor; to prepare site-specific drawings, specifications, or plans for the design and construction of single-family and two family dwellings swimming pools, spas, or screened enclosures; or any other structure not exceeding 1,200 square feet or one story in height. The Board also stated that the square footage of a single-family or two-family dwelling is not limited.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, telephone: (850)487-1395 or by electronic mail: Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Sun Star Energy LLC on May 21, 2013. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Volume 39, No. 106, of the May 31, 2013, Florida Administrative Register. Petitioner appears to be requesting the Board's interpretation of Section 489.105(3)(m), Florida Statutes, as to whether a plumbing contractor can install the company's solar water heating system. The Board's Order, filed on July 16, 2013, issues a declaratory statement that Sun Star Energy LLC can install a solar water heating system without a roofing contractor pursuant to Section 489.105(3)(m).

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, telephone: (850)487-1395 or by electronic mail - Donald.Shaw@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

NOTICE IS HEREBY GIVEN that the Construction Industry Licensing Board has issued an order disposing of the petition for declaratory statement filed by Patrick W. Reed on May 21, 2013. The following is a summary of the agency's disposition of the petition:

The Notice of Petition for Declaratory Statement was published in Vol. 39, No. 106, of the May 31, 2013, Florida Administrative Register. Petitioner appears to be requesting the Board's interpretation of Section 489.105(3)(a), Florida Statutes, as to whether his general contractor's license is sufficient to perform installation of wireless zwave technology routers, zwave thermostats, door locks and wireless zwave cameras that will allow absentee vacation home owners to monitor and regulate the status of their homes. He further states any work that involving high or low voltage line work would be subcontracted to a local licensed qualified vendor.

The Board's Order, filed on July 16, 2013, denied the Petition because the Petitioner has no standing and the petition was not in the correct form.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, FL 32399-0783, telephone: (850)487-1395 or by electronic mail – Donald.Shaw@myfloridalicense.com.

**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**

DEPARTMENT OF EDUCATION
University of West Florida

CALL FOR BIDS

The University of West Florida Board of Trustees is soliciting sealed bids for the following: East Athletic Site and Tennis Courts Phase I Design Services

A Mandatory Pre-Submittal Conference will be held on August 6, 2013 at 2:00 p.m. Central Time in Building 92, Room 110 Training Room, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

All bidders are required to attend the pre-bid conference to participate in this solicitation. Failure of a representative from the principal firm to attend and sign in on the UWF official log as documented proof of attendance, shall result in immediate disqualification from this competitive solicitation process.

Potential subcontractors are invited to attend to become familiar with the project specifications and to become acquainted with contractors who may submit a response.

Sealed bids will be received until August 27, 2013 at 2:00 p.m. Central Time at the Office of Procurement and Contracts, Bldg. 20E, Room 101, The University of West Florida, 11000 University Parkway, Pensacola, FL 32514.

Bid number 13PQS-02JJ must be marked on outside of bid package. Bids must be submitted in full and in accordance with the requirements of all terms and conditions of the Professional Qualifications Solicitation.

View this solicitation and related information on the Office of Procurement and Contracts' website at <http://uwf.edu/procurement>. All bidding documents may be downloaded from this site. All questions should be directed to Judy Jasmyn at jjasmyn@uwf.edu.

Publication date(s): Florida Administrative Register, July 24, 2013.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

FAJUA ITN ACTUARIAL SERVICES

The FAJUA is issuing an Invitation to Negotiate ("ITN") for the purpose of engaging a reputable actuarial firm to advise and assist the FAJUA with actuarial matters, to include ratemaking and reserve analyses. Requests for the ITN may be submitted to the designated contact below.

ITN Response Deadline: August 26 2013.

Designated Contact: Florida Automobile Joint Underwriting Association, C/O: General Manager, 1425 Piedmont Drive East, Suite 201A, Tallahassee, Florida 32308, Telephone: (850)681-2003, facsimile (850)681-7802, lstoutamire@fajua.org.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

FAJUA Banking ITN

The FAJUA intends to negotiate a banking services agreement to be effective on or about May 1, 2014. By way of this Invitation to Negotiate (ITN), we invite proposals from qualified institutions for General Banking Services. Requests for the ITN may be submitted to the designated contact below.

ITN Response Deadline: August 26, 2013.
 Designated Contact: Florida Automobile Joint Underwriting Association, C/O: General Manager, 1425 Piedmont Drive East, Suite 201A, Tallahassee, Florida 32308, Telephone: (850)681-2003, facsimile: (850)681-7802, lstoutamire@fajua.org.

**Section XII
 Miscellaneous**

DEPARTMENT OF FINANCIAL SERVICES
 Division of Rehabilitation and Liquidation
 NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH DEPAWIX HEALTH RESOURCES, INC.; GREEN CROSS MANAGED HEALTH SYSTEMS; PECK & PECK, INC.; NEW AMERICAN HEALTH PLANNING, INC.; and DISTRIBUTION BY DATAGEN
 IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT, IN AND FOR LEON COUNTY, FLORIDA
 CASE NO.: 2011-CA-1091

In Re: The Receivership of DEPAWIX HEALTH RESOURCES, INC.; GREEN CROSS MANAGED HEALTH SYSTEMS; PECK & PECK, INC.; NEW AMERICAN HEALTH PLANNING, INC.; and DISTRIBUTION BY DATAGEN, companies de facto domiciled in Florida.
 NOTICE TO ALL POLICYHOLDERS, CREDITORS, AND CLAIMANTS HAVING BUSINESS WITH DEPAWIX HEALTH RESOURCES, INC.; GREEN CROSS MANAGED HEALTH SYSTEMS; PECK & PECK, INC.; NEW AMERICAN HEALTH PLANNING, INC.; and DISTRIBUTION BY DATAGEN.

You are hereby notified that by order of the Circuit Court of the Second Judicial Circuit, in and for Leon County, Florida, entered the 11th day of June, 2013, the Department of Financial Services of the State of Florida was appointed as Receiver of DEPAWIX HEALTH RESOURCES, INC., GREEN CROSS MANAGED HEALTH SYSTEMS; PECK & PECK, INC.; NEW AMERICAN HEALTH PLANNING, INC.; and DISTRIBUTION BY DATAGEN, and was ordered to liquidate the assets of said companies.

Policyholders, claimants, creditors, and other persons having claims against the assets of DEPAWIX HEALTH RESOURCES, INC.; GREEN CROSS MANAGED HEALTH SYSTEMS; PECK & PECK, INC.; NEW AMERICAN

HEALTH PLANNING, INC.; and DISTRIBUTION BY DATAGEN shall present such claims to the Receiver on or before 11:59 p.m., Wednesday, June 11, 2014, or such claims shall be forever barred.

Requests for forms for the presentation of such claims and inquiries concerning this Receivership should be addressed to: The Florida Department of Financial Services, Division of Rehabilitation and Liquidation, Receiver of DEPAWIX HEALTH RESOURCES, INC.; GREEN CROSS MANAGED HEALTH SYSTEMS; PECK & PECK, INC.; NEW AMERICAN HEALTH PLANNING, INC.; and DISTRIBUTION BY DATAGEN, 2020 Capital Circle SE, Alexander Building, Suite 310, Tallahassee, Florida 32301. Additional information may be found at: www.myfloridacfo.com/division/receiver.

FINANCIAL SERVICES COMMISSION
 FSC – Financial Institution Regulation
 NOTICE OF FILINGS
 Financial Services Commission
 Office of Financial Regulation

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following application. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile	OR	By Hand Delivery
Agency Clerk		Agency Clerk
Office of Financial Regulation		Office of Financial Regulation
P.O. Box 8050		Suite 118
The Fletcher Building		101 East Gaines Street
Tallahassee, Florida 32314-8050		Tallahassee, Florida
Phone (850)410-9800		32399-0379
Fax: (850)410-9548		Phone: (850)410-9643

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., August 13, 2013):

APPLICATION TO ACQUIRE CONTROL
 Financial Institution to be Acquired: U.S. Century Bank, Miami, Florida
 Proposed Purchasers: Tate USCB, LLC, North Miami, Florida and Rok USCB, LLC, Miami, Florida
 Received: July 22, 2013

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
FINAL ORDER NO. DEO-13-070

STATE OF FLORIDA

DEPARTMENT OF ECONOMIC OPPORTUNITY

In re: POLK COUNTY LAND DEVELOPMENT
REGULATIONS ADOPTED BY
POLK COUNTY ORDINANCE NO. 13-020

FINAL ORDER

APPROVING POLK COUNTY ORDINANCE NO. 13-020

The Department of Economic Opportunity ("Department") hereby issues its Final Order, pursuant to §§380.05(6) and (11), Fla. Stat., approving Polk County Ordinance No. 13-020.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern. §380.0551, Fla. Stat. Polk County is a local government within the Green Swamp Area.

2. On June 12, 2013, the Polk County Board of County Commissioners adopted Ordinance No. 13-020 (the "Ordinance"), designated by the County as Land Development Code Amendment LDC 13T-06. A copy of the Ordinance was received by the Department on June 17, 2013.

3. The Ordinance amends the Polk County Land Development Code (Ordinance No. 00-09, as amended), Section 630 Flood Hazard Management and Flood Plain Protection, to (a) delete outdated language, (b) be consistent with the Comprehensive Plan policies related to floodplain protection as adopted in Comprehensive Plan Amendment 12A-02, (c) respond to comments provided to the County by the Federal Emergency Management Agency, (d) require notice to potential buyers of homes located in a flood hazard area, and (e) designate the County Engineer or his designee as the County's Floodplain Administrator.

CONCLUSIONS OF LAW

4. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Green Swamp Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat.

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

6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff'd, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development for the Green Swamp Area of Critical

State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. ("Principles").

7. The Ordinance is consistent with the Principles for Guiding Development in Rule 28-26.003(1), Fla. Admin. Code, as a whole and specifically furthers the following Principles:

- (a) Minimize the adverse impacts of development on resources of the Floridan Aquifer, wetlands, and flood-detention areas.
- (b) Protect the normal quantity, quality and flow of ground water and surface water which are necessary for the protection of resources of state and regional concern.
- (c) Protect the water available for aquifer recharge.
- (d) Protect the functions of the Green Swamp Potentiometric High of the Floridan Aquifer.

8. The Ordinance is consistent with Policies 2.305-A9, 2.307-A1, 2.307-A2, and 2.309-A3 in the Polk County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Polk County Ordinance No. 13-020 is found to be consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

_____/s/_____

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

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

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

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

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

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY
 OFFICE OF THE GENERAL COUNSEL
 107 EAST MADISON STREET, MSC 110
 TALLAHASSEE, FLORIDA 32399-4128
 Telephone: (850)245-7150
 Fax Number (850)921-3230
 Email: Miriam.Snipes@deo.myflorida.com

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

FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the method indicated this 22nd day of July, 2013.

 /s/_____
 Miriam Snipes, Agency Clerk

By U.S. Mail:

Melony M. Bell, Chairman
 Polk County Board of County Commissioners
 P.O. Box 9005, Drawer BC01
 Bartow, FL 33831-9005

Stacy M. Butterfield, Clerk
 Polk County Board of County Commissioners
 P.O. Box 988
 Bartow, FL 33831-0988

Michael F. Craig, Esq.
 Polk County Attorney
 330 West Church Street
 Bartow, FL 33830

Thomas Deardorff, AICP, Director
 Polk County Office of Planning and Development
 P.O. Box 9005, Drawer GM01
 Bartow, FL 33831-9005

By Hand Delivery or Interagency Mail:

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

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development
FINAL ORDER NO. DEO-13-068

STATE OF FLORIDA

DEPARTMENT OF ECONOMIC OPPORTUNITY

In re: A LAND DEVELOPMENT REGULATION
ADOPTED BY MONROE COUNTY, FLORIDA,
ORDINANCE NO. 017-2013

FINAL ORDER

APPROVING MONROE COUNTY

ORDINANCE NO. 017-2013

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and 380.0552(9), Fla. Stat. (2012), approving land development regulations adopted by Monroe County, Florida, Ordinance No. 017-2013 (the “Ordinance”).

FINDINGS OF FACT

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

2. The Ordinance was adopted by Monroe County on April 17, 2013, and received by the Department on June 11, 2013.

3. The Ordinance amends the Monroe County Code to add Section 130-131 creating the Rockland Key Commercial Retail Center Overlay District and establishing maximum floor area ratios of commercial retail development within the Overlay District.

CONCLUSIONS OF LAW

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

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

6. All land development regulations enacted, amended, or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. §§ 380.05(6) and 380.0552(9), Fla. Stat. The Principles for Guiding Development for the Florida Keys Area of Critical State Concern are set forth in § 380.0552(7), Fla. Stat.

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

- (a) Strengthening local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (b) Protecting shoreline and marine resources, including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) Protecting upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (f) Enhancing natural scenic resources, promoting the aesthetic benefits of the natural environment, and ensuring that development is compatible with the unique historic character of the Florida Keys.
- (k) Limiting the adverse impacts of public investments on the environmental resources of the Florida Keys.

8. The Ordinance is consistent with Goal 102, Policy 105.2.2, Objective 108.1.7, and Policy 108.2.1 of the Monroe County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that Monroe County Ordinance No. 017-2013 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Leon County, Florida.

/s/

William B. Killingsworth, Director

NOTICE OF ADMINISTRATIVE RIGHTS

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

IF YOUR PETITION FOR HEARING DOES NOT ALLEGE ANY DISPUTED ISSUE OF MATERIAL FACT CONTAINED IN THE DEPARTMENT'S ACTION, THEN THE ADMINISTRATIVE PROCEEDING WILL BE AN INFORMAL ONE, CONDUCTED PURSUANT TO SECTIONS 120.569 AND 120.57(2) FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND III, FLORIDA ADMINISTRATIVE CODE. IN AN INFORMAL ADMINISTRATIVE PROCEEDING, YOU MAY BE REPRESENTED BY COUNSEL OR BY A QUALIFIED REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT'S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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

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

AGENCY CLERK

DEPARTMENT OF ECONOMIC OPPORTUNITY
OFFICE OF THE GENERAL COUNSEL
107 EAST MADISON STREET, MSC 110
TALLAHASSEE, FLORIDA 32399-4128

Telephone: (850)245-7150

Fax Number (850)921-3230

Email: Miriam.Snipes@deo.myflorida.com

THE PETITION MUST MEET THE FILING REQUIREMENTS IN SUBSECTION 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE SUBSECTION 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the methods indicated this 23rd day of July, 2013.

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

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

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

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

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

Section XIII

Index to Rules Filed During Preceding
Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
