

Section I
**Notice of Development of Proposed Rules
and Negotiated Rulemaking**

DEPARTMENT OF STATE**Division of Elections**

RULE NO.: RULE TITLE:
1S-2.040 Statewide Uniform Voter Registration
 Application

PURPOSE AND EFFECT: The rule change is intended to comply with recent legislation regarding the statewide uniform voter registration application. The rule change will add fields for an email address and an indication whether an applicant desires sample ballots to be delivered by email. This change requires rulemaking to incorporate the amended form.

SUBJECT AREA TO BE ADDRESSED: Elections; Statewide Uniform Voter Registration Application.

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), (2), 97.052 FS.

LAW IMPLEMENTED: 97.041, 97.051, 97.052, 97.053, 97.1031, 98.077, 101.045(2) 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 23, 2013, 10:00 a.m.

PLACE: Room 307, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 2 days before the workshop/meeting by contacting: Betty Money, Executive Assistant, Department of State, at betty.money@dos.myflorida.com or (850)245-6536. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ashley E. Davis, Assistant General Counsel, Department of State at ashley.davis@dos.myflorida.com or (850)245-6536

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

**FISH AND WILDLIFE CONSERVATION
COMMISSION****Marine Fisheries**

RULE NO.: RULE TITLE:
68B-2.009 Multiple Hook and Bait Prohibition

PURPOSE AND EFFECT: This rulemaking is to permanently designate four Free Saltwater Fishing Days in rule. This rule will designate the first Saturday and Sunday in June, the first Saturday in September and the Saturday following Thanksgiving annually as recreational free-saltwater fishing days. This rule would allow stakeholders to fish without the statutorily-required license for four days out of the year. Any person partaking in the Free Saltwater Fishing Days must comply with all other laws, rules and regulations pertaining to saltwater fishing. This rule only pertains to the taking of saltwater fish for non-commercial purposes. The effect of this rule will be to have all Free Saltwater Fishing Days on the same days each year and have them set permanently in rule.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include recreational license requirements.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-60.002	Definitions
68B-60.005	Commercial Season; Wholesale Dealer Reporting Requirements
68B-60.007	Purchase and Sale Prohibitions

PURPOSE AND EFFECT: The purpose and effect of this rule development notice is to address the possible creation of a new rule chapter for menhaden and to address other possible rule amendments for the menhaden fisheries as a result of stock assessments, federal regulatory actions, efforts to increase the clarity of the regulations, or other management or enforcement requirements. Specifically, the possible rule changes will create consistency between Florida regulations and the amendment to the Atlantic States Marine Fisheries Commission’s Interstate Fishery Management Plan for Atlantic menhaden, and ensure that Florida contributes to conserving Atlantic menhaden.

SUBJECT AREA TO BE ADDRESSED: Subject areas addressed in the rule development notice include commercial seasons, dealer reporting requirements, purchase and sale prohibitions and other subjects encompassed by the above-cited possible rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E, Suite 201, Tallahassee, Florida 32301, (850)487-0554

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-61.002	Definitions
68B-61.004	Bag Limits
68B-61.009	License Requirements

PURPOSE AND EFFECT: The purpose of this rule development is to clarify existing regulations for blue runner (Caranx crysos) and extend those state regulations into adjacent federal waters of the Atlantic Ocean and Gulf of Mexico.

SUBJECT AREA TO BE ADDRESSED: Subject areas to be addressed in the rule development notice include harvest limitations, sale limitations, license requirements, and other subjects encompassed by the above-cited possible rules.

RULEMAKING AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Ms. Jessica McCawley, Director, Division of Marine Fisheries Management, Florida Fish and Wildlife Conservation Commission, 2590 Executive Center Circle E., Station 201, Tallahassee, Florida 32301, (850)487-0554

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

Section II Proposed Rules

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-25.004
 RULE TITLE: Regulations Governing the Operation of Alligator Farms

PURPOSE AND EFFECT: The purpose of the proposed rule is to require alligator farm permittees be at least 18 years old; require farm permittees make farm records available upon request; clarify farm fencing requirements and the minimum space requirements for alligator pens; and modify the Alligator Farm Annual Report form. The effect of the proposed rule will be to provide alligator farmers greater pen design flexibility and animal husbandry options, a better understanding of rule requirements, and improved program implementation.

SUMMARY: The proposed rule would require alligator farm permittees be at least 18 years old; require farm permittees make farm records available upon request; clarify farm fencing requirements and the minimum space requirements for alligator pens; and modify the Alligator Farm Annual Report form.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.3751 FS.

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

DATES AND TIME: During the Commission's regular meeting September 5th and 6th 2013, 8:30 a.m. each day

PLACE: Crowne Plaza Pensacola Grand Hotel, 200 East Gregory Street, Pensacola, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.004 Regulations Governing the Operation of Alligator Farms.

Alligator farms may be established and operated and alligators, eggs, and hides may be possessed by alligator farmers and farming their agents subject to the following:

- (1) No change.
- (2) Licensing and permitting:
 - (a) An alligator farm may be established and operated only pursuant to and in accordance with provisions of a permit issued by the executive director or ~~his~~ designee.
 - (b) Only persons who are at least 18 years old shall be issued an alligator farm permit. Persons who have been issued an alligator farm permit prior to September 5, 2013 and have remained in continuous possession of a valid alligator farm permit are exempt from this provision. All aAlligator farm permittees and farming their agents shall be licensed as required by Section 379.3751, F.S.
 - (c) through (e) No change.

(f) A maximum of 30 permits may be issued that grant ~~farmers~~ authority to receive take alligator hatchlings under subsection 68A-25.031(1), F.A.C., and a maximum of 30 permits may be issued that grant ~~farmers the~~ first opportunity to participate in the ~~collection and~~ distribution of eggs taken from the wild under subsections 68A-25.031(2) and (3), F.A.C. Such permits shall be issued by the executive director or designee as follows:

- 1. through 4. No change.
- (g) through (h) No change.

(i) ~~An~~ ~~The executive director shall not issue an~~ alligator farm permit shall not be issued to any person who has been convicted of any violation of Section 379.409 or 379.3015, F.S., or the rules of the Commission relating to the illegal taking of any crocodylian species:

1. For five (5) years following such conviction; or

2. For ten (10) years following, if such conviction involves the taking of an endangered crocodylian species. ~~Any~~ ~~The executive director shall revoke any~~ alligator farm permit possessed by ~~of~~ persons convicted of any violation of Section 379.409 or 379.3015, F.S., or the rules of the Commission relating to the illegal taking of any crocodylian species shall be revoked.

(j) No change.

(3) No change.

(4) Reporting requirements:

(a) An Alligator Farm Annual Report (FWC Form 1000AF, effective September 5, 2013 ~~July 1, 1994~~, which is incorporated to this rule by reference and may be obtained from the Commission) shall be completed at the conclusion of each calendar year and submitted to the Commission by January 31.

(b) No change.

(5) Inspection and inventory requirements:

(a) Commission personnel may, during reasonable hours, enter and inspect all alligator farmers' places of business, farm buildings, farm lands, vessels, and motor vehicles that are used or are of a type that could be used in the production, storage, sale, or transportation within this state of any alligators, their eggs, meat, or hides; inspect all records or documents pertaining thereto; and conduct partial inventories to determine if the permittee is in compliance with applicable laws and regulations. The permittee or designee shall make such records open to inspection upon request by Commission personnel.

(b) A complete inventory of all rearing stock may be scheduled, conducted, and directed by Commission personnel during reasonable hours to determine an accurate count of alligators present on a farm under one or more of the following conditions:

1. through 4. No change.

5. When the annual report submitted by a permittee indicates a discrepancy that cannot be reconciled between the permittee's records of the farm's ~~his~~ total inventory and the Commission's computed total number of alligators that should be present on a farm based on the previous years' annual reports and records of receipts, dispositions, harvests, and transfers of eggs and alligators, provided that the permittee shall have seven (7) days to resolve such discrepancies to the satisfaction of the Commission.

(c) No inventory of breeding stock shall be made without the written approval of the executive director or designee.

(d) through (f) No change.

(6) Specifications for alligator farms:

(a) Pens or holding facilities shall be constructed in a manner to prevent the escape of any alligator contained in such pen or facility or entrance by any alligator from outside such pen or facility. The ponds and outdoor tanks of all farms licensed to exhibit wildlife under Section 379.3761, F.S., shall conform to the fencing requirements for alligators as provided in Rule 68A-6.003, F.A.C. Farms not licensed to exhibit wildlife shall not be required to meet such standards, but shall have fencing five feet in height consisting of not less than 11 1/2 gauge chain link or its equivalent and utilize fence ties 11 1/2 gauge or its equivalent to secure the fencing to posts, rails, and to any other structural parts to prevent the escape or entrance of an alligator.

(b) Alligators less than four (4) feet in length shall be kept in readily drainable rearing tanks of concrete, fiberglass, plastic, or metal construction or other materials approved by the executive director or designee that will ensure their secure and humane confinement.

(c) Minimum space requirements shall be:

1. One half (0.5) square foot of space for each alligator less than 24 inches in length and enough space to allow the alligator to at least partially submerge and partially exit from the water.

2. One and a half (1.5) square feet of space for each alligator measuring 24 inches to 48 inches in length and enough space to allow the alligator to at least partially submerge.

3. Three (3) square feet of space for each alligator greater than 48 inches in length and enough space to allow the alligator to at least partially submerge.

4.(e) For all alligator sizes, one dimension of the enclosure must be at least as long as the longest animal it contains. Alligator farm permittees shall furnish alligator housing of sufficient size and design as provided by Rules 68A-6.004 and 68A-6.0023, F.A.C.

(7) Harvest of alligators:

(a) through (d) No change.

(e) Property rights to unused CITES tags issued to alligator farm permittees shall be vested in the Commission, and unused CITES tags shall remain the property of the Commission. No person except the alligator farm permittee or ~~his~~ licensed farming agents shall possess any unused CITES tag at any time.

(f) No change.

(8) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3751 FS. History—New 8-1-79, Amended 6-21-82, Formerly 39-25.04, Amended 8-24-87, 6-7-88, 2-14-89, 4-11-90, 4-4-91, 4-15-92, 7-1-94, 3-30-95, 4-1-96, 9-15-96, 11-12-98, Formerly 39-25.004, Amended 4-30-00, 3-30-06, 3-19-08, 3-24-13,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 13, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-25.032
 RULE TITLE: Regulations Governing the Establishment of Alligator Management Programs

PURPOSE AND EFFECT: The purpose of the proposed rule is to allow the capture and release of alligators on the same permitted property only if non-injurious capture methods are used, and modify the Private Lands Alligator Management Program Application form. The effect of the proposed rule will be to provide landowners and participants greater management flexibility and improve program implementation.

SUMMARY: The proposed rule would allow the capture and release of alligators on the same permitted property only if non-injurious capture methods are used, and modify the Private Lands Alligator Management Program Application form.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution; 379.3751 FS.

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

DATES AND TIME: During the Commission’s regular meeting September 5th and 6th 2013, 8:30 a.m. each day

PLACE: Crowne Plaza Pensacola Grand Hotel, 200 East Gregory Street, Pensacola, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-25.032 Regulations Governing the Establishment of Alligator Management Programs.

Alligator management programs designed for the taking of alligator eggs and hatchlings and the trapping of non-hatchling alligators may only be established on private lands and on public lands, other than sovereign submerged lands, for which

a governmental entity can demonstrate an ownership interest or a leasehold interest and approval of the owner (referred to as “public lands” in this section) under the following conditions:

(1) Alligator Management Program – Application and review procedures.

(a) The owner or authorized lessee of property containing alligator habitat (as described in FWC form 1000PW) shall make written application, on forms provided by the Commission (Alligator Management Program Application, FWC form 1000PW, effective ~~September 5, 2013~~ ~~April 12, 1998~~, is incorporated to the rule by reference and may be obtained from the Commission), for establishment of an Alligator Management Program each calendar year. A group of landowners or authorized lessees may apply jointly provided their properties are adjoining.

(b) through (h) No change.

(2) Procedures governing the issuance of harvest permits and the taking of non-hatchling alligators.

(a) through (c) No change.

(d) Alligators captured for release may only be taken using live traps; snares, snatch hooks, or by hand; or by other non-injurious method. Any alligators captured by the following methods cannot be released: may be taken by the use of firearms and, live traps, sethooks, and snares; baited, wooden pegs less than two (2) inches in length attached to a hand-held restraining line; harpoons and, gigs, and snatch hooks; and manually operated spears, spearguns, gig-equipped bang sticks, and crossbows; and bows with projectiles attached to a restraining line. The use of firearms other than bang sticks and gig-equipped bang sticks is prohibited from sunset to sunrise. Notwithstanding Rule 68A-4.002, F.A.C., a light may be used in conjunction with these methods of take.

(e) No change.

(f) Any alligators captured shall be released or killed before the permittee or ~~his~~ authorized licensee leaves the property described in the Alligator Management Program Application (FWC form 1000PW). An identifying alligator CITES tag issued by the Commission shall be locked through the skin of the alligator within six (6) inches of the tip of the tail immediately upon killing or, if the alligator is killed from or in a boat, no later than immediately upon return to shore and before leaving the property. If there is a permitted alligator processing facility on the property, alligators must be tagged immediately upon capture except that alligators captured from a boat must be tagged no later than immediately upon return to shore and before leaving the property. The

identifying alligator CITES tag shall remain attached to the alligator hide until the hide is tanned, taxidermy mounted, or exported from the state. CITES tags may not be altered to compromise the locking mechanism in any way and shall be used only one time. The possession of any alligator hide not tagged as prescribed herein is prohibited, and such hide shall be subject to seizure and forfeiture to the Commission under the provisions of Section 379.338, F.S.

(g) No change.

(3) through (4) No change.

(5) All tags issued under this rule shall remain the sole property of the Commission until used as provided herein, and may be possessed only by the permittee, licensees the permittee ~~he~~ has authorized to take alligators, or ~~his~~ licensed agent(s) prior to such use. Permittees ~~The permittee~~ shall be strictly liable in ensuring that all unused tags remain in their ~~his~~ possession, the possession of licensees they have ~~he has~~ authorized to take alligators, or the possession of his licensed agent(s), and that all unused tags are returned to the Commission within 15 days following permit expiration.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.3012 FS. History—New 5-5-88, Amended 2-14-89, 4-11-90, 4-4-91, 4-15-92, 10-22-92, 4-29-93, 4-10-94, 3-30-95, 4-1-96, 9-15-96, 4-12-98, Formerly 39-25.032, Amended 5-28-00, 10-10-00, 5-13-02, 3-30-06, 3-19-08, 7-20-09, 3-24-13,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 13, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 8, 2013

**FISH AND WILDLIFE CONSERVATION
COMMISSION****Freshwater Fish and Wildlife**

RULE NO.: RULE TITLE:

68A-27.007 Permits and Authorizations for the Take of
Florida Endangered and Threatened Species

PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to extend the timeframe within which wildlife best management practices (BMPs) for agriculture activities are legislatively authorized, developed and adopted. The effect of the proposed rule amendment would be to extend the timeframe for developing and adopting wildlife BMPs to November 2014.

SUMMARY: Wildlife BMPs will provide a voluntary alternative to incidental take permitting for landowners engaged in agriculture. This rule amendment would provide one additional year to complete the process of developing, vetting and adopting wildlife BMPs.

**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 SERC is not required is for this proposed rule amendment because the wildlife BMPs are being developed as a voluntary alternative to existing Incidental Take permitting requirements.

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: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

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

DATES AND TIME: During the Commission's regular meeting September 5-6, 2013, 8:30 a.m. – 5:00 p.m., each day

PLACE: Crowne Plaza Pensacola Grand Hotel, 200 East Gregory Street, Pensacola, FL 32502

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: the ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Scott Sanders, Director of Conservation Planning Services, 620 South Meridian Street, Tallahassee, FL 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-27.007 Permits and Authorizations for the Take of Florida Endangered and Threatened Species.

(1) No change.

(2) The permit requirements for the taking of a State-designated Threatened species are as follows:

(a) through (c) No change.

(d) Agriculture, as defined in Section 570.02, Florida Statutes, conducted in accordance with best management practices (BMPs) adopted by the Department of Agriculture and Consumer Service pursuant to Section 403.067, Florida Statutes, is authorized and does not require a permit authorizing incidental take despite any other provision of this section. The Commission will work cooperatively with the Florida Department of Agriculture and Consumer Services, landowners, and other stakeholders to legislatively authorize, develop, and adopt BMPs to protect wildlife species by November 2014 ~~within three years of the effective date of these rules.~~

(e) through (f) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 11-8-10, Amended.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Thomas Eason, Director of Habitat and Species Conservation,
 620 South Meridian Street, Tallahassee, FL 32399-1600
 NAME OF AGENCY HEAD WHO APPROVED THE
 PROPOSED RULE: Florida Fish and Wildlife Conservation
 Commission
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: June 13, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAR: January 8, 2013

**FISH AND WILDLIFE CONSERVATION
 COMMISSION**

Marine Fisheries

RULE NO.: 68B-4.018 RULE TITLE: Boca Grande Pass Gear Restrictions
 PURPOSE AND EFFECT: The purpose of this rule amendment is to prohibit the use in Boca Grande Pass of any fishing gear in which a weight directly attached to any hook, artificial fly, or lure hangs lower than the hook when the line or leader is suspended vertically from the fishing rod. Such gear possessed onboard a fishing vessel must be stowed in such a manner that its immediate use as a fishing implement is impracticable while within the boundaries of Boca Grande Pass.

The effect of these rule amendments will be a prohibition on the use of bottom-weighted hooks while fishing within the boundaries of Boca Grande Pass. This prohibition will apply for all species on a year-round basis. In addition, such gear possessed onboard a vessel operating within the boundaries of the Pass must be stowed in such a manner that its immediate use as a fishing implement is impracticable.

SUMMARY: 68B-4.018 will be amended to prohibit the attachment of a weight to any hook, artificial fly, or lure in a manner such that the weight hangs lower than the hook when the line or leader is suspended vertically from the rod while fishing within the boundaries of Boca Grande Pass. These prohibitions will apply year-round when fishing for any species in the Pass. Such gear possessed onboard a vessel operating within the boundaries of the Pass must be stowed in such a manner that its immediate use as a fishing implement is impracticable.

**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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required. 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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

DATES AND TIME: During the Commission’s regular meeting September 5-6, 2013, 8:30 a.m. – 5:00 p.m.

PLACE: Crowne Plaza Pensacola Grand Hotel, 200 East Gregory Street, Pensacola, FL 32502

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-4.018 Boca Grande Pass Gear Restrictions.

(1) No change.

(2) In Boca Grande Pass, weight shall not be attached to any hook, artificial fly or lure in a manner such that the weight hangs lower than the hook when the line or leader is suspended vertically from the rod. Such gear may not be attached to any rod, line, or leader and must be stowed as to make its immediate use as a fishing implement impracticable.

~~(3)(2)~~ No change.

PROPOSED EFFECTIVE DATE: November 1, 2013.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 7-1-04, Amended 11-1-13.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 2, 2013

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.: 68B-32.002
 RULE TITLE: Definitions

PURPOSE AND EFFECT: The purpose of this rule amendment is to expand the definition of the terms “snagging” and “snatch hooking” in relation to tarpon fishing statewide. Snagging or snatch hooking tarpon is currently prohibited. This rule amendment will modify the current language prohibiting snagging and refer directly to tarpon in the definition. In addition, the new rule language will prohibit catching or attempting to catch a tarpon by any method that doesn’t entice the fish to strike with, and become hooked in, its mouth.

The effect of these rule amendments will be to revise the definition of snagging as it pertains to tarpon and prohibit any fishing methods that do not entice a tarpon to voluntarily strike with, and become hooked in, its mouth.

SUMMARY: 68B-32.002 will be amended to redefine the terms “snagging” or “snatch hooking.” The new definition will explicitly refer to tarpon, and prohibit any fishing method that does not entice a tarpon to voluntarily strike an angler’s gear.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

A HEARING WILL BE HELD AT THE DATES, TIMES AND PLACE SHOWN BELOW:

DATES AND TIMES: During the Commission’s regular meeting September 4, 2013, 1:00 p.m. – 5:00 p.m. and September 5-6, 2013, 8:30 a.m. – 5:00 p.m.

PLACE: Crowne Plaza Pensacola Grand Hotel, 200 East Gregory Street, Pensacola 32502

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: The ADA Coordinator, at (850)488-6411. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jessica McCawley, Director, Division of Marine Fisheries Management, 2590 Executive Center Circle East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-32.002 Definitions.

As used in Chapter 68B-32, F.A.C.:

(1) “Professional fishing guide” means the captain or operator of a boat or vessel who is licensed by the U.S. Coast Guard to carry paying passengers and whose passengers pay a fee to fish for tarpon.

(2) “Snagging” or “snatch hooking” means the intentional catch of a tarpon by any device intended to impale or hook the tarpon by any part of its body other than the mouth, or catching or attempting to catch a tarpon in any manner or method other than enticing or attracting a tarpon to strike with, and become hooked in, its mouth.

(3)(2) “Tarpon” means a fish of the species *Megalops atlanticus*, or any part thereof.

PROPOSED EFFECTIVE DATE: November 1, 2013.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 11-30-88, Amended 1-1-98, Formerly 46-32.002, Amended 3-28-04, 9-1-13, 11-1-13.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE FOLLOWING THE COMMISSION MEETING AT WHICH THEY ARE CONSIDERED IF THE RULES ARE NOT CHANGED. IF CHANGED, THE RULES MAY BE FILED AS SOON AS POSSIBLE AFTER PUBLICATION OF A NOTICE OF CHANGE IN THE F.A.R.

NAME OF PERSON ORIGINATING PROPOSED RULE: Jessica McCawley, Director, Division of Marine Fisheries
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 12, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 28, 2012

**DEPARTMENT OF FINANCIAL SERVICES
 Division of Insurance Agents and Agency Services**

RULE NO.: 69B-221.051
 RULE TITLE: Actively Engaged in Business; Place Suitably Designated; Accessible to Public

PURPOSE AND EFFECT: The proposed rule provides that monthly-filed employment reports for temporary bail bond agents must be received by the Department no later than the last day of the month following the month being reported on the form. The proposed rule is further amended to require both the supervising bail bond agent and the temporary bail bond agent to certify that the hours reported reflect the actual hours worked. The proposed rule also revises forms and updates electronic links to such forms. The rule is renumbered to reflect the proposed changes. SUMMARY: The proposed rule is amended to provide that monthly employment reports for temporary bail bond agents must be received by the Department no later than the last day of the month that follows the month being reported. The proposed rule clarifies that both the supervising bail bond agent and the temporary bail bond agent must certify that employment hours reported reflect actual hours worked during the month reported.

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 proposed rule only clarifies the existing rule and results in no additional requirements or costs. The proposed rule revises two forms which may result in modest savings from efficiencies resulting from a reduction in the amount of paperwork required, paper consumed, postage required or faxes transmitted.

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: 648.26, 648.355(1)(e) FS.
 LAW IMPLEMENTED: 648.25, 648.34, 648.355, 648.387, 648.44(6) FS.

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

DATE AND TIME: Thursday, August 29, 2013, 9:30 a.m.
 PLACE: 116 Larson Building, 200 East Gaines Street, Tallahassee, Florida

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: Ray Wenger @ (850)413-5605 or Ray.Wenger@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 IS: Ray Wenger, Financial Administrator, Bureau of Investigation, Division of Insurance Agent & Agency Services, Department of Financial Services, 200 East Gaines Street, Tallahassee, FL 32399-0319; (850)413-5605

THE FULL TEXT OF THE PROPOSED RULE IS:

69B-221.051 Actively Engaged in Business; Place Suitably Designated; Accessible to Public.
 Every bail bond agent must be actively engaged in the bail bond business; in a building suitably designated as a bail bond agency, which must be maintained open and accessible to the public to render service during reasonable business hours.

(1) Each bail bond agency, and each branch office, shall be in the active full-time charge of a licensed and appointed primary bail bond agent as required by Section 648.387, F.S., and shall be designated on form DFS-H2-1541, (Revised: 7/13 Effective: 4-18-14) "Filing of Bail Bond Agency Business Name and Designation or Deletion of Primary Bail Bond Agent for Bail Bond Agency and Filing of Business Names", which is adopted and incorporated herein by reference. This form is available from the Division of Agents and Agency Services, Department of Financial Services at <http://www.myfloridacfo.com/Division/Agents/Licensure/Forms/index.htm>.

(2) Each bail bond agency and each branch office shall have an entrance easily accessible to the public and used by the bail bond agent in the regular course of their business dealings with the public. As used in this rule, "accessible to the public means the entrance shall be suitably designated by a sign or other display, readable from a reasonable distance, which provides at a minimum the agency name. Additionally, if a bail bond agency is located in a building which maintains a uniform office directory on its premises, the directory shall provide at a minimum the current name of that bail bond agency.

(3) As used in this rule, the term "reasonable business hours" means at least eight hours daily between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday, except for legal holidays.

(4)(a) A temporary bail bond agent must be employed full-time and shall be physically accompanied by the supervising bail bond agent or bail bond agent from the same agency as required by Sections 648.25(8) and 648.355(8), F.S. As used in this rule, the term "full-time" means that the temporary bail bond agent must work at least 1,540 hours during 12 months of employment as a temporary bail bond agent. This will result in an average of slightly less than 30 hours per week. Each employer of a temporary bail bond agent must provide the temporary bail bond agent the opportunity to work at least 30 hours a week during the period of employment and may allow the temporary bail bond agent to work more than 30 hours per week.

(b) A temporary bail bond agent shall be employed and receive a salary or wages as required by law.

(c) The supervising bail bond agent shall file monthly a certified report under oath on form DFS-H2-1543, (Revised: 7/13 Effective: 4-18-14), "Temporary Bail Bond Agent Employment Report", which is adopted and incorporated herein by reference. This form is available from the Division of Agents and Agency Services, Department of Financial Services at <http://www.myfloridacfo.com/Division/Agents/Licensure/Forms/index.htm>.

(d) The supervising bail bond agent and the temporary bail bond agent must certify the hours reported are the actual hours worked by the temporary bail bond agent.

(e) Form DFS-H2-1543, "Temporary Bail Bond Agent Employment Report," must be received by the Department no later than the last day of the month following the month being reported on the form.

Rulemaking Authority 648.26, 648.355(1)(e) FS. Law Implemented 648.25, 648.34, 648.355, 648.387, 648.44(6) FS. History—Repromulgated 12-24-74, Amended 7-27-78, 12-23-82, Formerly 4-1.04, 4-1.004, Amended 4-14-97, 7-2-98, 1-22-03, Formerly 4-221.051, Amended 8-12-04, 4-18-11, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Ray Wenger, Financial Administrator, Bureau of Investigation, Division of Insurance Agent & Agency Services, Department of Financial Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jeff Atwater, Chief Financial Officer, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 5, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 13, 2012

Section III Notice of Changes, Corrections and Withdrawals

NONE

Section IV Emergency Rules

NONE

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

WATER MANAGEMENT DISTRICTS
South Florida Water Management District

RULE NO.: RULE TITLE:

40E-6.221: Conditions for Issuance of Standard Permits

NOTICE IS HEREBY GIVEN that on July 25, 2013, the South Florida Water Management District (District), received a petition for waiver from Carl E. and Leslie A Rasmussen,

Application No. 12-1120-2, for an existing boathouse located within the District’s northerly right of way at the rear of 13258 S.W. 144th Parkway, River Oak Acres, C-38 Canal, Section 12/13, Township 54S, Range 40E; Okeechobee County. The petition seeks relief from paragraph 40E-6.221(2)(j), Fla. Admin. Code, which governs the required low member elevation of docks.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Juli Russell at (561)682-6268 or e-mail at jurussel@sfwmd.gov. The District will accept comments concerning the petition received by the end of business on the 14th day at the South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Juli Russell, Office of Counsel.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

The Board of Landscape Architecture hereby gives notice: of the issuance of an Order regarding the Petition for Variance or Waiver, filed on June 11, 2013, by Lauren Colunga. The Notice of Petition for Waiver or Variance was published in Vol. 39, No. 118, of the June 18, 2013, Florida Administrative Register. Petitioner sought a waiver or variance of subsection 61G10-11.004(2), F.A.C., requiring applicants for licensure as a registered landscape architect to demonstrate, prior to licensure, one year of practical experience in landscape architectural work. The Board considered the instant Petition at a duly-noticed public meeting held on July 17, 2013, in St. Petersburg, Florida.

The Board’s Order, filed on August 1, 2013, granted the petition finding that the practical experience requirement would be met. That to apply subsection 61G10-11.004(2), F.A.C., to her circumstances would violate principles of fairness and impose substantial hardship on her.

A copy of the Order or additional information may be obtained by contacting: Juanita Chastain, Executive Director, Division of Professions, Board of Veterinary Medicine, 1940 N. Monroe Street, Tallahassee, FL 32399-0783, (850)487-1395 or by electronic mail at Juanita.Chastain@myfloridalicense.com.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

RULE NO.: RULE TITLE:

64J-1.0201: EMS Instructor Qualifications

NOTICE IS HEREBY GIVEN that on July 29, 2013, the Department of Health received a petition for a waiver from Washington – Holmes Technical Center for Randy Truette,

Seamus O’Neal, Wesley Adams, Gary Hall, Greg Barton and any and all current and future instructors to be exempt from the Associate’s Degree requirement; and a variance for a Program Director (Danny Porter) who does not have a Bachelor’s Degree to be granted an additional 18 months to secure the appropriate degree. Interested persons or other agencies may submit comments on this petition for waiver and variance within 14 days after the publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Rickey Stone, 4052 Bald Cypress Way, Bin A22, Tallahassee, FL 32399-1722; (850)245-4440, ext. 2753, rickey_stone@doh.state.fl.us.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

Division of Historical Resources

The Bureau of Historic Preservation announces a workshop to which all persons are invited.

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

PLACE: Webinar (telephone and online)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grant Panelist Orientation Webinar for the 2015 Historic Preservation Small-Matching Grant Solicitation. For additional information or a copy of the Agenda, please contact: Historic Preservation Grants staff at (800)847-7278; email us at: BHPgrants@Dos.MyFlorida.com, or visit www.flheritage.com/grants.

A copy of the agenda may be obtained by contacting: Historic Preservation Grants staff at (800)847-7278; email us at BHPgrants@Dos.MyFlorida.com, or visit www.flheritage.com/grants.

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 Grants staff via telephone at (800)847-7278 or via email at BHPgrants@Dos.MyFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact Grants staff via telephone at (800)847-7278 or via email at BHPgrants@Dos.MyFlorida.com.

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs
The Department of Legal Affairs, Florida Council on the Social Status of Black Men and Boys, announces the following full Council meetings and public forum which all persons are invited to attend.
Council on the Social Status of Black Men and Boys (Executive & Business Meeting)
DATE AND TIME: September 12, 2013; 9:00 a.m. – 3:30 p.m.
PLACE: SpringHill Suites, The Deluna Meeting Room, 487 Creighton Road, Pensacola, Florida 32504. Toll-free dial-in number (888)670-3525, conference code 8519855825. Telephone: (850)474-0055.

Council on the Social Status of Black Men and Boys (Public Forum)
DATE AND TIME: September 12, 2013, 6:00 p.m. – 8:30 p.m.
PLACE: TBA, Pensacola, Florida. Telephone: (850)414-3369.
Council on the Social Status of Black Men and Boys (Business Meeting)

DATE AND TIME: September 13, 2013; 9:00 a.m. – 5:00 p.m.
PLACE: SpringHill Suites, The Deluna Meeting Room, 487 Creighton Road, Pensacola, Florida 32504. Toll-free dial-in number (888)670-3525, conference code 8519855825. Telephone: (850)474-0055.

Please be advised that meeting locations and times maybe subject to change. For updates please visit <http://www.cssbmb.com>.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the meeting agenda may be obtained by visiting <http://www.cssbmb.com>.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Bureau at least 48 hours prior to the meeting by contacting the Bureau of Criminal Justice Programs at (850)414-3300. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice). For more information, contact the Bureau of Criminal Justice Programs at (850)414-3300.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: Friday, September 6, 2013, 10:15 a.m.
PLACE: Broward MPO Board Room, 100 W. Cypress Creek Road, Suite 850, Fort Lauderdale, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED:
The Executive Committee provides oversight of the Sustainable Community Regional Planning Grant; approves the overall work plan; provides guidance to the Project Director and Project Team; provides policy direction for the Seven50 Plan; ensures that all constituencies have meaningful opportunities to engage and shape the Seven50 process; identifies and resolves significant issues arising during the process; and recommends the final regional vision, Seven50 Plan and implementation plan.

A copy of the agenda may be obtained by contacting: The South Florida Regional Planning Council, 3440 Hollywood Boulevard, Suite 140, Hollywood, FL 33021, (954)985-4416.

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: The South Florida Regional Planning Council at sfadmin@sfrpc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: The South Florida Regional Planning Council at sfadmin@sfrpc.com.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications
The Department of Management Services announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 22, 2013, 9:00 a.m.
PLACE: 4030 Esplanade Way, Room 225A, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This will be a Business Meeting to discuss matters that need to be presented to the Joint Task Force Board Meeting on September 10.

A copy of the agenda may be obtained by contacting: Debi Smith at (850)922-7435 or by email at Debi.Smith@DMS.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 3 days before the workshop/meeting by contacting: Debi Smith at (850)922-7435 or by email at Debi.Smith@DMS.MyFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Debi Smith at (850)922-7435 or by email at Debi.Smith@DMS.MyFlorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

The Department of Management Services announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, August 28, 2013, 9:00 a.m.

PLACE: Betty Easley Conference Center (CCOC), 4075 Esplanade Way, Room 152, Tallahassee, FL 32399.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
This will be a follow-up Workshop to review the updated Strategic Planning Document.

A copy of the agenda may be obtained by contacting: no agenda available. We will only be discussing the Strategic Planning Document updates.

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: Debi Smith at (850)922-7435 or by email at Debi.Smith@DMS.MyFlorida.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Debi Smith at (850)922-7435 or by email at Debi.Smith@DMS.MyFlorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE:

61A-5.0011: Application for Vehicle Permits

61A-5.0012: Application for Mortgagee's Interest in Spirituous Alcoholic Beverage License; Request for Alcoholic Beverage Lien Search

61A-5.0013: Application for One/Two/Three Day Permit or Special Sales License

61A-5.0014: Application for Change to Licensed Entity

61A-5.0015: Application for Importer or Broker Sales Agent Licenses

61A-5.0016: Application for Common Carrier License; Application for Passenger Vessel Permit

61A-5.0017: Application for Extension of Premises or Amended Sketch of Licensed Premises

61A-5.0018: Application for Alcoholic Beverage Exporter Registration

61A-5.056: Application for Retail Tobacco Products Dealer Permit

61A-5.708: License Cancellation Request

The Division of Alcoholic Beverages and Tobacco announces a hearing to which all persons are invited.

DATE AND TIME: August 27, 2013, 9:00 a.m.

PLACE: Professions Boardroom. Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Update to Departmental forms.

A copy of the agenda may be obtained by contacting: Renita Walton-Hayes, Division of Alcoholic Beverages and Tobacco. 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1118, Renita.Walton-Hayes@myfloridalicense.com.

For more information, you may contact: Renita Walton-Hayes, Division of Alcoholic Beverages and Tobacco. 1940 North Monroe Street, Tallahassee, FL 32399, (850)717-1118, Renita.Walton-Hayes@myfloridalicense.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

State Boxing Commission

RULE NO.: RULE TITLE:

61K1-1.0026: Approval of Matches, Fight Cards, Issuance of Permits; Assignment of Event Officials

The Florida State Boxing Commission announces a public meeting to which all persons are invited.

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

PLACE: Department of Business and Professional Regulation, Board Conference Room, 1940 North Monroe Street, Tallahassee, Florida 32399

Also, telephone conference call; conference number is (888)670-3525, passcode is 3051490078, then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Discussion and vote regarding rules 61K1-1.0026, 61K1-3.0055, 61K1-3.042, 61K1-4.008, 61K1-4.014, 61K1-4.019,

61K1-4.023, 61K1-4.025, and 61K1-4.028, F.A.C. and Chapter 61K1-3, F.A.C., regarding Professional boxing, kickboxing, and mixed martial arts matches, Commission office duties, pro-debut requirements, pro-am events, pre-match physical of amateurs, amateur handwraps, amateur reporting requirements, and amateur tournament variances.

A copy of the agenda may be obtained by contacting: Lina Hurtado, (850)488-8500.

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 24 hours before the workshop/meeting by contacting: Lina Hurtado, (850)488-8500. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Lina Hurtado, (850)488-8500.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

PLACE: Woodville Community Center, Live Oak Room, 8000 Old Woodville Road, Tallahassee, Florida, 32305.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public meeting to discuss technical issues related to the initiation of the Upper Wakulla River and Wakulla Springs Basin Management Action Plan (BMAP). The primary topic of discussion during this meeting will be the BMAP development process.

A copy of the agenda may be obtained by contacting: Mr. Stephen Cioccia, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400, or by email at stephen.cioccia@dep.state.fl.us.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection, Division of Environmental Assessment and Restoration, announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, August 20, 2013, 10:00 a.m.

PLACE: Florida Department of Environmental Protection, Bob Martinez Center, 2600 Blair Stone Road, Room 609, Tallahassee, Florida.

The meeting can also be accessed via GoToWebinar as follows: <https://www2.gotowebinar.com/register/488586402>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Bacteria Technical Advisory Committee (TAC). This initial meeting of the TAC will provide a general background and overview of the Department's proposed concept. As noted previously, the intent of this effort is to comprehensively revise fecal indicator bacteria surface water quality criteria and the associated impaired water methodologies, establish a methodology that derives individual fecal indicator bacteria Total Maximum Daily Loads (TMDL), and establish appropriate restoration actions to implement the TMDL based on source tracking information.

A copy of the agenda may be obtained by contacting: Eric Shaw, Department of Environmental Protection, Water Quality Standards Program, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eric Shaw at (850)245-8429. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The Florida Department of Health, Division of Medical Quality Assurance announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 11, 2013, beginning at 8:30 a.m.

PLACE: Residence Inn Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, Florida 32304-4308.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this meeting is to review with the board/council chairs and/or vice chairs, as required by section 456.005, F.S., the long-range policy planning and monitoring process to include recommendations specific to each profession.

A copy of the agenda may be obtained by contacting: Erica Milam, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

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: Erica Milam, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253, (850)245-4224. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF HEALTH

The Florida Department of Health, Medical Quality Assurance announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 18, 2013, 12:30 p.m.

PLACE: Residence Inn Tallahassee Universities at the Capitol, 600 West Gaines Street, Tallahassee, Florida 32304-4308

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose is to review with the healthcare associations the long-range policy planning and monitoring process to include recommendations specific to each profession.

A copy of the agenda may be obtained by contacting: Samantha Lobello, Government Analyst, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253.

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 hours before the workshop/meeting by contacting: Samantha Lobello, Government Analyst, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C00, Tallahassee, Florida 32399-3253, (850)245-4224. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The Florida Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: August 22, 2013, 9:00 a.m.

PLACE: DoubleTree by Hilton Hotel Tampa Airport – Westshore: 4500 W. Cypress Street, Tampa, FL 33607

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Advisory Committee to the Florida Department of Children and Families for the Deaf and Hard-of-Hearing will meet to commence its responsibilities as outlined in the Settlement Agreement between the Florida Department of

Children and Families and the US Department of Health and Human Services. The meeting will be held in Tampa, FL on Thursday, August 22, 2013, and is open to the public from 9:00 a.m. – 2:00 p.m. and is open for public comments from 11:00 a.m. – 12:00 Noon.

A copy of the agenda may be obtained by contacting: Lira M. Latimer, (850)922-6829 or lira_latimer@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 7 days before the workshop/meeting by contacting: Lira M. Latimer (850)922-6829. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Lira M. Latimer, (850)922-6829 or lira_latimer@dcf.state.fl.us. If you are unable to attend but would like to share comments, forward them to: Lira M. Latimer at lira_latimer@dcf.state.fl.us.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

The Agency for Persons with Disabilities announces a public meeting to which all persons are invited.

DATE AND TIME: August 29, 2013, 9:30 a.m. – 11:30 a.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 335-N, Tallahassee, FL 32399

Conference phone number: (888)670-3525, participant code 5106539718, then #.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This meeting is intended to provide the public with an opportunity to offer the Agency comments, ideas, and suggestions for improving the health and well-being of Floridians with developmental disabilities.

A copy of the agenda may be obtained by contacting: <http://apdcares.org/publications/legal>; Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4358.

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 3 days before the workshop/meeting by contacting: Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4358. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Tracey Tolbert, 4030 Esplanade Way, Suite 380, Tallahassee, FL 32399, (850)488-4358.

NORTH FLORIDA BROADBAND AUTHORITY
 The North Florida Broadband Authority announces a public meeting to which all persons are invited.
DATE AND TIME: August 14, 2013, 10:00 a.m.
PLACE: Dogan Cobb Municipal Building, 660 East Hathaway, Bronson, Florida 32621
GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Board Meeting.
 A copy of the agenda may be obtained by contacting: celeste@springfieldlawpa.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 2 days before the workshop/meeting by contacting: celeste@springfieldlawpa.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: celeste@springfieldlawpa.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

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 Nilo A. Hernandez on June 24, 2013. The following is a summary of the agency's disposition of the petition:
 The petition seeks the Board's interpretation of Section 489.118 F.S., as to whether an unregistered roofing license can be grandfathered to a certified roofing license. The Board's Order, filed on August 1, 2013, denies the Petition for Declaratory Statement because the Petition was not in a proper form and Petitioner is asking for a statutory waiver.
 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 John Garner on June 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 Vol. 39, No. 126, of the June 28, 2013, Florida Administrative Register. The petition seeks the Board's interpretation of Section 489.113(9)(a), F.S., as to whether a commercial swimming pool contractor, as part of a project to build a swimming pool and pool deck, can include in the contract the construction of a summer kitchen on the pool deck area as part of his scope of license and subcontract all other necessary work. The Board's Order, filed on August 1, 2013, issues a declaratory statement that John Garner can be the general contractor as long as the majority of the work is in the scope of his license and he subcontracts the remaining work.
 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 Brett Handler 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. 116, of the June 14, 2013, Florida Administrative Register. Petitioner appears to be requesting the Board's interpretation as to whether a general contractor building new custom homes would be required to have separate bank accounts for each home or renovation project under contract and/or construction. The Board's Order, filed on August 1, 2013, denies the Petition for Declaratory Statement because there is insufficient information in the petition to render a decision.

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

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-1.001: Florida Building Code Adopted

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Allen Gezelman. The petition seeks the agency's opinion as to the applicability of Sections M1307.2.1, Florida Building Code, Residential and 301.12, Florida Building Code, Mechanical as it applies to the petitioner.

Petitioner seeks clarification as to if Florida Solar Energy Center approved and labeled solar panels are exempt from the above-referenced Florida Building Code sections.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Agency Clerk's Office, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Planning Manager, Building Codes and Standards Office, Department of Business and Professional Regulation, Suite 90A, 1940 North Monroe, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com.

April L. Hammonds, Office of the General Counsel, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-1000, (850)487-1824, april.hammonds@myfloridalicense.com. Responses, motions to intervene, or requests for a hearing, §120.57(2), Fla. Stat., must be filed within 21 days of this notice.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-3.010: Standards of Practice

NOTICE OF WITHDRAWAL OF PETITION FOR DECLARATORY STATEMENT

The Board of Optometry hereby gives notice that the petition filed by Christopher Frey, O.D., on September 27, 2012,

seeking the Board's interpretation of subsection 64B13-3.010(3), Florida Administrative Code, Standards of Practice, has been withdrawn. The Notice of Petition was published in Vol. 38, No. 41, of the October 2, 2012, issue of the Florida Administrative Register.

The person to be contacted regarding this petition is: William Miller, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

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:

G. H. vs. Agency for Persons with Disabilities; Case No.: 13-2766RU

H. L. vs. Agency for Persons with Disabilities; Case No.: 13-2767RU

N. L. vs. Agency for Persons with Disabilities; Case No.: 13-2768RU

W. P. vs. Agency for Persons with Disabilities; Case No.: 13-2769RU

B. R. vs. Agency for Persons with Disabilities; Case No.: 13-2770RU

M. S. vs. Agency for Persons with Disabilities; Case No.: 13-2771RU

J. W. vs. Agency for Persons with Disabilities; Case No.: 13-2772RU

K. H. vs. Agency for Persons with Disabilities; Case No.: 13-2773RU

D. S. vs. Agency for Persons with Disabilities; Case No.: 13-2775RU

K. J. C. vs. Agency for Persons with Disabilities; Case No.: 13-2801RU

D. S. vs. Agency for Persons with Disabilities; Case No.: 13-2802RU

P. A. M. vs. Agency for Persons with Disabilities; Case No.: 13-2804RU

H. R. R. vs. Agency for Persons with Disabilities; Case No.: 13-2805RU

D. P. C. vs. Agency for Persons with Disabilities; Case No.: 13-2806RU

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

C. Y. vs. Agency for Persons with Disabilities; Case No.: 13-2532RU; Voluntary Dismissal

D. R. vs. Agency for Persons with Disabilities; Case No.: 13-2547RU; Voluntary Dismissal

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

NONE

Section XII
Miscellaneous

DEPARTMENT OF ENVIRONMENTAL PROTECTION
State Revolving Fund Program

NOTICE OF AVAILABILITY
FLORIDA CATEGORICAL EXCLUSION NOTICE
MANGONIA PARK, FLORIDA

The Department of Environmental Protection has determined that the Town of Mangonia Park’s proposed project to construct new stormwater management facilities will not have a significant adverse impact on the environment. The total estimated construction cost is \$900,000. The project is expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. Public comments must be received at the address below within 30 days of this notice. A full copy of the Florida Categorical Exclusion Notice can be obtained by writing to: Thomas Montgomery, State Revolving Fund Program, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8368.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
State Revolving Fund Program

NOTICE OF AVAILABILITY
FLORIDA REAFFIRMATION NOTICE
LAKELAND, FLORIDA

The Department of Environmental Protection has determined that the City of Lakeland’s proposed projects to construct new wastewater collection and transmission facilities will not have a significant adverse impact on the environment. The total estimated construction cost is \$7,371,500. The projects are expected to qualify for a State Revolving Fund loan composed of federal and state matching funds. Public comment must be received at the address below within 30 days of this notice. A full copy of the Florida Reaffirmation Notice can be obtained by writing to: Thomas Montgomery, State Revolving Fund Program, Department of Environmental Protection, 2600 Blair Stone Road, MS 3505, Tallahassee, Florida 32399-2400 or by calling (850)245-8358.

DEPARTMENT OF ECONOMIC OPPORTUNITY
Division of Community Development

FINAL ORDERS

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-13-062, Final Order No. DEO-13-063 and Final Order No. DEO-13-064 on August 1, 2013, in response to applications submitted

by Steinhatchee Ancient Oaks Property Owners Association, Inc., Bay Lakes Association, Inc., and Colony Key Homeowners Association, Inc., respectively, for covenant revitalization under Chapter 720, Part III, Florida Statutes.

The Department determined that the applications met the statutory requirements for covenant revitalization. Accordingly, the Department’s Final Orders approved the three applications for covenant revitalization.

Copies of the final orders may be obtained by writing to Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or miriam.snipes@deo.myflorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

FINAL ORDERS

NOTICE IS HEREBY GIVEN that the Florida Department of Economic Opportunity issued Final Order No. DEO-13-060 and Final Order No. DEO-13-061 on July 29, 2013, in response to applications submitted by Shadow Lakes Homeowners Association, Inc. on behalf of the Shadow Lakes Unit 1 and Shadow Lakes communities, respectively, for covenant revitalization under Chapter 720, Part III, Florida Statutes. The Department determined that the applications met the statutory requirements for covenant revitalization. Accordingly, the Department’s Final Orders approved the two applications for covenant revitalization. Copies of the final orders may be obtained by writing to Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 E. Madison Street, MSC 110, Tallahassee, Florida 32399-4128 or miriam.snipes@deo.myflorida.com.

DEPARTMENT OF ECONOMIC OPPORTUNITY

Division of Community Development

FINAL ORDER NO. DEO-13-079

STATE OF FLORIDA

DEPARTMENT OF ECONOMIC OPPORTUNITY

In re: LAKE COUNTY LAND DEVELOPMENT

REGULATIONS ADOPTED BY

LAKE COUNTY ORDINANCE NO. 2013-26

FINAL ORDER

APPROVING LAKE COUNTY ORDINANCE NO. 2013-26

The Department of Economic Opportunity (“Department”) hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., approving Lake County Ordinance No. 2013-26 (“Ordinance”) as it relates to the Green Swamp Area of Critical State Concern.

FINDINGS OF FACT

1. The Green Swamp Area is a statutorily designated area of critical state concern.

§ 380.0551, Fla. Stat. Lake County is a local government within the Green Swamp Area.

2. The Ordinance was adopted by the Lake County Board of County Commissioners on May 21, 2013, and was rendered to the Department on May 31, 2013.

3. The Ordinance amends the Lake County Code, Appendix E, Land Development Regulations, as follows:

a. Chapter III, Zoning District Regulations, Section 3.02.05, “Setback,” is amended to allow imperious surfaces to be located within side and rear setbacks, with conditions;

b. Chapter IX, Development Design and Improvement Standards, Section 9.07.14, “Grading,” is amended to allow an increase in the allowed height of retaining walls from five to six feet (similar to the height allowed by other jurisdictions in Lake County), and by providing for an increase in spacing between retaining walls used in terracing from five feet to six feet, Section 9.07.14 is further amended to provide for an exemption to lot grading requirements to allow two areas with a maximum size of 4 feet by 4 feet each for mechanical equipment, step-off pads, pool equipment, and other similar uses to encroach into the side or rear setback, with conditions.

CONCLUSIONS OF LAW

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

5. Lake County is a local government within the Green Swamp Area of Critical State Concern. § 380.0551, Fla. Stat., and Rule Chapter 28-26, Fla. Admin. Code.

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

7. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the principles for guiding development for that area. § 380.05(6), Fla. Stat.; see Rathkamp v. Department of Community Affairs, 21 F.A.L.R. 1902 (Dec. 4, 1998), aff’d, 740 So. 2d 1209 (Fla. 3d DCA 1999). The principles for guiding development for the Green Swamp Area of Critical State Concern are set forth in Rule 28-26.003, Fla. Admin. Code. (“Principles”).

8. The Ordinance is consistent with the Principles in Rule 28-26.003, Fla. Admin. Code, as a whole and further the following Principles:

a. Minimize the adverse impacts of development on the resources of the Floridan Aquifer, wetlands, and flood-detention areas,

c. Protect the water available for aquifer recharge.

- e. Protect the normal supply of ground and surface water.
- j. Protect the natural flow regime of drainage basins.

9. The Ordinance is consistent with Future Land Use Element Policies 1-1.1.1.8 and 1-1.1.3.1.6 of the Lake County Comprehensive Plan.

WHEREFORE, IT IS ORDERED that the land development regulations in Ordinance No. 2013-26 are consistent with the Principles for Guiding Development for the Green Swamp Area of Critical State Concern and are hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

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

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

FOUNDATIONS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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

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

AGENCY CLERK
 DEPARTMENT OF ECONOMIC OPPORTUNITY
 OFFICE OF THE GENERAL COUNSEL
 107 EAST MADISON STREET, MSC 110
 TALLAHASSEE, FLORIDA 32399-4128
 FAX (850)921-3230

THE PETITION MUST MEET THE FILING REQUIREMENTS IN 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 AFTER PUBLICATION OF THIS FINAL ORDER.

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned designated Agency Clerk, and that true and correct copies have been furnished to the persons listed below by the methods indicated this 6th day of August, 2013.

_____/s/_____
Miriam Snipes, Agency Clerk

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

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

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

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

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.
