

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

RULE CHAPTER TITLE: Fertilizer
 RULE CHAPTER NO.: 5E-1
 RULE TITLES: Methods of Analysis
 RULE NOS.: 5E-1.014
 Adulteration of Levels for Metals in

Fertilizers; Certificate of Analysis
 PURPOSE AND EFFECT: The purpose of the rule amendments are to incorporate by reference all methods of analyses for commercial fertilizers. The effect is the establishment of parameters for metals in fertilizers offered for sale in the State of Florida.

SUBJECT AREA TO BE ADDRESSED: Methods of analysis and standards for fertilizers adulterated with metals.

SPECIFIC AUTHORITY: 570.07(23), 576.181, 576.051(7) FS.

LAW IMPLEMENTED: 576.181, 576.051(7) FS.

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

TIME AND DATE: 10:00 a.m., April 5, 2002
 PLACE: AES Conference Room, Lab. 8, 3125 Conner Blvd., Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Mr. Dale Dubberly, Chief, Bureau of Compliance Monitoring, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Services, 3125 Conner Blvd., Bldg. 8. (L29), Tallahassee, Florida 32399-1650, (850)488-8731

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5E-1.014 Methods of Analyses.

All methods of analyses for ~~plant nutrients~~ in commercial fertilizers shall be those in the State of Florida, Department of Agriculture and Consumer Services, Fertilizer Manual, (Eff. 3/18/96), which is hereby incorporated by reference. Copies may be obtained from the Division of Agricultural Environmental Services, Bureau of Feed, Seed and Fertilizer Laboratories, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650.

Specific Authority 576.181(2), 570.07(23), 576.051(7) FS. Law Implemented 576.051(2),(3),(7) FS. History—New 1-23-67, Amended 1-1-77, 7-22-79, 4-23-80, 10-27-80, 4-20-81, 10-18-81, 4-4-83, 11-16-83, 1-23-85, 6-19-85, Formerly 5E-1.14, Amended 11-16-86, 10-12-87, 9-26-88, 11-19-89, 3-28-91, 8-3-93, 7-9-95, 10-25-98,_____.

5E-1.026 Adulteration Levels for Metals in Fertilizers; Certificate of Analysis.

(1) ADULTERATION LEVELS FOR METALS IN FERTILIZERS.

Fertilizers that contain guaranteed amounts of phosphates and/or micro nutrients are adulterated when they contain metals in amounts greater than the levels of metals established by the following table¹:

<u>Metals</u>	<u>ppm per 1% P₂O₅</u>	<u>ppm per 1% Micro nutrients²</u>
<u>1. Arsenic</u>	<u>13</u>	<u>112</u>
<u>2. Cadmium</u>	<u>10</u>	<u>83</u>
<u>3. Cobalt</u>	<u>3,100</u>	<u>23,000³</u>
<u>4. Lead</u>	<u>61</u>	<u>463</u>
<u>5. Mercury</u>	<u>1</u>	<u>6</u>
<u>6. Molybdenum</u>	<u>42</u>	<u>300³</u>
<u>7. Nickel</u>	<u>250</u>	<u>1,900</u>
<u>8. Selenium</u>	<u>26</u>	<u>180³</u>
<u>9. Zinc</u>	<u>420</u>	<u>2,900³</u>

To use the Table:

Multiply the percent guaranteed P₂O₅ or sum of the guaranteed percentages of all micro nutrients (Iron, Manganese, Zinc, etc...) in each product by the value in the appropriate column in the Table to obtain the maximum allowable concentration (ppm) of these metals. The minimum value for P₂O₅ utilized as a multiplier shall be 6.0. The minimum value for micro nutrients utilized as a multiplier shall be 1. If a product contains both P₂O₅ and micro nutrients multiply the guaranteed percent P₂O₅ by the value in the appropriate column and multiply the sum of the guaranteed percentages of the micro nutrients by the value in the appropriate column. Utilize the sum of the two resulting values as the maximum allowable concentrations.

Biosolids, and all compost products⁴, shall be adulterated when they exceed the levels of metals permitted by the United States Environmental Protection Agency Code of Federal Regulations, 40 CFR Part 503. Dried biosolids and manure, as well as manipulated manure products not supplemented with chemical fertilizers shall also be deemed adulterated when they exceed the levels of metal permitted by the United States Environmental Protection Agency Code of Federal Regulations, 40 CFR Part 503. Hazardous waste derived fertilizers (as defined by EPA) shall be adulterated when they

exceed the levels of metals permitted by the United States Environmental Protection Agency Code of Federal Regulations, 40 CFR Parts 261, 266 and 268.

Footnotes:

¹ These guidelines are not intended, to be used, to evaluate horticultural growing media claiming nutrients but may be applied to the sources of the nutrients added to the growing media.

² Micro nutrients (also called minor elements) are essential for both plant growth and development and are added to certain fertilizers to improve crop production and/or quality. These micro nutrients are iron, manganese, zinc, copper, molybdenum and boron. In addition, cobalt and selenium can also be considered micro nutrients.

³ Only applies when not guaranteed.

⁴ Includes all compost products that are not supplemented with chemical fertilizers, even those registered as fertilizers (making nutrient claims).

(2) CERTIFICATE OF ANALYSIS.

Suppliers of micro nutrient and/or phosphate materials distributed to registered fertilizer licensees for blending purposes upon request shall furnish to the licensee and the Department a Certificate of Analysis of the nine metals denoted in section (1)(a).

Specific Authority 576.181 FS. Law implemented 576.181 FS. History--New _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES:

RULE NOS.:

Adoption of Uniform Packaging and Labeling Regulation
Package Testing Procedures

5F-3.001
5F-3.016

PURPOSE AND EFFECT: The purpose of Rule 5F-3.001, F.A.C., is to amend it to adopt the most recent national standards for packaging and labeling requirements as adopted by the National Conference on Weights and Measures and published in 2002 edition of National Institute of Standards and Technology Handbook 130. The purpose of Rule 5F-3.016, F.A.C., is to amend it to adopt the most recent national standards for package testing procedures as adopted by the National Conference on Weights and Measures and published in fourth edition of National Institute of Standards and Technology Handbook 133. Adoption of the current national standards will make Florida's requirements uniform with the national requirements and facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: Requirements for package and labeling of commodities sold in package form in Florida and the procedures for testing of such packages.

SPECIFIC AUTHORITY: 531.41(3) FS.

LAWS IMPLEMENTED: 531.41(4),(13), 531.47, 531.49 FS.

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

TIME AND DATE: 2:00 p.m., Monday, April 1, 2002

PLACE: Division of Standards, Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-3.001 Adoption of Uniform Packaging and Labeling Regulation.

The Department of Agriculture and Consumer Services hereby adopts the Uniform Packaging and Labeling Regulation promulgated by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2002 2004 Edition, as the Rule for packaging and labeling of commodities and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2002 2004 Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800 or <http://ts.nist.gov/ts/htdocs/230/235/h130-01.htm>. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, Phone (850)488-9140.

Specific Authority 531.41(3) FS. Law Implemented 531.41(4), 531.47, 531.49 FS. History--New 1-1-73, Formerly 5F-3.01, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, 9-3-01,_____.

5F-3.016 Package Testing Procedures.

The Department of Agriculture and Consumer Services hereby adopts the National Institute of Standards and Technology (NIST) Handbook 133, "Checking the Net Contents of Packaged Goods," Fourth Third Edition, including Supplements 1, 2, 3 and 4 as the Rule for the procedures for testing packaged goods and commodities for net contents and incorporates said Handbook herein by this reference. A copy of NIST Handbook 133, Fourth Third Edition, including Supplements 1, 2, 3 and 4 may be obtained from the National Conference on Weights and Measures, 15245 Shady Grove Road, Suite 130, Rockville, Maryland 20850 Post Office Box 4025, Gaithersburg, Maryland 20888, Phone: (240)632-9454 (301)975-4012 or <http://ts.nist.gov/ts/htdocs/230/235/h1334.htm>.

Specific Authority 531.41(3) FS. Law Implemented 531.41(13) FS. History—New 4-9-98, Amended _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE CHAPTER TITLE: Specifications, Tolerances and Other
 Technical Requirements for Commercial Weighing and Measuring Devices
 RULE CHAPTER NO.: 5F-5

RULE TITLE: Specifications, Tolerances, and Other Technical
 Requirements for Commercial Weighing and Measuring Devices
 RULE NO.: 5F-5.001

PURPOSE AND EFFECT: The purpose of this rule is to amend Rule 5F-5.001, F.A.C., to adopt the most recent national standards for weighing and measuring devices developed by the National Conference on Weights and Measures and published in the 2002 edition of National Institute of Standards and Technology Handbook 44. Adoption of the standards provides for uniformity of Florida's requirements with the national requirements to facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The requirements, including tolerances, specifications and other technical requirements for weighing and measuring devices used for commercial transactions and law enforcement use in the state.

SPECIFIC AUTHORITY: 531.40, 531.41(3) FS.

LAWS IMPLEMENTED: 531.40 FS.

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

TIME AND DATE: 2:00 p.m., Monday, April 1, 2002

PLACE: Division of Standards, Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-5.001 Specifications, Tolerances, and Other Technical Requirements for Commercial Weighing and Measuring Devices.

(1) The specifications, tolerances, and other technical requirements for commercial weighing and measuring devices adopted by the National Conference on Weights and Measures and contained in National Institute of Standards and Technology (NIST) Handbook 44, 2002 ~~2001~~ Edition, are

hereby adopted as rules for the requirements for commercial weighing and measuring devices of the Department of Agriculture and Consumer Services. A copy of NIST Handbook 44, 2002 ~~2001~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone (202)512-1800 or at <http://ts.nist.gov/ts/hdocs/230/235/h442001.htm>.

(2) The violation of any of the provisions of these rules and regulations is subject to the penalties and remedies provided in the Weights, Measures, and Standards Law, Chapter 531, Florida Statutes.

Specific Authority 531.40, 531.41(3) FS. Law Implemented 531.40 FS. History—New 1-1-73, Amended 7-1-74, 4-18-75, 1-25-76, 1-17-77, 3-29-78, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-5.01, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 6-21-94, 8-16-95, 10-8-96, 8-27-98, 8-19-99, 7-3-00, 9-3-01, _____.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLE: Adoption of Uniform Methods of Sale
 RULE NO.: 5F-7.005

PURPOSE AND EFFECT: The purpose of this rule is to adopt the most recent national standards for the methods of sales of commodities developed by the National Conference on Weights and Measures and published in the 2001 edition of National Institute of Standards and Technology Handbook 130. Adoption of the national standards will make Florida's requirements for methods of sale uniform with the national standards and facilitate interstate commerce and trade.

SUBJECT AREA TO BE ADDRESSED: The methods of sale allowable for commodities being sold by weight, measure or count.

SPECIFIC AUTHORITY: 531.41(3) FS.

LAWS IMPLEMENTED: 531.41(4), 531.45 FS.

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

TIME AND DATE: 2:00 p.m., Monday, April 1, 2002

PLACE: Division of Standards, Conference Room, Suite E, Room 135, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Max Gray, Bureau Chief, Bureau of Weights and Measures, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399-1650, (850)488-9140

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-7.005 Adoption of Uniform Methods of Sale.

The Florida Department of Agriculture and Consumer Services hereby adopts the Uniform Regulation for the Method of Sale of Commodities, as published by the United States Department of Commerce, National Institute of Standards and Technology, NIST Handbook 130, 2002 ~~2004~~ Edition, as the Rule for the method of sale for commodities, and incorporates said uniform regulation herein by this reference. A copy of NIST Handbook 130, 2002 ~~2004~~ Edition, may be obtained from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402, Phone: (202)512-1800 or <http://ts.nist.gov/ts/htdocs/230/235/h130-01.htm>. Copies of this uniform regulation are available from the Division of Standards, Bureau of Weights and Measures, 3125 Conner Boulevard, Lab #2, Tallahassee, Florida 32399-1650, phone: (850)488-9140.

Specific Authority 531.41(3),(4), 531.45 FS. Law Implemented 531.41(3),(4), 531.45 FS. History—New 1-8-90, Amended 6-14-95, 8-27-98, 8-19-99, 7-3-00, 9-3-01.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

DOCKET NO.: 01-43R

RULE CHAPTER TITLE: State Buffer Preserves
 RULE CHAPTER NO.: 18-23

PURPOSE AND EFFECT: To clarify language, remove obsolete language, add a section specifying fines for violations on buffer preserves, and add buffer preserves not covered under existing rule. Adding and specifying fines for violations will implement Section 253.86, Florida Statutes, enacted in 2001.

SUBJECT AREA TO BE ADDRESSED: Activities in buffer preserves and fines for violations in buffer preserves will be addressed. Any area in any of these rules may be addressed in furtherance of the purpose of this rulemaking.

SPECIFIC AUTHORITY: 253.86(1) FS.

LAW IMPLEMENTED: 253.86(1),(2) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Alex M. Cordero, Office of Coastal and Aquatic Managed Areas, 3900 Commonwealth Blvd., M.S. 235, Tallahassee, Florida 32399-3000, (850)488-3456 or SC 278-3456, Fax (850)488-3896 or SC 278-3896, E-mail: alex.cordero@dep.state.fl.us

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

PUBLIC SERVICE COMMISSION

DOCKET NO: 020166-EQ

RULE TITLE: Firm Capacity and Energy Contracts
 RULE NO.: 25-17.0832

PURPOSE AND EFFECT: To consider amendments to the rule asserted by petitioner to balance amendments already being considered in Docket No. 001574 in a consolidated proceeding.

SUBJECT AREA TO BE ADDRESSED: Contracts between investor-owned utilities and qualifying facilities.

SPECIFIC AUTHORITY: 350.127, 366.04(1), 366.051, 366.05(1),(8) FS.

LAW IMPLEMENTED: 366.051, 403.503 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

The workshop request must be submitted in writing within 14 days of the date of this notice to: Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399-0850.

Any person requiring some accommodation at this workshop because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Florida Public Service Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Judy Harlow, Division of Economic Regulation, Florida Public Service Commission, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0862

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

25-17.0832 Firm Capacity and Energy Contracts.

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

(b) The rates, terms, and other conditions contained in each utility's standard offer contract or contracts shall be based on the need for and equal to the avoided cost of deferring or avoiding the construction or purchase of additional generation capacity or parts thereof by the purchasing utility. Each standard offer contract shall provide the option for the qualifying facility to be paid rates equal to the costs that would be borne by the utility's general body of ratepayers if the utility were to build its avoided unit or purchase capacity and energy from another source. Without limitation, this shall include payments calculated on the same basis as the utility's revenue requirements where the qualifying facility signs a standard offer contract with a term equal to the projected life of the

avoided unit, payments calculated on the same basis as payments to be made pursuant to a power purchase arrangement where such power purchase is the generation resource avoided by the purchase from the qualifying facility, and payments calculated on the same basis as the utility's proposed revenue requirements for a proposed plant where the utility plans to limit cost recovery for the proposed plant to a fixed period of time. This requirement shall not preclude the use of the value of deferral payment methodology to calculate capacity payments where the qualifying facility proposes to sign a contract with a term less than the projected life of the avoided unit. Rates for payment of capacity sold by a qualifying facility shall be specified in the contract for the duration of the contract. In reviewing a utility's standard offer contract or contracts, the Commission shall consider the criteria specified in paragraphs (3)(a) through (3)(d) of this rule, as well as any other information relating to the determination of the utility's full avoided costs.

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

7. The period of time over which firm capacity and energy shall be delivered from the qualifying facility to the utility. Firm capacity and energy shall be delivered, at a minimum, for a period of ten years, commencing with the anticipated in-service date of the avoided unit specified in the contract. At a maximum, firm capacity and energy shall be delivered for a period of time equal to the anticipated plant life of the avoided unit, commencing with the anticipated in-service date of the avoided unit. Consistent with the utility's obligation to purchase the firm capacity and energy that a qualifying facility has available to sell to a utility, the qualifying facility shall have the option to specify the duration of its obligation to deliver firm capacity and energy within the above parameters;

8. through (5)(c) No change.

(d) As a risk management and fuel-cost hedging measure, each public utility subject to this rule shall provide for a minimum of twenty (20) percent of the energy purchased pursuant to standard offer contracts entered into following the effective date of this subsection to be purchased at the projected energy costs reflected in the utility's analyses and plans as of the date that the standard offer contract is executed by the utility and the qualifying facility. Such projected energy costs shall reflect not only the projected fuel costs associated with the avoided unit, but also the avoided operation and maintenance costs of the avoided unit, and shall also be based on the projected operations of the avoided unit as of the time the standard offer contract is executed. Further, all such costs shall be calculated on a directly comparable basis to that upon which the utility would calculate the costs associated with its avoided unit for the purpose of seeking recovery of such costs from its customers if it were to build and operate the avoided unit.

(6) Calculation of standard offer contract firm capacity payment options.

(a) Calculation of year-by-year value of deferral. The year-by-year value of deferral of an avoided unit shall be the difference in revenue requirements associated with deferring the avoided unit one year. All analyses to identify the type and timing of a utility's avoided unit, and all calculations of the value of deferral of an avoided unit, shall be conducted on a basis that treats supply-side and demand-side options equally and comparably. Specifically, all such analyses and calculations shall include only the impacts of existing and contractually committed demand-side management measures and shall not include the effects of any projected demand-side management measures that are not already in place or contractually committed to the utility. The value of deferral and shall be calculated as follows:

$$VAC_m = 1/12[KI_n(1-R)/(1-R^L) + O_n]$$

Where, for a one year deferral:

VAC_m = utility's monthly value of avoided capacity, in dollars per kilowatt per month, for each month of year n;

K = present value of carrying charges for one dollar of investment over L years with carrying charges computed using average annual rate base and assumed to be paid at the middle of each year and present value to the middle of the first year;

$$R = (1+ip)/(1+r);$$

I_n = total direct and indirect cost, in mid-year dollars per kilowatt including AFUDC but excluding CWIP, of the avoided unit with an in-service date of year n, including all identifiable and quantifiable costs relating to the construction of the avoided unit that would have been paid had the avoided unit been constructed;

O_n = total fixed operation and maintenance expense for the year n, in mid-year dollars per kilowatt per year, of the avoided unit;

i_p = annual escalation rate associated with the plant cost of the avoided unit(s);

i_o = annual escalation rate associated with the operation and maintenance expense of the avoided unit(s);

r = annual discount rate, defined as the utility's incremental after tax cost of capital;

L = expected life of the avoided unit; and

n = year for which the avoided unit is deferred starting with its original anticipated in-service date and ending with the termination of the contract for the purchase of firm energy and capacity.

(b) through (8)(c) No change.

Specific Authority 350.127, 366.05(1),(8), 366.051 FS. Law Implemented 366.051, 403.503 FS. History—New 10-25-90, Amended 1-7-97, _____.

**DEPARTMENT OF LABOR AND EMPLOYMENT
SECURITY**

Division of Workers' Compensation

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Obligation to Rehire Rules	38F-57
RULE TITLES:	RULE NOS.:
Definitions	38F-57.001
Employer's Good Faith Effort in Making Available Work	38F-57.002
Non-penalty for Employer's Failure to Make Appropriate Work Available	38F-57.003
Non-Application of Obligation to Rehire Rule Provisions	38F-57.004
Maximum Medical Improvement Notification	38F-57.005

PURPOSE AND EFFECT: This rule will establish the procedure to be followed by the Division of Workers' Compensation in assessing fines under s. 440.15(6), F.S., for certain employers' failure to make in good faith work available after maximum medical improvement to their injured employees.

SUBJECT AREA TO BE ADDRESSED: The promulgation of administrative rules to implement section 440.15(6), Florida Statutes, the obligation to rehire rule in workers' compensation.

SPECIFIC AUTHORITY: 440.591, 440.15(6) FS.

LAW IMPLEMENTED: 440.15(6) FS.

A RULE DEVELOPMENT WORKSHOP IS DEEMED TO BE UNNECESSARY BY THE AGENCY HEAD.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Reginald L. Watkins, Chief, Bureau of Rehabilitation and Medical Services, telephone number (850)488-3431, Ext. 320, e-mail: watkinr@wcpst.fdles.state.fl.us; 2728 Centerview Drive, Suite 100, Forrest Building, Tallahassee, FL 32399

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

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Procedural	40D-1
RULE TITLE:	RULE NO.:
Forms and Instructions	40D-1.659

PURPOSE AND EFFECT: Forms which the District uses in dealings with the public must be formally adopted by rule pursuant to Section 120.55(1)(a)4., Florida Statutes. The purpose of the amendment is to adopt an environmental resource permitting form used in the District's dealing with the public. This rulemaking will incorporate the form by reference in Rule 40D-1.659, Florida Administrative Code, in compliance with the above-referenced statutory provision.

SUBJECT AREA TO BE ADDRESSED: The amendment will incorporate the environmental resource permitting form entitled Statement of Inspection for Proper Operation and Maintenance into the District's rules. The form is used to certify the periodic inspections of surface water management systems in accordance with District rules and permit conditions.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.149, 373.171 FS.

LAW IMPLEMENTED: 373.116, 373.216, 373.219, 373.229, 373.239, 373.413, 373.414, 373.416, 373.419, 373.421 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Karen E. West, Deputy General Counsel, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4651

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40D-1.659 Forms and Instructions.

The following forms and instructions have been approved by the Governing Board and are incorporated by reference into this Chapter. Copies of these forms may be obtained from the District.

GROUND WATER

(1) through (19) No change.

SURFACE WATER

Application for Permit – Used for Docks or Piers and Bulkheads

(1) through (13) No change.

(14) STATEMENT OF INSPECTION FOR PROPER OPERATION AND MAINTENANCE FORM NO. 04.10 R-023 (/02)

Specific Authority 373.044, 373.113, 373.149, 373.171 FS. Law Implemented: 373.116, 373.216, 373.219, 373.229, 373.239, 373.413, 373.414, 373.416, 373.419, 373.421 FS. History–New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.1901, 40D-1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-95, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 10-26-00, 6-26-01, 11-29-01,_____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE TITLE:	RULE NO.:
Suspension of Vendors and Contractors from Doing Business with the South Florida Water Management District ("District")	40E-7.214

PURPOSE AND EFFECT: The District has legislative authority to temporarily or permanently suspend vendors and contractors who materially breach their contracts with the District from doing future business with the District.

SUBJECT AREA TO BE ADDRESSED: The rule will define material breach, as well as the process vendors and contractors must follow in order to be removed from the suspension list. Vendors and contractors who are notified that they will be placed on the suspension list will be entitled to an Administrative Hearing pursuant to Chapter 120, Fla. Stat.

SPECIFIC AUTHORITY: 373.610 FS.

LAW IMPLEMENTED: 373.610 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 1:00 p.m. – 5:00 p.m., April 3, 2002

PLACE: Stuart City Hall, 121 S. W. Flagler Avenue, Stuart, Florida 34994

TIME AND DATE: 8:00 a.m. – 12:00 Noon, April 4, 2002

PLACE: South Florida Water Management District Orlando Service Center, 7335 Lake Ellenor Drive, Orlando, Florida 32809

TIME AND DATE: 8:00 a.m. – 12:00 Noon, April 17, 2002

PLACE: South Florida Water Management District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406-3001

TIME AND DATE: 8:00 a.m. – 12:00 Noon, April 23, 2002

PLACE: South Florida Water Management District Ft. Lauderdale Field Station, 2535 Davie Road, Ft. Lauderdale, Florida 33317

TIME AND DATE: 5:00 p.m. – 8:00 p.m., May 1, 2002

PLACE: South Florida Water Management District Miami Field Station, 9001 N. W. 58th Street, Miami, Florida 33178

TIME AND DATE: 9:00 a.m. – 12:00 Noon, May 14, 2002

PLACE: South Florida Water Management District Ft. Myers Service Center, 2301 McGregor Blvd., Ft. Myers, Florida 33901

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Linda Engelbrecht, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6378 or (561)682- 6378 (internet: lengelb@sfwmd.gov).

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE CHAPTER TITLE	RULE CHAPTER NO.:
Minimum Flows and Levels	40E-8

PURPOSE AND EFFECT: The purpose and effect of the rule development is to establish minimum flows and levels for the St. Lucie River & Estuary, in accordance with Chapter 373, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Minimum flows and levels.

SPECIFIC AUTHORITY: 373.042, 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m. – 12:00 Noon, April 3, 2002

PLACE: Stuart Recreation Center, 201 S.W. Flagler, Stuart, Florida 34994, (561)288-5338

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: For technical issues contact, Winnie Said, internet: wsaid@sfwmd.gov, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045. The Technical Documentation to Support Development of Minimum Flows and Levels for the St. Lucie River and Estuary is available on the District's website at www.sfwmd.gov/org/wsd/mfl/index.html. For procedural issues contact: Julie Jennison, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, Extension 6294 or (561)682-6294 (internet: jjenniso@sfwmd.gov).

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

DEPARTMENT OF ELDER AFFAIRS

Aging and Assisted Living Programs

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Hospice	58A-2

Contact Fred Noble, P.E., (850)921-9904

The full text of this notice is published on the Internet at the DEP homepage at <http://www.dep.state.fl.us/> under the link or button entitled "Official Notices."

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Supervisor
 RULE NO.: 64B3-5.002

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Supervisor.

SPECIFIC AUTHORITY: 483.805(4), 483.823 FS.

LAW IMPLEMENTED: 381.0034, 483.800, 483.809, 483.815, 483.823 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B3-5.002 Supervisor.

Qualifications and Responsibilities.

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

(c) A baccalaureate degree, with eight semester hours each of academic biological and chemical science included in ~~for~~ a total of 24 semester hours of academic science and/or medical laboratory technology, and five years of pertinent clinical laboratory experience in the categories for which licensure is sought, two years of which shall be post baccalaureate, including a minimum of one year in each category for which licensure is sought.

(d) through (g) No change.

(i) Be licensed in a specialty as a technologist, meet the education and experience requirement under paragraph 64B3-5.002(1)(a), (b) or (c), F.A.C., and completes 25 hours of Board approved continuing education in the area of administration and supervision, which includes examination(s), accumulated over no longer than five years prior to application for licensure. Course content must include the guidelines set forth in subsection 64B3-3.003(7), F.A.C. This continuing education may not be used to satisfy biennial renewal requirements.

~~(2) Examinations Required for Adding Categories to an Active Supervisor's License. Licensed supervisors may add a category or categories by passing a technologist level examination and by providing proof of one year's experience for each category to be added.~~

~~(a) To add a new category in which the supervisor has not been licensed by examination at the technologist level to an active supervisor's license, an examination in the category must be passed.~~

~~(b) If the applicant was licensed by examination at the technologist level in a category and currently qualifies for supervisor licensure by education and experience, a supervisor application is required but an examination in the category is not required. If licensed as a technologist in more than one category, new categories will be added to an active supervisor's license only in the categories for which pertinent clinical laboratory experience has been verified. Categories for which pertinent clinical laboratory experience has not been verified will not be added to an active supervisor's license.~~

Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.815, 483.823 FS. History--New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 59O-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01,_____.

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Certification for Approval
 RULE NO.: 64B9-2.002

PURPOSE AND EFFECT: The Board proposes to review the language in this rule to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Certification for approval.

SPECIFIC AUTHORITY: 464.006, 464.019(2) FS.

LAW IMPLEMENTED: 464.019 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Coble, Executive Director, Board of Nursing /MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3252

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE TITLE: Fees
 RULE NO.: 64B9-7.001

PURPOSE AND EFFECT: The Board proposes to review the language in this rule to determine if any amendments are necessary.

SUBJECT AREA TO BE ADDRESSED: Fees.

SPECIFIC AUTHORITY: 456.013(2), 456.017, 456.025, 456.036, 464.006, 464.014(1) FS.

LAW IMPLEMENTED: 19.07(1)(a), 456.013(2), 456.017(1)(c), 456.025, 456.036, 464.008, 464.009, 464.012, 464.013, 464.014 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Coble, Executive Director, Board of Nursing/MQA, 4052 Bald Cypress Way, Tallahassee, Florida 32399-3252

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

DEPARTMENT OF HEALTH

Board of Nursing

RULE CHAPTER TITLE: RULE NO.:

Certified Nursing Assistants 64B9-15

PURPOSE AND EFFECT: The Board proposes the development of a rule chapter and hold a public workshop to address guidelines for certified nursing assistants.

SUBJECT AREA TO BE ADDRESSED: Certified nursing assistants.

SPECIFIC AUTHORITY: 464.204 FS.

LAW IMPLEMENTED: 456.072, 464.204 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 4:00 p.m., April 9, 2002

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, Florida 32608

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Dan Coble, Executive Director, Board of Nursing /MQA, 4052 Bald Cypress Way, Tallahassee, FL 32399

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: RULE NO.:

Licensure by Examination: Additional Educational Requirements for Initial Licensure 64B19-11.004

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to add the requirement for instruction on the prevention of medical errors to the existing rule.

SUBJECT AREA TO BE ADDRESSED: Requirement for instruction on the prevention of medical errors.

SPECIFIC AUTHORITY: 490.004(4), 456.031, 456.013(7) FS.

LAW IMPLEMENTED: 456.031, 456.013(7) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLE: RULE NO.:

Licensure Requirements 64B33-2.001

PURPOSE AND EFFECT: The Board proposes to update the existing rule text.

SUBJECT AREA TO BE ADDRESSED: Licensure Requirements.

SPECIFIC AUTHORITY: 456.013(7),(9), 468.705, 468.707 FS.

LAW IMPLEMENTED: 456.013(7), 468.707 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-2.001 Licensure Requirements.

All candidates for licensure shall pay the application fee and shall submit a completed DOH form DOH-AT-001 entitled "STATE OF FLORIDA EXAMINATION APPLICATION FOR LICENSURE AS AN ATHLETIC TRAINER" incorporated herein by reference and effective 1/19/96, to the

Department. The application can be obtained by writing the Department of Health, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

(1) through (2) No change.

(3) Effective July 1, 2001 all applicants for initial or renewal of initial license shall submit to the Board proof of completion of a two (2) hour continuing education course relating to the prevention of medical errors. The 2-hour course shall count toward the total number of continuing education hours required for license renewal. The course must be approved by the Board and shall include a study of root-cause analysis, error reduction and prevention, and patient safety. The address of the Board of Athletic Training is 4052 Bald cypress Way, BIN #C08, Tallahassee, FL 32399-3258.

Specific Authority 456.013(7),(9), 468.705, 468.707 FS. Law Implemented 456.013(7), 468.707 FS. History--New 5-29-96, Formerly 61-25.002, 64B30-25.002, Amended 8-22-00,_____.

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLE: Disciplinary Guidelines

RULE NO.: 64B33-5.001

PURPOSE AND EFFECT: The Board proposes to add a new rule with regards to Disciplinary Guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.072, 468.705, 468.719 FS.

LAW IMPLEMENTED: 456.072, 468.719 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLE: Mitigating and Aggravating Circumstances

RULE NO.: 64B33-5.002

PURPOSE AND EFFECT: The Board proposes to add a new rule with regards to Mitigating and Aggravating Circumstances.

SUBJECT AREA TO BE ADDRESSED: Mitigating and Aggravating Circumstances.

SPECIFIC AUTHORITY: 456.072, 456.079, 468.705, 468.719 FS.

LAW IMPLEMENTED: 456.072, 456.079, 468.719 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-5.002 Mitigating and Aggravating Circumstances.

Based upon consideration of aggravating or mitigating factors, present in an individual case, the Board may deviate from the penalties recommended in subsections (3) through (5) of Rule 64B33-5.001, F.A.C. If mitigating factors are present, the administrative fine may be reduced and a less severe action, such as a reprimand or probation, taken against the licensee from the range of actions given in the disciplinary guidelines. If aggravating factors are present, the maximum administrative fine may be imposed and more severe action, such as suspension or revocation, taken against the licensee from the range of actions given in the disciplinary guidelines. The Board shall consider as aggravating or mitigating factors the following:

- (1) The danger to the public;
- (2) The length of time since the violation;
- (3) The number of times the licensee has been previously disciplined by the Board;
- (4) The length of time licensee has practiced;
- (5) The actual damage, physical or otherwise, caused by the violation;
- (6) The deterrent effect of the penalty imposed;
- (7) The effect of the penalty upon the licensee's livelihood;
- (8) Any effort of rehabilitation by the licensee;
- (9) The actual knowledge of the licensee pertaining to the violation;
- (10) Attempts by licensee to correct or stop violation or refusal by licensee to correct or stop violation;
- (11) Related violations against licensee in another state including findings of guilt or innocence, penalties imposed and penalties served;
- (12) Actual negligence of the licensee pertaining to any violation;
- (13) Penalties imposed for related offenses under subsections (3) through (5) of Rule 64B33-5.001, F.A.C.;

(14) Any other relevant mitigating or aggravating factor under the circumstances.

Specific Authority 456.072, 456.079, 468.705, 468.719 FS. Law Implemented 456.072, 456.079, 468.719 FS. History—New

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLE: RULE NO.:

Citations 64B33-5.003

PURPOSE AND EFFECT: The Board proposes to add a new rule with regards to Citations.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077, 468.705, 468.719 FS.

LAW IMPLEMENTED: 456.077, 468.705, 468.719 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-5.003 Citations.

(1) Definition. As used in this rule:

(a) "Citation" means an instrument which meets the requirements set forth in s. 456.077, F.S., and which is served upon a subject for the purpose of assessing a penalty in an amount established by this rule;

(b) "Subject" means the licensee alleged to have committed a violation designated in this rule.

(2) In lieu of the disciplinary procedures contained in s. 456.073, F.S., the Department is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint which is the basis for the citation.

(3) Citations shall be issued for first offense violations only.

(4) The Board hereby designates the following as citation violations, which shall result in the indicated penalty:

(a) Failing to complete the continuing education requirements prescribed in s. 468.711(2), F.S., and the rules promulgated thereto; \$25.00 per continuing education hour plus proof of completing the continuing education within three months;

(b) Failing to include the athletic trainer's name and license number in any advertising, including, but not limited to, business cards and letterhead, related to the practice of athletic training pursuant to s. 468.719(1)(b), F.S.; \$50.00;

(c) Failure to notify the Department of a change in the licensee's current mailing address as required by Section 456.035, F.S.; \$50.00.

(d) Practice on an inactive license for less than four months; \$100.00 for each month or fraction thereof;

(5) If the subject does not dispute the matter in the citation in writing within 30 days after the citation is served by personal service or within 30 days after receipt by certified mail, the citation shall become a final order of the Board of Athletic Training. The subject has 30 days from the date the citation becomes a final order to pay the fine and costs. All fines and costs are to be made payable to "Board of Athletic Training - Citation."

(6) Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected. If the violation is a substantial threat to the public health, safety and welfare, such potential for harm must be removed prior to issuance of the citation.

(7) Once the citation becomes a final order, the citation and complaint become a public record pursuant to Chapter 119, F.S., unless otherwise exempt from the provisions of Chapter 119, F.S.

Specific Authority 456.077, 468.705, 468.719 FS. Law Implemented 456.077, 468.705, 468.719 FS. History—New

DEPARTMENT OF HEALTH

Board of Athletic Training

RULE TITLE: RULE NO.:

Reasonable Time to Pay Fines, Costs and Assessments 64B33-5.004

PURPOSE AND EFFECT: The Board proposes to add a new rule with regards to Reasonable Time to Pay Fines, Costs and Assessments.

SUBJECT AREA TO BE ADDRESSED: Reasonable Time to Pay Fines, Costs and Assessments.

SPECIFIC AUTHORITY: 456.072(4), 468.705 FS.

LAW IMPLEMENTED: 456.072(4), 468.705 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND FOR A COPY OF THE PRELIMINARY DRAFT IS: Sue Foster, Executive Director, Board of Athletic Training, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B33-5.004 Reasonable Time to Pay Fines, Costs and Assessments.

Pursuant to Section 456.072(4), F.S., a reasonable time within which to pay any fines, costs and assessments imposed by the Board shall be thirty (30) days unless a longer time period is set forth in the disciplinary order imposing the fines, costs or assessments.

Specific Authority 456.072(4), 468.705 FS. Law Implemented 468.705, 456.072(4) FS. History--New

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Emergency Medical Services 64E-2

PURPOSE AND EFFECT: Emergency Medical Technician/Paramedic Recertification Application: To comply with Section 401.273, F.S., by including a question on the application to determine if certificateholders are available to help staff special needs shelters and Disaster Medical Assistance Teams (DMATs) during disasters. To clarify the documentation requirements for refresher and continuing education courses. To conform the application requirements with Section 401.27(4)(e), F.S., which allows the department to accept American Red Cross and American Heart Association Cardiopulmonary Resuscitation and American Heart Association Advanced Cardiac Life Support equivalents. Emergency Medical Technicians and Paramedics Certification Application – To conform the Emergency Medical Technicians and Paramedics Certification Application requirements with Section 401.27(4)(e), F.S., which allows the Department to accept American Red Cross and American Heart Association Cardiopulmonary Resuscitation and American Heart Association Advanced Cardiac Life Support equivalents. To create a separate form for requesting scheduling of the certification examination.

Felons Applying for Certification or Recertification – To conform the rule language and the Recertification Application form to the statutory requirement for an applicant for emergency medical technician or paramedic certification or recertification to report felony convictions.

Examination Review – To establish procedure(s) by which an applicant, and (or) the applicant’s attorney, may review examination questions and answers in accordance with Section 119.07(3)(a), Florida Statutes.

Confidentiality of Aggregated Data – To amend the current rule to clarify what aggregate prehospital data the department will release in order to protect the confidentiality of individual patients.

Aggregate Data – To amend DH Form 1304 to clarify data collection requirements, add a report year to the form and organize the quarterly time periods to reflect a calendar year for data reporting. This will help eliminate confusion on data reporting.

Training Programs – To revise and clarify standards which must be met to be approved to conduct EMT or paramedic training for the purpose of initial certification or recertification. **SUBJECT AREA TO BE ADDRESSED:** Emergency Medical Technician and Paramedic Recertification Application, Emergency Medical Technician and Paramedic Certification Application, Felons Applying for Certification or Recertification, Examination Review, Confidentiality of Aggregated Data, Aggregate Data Form 1304, DH Form 1698E, Application for Approval of an EMT Training Program, DH Form 1698P, Application for Approval of a Paramedic Training Program, DH Form 1698C, Application for Review of Continuing Education Offering.

SPECIFIC AUTHORITY: 119.07, 401.27, 401.2701, 401.30, 401.35, 401.411, 408.061 FS.

LAW IMPLEMENTED: 119.07, 401.27, 401.2701, 401.2715, 401.273, 401.30, 401.34, 401.35, 408.061 FS.

RULE DEVELOPMENT WORKSHOPS WILL BE HELD AT THE TIMES, DATES AND PLACES SHOWN BELOW:

TIME AND DATE: 10:00 a.m., April 2, 2002

PLACE: Department of Health, Bureau of Emergency Medical Services, 4025 Esplanade Way, Room 301 A & B, Tallahassee, Florida

TIME AND DATE: 9:00 a.m., April 4, 2002

PLACE: Florida College of Emergency Physicians, 3717 S. Conway Road, Orlando, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Pam Lesley, Government Analyst, Bureau of Emergency Medical Services, Department of Health, 4052 Bald Cypress Way, Bin C18, Tallahassee, Florida 32399-1738, (850)245-4440, Ext. 2733

THE PRELIMINARY DRAFT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE, UPON REQUEST, ONE WEEK PRIOR TO THE FIRST WORKSHOP.

P.O. G10454

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE CHAPTER TITLE: Sudden Infant Death Syndrome
 RULE CHAPTER NO.: 64F-5

Recognition and Response 64F-5

RULE TITLES: RULE NOS.:

Definitions 64F-5.001

State Health Office Responsibilities 64F-5.003

PURPOSE AND EFFECT: To repeal definitions deemed unnecessary and repeal provisions regarding internal management.

SUBJECT AREA TO BE ADDRESSED: Chapter 64F-5, F.A.C., adopts, by rule, curriculum that includes training in the nature of SIDS, standard procedures to be followed by law enforcement agencies in investigating cases involving sudden deaths of infants, and training in responding appropriately to the parents or caretakers who have requested assistance. Certain definitions in Rule 64F-5.001, F.A.C., have been deemed unnecessary. Rule 64F-5.003, F.A.C., has also been deemed unnecessary, as it outlined department responsibilities that can be addressed by departmental policies and guidelines.

SPECIFIC AUTHORITY: 383.3362 FS.

LAW IMPLEMENTED: 383.3362 FS.

IF REQUESTED WITHIN 14 DAYS OF THIS NOTICE AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., April 8, 2002

PLACE: Department of Health, 4025 Esplanade Way, Room 125-N, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Bob Peck, Bin #A-13 (HSFFM), 4052 Bald Cypress Way, Tallahassee, FL 32399-1723, (850)245-4444, Ext. 2965

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

(Substantial rewording of Rule 64F-5.001 follows. See Florida Administrative Code for present text.)

64F-5.001 Definitions.

For the purpose of this rule chapter, "Emergency responder" means the law enforcement officers, paramedics, firefighters, emergency medical technicians, or other medical personnel who respond to the initial report of an unresponsive infant.

Specific Authority 383.3362 FS. Law Implemented 383.3362 FS. History--New 2-10-94, Amended 4-25-96, Formerly 10D-126.002, Amended _____.

64F-5.003 State Health Office Responsibilities.

Specific Authority 383.3362 FS. Law Implemented 383.3362 FS. History--New 2-10-94, Amended 4-25-96, Formerly 10D-126.005, Repealed _____.

**Section II
 Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Water Policy

RULE CHAPTER TITLE: Best Management Practices (BMPs)
 RULE CHAPTER NO.: 5M-2

for Citrus, Cow/Calf (including Cow/Calf on buyout dairy property), Dairies and the Land Application of Animal Manures 5M-2

RULE TITLES: RULE NOS.:

Purpose 5M-2.001

Definitions 5M-2.002

Land Application of Animal Manures 5M-2.003

Approved BMPs 5M-2.004

Notice of Intent to Implement 5M-2.005

Presumption of Compliance 5M-2.006

Record Keeping 5M-2.007

PURPOSE AND EFFECT: The purpose of this rule is to implement non-regulatory and incentive based programs to effect pollution reduction through the implementation of practices that have positive impacts on water quality.

SUMMARY: The rule establishes a procedure for submitting a "Notice of Intent to Implement," that, when filed with the Florida Department of Agriculture and Consumer Services (FDACS), and implemented, provides a presumption of compliance with state water quality standards, addressed by the BMP's implemented, and release from the provisions of s. 376.307(5), F.S. Once filed with FDACS, the Notice of Intent to Implement renders the applicant eligible for assistance with implementation as identified in s. 373.4595, F.S. This rule also provides that records maintained by the applicant confirming implementation of non-regulatory and incentive-based programs are subject to FDACS inspection.

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

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

SPECIFIC AUTHORITY: 403.067 FS.

LAW IMPLEMENTED: 373.4595 FS.

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

TIMES AND DATES: 7:00 p.m. – 9:00 p.m., April 9, 2002;
7:00 p.m. – 9:00 p.m., May 7, 2002

PLACE: Okeechobee Civic Center, 1750 Highway 98, North,
Okeechobee, Florida

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULES IS: Clegg Hooks or Ken Kuhl,
Environmental Administrators, Office of Ag Water Policy,
1203 Governor's Square Blvd., Suite 200, Tallahassee, Florida
32301, (850)488-6249 or Fax (850)921-2153

THE FULL TEXT OF THE PROPOSED RULES IS:

BEST MANAGEMENT PRACTICES (BMPS) FOR
AGRICULTURAL PRODUCERS IN THE LAKE
OKEECHOBEE WATERSHED, PRIORITY BASINS

5M-2.001 Purpose.

The purpose of this rule is to provide agricultural producers a process/mechanism for complying with state water quality standards including those established by the State's TMDL program and the South Florida Water Management District's, Works of the District Program (rule quote) by implementing non-regulatory and incentive based programs to effect pollution reduction and improve water quality in the Lake Okeechobee Watershed Priority Basins.

Specific Authority 403.067 FS. Law Implemented 373.4595 FS. History—New

5M-2.002 Definitions.

(1) "Non-regulatory and Incentive-based Programs" may include, but are not limited to, best management practices, cost sharing, waste minimization, pollution prevention, public education, pollutant trading or other equitable, economically based agreements.

(2) "Nutrient Management Plan".

(3) "Conservation Plan".

Specific Authority 403.067 FS. Law Implemented 373.4595 FS. History—New

5M-2.003 Land Application of Animal Manures.

The land application of animal manures requires an approved nutrient management plan.

Specific Authority 403.067 FS. Law Implemented 373.4595 FS. History—New

5M-2.004 Approved BMPS.

The following BMPs are approved for the priority basins as identified in s. 373.4595(3)(b)1., F.S. (S-191, S-154, and Pools D and E):

(1) The document titled *Water Quality/Quantity BMPs for Indian River Area Citrus Groves*, (May 2000) is hereby incorporated and adopted by reference in this rule. Copies of this document may be obtained from the University of Florida, Indian River Research and Education Center, 2199 South Rock Road, Ft. Pierce, Florida 34945.

(2) The document titled *Water Quality BMPs for Cow/Calf Operations*, (June 1999) is hereby incorporated and adopted by reference in this rule, and site specific conservation plans for cow/calf operations approved by the NRCS. Copies of the document may be obtained from the Florida Cattlemen's Association, P. O. Box 421929, Kissimmee, FL 34742-1929.

(3) A site specific Agricultural Nutrient Management Assessment (AgNMA) and Plan developed for a Dairy or a Cow/Calf operation located on buyout dairy property.

(4) A producer who implements any of the BMPs listed in items (1), (2), or (3) above meets the requirements of Rule 5M-2.003, F.A.C.

Specific Authority 403.067 FS. Law Implemented 373.4595 FS. History—New

5M-2.005 Notice of Intent to Implement.

(1) A Notice of Intent to Implement best management practices identified in the document titled *Water Quality/Quantity BMPs for Indian River Area Citrus Groves*, in the document titled *Water Quality BMPs for Cow/Calf Operations* or a Notice of Intent to Implement identifying a site specific Agricultural Nutrient Management Assessment (AgNMA) and Plan for a dairy or cow/calf operation on buyout dairy property shall be submitted to FDACS, Office of Agricultural Water Policy, 1203 Governor's Square Boulevard, Suite 200, Tallahassee, Florida 32301.

(2) The notice shall also include: the name of the property owner; the location of the property, including county and basin(s); the property tax ID number(s), for the land that will be implementing the non regulatory, incentive based programs, a schedule for implementation; the gross acreage of each practice to be implemented; the name and contact information for an authorized representative; and the notarized signature of the owner, lease holder, or an authorized agent.

Specific Authority 403.067 FS. Law Implemented 373.4595 FS. History—New

5M-2.006 Presumption of Compliance.

(1) In order to obtain the presumption of compliance with state water quality standards and release from the provisions of s. 376.30(5), F.S., for water quality parameters addressed in the BMP, the Citrus applicant must submit a Notice of Intent to Implement and:

(a) Conduct an evaluation with the assistance of FDACS personnel of the properties identified in the Notice of Intent to Implement using the assessment process included in the document titled *Water Quality/Quantity BMPs for Indian River Area Citrus Groves* (May 2000).

(b) Implement, in accordance with the schedule in the Notice of Intent, the non-regulatory and incentive-based programs identified as a result of the evaluation on properties identified in the Notice of Intent to Implement.

(c) Maintain documentation to verify the implementation and maintenance of the non-regulatory and incentive-based programs.

(2) In order to obtain the presumption of compliance with state water quality standards and release from the provisions of s. 376.307(5), F.S., for water quality parameters addressed by the BMP's, the Cow/Calf applicant must submit a Notice of Intent to Implement and:

(a) Conduct an evaluation with the assistance of FDACS personnel of the properties identified in the Notice of Intent to Implement using the water quality risk assessment section of the document titled Water Quality BMPs for Cow/Calf Operations (June 1999) and agree to develop and implement a conservation plan approved by the Natural Resources and Conservation Service (NRCS).

(b) Implement, in accordance with the schedule in the Notice of Intent to Implement, the non-regulatory and incentive-based programs identified as a result of the evaluation on properties identified in the Notice of Intent to Implement.

(c) Maintain documentation to verify the implementation and maintenance of the non-regulatory and incentive-based programs.

(3) In order to obtain the presumption of compliance with state water quality standards and release from the provisions of s. 376.307(5), F.S., for the water qualities parameters addressed by the BMP's the Dairy or Cow/Calf operation on buyout dairy property applicant must submit a Notice of Intent to Implement and:

(a) Implement, in accordance with the schedule in the Notice of Intent to Implement, the non-regulatory and incentive-based programs identified in the site specific Agricultural Nutrient Management Assessment and Plan on properties identified in the Notice of Intent to Implement.

(b) Maintain documentation to verify the implementation and maintenance of the non-regulatory and incentive-based programs.

Specific Authority 403.067 FS. Law Implemented 373.4595 FS. History--New _____.

5M-2.007 Record Keeping.

All participants must preserve sufficient documentation to confirm compliance with implementation of the non-regulatory and incentive based programs identified in the Notice of Intent to Implement. Random evaluations of BMP operation, maintenance and record keeping will be coordinated by FDACS with the owner/operator. All documentation is subject to FDACS inspection.

Specific Authority 403.067 FS. Law Implemented 373.4595, 403.067(7)(d)2. FS. History--New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Rich Budell, Assistant Director, Office of Agricultural Water Policy

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles C. Aller, Director, Office of Agricultural Water Policy

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 6, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 14, 2001

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

RULE TITLE: Employer Contribution
RULE NO.: 29C-5.002

PURPOSE AND EFFECT: To repeal rules not directly enabled by statute in accordance with 1996 amendments to Chapter 120, Florida Statutes.

SUMMARY: Repeal Rule No.: 29C-5.002.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 120.536(2) FS.

LAW IMPLEMENTED: 120.536(2) FS.

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

TIME AND DATE: 8:30 p.m., March 28, 2002

PLACE: Holiday Inn, I-75 at US 90, Lake City, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653-1603

THE FULL TEXT OF THE PROPOSED RULE IS:

29C-5.002 Employer Contribution.

Specific Authority 120.53, 163.01, 186.505 FS. Law Implemented 120.53, 163.01, 186.505 FS. History--New 6-27-89, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Charles F. Justice, Executive Director

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: North Central Florida Regional Planning Council

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2002

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

RULE TITLE: Strategic Regional Policy Plan
 RULE NO.: 29C-9.001

PURPOSE AND EFFECT: The Council proposes to amend the North Central Florida Strategic Regional Policy.

SUMMARY: The Council proposes to incorporate the recommendations of its evaluation and appraisal report (EAR) completed in accordance with 186.511, Florida Statutes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 186.505, 186.507, 186.511, 120.54 FS.

LAW IMPLEMENTED: 186.511 FS.

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

TIME AND DATE: 8:30 p.m., March 28, 2002

PLACE: Holiday Inn at U.S. 90 and I-75, Lake City, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mr. Charles F. Justice, Executive Director, North Central Florida Regional Planning Council, 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653-1603

THE FULL TEXT OF THE PROPOSED RULE IS:

29C-9.001 Strategic Regional Policy Plan.

There is hereby adopted, for the North Central Florida Region, the Strategic Regional Policy Plan of the North Central Florida Regional Planning Council, dated May 23, 1996, which is incorporated herein by reference and copies of which are kept at the Council office at: 2009 N. W. 67 Place, Suite A, Gainesville, FL 32653-1603.

Specific Authority 186.508(1), 186.511 FS. Law Implemented 120.535(1), 186.507, 185.501(1), 186.511 FS. History--New 7-14-96, Amended 10-16-97, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Charles F. Justice, Executive Director

NAME OF SUPERVISOR OF PERSON WHO APPROVED THE PROPOSED RULE: North Central Florida Regional Planning Council

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 15, 2002

DEPARTMENT OF CORRECTIONS

RULE TITLE: Offender Grievance Procedures
 RULE NO.: 33-302.101

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify the process for review of offender grievance appeals.

SUMMARY: The proposed rule provides for appeals of local and regional grievances to be filed with the Director of Community Corrections and requires that the Director of Community Corrections respond within 30 days of receipt.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

33-302.101 Offender Grievance Procedures.

(1) No change.

(2) The following procedures outline the steps to be taken by an offender under field supervision, including an offender in pretrial intervention who has a complaint concerning actions on supervision. Steps for filing complaints are:

(a) through (d) No change.

(e) In the event the issue is not resolved with the regional director of community corrections, the offender may forward her or his grievance, along with the regional director of community correction's response, to the Director of Community Corrections Bureau of Inmate Grievance Appeals in the Central Office. The Director of Community Corrections shall respond to the grievance within 30 days of receipt of the grievance.

(3) through (4) No change.

Specific Authority 944.09 FS. Law Implemented 944.09 FS. History--New 5-28-86, Amended 10-1-89, 9-30-91, 2-15-98, Formerly 33-24.005, Amended 3-4-01, 7-30-01, 2-4-02, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tina Hayes

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Michael W. Moore

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 1, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 8, 2002

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 28, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 16, 2001

DEPARTMENT OF HEALTH

Board of Occupational Therapy Practice

RULE TITLE: HIV/AIDS and Medical Error Prevention

RULE NO.: 64B11-3.005

PURPOSE AND EFFECT: The Board proposes to update the existing rule text to include prevention of medical error education.

SUMMARY: The Board proposes to require all licensures to submit to the Board proof of completion of a 2-hour course relating the prevention of medical errors, provided that such course has met certain criteria for approval.

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

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

SPECIFIC AUTHORITY: 456.033, 468.204 FS.

LAW IMPLEMENTED: 455.033 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board Executive Director, Board of Occupational Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-3.005 HIV/AIDS and Medical Error Prevention Education for Initial Licensure.

(1) through (3) No change.

(4) All applicants for licensure shall submit to the Board proof of completion of a 2-hour course relating to the prevention of medical errors. The course must have been approved by the Board or by any Board under the Department of Health and may be one offered by a facility licensed pursuant to Chapter 395, Florida Statutes. The course shall include a study of root-cause analysis, error reduction and prevention, and patient safety.

Specific Authority 456.033, 468.204, 456.013(7) FS. Law Implemented 455.033, 456.013(7) FS. History—New 12-11-96, Formerly 59R-62.013, Amended 4-5-98, 7-28-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Occupational Therapy

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

DEPARTMENT OF HEALTH

Division of Environmental Health and Statewide Programs

RULE TITLES: Advanced Life Support Service

RULE NOS.:

License – Ground	64E-2.003
Emergency Medical Technician	64E-2.008
Paramedic	64E-2.009
Voluntary Inactive Certification	64E-2.0094
Examinations	64E-2.010
Trauma Registry	64E-2.018
SATC and SAPTRC Requirements	64E-2.023
Process for Approval of SATCs and SAPTRCs	64E-2.024
Extension of Application Period	64E-2.025
Site Visits and Approval	64E-2.028

PURPOSE AND EFFECT: Emergency Medical Technician/Paramedic Certification/Examination Application: To comply with Section 401.273, F.S., by including a question on the application to determine if certificateholders are available to help staff special needs shelters and Disaster Medical Assistance Teams (DMATs) during disasters.

Trauma Registry: To develop a minimum set of data definitions, data submission instructions and reporting requirements for trauma registry data collection.

Advanced Life Support Nontransport: To address inconsistencies that exist between different types of ALS nontransport vehicles; to reduce excess unnecessary expenditures and to allow more medical director control.

SUMMARY: Emergency Medical Technician/Paramedic Certification/Examination Application: The proposed form will eliminate duplicative information on the requirements for certification and will clarify reporting requirements related to the applicant's felony status and the testing requirements for National Registry of Emergency Medical Technician certificateholders.

Trauma Registry: Same as above.

Advanced Life Support Nontransport: Same as above.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 381.0011, 381.0034, 381.0035, 395.405, 401.121, 401.23, 401.265, 401.27, 401.35 FS.

LAW IMPLEMENTED: 381.0011, 381.025, 381.0034, 381.0035, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421 FS.

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

TIME AND DATE: 10:00 a.m., April 10, 2002

PLACE: Division of Emergency Medical Services and Community Health Resources, 4025 Esplanade Way, Room 301 A & B, Tallahassee, Florida 32311-7829

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Pam Lesley, Government Analyst, Division of Emergency Medical Services and Community Health Resources, 4052 Bald Cypress Way, Bin #C18, Tallahassee, Florida 32399-1735, (850)245-4440, Ext. 2733 or Fax (850)921-8162

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-2.003 Advanced Life Support Service License – Ground.

(1) through (6)(a) No change.

(b) A permitted advanced life support nontransport vehicle may operate as a basic life support emergency vehicle when the vehicle is not staffed by a certified paramedic or licensed physician and only in lieu of placing the unit completely out of service. When such advanced life support nontransport vehicle is operating under this section, the vehicle must be staffed with at least one person who must be an emergency medical technician, and shall carry portable oxygen, airway adjuncts, supplies and equipment as determined by the medical director of the licensed service.

(c) 1. through 3. No change.

4. Advanced life support non-transport vehicle over 13,000 pounds gross vehicle weight that respond to requests to provide emergency treatment or care. Vehicles staffed pursuant to this section shall operate in accordance with a certificate of public convenience and necessity.

(d) Vehicles staffed pursuant to section 64E-2.003(6)(8)(c), F.A.C., may respond to requests for medical assistance in accordance with Section 252.40, F.S., or in accordance with a mutual aid agreement executed pursuant to Rule 64E-2.032, F.A.C.

(e) No change.

(7) Advanced life support non-transport vehicles staffed pursuant to paragraph 64E-2.003(6)(8)(c), F.A.C., are not required to carry the equipment and supplies identified in Table III or V. Such vehicles when personnel are providing advanced life support treatment or care, or when responding to calls in an ALS capacity shall at a minimum carry portable

oxygen, defibrillation equipment, airway management supplies and equipment, and medications and fluids authorized by the medical director of the licensed service.

(a) through (x) No change.

Specific Authority 381.0011, 395.405, 401.121, 401.265, 401.35 FS. Law Implemented 381.0011, 381.025, 395.401, 395.4015, 395.402, 395.4025, 395.403, 395.404, 395.4045, 395.405, 401.23, 401.24, 401.25, 401.26, 401.265, 401.27, 401.281, 401.30, 401.31, 401.321, 401.34, 401.35, 401.41, 401.411, 401.414, 401.421 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.50, Amended 4-12-88, 8-3-88, 8-7-89, 12-10-92, 11-30-93, 1-26-97, Formerly 10D-66.050, Amended 8-4-98, 1-3-99, 7-14-99, 2-20-00, 9-3-00, 4-15-01, 11-19-01, _____.

64E-2.008 Emergency Medical Technician.

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

(c) apply for Florida EMT certification on DH Form 1583, February 02 January 00, Emergency Medical Technicians and Paramedics Certification Application/Examination Application which is incorporated by reference and available from the department.

(2) through (a) No change.

(b) Successfully pass the EMT certification examination during the certification cycle; and complete 2 hours of HIV AIDS refresher training, in accordance with section 381.0034, FS.; and maintain a current CPR BLS card for the professional rescuer. Prior to taking the examination, a candidate shall submit DH Form 1583, Feb. 02 Jan. 00, Emergency Medical Technicians and Paramedics Certification Application/Examination Application to the department so as to be received by the department no later than 30 calendar days prior to the date of the certification examination for which the applicant desires to be scheduled, and pay the required fees.

(c) through (4) No change.

Specific Authority 381.0011, 381.0034, 381.0035, 401.23, 401.27, 401.35 FS. Law Implemented 381.001, 401.23, 401.27, 401.34, 401.41, 401.35, 401.411, 401.414 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.56, Amended 11-2-86, 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.056, Amended 8-4-98, 1-3-99, 9-3-00, 4-15-01, _____.

64E-2.009 Paramedic.

(1) through (b) No change.

(c) apply for Florida paramedic certification on DH Form 1583, Feb. 02, Emergency Medical Technicians and Paramedics Certification Application/Examination Application January 00; Emergency Medical Services Profile Data Form, EMT/Paramedic Certification Application which is incorporated by reference in Rule 64E-2.008, F.A.C.

(2) through (a) No change.

(b) Successfully pass the paramedic certification examination during the certification cycle; complete 2 hours of HIV AIDS refresher training in accordance with section 381.0034, FS.; and also maintain a current ACLS card. Prior to taking the examination, a candidate shall submit DH Form 1583, Feb. 02 January 00, Emergency Medical Technicians and Paramedics Certification Application/Examination Application, to the department so as to be received by the

department no later than 30 calendar days prior to the date of the certification examination for which the applicant desires to be scheduled, and pay the required fees.

(3) through (4) No change.

Specific Authority 381.0011, 381.0034, 381.0035, 401.27, 401.35 FS. Law Implemented 381.001, 401.23, 401.27, 401.34, 401.35, 401.41, 401.411, 401.414 FS. History—New 11-29-82, Amended 4-26-84, 3-11-85, Formerly 10D-66.57, Amended 4-12-88, 8-3-88, 12-10-92, 11-30-93, 12-10-95, 1-26-97, Formerly 10D-66.057, Amended 8-4-98, 1-3-99, 9-3-00, 4-15-01,_____.

64E-2.0094 Voluntary Inactive Certification.

(1) through (2)(e)1. No change.

2. DH Form 1583, Feb. 02 January 00, Emergency Medical Technicians and Paramedics Certification Application/Examination Application which is incorporated by reference in Rule 64E-2.008, F.A.C.

3. No change.

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

2. DH Form 1583, Feb.02 January 00, Emergency Medical Technicians and Paramedics Certification Application/Examination Application which is incorporated by reference in Rule 64E-2.008, F.A.C.

3. No change.

Specific Authority 401.27, 401.35 FS. Law Implemented 401.27, 401.34, 401.35 FS. History—New 8-4-98, Amended 1-3-99, 9-3-00,_____.

64E-2.010 Examinations.

(1) through (4) No change.

(5) To be rescheduled for the state certification examination, an applicant shall submit DH Form 1583, Feb. 02, Emergency Medical Technicians and Paramedics Certification Application/Examination Application Jan. 98; Emergency Medical Services Profile Data Form; EMT/Paramedic Certification Application which is incorporated by reference in Rule 64E-2.008, F.A.C. The application shall be submitted so as to be received by the department no later than 30 calendar days prior to the date of the scheduled examination.

(6) No change.

Specific Authority 381.0011, 401.27, 401.35 FS. Law Implemented 381.001, 401.27, 401.35 FS. History—New 4-26-84, Amended 3-11-85, Formerly 10D-66.575, Amended 4-12-88, 12-10-92, 12-10-95, 1-26-97, Formerly 10D-66.0575, Amended 8-4-98,_____.

(Substantial rewording of Rule 64E-2.018 follows. See Florida Administrative Code for present text.)

64E-2.018 Trauma Registry.

Instructions for completing and submitting data are defined in the Florida Trauma Registry Manual, February 2002, which is incorporated by reference and available from the department.

Specific Authority 395.405, 401.35 FS. Law Implemented 395.3025(4)(f), 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405, 401.30, 401.35 FS. History—New 8-3-88, Amended 12-10-92, 11-30-93, Formerly 10D-66.013, Amended 7-14-99, 11-19-01,_____.

64E-2.023 SATC and SAPTRC Requirements.

(1) The standards for Level I and Level II SATCs, and SAPTRCs, are published in DH Pamphlet (DHP) 150-9, February 2002 January 2000, State-Approved Trauma Center and State-Approved Pediatric Trauma Referral Center Approval Standards, which is incorporated by reference and available from the department. Trauma Centers must be in full compliance with these standards by July 1, 2000.

(2) No change.

(a) Meet and maintain after receiving provisional status and during the 7 year state-approval period the standards for a Level I SATC and the standards for a SAPTRC as provided in DHP 150-9, February 2002 January 2000;

(b) through (5) No change.

(3) No change.

(a) Meet and maintain after receiving provisional status and during the 7 year state-approval period the standards for a Level II SATC as provided in DHP 150-9, February 2002 January 2000;

(b) through (4) No change.

(a) Meet and maintain after receiving provisional status and during the 7 year state-approval period the standards for a SAPTRC as provided in DHP 150-9, February 2002 January 2000;

(b) through (d) No change.

(5) The standards published in DHP 150-9, February 2002 January 2000, are subject to revision at any time through rule promulgation. Any hospital that has been granted Provisional SATC or Provisional SAPTRC status or has been granted a 7 year Certificate of State Approval as a SATC or SAPTRC shall comply with all revisions to the standards published in DHP 150-9, beginning on the date the amended rule becomes effective.

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History—New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.108, Amended 8-4-98, 2-20-00,_____.

64E-2.024 Process for Approval of SATCs and SAPTRCs.

(1) through (a) No change.

(b) By October 15, the department shall send to those hospitals submitting a letter of intent an application package which will include, as a minimum, instructions for submitting information to the department for selection as a SATC or SAPTRC, DHP 150-9, February 2002 January 2000, State-Approved Trauma Center and State-Approved Pediatric Trauma Referral Center Approval Standards, which is incorporated by reference in section 64E-2.023, F.A.C., and the requested application(s);

(c) No change.

(d) After considering the results of the local or regional trauma agency's recommendations, the department shall, by April 15, conduct a provisional review to determine completeness of the application and the hospital's compliance

with the standards of critical elements for provisional status. The standards of critical elements for provisional review for Level I and Level II SATC applications are specified in DHP 150-9, February 2002 ~~January 2000~~, as follows:

(e) through (3) No change.

Specific Authority 395.405 FS. Law Implemented 395.1031, 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History--New 8-3-88, Amended 12-10-92, 12-10-95, Formerly 10D-66.109, Amended 8-4-98, 2-20-00,_____.

64E-2.025 Extension of Application Period.

(1) No change.

(2) through (a) No change.

(b) A reference to each standard, or specific part of a standard, in DHP 150-9, February 2002 ~~January 2000~~, State-Approved Trauma Center and State-Approved Pediatric Trauma Referral Center Approval Standards which is incorporated by reference in Rule 64E-2.023, F.A.C., that the hospital is unable to meet;

(c) through (15) No change.

Specific Authority 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History--New 12-10-92, 12-10-95, Formerly 10D-66.1095, Amended 8-4-98, 2-20-00,_____.

64E-2.028 Site Visits and Approval.

(1) Each Provisional SATC and Provisional SAPTRC shall receive an on-site evaluation to determine whether the hospital is in substantial compliance with standards published in DHP 150-9, January 2000, State-Approved Trauma Center and State-Approved Pediatric Trauma Referral Center Approval Standards, which is incorporated by reference in Rule 64E-2.023, F.A.C., and to determine the quality of trauma care provided by the hospital.

(2) through (3) No change.

(4) The reviewers shall assess each applicant hospital's compliance with the standards published in DHP 150-9, February 2002 ~~January 2000~~, by means of direct observation, review of call schedules, and review of patient charts. Reviewers also shall assess the quality of trauma patient care and trauma patient management by reviewing facility trauma mortality data, by reviewing patient charts and by reviewing trauma case summaries and minutes of trauma quality management committee meetings pursuant to Standard XVIII of DHP 150-9, February 2002 ~~January 2000~~.

(5) through (b) No change.

(c) Patient charts to be reviewed shall be selected by the department from cases meeting the criteria listed in Standard XVIII B.2, published in DHP 150-9, February 2002. ~~January 2000~~. A minimum of 75 cases shall be selected for review in each facility. If the cases total less than 75, then all cases are subject to review.

(d) through (e) No change.

(6) The reviewers shall rate a Provisional SATC and Provisional SAPTRC which they have reviewed as either acceptable, acceptable with corrections, or unacceptable. The

rating shall be based on each facility's substantial compliance with the standards published in DHP 150-9, February 2002 ~~January 2000~~, and upon the performance of each Provisional SATC or Provisional SAPTRC in providing acceptable trauma patient care and trauma patient management which resulted in acceptable patient outcomes.

(7) through (12) No change.

Specific Authority 395.4025, 395.405 FS. Law Implemented 395.401, 395.4015, 395.402, 395.4025, 395.404, 395.4045, 395.405 FS. History--New 8-3-88, Amended 12-10-92, 10-2-94, 12-10-95, Formerly 10D-66.112, Amended 8-4-98, 2-20-00,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Pam Lesley, Government Analyst

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Art Clawson, Division Director

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 27, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 26, 2001

P.O. G10454

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Services

RULE TITLE: Food Stamp Program Definitions

RULE NO.: 65A-1.601

PURPOSE AND EFFECT: This rule is being amended due to changes to the Food Stamp Act of 1977 as amended, by revising and changing definitions.

SUMMARY: The rule amendment provides for technical revisions and changes in accordance with federal food stamp changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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

SPECIFIC AUTHORITY: 414.45 FS.

LAW IMPLEMENTED: 414.31 FS.

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

TIME AND DATE: 10:00 a.m., April 15, 2002

PLACE: Building 3, Room 455, 1317 Winewood Boulevard, Tallahassee, FL 32399-0700

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Audrey Mitchell, Program Administrator, 1317 Winewood Boulevard, Building 3, Room 421, Tallahassee, FL 32399-0700, Telephone (850)488-3090

THE FULL TEXT OF THE PROPOSED RULE IS:

65A-1.601 Food Stamp Program Definitions.

~~(1) Benefit Reduction: This is the last step in determining an assistance group's (AG) monthly food stamp benefits. The full coupon allotment for the AG's size is reduced by 30 percent of the AG's net monthly income to determine net monthly food stamp benefits.~~

~~(2) Coupon Representative: This is a special authorized representative that is specific to the Food Stamp Program. The coupon representative is allowed to pick up and use food stamps on behalf of the AG.~~

~~(3) Expedited Service: This is a determination of eligibility with verification of all required factors except identity postponed until after issuance of the first month's food stamps unless the factor(s) can be verified within the expedited service processing standard. The expedited service processing standard is that food stamps must be provided to eligible households within seven days after the date of application.~~

~~(1)(4) Benefit Availability Staggered Issuance: AGs are assigned a specific day of the month on which to pick-up their food stamps as a method of assuring that AGs receive their food stamps within specified intervals and that an issuance point is able to provide stamps to all AGs who pick up on a given day within established operating hours for that day. Benefits are available to AGs based on the terminal digit of the AG's case number. AGs are able to receive their monthly benefit-allotment on their assigned availability date.~~

~~(2)(5) Concessional Prices: Concessional prices are for those persons paying for meals with food stamps will be considered offered by restaurants when they reduce their normal meal prices for those persons paying for meals with food stamps. Additionally, restaurants which offer already reduced prices will be considered to offer concessional prices. Already reduced prices for restaurant meals will be those of \$5.00 or less. Those who may buy reduced price meals with food stamp benefits are the elderly, disabled and homeless.~~

Specific Authority 414.45 FS. Law Implemented 414.31 FS. History—New 1-31-94, Amended 9-6-94, Formerly 10C-1.601, Amended 11-30-98,

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Marcia Dukes, Operations Review Specialist
 NAME OF SUPERVISOR OR PERSON WHO APPROVED
 THE PROPOSED RULE: Audrey Mitchell, Program
 Administrator, Public Assistance Policy
 DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: February 15, 2002
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT
 PUBLISHED IN FAW: November 30, 2001

Section III
 Notices of Changes, Corrections and
 Withdrawals

DEPARTMENT OF MANAGEMENT SERVICES

Personnel Management System

RULE NO.: 60L-35.001
 RULE TITLE: Career Pathing System

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule has been withdrawn. The proposed rule was noticed in Vol. 27, No. 45, November 9, 2001, Florida Administrative Weekly, and amended by change noticed in Vol. 27, No. 47, November 21, 2001, Florida Administrative Weekly.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DOCKET NO.: 99-27R

RULE CHAPTER NO.: 62-4
 RULE CHAPTER TITLE: Permits

RULE NO.: 62-4.242
 RULE TITLE: Antidegradation Permitting
 Requirements; Outstanding
 Florida Waters; Outstanding
 National Resource Waters;
 Equitable Abatement

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given of changes that have been made to the proposed rule published in Vol. 28, No. 4, January 25, 2002, issue of the Florida Administrative Weekly. These changes are made in response to written and oral comments from the public and the Joint Administrative Procedures Committee.

The full text of this notice, showing changes to the proposed rulemaking language, is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

For further information, please contact: Eric Shaw, Department of Environmental Protection, Bureau of Watershed Management, MS #3570, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)921-9929.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NOS.: 64B9-2.011
 RULE TITLES: Approval of Nursing Education
 Programs

64B9-2.012
 Full Approval Maintenance

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 45, November 9,

2001, issue of the Florida Administrative Weekly. The changes are in response to comments from the Joint Administrative Procedures Committee and from the Board meeting held on February 7, 2002.

The changes are as follows:

Rule 64B9-2.011, subsection (1) shall now read:

(1) Statement of Intent for Approval: Before a nursing education program is permitted to admit students, the program shall submit evidence of the ability to meet the standards for nursing education.

A parent institution desiring to initiate a nursing education program shall, at least one year in advance of the expected opening date, submit to the Department:

- 1. through 3. renumbered (a) through (c) No change.
- 2.a. through l. renumbered (b)l. through 12 No change.

Rule 64B9-2.012 subsection (1)(a) shall now read:

(1)(a) Evaluation of continuing compliance with the standards for nursing education requires the submission of a self-study report by the nursing education program and a site visit by a Department representative.

Rule 64B9-2.012 subsection (1)(a)2. shall now read:

(1)(a)2. The site visit shall be made by a Department representative(s) on a date mutually acceptable to the Board and the program.

Rule 64B9-2.012 subsection (1)(b) shall now read:

(1)(b) Following the Board's review and decision, written notification regarding approval of the program and, if necessary, the Board's recommendation shall be sent to the nursing program director/administrator by the Department.

Rule 64B9-2.012 subsection (2) shall now read:

(2) Site visits will be conducted when the Department receives evidence which indicates that the program is not in compliance with the standards for nursing education as follows:

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-5.011
 RULE TITLE: Continuing Education on Prevention of Medical Errors

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 45, November 9, 2001, issue of the Florida Administrative Weekly. The changes are in response to comments from the Joint Administrative Procedures Committee and from the Board meeting held on February 7, 2002.

The changes are as follows:

64B9-5.011 subsection (1) shall now read:

(1) All licensees must complete a two hour course on prevention of medical errors, which meets the criteria of s. 456.013, F.S., as part of the total hours of continuing education required for initial licensure and biennial renewal.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-8.006
 RULE TITLE: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances

NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 27, No. 51, December 21, 2001, issue of the Florida Administrative Weekly. The changes are in response to comments from the Joint Administrative Procedures Committee and from the Board meeting held on February 7, 2002.

The changes are as follows:

(5)(b)(1) through (10) renumbered (5)(b)l. through 10. No change.

New language in subsection (6) shall read:

(6) In instances when a licensee or applicant is found guilty of any of the above offenses involving fraud or making a false or fraudulent representation, the Board shall impose a fine of \$10,000.00 per count or offense.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Dan Coble, Executive Director, Board of Nursing, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

**Section IV
 Emergency Rules**

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE TITLE: Supervisor
 RULE NO.: 64B3ER02-2 (64B3-5.002)

SPECIFIC REASON FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: If unqualified persons may obtain licensure as a supervisor, great harm to the public could be the result because the unqualified person could not provide adequate, appropriate supervision. When the Board amended its rule, it intended to require that all supervisors have the appropriate education, but

as promulgated, the rule does not include the education requirement. The Board determined that correction of the rule text is an emergency so that an unqualified person does not receive a license during the rule promulgation process.

REASONS FOR CONCLUDING THAT THE PROCEDURE USED IS FAIR UNDER THE CIRCUMSTANCES: The rule was last amended effective September 19, 2001, and that was when the misleading text was placed in the rule. It would not be fair to allow licensees to rely upon incorrect and misleading text and they should be notified regarding the accurate criteria for licensure at the supervisory level as soon as possible.

SUMMARY OF THE RULE: The Board determined that in lieu of the former examination requirement, it is necessary that a specialty technologist obtain 25 hours of continuing education to become a supervisor, provided that he or she meets specified education and experience requirements.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Joe Baker, Jr., Board Executive Director, Board of Clinical Laboratory Personnel, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE FULL TEXT OF THE EMERGENCY RULE IS:

64B3ER02-2 (64B3-5.002) Supervisor.

Qualifications and Responsibilities.

(1)(a) through (h) No change.

(i) Be licensed in a specialty as a technologist, meet the education and experience requirements under paragraph 64B3-5.002(1)(a), (b) or (c), F.A.C., and completes 25 hours of Board approved continuing education in the area of administration and supervision, which includes examination(s), accumulated over no longer than five years prior to application for licensure. Course content must include the guidelines set forth in subsection 64B3-3.003(7), F.A.C. This continuing education may not be used to satisfy biennial renewal requirements.

(2) Examinations Required for Adding Categories to an Active Supervisor's License.

(a) To add a new category in which the supervisor has not been licensed by examination at the technologist level to an active supervisor's license, an examination in the category must be passed.

(b) If the applicant was licensed by examination at the technologist level in a category and currently qualifies for supervisor licensure by education and experience, a supervisor application is required but an examination in the category is not required. If licensed as a technologist in more than one category, new categories will be added to an active supervisor's license only in the categories for which pertinent clinical laboratory experience has been verified. Categories for which pertinent clinical laboratory experience has not been verified will not be added to an active supervisor's license.

Specific Authority 483.805(4), 483.823 FS. Law Implemented 381.0034, 483.800, 483.809, 483.815, 483.823 FS. History--New 12-6-94, Amended 7-12-95, 12-4-95, Formerly 59O-5.002, Amended 5-26-98, 1-11-99, 6-10-99, 3-11-01, 9-19-01, 3-6-02.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: March 6, 2002

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF CITRUS

NOTICE IS HEREBY GIVEN that on February 19, 2002, the Florida Department of Citrus received a Petition from Florida Citrus Processors Association, a voluntary cooperative association located in Winter Haven, Florida, seeking a variance or waiver from the mandatory requirements for inspection and grading by USDA for inter and intra-company transfer of bulk citrus products between registered processing facilities pursuant to Chapters 20-71, F.A.C, and 20-72, F.A.C. For additional information or for copies of the Petition contact: Alice P. Wiggins, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148 or telephone (863)499-2519.

NOTICE IS HEREBY GIVEN that on February 19, 2002, the Florida Department of Citrus received a Petition from Florida Citrus Processors Association, a voluntary cooperative association located in Winter Haven, Florida, seeking a variance or waiver from the mandatory requirements for inspection and grading by USDA for inter- and intra-company transfer of bulk citrus products between registered processing facilities pursuant to Chapters 20-71, F.A.C, and 20-72, F.A.C. For additional information or for copies of the Petition contact: Alice P. Wiggins, Legal Department, Florida Department of Citrus, P. O. Box 148, Lakeland, Florida 33802-0148 or telephone (863)499-2519.

PUBLIC SERVICE COMMISSION

NOTICE IS HEREBY GIVEN that the Florida Public Service Commission has received a petition from Florida Power Corporation in Docket No. 020112-EI, seeking waiver from Rule 25-6.1353, Florida Administrative Code.

A copy of the petition can be obtained from the Division of the Commission Clerk and Administrative Services. The rule addresses the annual filing of forecasted earnings surveillance reports. Comments on the petition should be filed with the Commission's Division of the Commission Clerk and

Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, within 14 days after publication of this notice.

For additional information, please contact Ralph Jaeger, Office of the General Counsel, at the above address or telephone (850)413-6199.

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN that the South Florida Water Management District (SFWMD) Governing Board issued an Order Granting Waiver under Section 120.542, Fla. Stat. (SFWMD 2002-48 DAO-ROW), dated February 27, 2002 to the Florida Department of Transportation. The petition for waiver was received by the SFWMD on December 4, 2001. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 27, No. 52 on December 28, 2001. No public comment was received. This Order provides a waiver for the proposed construction of a traffic barrier wall at the northeast quadrant of the Forest Hill Blvd. bridge and barrier walls and foundations for bus bays to be located approximately 40' east of Forest Hill Blvd., 40' east of Wellington Road, and 40' east of 103rd Avenue respectively, all within the north right of way of C-51, Sections 34, 35 and 36, Townships 43 and 44 South, Range 41 East, Palm Beach County.

Specifically, the Order grants a waiver from Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and/or semi-permanent above-ground facilities within forty (40) feet of the top of canal bank and within the District's designated 100 foot long equipment staging areas at all bridge and pile-supported crossings within Works or Lands of the District. Generally, the Order sets forth the basis of the Governing Board decision to grant the waiver, as follows: 1) these facilities do not significantly interfere with the SFWMD's ability to perform necessary construction, alteration, operation and maintenance activities; and 2) the Order granting a waiver from the subject rule is necessary to prevent Florida Department of Transportation from suffering a substantial hardship.

A copy of the Order can be obtained from: Jan Sluth, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, telephone number (561)682-6299 or by e-mail jsluth@sfwmd.gov.

NOTICE IS HEREBY GIVEN that on February 12, 2002, South Florida Water Management District (District) received a petition for waiver from the City of Weston, for utilization of Works or Lands of the District known as the New River Canal, Broward County. The petition seeks relief from Rules

40E-6.011(4), (5) and (6), Fla. Admin. Code and Rule 40E-6.221(2)(j), Fla. Admin. Code, and the Basis of Review for Use or Occupancy of the Works or Lands of the District Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-6.091(1), Fla. Admin. Code, which governs the placement of permanent and semi-permanent above-ground encroachments within 40 feet of the top of canal bank within Works or Lands of the District, to allow an existing water level recorder to remain and to allow the proposed installation of a fence.

A copy of the petition may be obtained from: Jan Sluth, (561)682-6299 or e-mail jsluth@sfwmd.gov.

The District will accept comments concerning the petition for 14 days from the date of publication of this notice. To be considered, comments must be received by the end of business on the 14th day at: South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406, Attn: Jan Sluth, Office of Counsel.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection received, on February 12, 2002, a petition from Bio-Tech 2000, Inc., (OGC Case Number 02-0217) seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under subsection 62-522.300(3), Florida Administrative Code.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices," under the ground water program area.

For information on this final order call Cathy McCarty, (850)921-9412.

The Department of Environmental Protection received, on February 20, 2002, a petition from Harding ESE, Inc., (OGC Case Number 02-0275) seeking a variance under section 120.542 of the Florida Statutes from the prohibition from a zone of discharge under subsection 62-522.300(3), Florida Administrative Code.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices," under the ground water program area.

For information on this final order call Cathy McCarty, (850)921-9412.

DEP received on February 8, 2002, a petition from Tampa Tank, Inc., seeking a waiver pursuant to Section 120.542, F.S., from the UL certification requirement of paragraph 62-761.850(2)(c), F.A.C.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEP received on November 9, 2001, a petition from Halliburton NUS for a waiver pursuant to subsection 376.3071(12)(k)5., F.S., of certain record keeping requirements under subsection 376.3071(12)(e), F.S. On January 14, 2002, the Department partially granted this petition.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

The Department of Environmental received a petition from In re: Construction of Coastal Residence by Owner Gordon M. Bigger, Upper Captiva, Lee County, Florida, seeking a variance from paragraph 62B-33.007(3)(c), F.A.C.

The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button entitled "Official Notices."

If you have additional questions please contact: Patrick W. Krechowski, (850)488-9314.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a petition filed on February 20, 2002, on behalf of Mine A. Kurtay, M.D., seeking a variance from subsection 64B8-2.001(2), F.A.C., with regard to the passage of the FLEX examination.

Comments on this petition should be filed with the Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact Larry G. McPherson, Jr., Executive Director, Board of Medicine, at the address above or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has received a petition filed on February 20, 2002, by Ibrahim Khalil, M.D., seeking a variance from subsection 64B8-5.001, F.A.C., with regard to the time frame for passage of the USMLE.

Comments on this petition should be filed with Board of Medicine, MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253, within 14 days of publication of this notice.

For a copy of the petition, contact Larry G. McPherson, Jr., Executive Director, Board of Medicine, at the address above or telephone (850)245-4131.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Variance filed on behalf of the American Association of Physician Specialists, Inc. (AAPS), on January 8, 2002. The Board considered the Petition at its February 2, 2002 meeting, held in Jacksonville, Florida. The Board's Order, filed on February 20, 2002, grants the petition for variance finding that the Petitioner demonstrated that the underlying purpose of § 458.3312, F.S., has been achieved by its demonstrated compliance with the provisions of subsection 64B8-11.001(2)(f)1.-3. and 5.-7., F.A.C. In addition Petitioner has demonstrated that the principles of fairness would be violated by the literal application of the rule.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

The Board of Medicine hereby gives notice that it has issued an Order on the Petition for Waiver filed by Michael J. Hason, M.D., J.D., on December 17, 2001. The Board considered the Petition at its February 1, 2002, meeting held in Jacksonville, Florida. The Board's Order, filed on February 20, 2002, denies the petition for waiver finding that the Petitioner failed to demonstrate a substantial hardship or that the underlying purpose of § 458.311, Florida Statutes, would be achieved if the rule was waived.

A copy of the Board's Order may be obtained by contacting: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3753.

**Section VI
Notices of Meetings, Workshops and Public Hearings**

DEPARTMENT OF STATE

The **Division of Historical Resources** announces a public meeting to which all persons are invited:

DATE AND TIME: Thursday March 28, 2002, 6:30 p.m. – 8:30 p.m.

PLACE: Historical Museum of Southern Florida, 101 West Flagler Street, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public meeting of the Miami Circle Planning Group, which will consider public access, interpretation, protection and long and short term management of the Miami Circle/Brickell Point archaeological site.

People with disabilities wishing to attend this meeting should contact the Division, (850)245-6300, at least 48 hours prior to the meeting in order to request special assistance.

The **Division of Historical Resources** announces a public meeting to which all persons are invited:

DATE AND TIME: Friday, March 29, 2002, 9:00 a.m. – 10:30 a.m.

PLACE: Historical Museum of Southern Florida, 101 West Flagler Street, Miami, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Miami Circle Planning Group, which will consider public access, interpretation, protection and long and short term management of the Miami Circle/Brickell Point archaeological site.

People with disabilities wishing to attend this meeting should contact the Division, (850)245-6300, at least 48 hours prior to the meeting in order to request special assistance.

The **Department of State, Division of Library and Information Services** announces the Florida Library Youth Program (FLYP) 2003 Planning Committee Meeting via telephone conference call.

DATE AND TIME: Monday, April 1, 2002, 1:30 p.m. – 4:30 p.m.

PLACE: The State Library of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the FLYP 2003 Program workshops to improve youth programs for representatives from libraries and partner organizations.

For additional information contact: Barratt Wilkins, State Librarian, (850)245-6600 or Suncom 205-6600.

Any person requiring special accommodations due to a disability or physical impairment should contact the agency at least five days prior to the meeting in order to request any special assistance by calling (850)245-6600 or TDD (850)922-4085.

DEPARTMENT OF LEGAL AFFAIRS

The Legislative Advocacy Committee of the **Florida Commission on the Status of Women** will hold a telephone conference on:

DATE AND TIME: April 5, 2002, 10:00 a.m.

PLACE: Please call (850)414-3300 for instructions on participation

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss general issues.

If you need an accommodation because of disability in order to participate, please notify FCSW in writing at least five days in advance at Office of the Attorney General, The Capitol, Tallahassee, FL 32399-1050.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services, Division of Forestry** announces a meeting of the Silviculture Best Management Practices Technical Advisory Committee to which all persons are invited.

DATE AND TIME: April 3, 2002, 10:00 a.m.

PLACE: Division of Forestry, Jacksonville District Headquarters, 7247 Big Oak Road, Bryceville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Silviculture Best Management Practices Technical Advisory Committee.

For more information about the meeting, for a copy of the agenda, or if special accommodations are needed to attend this meeting because of a disability, please contact: Jeff Vowell, Division of Forestry, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650, (850)414-9935.

The Florida **Department of Agriculture and Consumer Services**, Office of Agriculture Water Policy announces it will conduct a series of public meetings to which all persons are invited:

DATES AND TIME: April 9, 2002; May 7, 2002, 7:00 p.m. – 9:00 p.m.

PLACE: Okeechobee County Civic Center, Highway 98, North, Okeechobee, Florida 34972, (863)763-6469

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of these workshops is to review a draft rule that adopts the Best Management Practices (BMPs) for Citrus, Cow/Calf (including Cow/Calf on buyout dairy property), Dairies and Land Application of Animal Manure, establishing record keeping requirements and the procedures for landowners and leaseholders to submit a notice of intent to comply with Best Management Practices (BMP's).

For more information regarding the agenda, draft rule and directions, please contact: Mr. R. Clegg Hooks, Environmental Administrator, Office of Agriculture Water Policy, Suite 200, 1203 Governors Square Boulevard, Mail Stop GS-50, Tallahassee, Florida 32301, (850)488-6249, Email: hooksc@doacs.state.fl.us.

If an accommodation is needed for a disability in order to participate in this meeting, please notify the Bureau of Personnel Management, Department of Agriculture and Consumer Services, (850)488-1806, at least seven days prior to the meeting.

DEPARTMENT OF EDUCATION

The State of Florida, **Education Standards Commission** announces a public meeting to which all persons are invited.

DATES AND TIMES: Thursday, April 11, 2002, 8:30 a.m. – 5:00 p.m.; Friday, April 12, 2002, 8:30 a.m. – 12:00 Noon

PLACE: Foster Elementary School, 2014 East Diana Street, Tampa, Florida 33610, (813)276-5578

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the Florida Education Standards Commission will meet and discuss issues related to the Commission’s charge. To obtain a copy of the agenda, please call or write the Florida Education Standards Commission, 325 West Gaines Street, Room 1446, Turlington Building, Tallahassee, Florida 32399, (850)488-1523 or Suncom 278-1523.

SPECIAL ACCOMMODATIONS: Persons with disabilities who require assistance to participate in this meeting are requested to contact Dr. Adeniji Odutola at the above address or telephone numbers.

The **Florida Rehabilitation Council for the Blind** announces the following meetings:

DATES AND TIMES: April 11, 2002, 3:00 p.m. – 5:00 p.m.; April 12, 2002, 8:30 a.m. – 5:00 p.m.; April 13, 2002, 8:30 a.m. – 12:00 Noon

PLACE: Crowne Plaza, 12000 International Drive, Orlando, FL 32821, (407)239-1222

GENERAL SUBJECT MATTER TO BE CONSIDERED: New Council Orientation and Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Phyllis Dill, Division of Blind Services, Suite A-11, 7201 N. 9th Avenue, Pensacola, FL 32504 or (850)484-5030 or through the Florida Telephone Relay System 711.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in these meetings should contact the individual listed above no later than five working days prior to the meeting.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission** announces the following meetings to which all persons are invited. The meetings will be held at:

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida, 1(800)366-9700

DATE AND TIME: March 25, 2002, 9:00 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Accessibility Advisory Council to consider the following applications for waiver from accessibility code requirements: Mater Academy East, 450 N. W. 4th Street, Miami, Florida; McFarlain Cassedy Law Firm Renovation, 305 South Gadsden Street, Tallahassee, Florida; Crazy Conch Cafe, Inc., 1110 Pinellas Bayway South, Unit 206, Tierra

Verde, Florida; Plaza Resort and Spa, 600 North Atlantic Avenue, Daytona Beach, Florida; Young Achievers, Inc., 11 East Lancaster Road, Orange County, Florida.

DATE AND TIMES: March 25, 2002, 8:00 a.m. – Meeting of the Code Administration TAC; 8:00 a.m. – Meeting of the Building Construction Industry Advisory Council; 8:00 a.m. – Meeting of the Roofing Subcommittee of the Structural TAC; 10:00 a.m. – Meeting of the Building/Structural TAC which will include consideration of requests for Declaratory Statements on the Florida Building Code; 10:00 a.m. – Meeting of the U of F Building Code Training Program Quality Management Task Force; 11:00 a.m. – Meeting of the Education Program Oversight Committee; 1:00 p.m. – Meeting of the Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee; 1:00 p.m. – Meeting of the Mechanical Technical Advisory Committee which will include consideration of requests for Declaratory Statements on the Florida Building Code; 1:00 p.m. – Meeting of the Special Occupancy Technical Advisory Committee; 1:00 p.m. – Joint Meeting of the Fire TAC and Fire Code Advisory Council which will include consideration of requests for Declaratory Statements on the Florida Building Code; 3:00 p.m. – Joint Meeting of the Plumbing TAC and Swimming Pool/Spa Subcommittee which will include consideration of requests for Declaratory Statements on the Florida Building Code; 3:00 p.m. – Meeting of the Accessibility Technical Advisory Committee and Hotel, Parking, Education, and Accessibility Code Commentary Sub-committees

Meeting of the Florida Building Commission

DATE AND TIME: March 26, 2002, 8:30 a.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and take necessary actions on the February 2002 Commission meeting minutes, and the March 2002 Commission Agenda; consideration of requests for waiver from accessibility code requirements: Mater Academy East, 450 N. W. 4th Street, Miami, Florida; McFarlain Cassedy Law Firm Renovation, 305 South Gadsden Street, Tallahassee, Florida; Crazy Conch Cafe, Inc., 1110 Pinellas Bayway, South, Unit 206, Tierra Verde, Florida; Plaza Resort and Spa, 600 North Atlantic Avenue, Daytona Beach, Florida; Young Achievers, Inc., 11 East Lancaster Road, Orange County, Florida; conduct hearings on changes to the proposed Product Approval Rule and Prototype Buildings Rule if requested; review any comments on Notice of Change to Proposed Product Approval Rule and Prototype Buildings Rule and decide on filing/adopting the Rules; Special Occupancy TAC Report; Accessibility TAC Report; Code Administration TAC Report; Product Approval/Prototype Buildings/Manufactured Buildings Program Oversight Committee Report; Education Program Oversight Committee Report; Building/Structural TAC Report and Recommendations including request for Declaratory Statement; Plumbing TAC Report and Recommendations including requests for Declaratory

Statements; Mechanical TAC Report and Recommendations including requests for Declaratory Statements; legal staff presentation on Chapter 120 administrative procedures for declaratory statements, legal staff report including requests for Declaratory Statements: DCA02-DEC-007 by Roll-a-way on storm and security shutters; DCA02-DEC-036 by VAK-PAK on pools; DCA02-DEC-040 by Miami-Dade Permitting and Inspection Center on pool barriers; DCA02-DEC-046 by Lake County on pool alarms; DCA02-DEC-047 by Lake County on pool covers; DCA02-DEC-048 by Lake County on pool drains; DCA02-DEC-049 by Lake County on suction inlet covers; DCA02-DEC-050 by Lake County on pool perimeters; DCA02-DEC-051 by Lake County on pool screen enclosures; DCA02-DEC-052 by Indian River County on wind speed line; DCA02-DEC-060 by Triodyne Safety Systems on suction inlets/outlets; DCA02-DEC-061 by Triodyne Safety Systems on pool antivortex covers; DCA02-DEC-062 by Airtemp on balanced return air; DCA02-DEC-063 by Door and Access Systems Manufacturers Association on garage door wind load guide; DCA02-DEC-064 by Door and Access Systems Manufacturers Association on locking a garage door in a closed position; DCA02-DEC-070 by Philip J. Childs on a skimmer as a pool inlet; DCA02-DEC-071 by Leisure Bay on pool skimmers; DCA02-DEC-073 by Mermaid Pools on pool drains; DCA02-DEC-074 by Walker Parking Consultants on stand alone parking garage; DCA02-DEC-075 by Go Bolt on corrosion resistance of hardware; DCA02-DEC-077 by Vac-Alert on vacuum relief; DCA02-DEC-078 by Josam Company on grease recovery devices; DCA01-DEC-239 by Fabian Construction on dryer vents; DCA01-DEC-156 by FACCA on HVAC equipment; Hernando County request for recommendation related to compliance of local wind speed amendment to requirements of s. 553.73(4), Florida Statutes; receive public comment.

A copy of the Committee and Commission meeting agendas and other documents may be obtained by sending a request in writing: Betty Stevens, Building Codes and Standards Office, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, Fax (850)414-8436 or looking on the website at www.florida-building.org.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at the meetings because of a disability or physical impairment should contact Ms. Kathryn Willis, Department of Community Affairs, (850)487-1824, at least ten days before the meetings. If you are hearing or speech impaired, please contact the Department of

Community Affairs using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Department of Community Affairs** (DCA) announces a telephone conference call to which all interested persons are invited.

COMMUNITY ASSISTANCE ADVISORY COUNCIL
BY-LAWS SUBCOMMITTEE TELEPHONE
CONFERENCE CALL

DATE AND TIME: Wednesday, April 3, 2002, 10:00 a.m. – 11:30 a.m.

PLACE: Call: (850)921-6455 or Suncom 291-6455. Calling one of these numbers at the time of the conference call will allow you to participate in this call.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of this telephone conference call is to develop the By-Laws for the Community Assistance Advisory Council.

APPEALS INFORMATION: If a person decides to appeal any decision of the Department of Community Affairs with respect to any matter considered during this public conference call, he or she will be required to provide a record of the proceedings, and for such purposes he or she must ensure that an official record is made, including the testimony and evidence upon which the appeal is to be made.

Any person requiring special accommodations because of a disability or a physical impairment should contact the Bureau of Community Assistance (BCA), (850)488-7541, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the BCA using the Florida Dual Party Relay System which can be reached at 1(800)955-8771 (TDD).

DEPARTMENT OF TRANSPORTATION

Notice is hereby given that the Florida **Department of Transportation** will offer the opportunity for a public hearing.

DATE AND TIME: March 27, 2002, 6:00 p.m.– 8:00 p.m.

PLACE: Largo City Hall, Committee Room, 201 Highland Avenue, Largo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being conducted to obtain public input concerning the proposed roadway jurisdiction transfer and access management classification of West Bay Drive and Clearwater-Largo Road in the City of Largo and Fort Harrison Avenue and Myrtle Avenue in the City of Clearwater. The Cities of Largo and Clearwater have requested the transfer of Alt US 19/SR 595/West Bay Drive/Clearwater-Largo Road/Fort Harrison Avenue/SR 590/Drew Street from the State Highway System to the respective City Road System and Myrtle Avenue from Chestnut Street to Fort Harrison Avenue from the City of Clearwater Road System to the State Highway System.

All persons wishing to be heard on this subject are hereby notified to respond in writing to the individual listed below by March 25, 2002. If an interest in this hearing is expressed, the hearing will be held. All interested persons may provide written response to: Brian C. Beaty, Florida Department of Transportation District Seven-Planning, 11201 N. McKinley Drive, Tampa, Florida 33612, (813)975-6283 or 1(800)226-7220, Ext. 7740.

The **Department of Transportation**, District Three announces a public hearing to which all persons are invited.

DATE AND TIME: Thursday, April 11, 2002, 6:00 p.m. – 8:00 p.m. Formal Presentation to begin at 7:00 p.m.

PLACE: Lawton Chiles High School, 7200 Thomasville Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This hearing is being held to allow interested persons an opportunity to express their views concerning the location, conceptual design; and social, economic, and environmental effects of the Project Development and Environment (PD&E) Study proposed improvements to Interstate 10 (I-10); Financial Project Numbers: 22253012201, 22259112201, 22259012201, 22258912201, 40658512201, and 22259312201. The limits of the proposed project are from the US 90 (SR 10) Interchange in Gadsden County to the US 90 (SR 10) Interchange in Leon County, Florida; a distance of approximately 15.8 miles. The proposed improvements consist of providing an additional travel lane in each direction located to the inside of the existing roadway. Improvements at the existing I-10 interchanges within the study limits have also been evaluated as part of the PD&E Study. A majority of the proposed improvements will not require additional right-of-way; however, some right-of-way acquisition, particularly in relation to potential interchange improvements and stormwater management areas, may be necessary.

This project is being developed in compliance with Titles VI and VIII of the Civil Rights Act. Public participation is solicited without regard to race, color, religion, sex, age, national origin, handicap, or family status. Anyone needing project or public hearing information or special accommodations under the Americans With Disabilities Act of 1990 should write to the address given below or call Mr. J. Howard Lovett, (850)638-0250, Extension 523.

Special accommodation requests under the Americans With Disabilities Act should be made at least seven days prior to the public hearing.

A copy of the agenda may be obtained by writing: Mr. J. Howard Lovett, Project Manager, Florida Department of Transportation, District Three, Environmental Management Office, Post Office Box 607, Chipley, Florida 32428-0607.

The Florida **Department of Transportation**, District 5 announces a Public Hearing to which all persons are invited.

DATE AND TIME: April 2, 2002, 6:30 p.m. (EST)

PLACE: Riverdale Elementary School, 11301 Lokanotosa Trail, Orlando, Orange County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED:

This Public Hearing will address the proposed access management classification change on S.R. 50, from Dean Road to Old Cheney Highway, from an Access Class 3 to an Access Class 5, per Rule Chapter 14-97-005, F.A.C. and FDOT Procedure 525-030-155-c. A Class 5 would allow for the maximum number of median openings and driveways along the project corridor. The ability to add these additional features are subject to operational and safety conditions.

This Public Hearing is being conducted to give all interested parties an opportunity to comment on the proposed access management reclassification for the above listed project limits on S.R. 50.

In compliance with the Americans with Disabilities Act, the Department, if requested, will provide special assistance at the information meeting for those persons who are disabled. Those persons requiring special assistance must send written notification at least five (5) days prior to the information meeting, to: TEI Engineers & Planners, Attention: Colleen Jarrell, Suite 200, 300 Primera Boulevard, Lake Mary, Florida 32746.

A copy of the agenda may be obtained by writing to the Department's consultant at the address noted above.

STATE BOARD OF ADMINISTRATION

The **State Board of Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 22, 2002, 9:00 a.m.

PLACE: Call in number: (850)488-0979 or Suncom 278-0979, The Hermitage Centre, Hermitage Room, Plaza Level, 1801 Hermitage Boulevard, Tallahassee, FL 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED:

Regularly scheduled quarterly meeting of the Investment Advisory Council (IAC). The IAC is a six-member advisory council, which reviews the investments made by the staff of the Board of Administration and makes recommendations to the board regarding investment policy, strategy and procedures. The IAC operates under Section 215.444 of the Florida Statutes.

A copy of the agenda may be obtained by writing: State Board of Administration, Attention: Cheryl D. Creel, Suite 600, 1801 Hermitage Boulevard, Tallahassee, Florida 32308, (850)413-1015.

Accommodations can be made for persons with disabilities provided several days' notification is received. Please notify Dorothy Westwood, (850)488-4406.

The **Florida Prepaid College Program Board** announces a public meeting to which all interested parties are invited to attend.

DATE AND TIME: Tuesday, April 2, 2002, 9:00 a.m. or soon thereafter

PLACE: The Hermitage Centre, Gold Coast Room, Fifth Floor, 1801 Hermitage Blvd., Tallahassee, Florida 32308

GENERAL SUBJECT MATTER TO BE CONSIDERED: A de-briefing session of the evaluation committee on the Growth-Oriented Large Capitalization Domestic Equity Investment Manager Request for Proposals- #01-01.

A copy of the agenda may be obtained by writing: Thomas J. Wallace, Executive Director, Florida Prepaid College Program, Suite 210, 1801 Hermitage Blvd., Tallahassee, Florida 32308 or by calling (850)488-8514.

If any person decides to appeal any decision by the Board with respect to any matter considered at this meeting, he may need to ensure that a verbatim record of the proceedings is made, which will include the testimony and evidence upon which the appeal is based.

SPECIAL ACCOMMODATION: Any person requiring special accommodations at the meeting because of a disability should fax a written request for same to Thomas J. Wallace, Executive Director, Florida Prepaid College Board, (850)488-3555, no later than five (5) days prior to the meeting.

DEPARTMENT OF CITRUS

The **Department of Citrus** announces a public meeting of the Florida Citrus Commission to which all persons are invited.

DATE AND TIME: March 27, 2002, 9:00 a.m. The Commission will convene for the purposes of standing committee meetings and for the regular monthly meeting of the Florida Citrus Commission.

PLACE: Florida Department of Citrus, 1115 East Memorial Blvd., Lakeland, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Commission will address issues pertaining to budget revisions, contracts, advertising programs, budget items, rulemaking, balance scorecards, licensing, rulemaking, modifying the Department's symbol program and other matters that are addressed during monthly meetings of the Commission.

In accordance with the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the Department at least 48 hours before the meeting by contacting Mr. Art Johnson at the above address or by telephone, (863)499-2510.

FLORIDA PAROLE COMMISSION

The **Florida Parole Commission** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 3, 2002, 9:00 a.m.

PLACE: Florida Parole Commission, Bldg. C, Third Floor, 2601 Blairstone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly Scheduled Meeting for all Parole, Conditional Release, Conditional Medical Release and Control Release Matters.

Any person who decides to appeal a decision of the Florida Parole Commission with respect to a matter considered at this meeting may need to ensure that a verbatim record of the proceedings is made. Chapter 80-150, Laws of Florida (1980).

A copy of the agenda may be obtained by writing: Florida Parole Commission, Building C, 2601 Blairstone Road, Tallahassee, Florida 32399-2450.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the agency sending the notice not later than five working days prior to the proceeding at the address given on the notice, (850)488-3417.

PUBLIC SERVICE COMMISSION

The Florida **Public Service Commission** announces its regularly scheduled conference to which all interested persons are invited.

DATE AND TIME: April 2, 2002, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider those matters ready for decision.

LEGAL AUTHORITY AND JURISDICTION: Chapters 120, 350, 364, 366 and 367, F.S.

Persons who may be affected by Commission action on certain items on this agenda for which a hearings has not been held will be allowed to address the Commission concerning those items when taken up for discussion at this conference.

A copy of the agenda may be obtained by any person who requests a copy, and pays the reasonable cost of the copy. (\$1.00 per copy, Rule 25-22.002, F.A.C.), by contacting the Division of the Commission Clerk and Administrative Services, (850)413-6770 or writing to the Director, Division of the Commission Clerk and Administrative Services, Florida Public Service Commission 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870. The agenda and recommendations are also accessible on the PSC Homepage, at <http://www.floridapsc.com>, at no charge.

If a person decides to appeal any decisions made by the Commission with respect to any matter considered at this conference, he will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which appeal is based.

Any person requiring some accommodation at this conference because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the conference. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

The Florida **Public Service Commission** announces its Internal Affairs Meeting to which all interested persons are invited.

DATE AND TIME: April 2, 2002, Immediately following the Commission Conference which commences at 9:30 a.m. in Commission Hearing Room 148

PLACE: The Betty Easley Conference Center, 4075 Esplanade Way, Conference Room 140, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and make decisions on matters which affect the operation of the Commission.

A copy of the agenda of the Internal Affairs Meeting may be obtained by contacting: Division of the Commission Clerk and Administrative Services, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0870.

Any person requiring some accommodation at this meeting because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the meeting. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

****THIS MEETING IS SUBJECT TO CANCELLATION WITHOUT NOTIFICATION.****

The Florida **Public Service Commission** announces a hearing to be held in the following docket, to which all interested persons are invited.

Docket No. 001097-TP – Request for arbitration concerning complaint of BellSouth Telecommunications, Inc. against Supra Telecommunications and Information Systems, Inc. for resolution of billing disputes.

DATE AND TIME: April 4, 2002, 9:30 a.m.

PLACE: The Betty Easley Conference Center, Commission Hearing Room 148, 4075 Esplanade Way, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To permit parties to present testimony and exhibits relative to the request for arbitration concerning complaint of BellSouth

Telecommunications, Inc. against Supra Telecommunications and Information Systems, Inc. for resolution of billing disputes, and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on March 14, 2002. The proceedings will be governed by the provisions of Chapter 120, F.S., and Chapter 25-28, F.A.C.

Any person requiring some accommodation at this hearing because of a physical impairment should call the Division of the Commission Clerk and Administrative Services, (850)413-6770, at least 48 hours prior to the hearing. Any person who is hearing or speech impaired should contact the Commission by using the Florida Relay Service, which can be reached at 1(800)955-8771 (TDD).

REGIONAL PLANNING COUNCILS

The **North Central Florida Regional Planning Council** announces the following meetings to which all persons are invited.

MEETING: Executive Committee

DATE AND TIME: March 28, 2002, 5:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Executive Committee.

MEETING: Clearinghouse Committee

DATE AND TIME: March 28, 2002, 6:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Clearinghouse Committee.

MEETING: Program Committee

DATE AND TIME: March 28, 2002, 6:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Program Committee.

MEETING: North Central Florida Regional Planning Council

DATE AND TIME: March 28, 2002, 8:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the North Central Florida Regional Planning Council.

PLACE: Best Western Gateway Grand Hotel, 4200 N. W. 97th Boulevard, Gainesville, Florida 32606

Any person deciding to appeal decisions of the Council or its committees with respect to any matter considered at the meeting, may need to make a verbatim record of the proceedings.

A copy of any of these agendas may be obtained by writing: NCFRPC, Suite A, 2009 N. W. 67th Place, Gainesville, Florida 32653.

Persons with disabilities who need assistance may contact us, (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **North Central Florida Regional Planning Council** announces a meeting of the Regional Planning Committee to which all persons are invited.

DATE AND TIME: March 28, 2002, 6:00 p.m.

PLACE: Best Western Gateway Grand Hotel, 4200 N. W. 97th Boulevard, Exit 77 off I-75, Gainesville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Regional Planning Committee.

Any person deciding to appeal any decision of the Committee with respect to any matter considered at the meeting may need to ensure that a verbatim record of the proceedings is made.

A copy of the agenda may be obtained by writing: North Central Florida Regional Planning Council, Suite A, 2009 Northwest 67th Place, Gainesville, Florida.

Persons with disabilities who need assistance may contact us, (352)955-2200, at least two business days in advance to make appropriate arrangements.

The **Northeast Florida Regional Planning Council**, Economic Development Committee announces the following public meeting to which all persons are invited:

DATE AND TIME: Thursday, March 21, 2002, 10:00 a.m.

PLACE: Southeast Public Library, 10599 Deerwood Park Blvd., Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting.

A copy of the agenda may be obtained by contacting: Northeast Florida Regional Planning Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

If a person decides to appeal any decision made by the Council with respect to any matter considered at this meeting, he/she will have to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence which the appeal is to be based.

Individuals needing materials in alternate format, sign language interpreter or other meeting information, call Ginny Montgomery, (904)279-0880, at least three working days prior to the meeting. Hearing-impaired callers use Florida Relay Service, 1(800)955-8771.

Notice is also given that two or more members of Boards of County Commissioners, City/Town Councils/Commissions and other entities covered under Chapter 286, Florida Statutes, may attend and speak at the meeting.

The **South Florida Regional Planning Council** announces a public meeting of the State Road 7/US 441 Collaborative Steering Committee to which all persons are invited.

DATE AND TIME: Thursday, March 21, 2002, 1:00 p.m. – 4:00 p.m.

PLACE: City of Lauderhill, City Hall, Multipurpose Room, City Hall Drive, Lauderhill, FL 33313

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the State Road 7/ U.S. 441 Collaborative Steering Committee to continue deliberations on future actions.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the State Road 7/U.S. 441 Collaborative Steering Committee with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **South Florida Regional Planning Council**, Revolving Loan Fund, Loan Administration Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 25, 2002, 3:00 p.m.

PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the Revolving Loan Fund Policy and Procedures and review loan applications.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021 or by calling (954)985-4416 in Broward, Suncom 473-4416 or 1(800)985-4416, for area codes 305, 561 and 407.

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

DATE AND TIME: Monday, April 1, 2002, 10:30 a.m.

PLACE: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, FL 33021

GENERAL SUBJECT MATTER TO BE CONSIDERED: Any Development Order received prior to the meeting; Any proposed Local Government Comprehensive Plan received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Proposed Local Government Comprehensive Plan Amendments for Surfside and Broward County; Any proposed Local Government Comprehensive Plan Amendment received prior to the meeting; Any adopted Local Government Comprehensive Plan received prior to the meeting; Meeting on monthly Council business; Executive Committee meeting at 10:00 a.m. at the above location.

A copy of the agenda may be obtained by writing: South Florida Regional Planning Council, Suite 140, 3440 Hollywood Boulevard, Hollywood, Florida 33021.

Anyone deciding to appeal any decision made by the board with respect to any matter considered at this meeting, will need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which the appeal is to be based.

Council related committees may meet periodically before (9:00 a.m.) and following the regularly scheduled Council meetings. Any party desirous of ascertaining schedules of the sub-committees should call the Council Offices, (954)985-4416 (Broward).

If you are hearing or speech impaired, please contact the South Florida Regional Planning Council, (954)967-4152, Ext. 40 (TDD), if you require additional information regarding the above meeting. If you require special accommodations because of a disability or physical impairment, please contact the Council, (954)985-4416, at least five calendar days prior to the meeting.

The **Apalachee Regional Planning Council** announces a public meeting to which all persons are invited. In addition to its regular business, the agenda will include the review of any Local Government Plan Amendment(s) received in a timely manner.

DATE AND TIME: March 28, 2002, 10:30 a.m. (Eastern Time), 9:30 a.m. (Central Time)

PLACE: Holiday Inn Select, 316 W. Tennessee Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To hold the regular monthly meeting of the Apalachee Regional Planning Council's Board of Directors.

An agenda may be obtained by writing: Apalachee Regional Planning Council, 20776 Central Avenue, East, Blountstown, FL 32424 or calling (850)674-4571.

If special accommodations at the meeting are required because of a disability or impairment, please contact Council Offices, (850)674-4571 prior to the meeting.

If any person desires to appeal any decision with respect to any matter considered at the above cited meeting, such person will need a record of the proceedings. For such purpose, he/she will need to ensure that a verbatim record of the proceeding is made to include the testimony and evidence upon which the appeal is to be based.

WATER MANAGEMENT DISTRICTS

The **Northwest Florida Water Management District** announces public meetings to which all persons are invited:

DATE AND TIME: March 28, 2002, 11:45 a.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: District Lands Committee meeting – to discuss land management and acquisition matters.

DATE AND TIME: March 28, 2002, 1:00 p.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Monthly Governing Board meeting – to consider District Business.

DATE AND TIME: March 28, 2002, 1:15 p.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing for the Consideration of Regulatory Matters.

DATE AND TIME: March 28, 2002, 1:30 p.m. (EST)

GENERAL SUBJECT MATTER TO BE CONSIDERED: Public Hearing for the Consideration of Land Acquisition Matters.

PLACE: District Headquarters, 10 miles west of Tallahassee on U.S. Highway 90, Tallahassee, Florida

A copy of the agendas may be obtained by contacting: Carolyn Wise, NWFWM, 81 Water Management Drive, Havana, Florida 32333, (850)539-5999 (also available through the Internet at www.state.fl.us/nwfwmd).

If any person decides to appeal any decision with respect to any matter considered at the above-cited meetings, such person may need to ensure that a verbatim record of the proceedings is made to include the testimony and evidence upon which the appeal is to be based.

Persons with disabilities or handicaps who need assistance or reasonable accommodation in order to participate in these meetings should contact Larry Wright at the District at least 72 hours in advance of these meetings to make appropriate arrangements.

The **St. Johns River Water Management District** announces a Northern Region Recreation Advisory Council Meeting to which all persons are invited. The meeting is scheduled for:

PLACE: Offices of England Thims & Miller, 14775 St. Augustine Road, Jacksonville, FL

MEETING: Northern Region Recreation Advisory Council

DATE AND TIME: Tuesday, March 19, 2002, 9:00 a.m. – 12:00 Noon

TOUR: Julington Durbin Preserve

DATE AND TIME: Tuesday, March 19, 2002, 1:00 p.m. – 3:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review land management and land acquisition activities in the Northern Region.

If any person decides to appeal any decision with respect to any matter considered at the above listed meeting such person may need to ensure that a verbatim record of the proceeding is made to include testimony and evidence upon which the appeal is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the meeting is asked to advise Linda Lorenzen, (386)329-4262 or (386)329-4450 (TDD) at least five work days before the date of the meeting.

The **St. Johns River Water Management District** announces the following meeting which may be attended by one or more Governing Board members, to which all persons are invited:

MEETING OF LONG-TIME WATER MANAGERS

DATES AND TIMES: Thursday, March 21, 2002, 4:00 p.m. through Friday, March 22, 2002, 2:00 p.m.

PLACE: YMCA Refuge at Ocklawaha, 14835 S. E. 85th Street, Ocklawaha, FL 32179

GENERAL SUBJECT MATTER TO BE CONSIDERED: Opportunity for water management veterans and resource leaders to exchange information and stories of history regarding water management events and issues.

A copy of the agenda for this meeting may be obtained by writing: St. Johns River Water Management District, P. O. Box 1429, Palatka, Florida 32178-1429, Attention: Ann Freeman, Executive Office.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate is requested to advise the District at least 48 hours before the meeting by calling Ann Freeman, (386)329-4101. If you are hearing or speech impaired, please contact the District by calling, (386)329-4450 (TDD).

The **Southwest Florida Water Management District** (SWFMWD) announces the following public meeting to which all interested persons are invited:

SWFWMD TAMPA FACILITIES MEETING

DATE AND TIME: Friday, March 22, 2002, 9:00 a.m.

PLACE: SWFWMD, Tampa Service Office, 7601 U.S. Highway 301, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Discuss construction options for the Tampa facility. Information will be presented to the Governing Board at their March 26, 2002, meeting for action.

GOVERNING BOARD MEETING, PUBLIC HEARING AND COMMITTEE MEETINGS

DATE AND TIME: Tuesday, March 26, 2002, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting, public hearing and committee meetings.

GOVERNING BOARD MEETING AND PUBLIC HEARING (Items not completed at Tuesday's meeting may be carried over to Wednesday's meeting. If all business is concluded at Tuesday's meeting, there will be no meeting on Wednesday.)

DATE AND TIME: Wednesday, March 27, 2002, 9:00 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct of meeting and public hearing.

WITHLACOCHEE RIVER BASIN BOARD MEETING

DATE AND TIME: Tuesday, April 2, 2002, 8:30 a.m.

PLACE: SWFWMD, District Headquarters, 2379 Broad Street, Brooksville, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

HILLSBOROUGH RIVER, NORTHWEST HILLSBOROUGH AND ALAFIA RIVER JOINT BASIN BOARDS MEETING

DATE AND TIME: Thursday, April 4, 2002, 9:00 a.m.

PLACE: USF Energy Technology Resource Center, 3650 Spectrum Boulevard, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

LAKE PANASOFFKEE RESTORATION COUNCIL MEETING

DATE AND TIME: Monday, April 8, 2002, 5:00 p.m.

PLACE: Sumter County Commission Chambers, 209 North Florida Street, Bushnell, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Council business.

COASTAL RIVERS BASIN BOARD MEETING

DATE AND TIME: Tuesday, April 9, 2002, 1:00 p.m.

PLACE: West Pasco Government Center, 7530 Little Road, New Port Richey, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

PINELLAS-ANCLOTE RIVER BASIN BOARD MEETING

DATE AND TIME: Wednesday, April 10, 2002, 9:00 a.m.

PLACE: Oldsmar City Hall, 100 State Street, Oldsmar, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

WATER CONSERVATION SUMMIT

DATE AND TIME: Thursday, April 11, 2002, 9:30 a.m. – 1:30 p.m.

PLACE: Raymond James Stadium, 4201 Dale Mabry Highway, North, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Showcase of water conservation education.

PEACE RIVER BASIN BOARD MEETING

DATE AND TIME: Friday, April 12, 2002, 9:00 a.m.

PLACE: SWFWMD, Bartow Service Office, 170 Century Boulevard, Bartow, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration of Basin business including Basin Board review of Cooperative Funding proposals and associated budgetary implications.

These are public meetings and agendas are available by writing: Southwest Florida Water Management District, 2379 Broad Street, Brooksville, Florida.

The District does not discriminate based on disability. Anyone requiring reasonable accommodation under the ADA should contact 1(800)423-1476 (Florida only), Extension 4604, TTD only 1(800)231-6103 (Florida only), Fax (352)754-6874.

The **South Florida Water Management District** announces a public meeting, which may be conducted by means of or in conjunction with communications media technology, specifically by telephonic conference to which all interested parties are invited:

DATES AND TIME: April 5, 22, 2002; May 6, 20, 2002; June 5, 20, 2002; July 5, 22, 2002; August 5, 20, 2002; September 5, 20, 2002; October 7, 21, 2002; November 5, 20, 2002; December 5, 20, 2002, 9:30 a.m.

PLACE: South Florida Water Management District, Headquarters, Room 2-B, Building B-1, 3301 Gun Club Road, West Palm Beach, Florida 33406.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Employee Grievance Meeting.

A copy of the meeting material may be obtained by writing: South Florida Water Management District, Mail Stop 6540, Post Office Box 24680, West Palm Beach, Florida 33416-4680.

Appeals from any South Florida Water Management District decision may require a record of the proceedings. Grievance Meetings are normally recorded. Affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact the Employee Relations Manager, (561)682-6352, at least two business days in advance of the meeting to make appropriate arrangements.

Those who desire more information may contact: Rosanne Smith, Employee Relations Manager, Human Resource Department, District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33406, (561)682-6352.

The **South Florida Water Management District** announces a public hearing required under Sections 373.59 and 373.139, Florida Statutes, to which all interested persons are invited:

DATE AND TIME: April 11, 2002, 8:50 a.m. – Governing Board Meeting

PLACE: District Headquarters, 3301 Gun Club Road, West Palm Beach, Florida 33407

GENERAL SUBJECT MATTER TO BE CONSIDERED: The acquisition of certain lands contained within the Save Our Rivers Land Acquisition and Management Plan which lands are further described as follows:

Part of the Kissimmee Chain of Lakes project comprised of three parcels referred to as SFWMD Tract No. 18-121-001 consisting of approximately 2,000 acres lying in Sections 33, 34 and 35, Township 28 South, Range 29 East and Sections 2, 3, 4, 9 and 10, Township 29 South, Range 29 East in Polk County, Florida, SFWMD Tract No. 18-021-002 consisting of approximately 10.1 acres, lying in Sections 2 and 11, Township 29 South, Range 29 East in Polk County, Florida, and SFWMD Tract No. 18-021-003 consisting of approximately 5.5 acres, lying in Section 11, Township 29 South, Range 29 East in Polk County, Florida.

FAW Reference No. 2933

Part of the Kissimmee River project comprised of one parcel referred to as SFWMD Tract No. 19-103-040 consisting of approximately 6.2 acres and lying in Section 27, Township 35 South, Range 32 East in Okeechobee County, Florida.

FAW Reference No. 2934

Part of the Kissimmee River project comprised of one parcel referred to as SFWMD Tract No. 19-103-452 consisting of approximately 0.11 acres and lying in Section 17, Township 36 South, Range 33 East in Highlands County, Florida.

FAW Reference No. 2935

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-103-427 consisting of approximately 15 acres and Tract No. 19-103-456 consisting of approximately 0.27 acres, both lying in Section 17, Township 36 South, Range 33 East in Highlands County, Florida.

FAW Reference No. 2936

Part of the Kissimmee River project comprised of two parcels referred to as SFWMD Tract No. 19-102-137 consisting of approximately 9.6 acres and Tract No. 19-103-138 consisting of approximately 7.5 acres, both lying in Section 13, Township 37 South, Range 31 East in Highlands County, Florida.

FAW Reference No. 2937

Authorization of design and construction agreements with respect to flood mitigation alternatives for the Kissimmee River project within Sections 16, 21, 22 and 27, Township 36 South, Range 33 East in Okeechobee County, and Sections 8 and 17, Township 36 South, Range 33 East in Highlands County.

FAW Reference No. 2938

Part of the CRITICAL CREW (Southern Corkscrew Regional Ecosystem Watershed) project comprised of twenty-three parcels referred to as SFWMD Tract Nos. 09-003-721,

09-003-740, 09-003-767, 09-003-771, 09-003-774, 09-003-777, 09-003-780, 09-003-782, 09-003-783, 09-003-785, 09-005-119, 09-005-126, 09-005-132, 09-005-141, 09-005-147, 09-005-149, 09-005-203, 09-005-230, 09-005-231, 09-005-256, 09-005-269, 09-005-279 and 09-005-281 consisting of approximately 536.38 acres and lying in Sections 33, 34 and 35, Township 47 South, Range 26 East, in Lee County, Florida.

FAW Reference No. 2939

Part of the Atlantic Ridge Ecosystem project comprised of one parcel referred to as SFWMD Tract No. X1-100-003 consisting of approximately 40 acres plus access easement and lying in Section 24, Township 39 South, Range 41 East in Martin County, Florida.

FAW Reference No. 2940

Declare surplus, disposal of, and removal from the asset records, including demolition and salvage, any structures, improvements, and nursery stock located in 8.5 Square Mile Area, Tract Nos. GE-311-409, GE-311-467, GE-317-959, GE-317-969, GE-319-903, GE-322-707, GE-327-438, GE-328-624, GE-328-635, GE-328-657, GE-328-824, GE-328-829 and GE-328-862 in Miami-Dade County.

FAW Reference No. 2941

Part of the East Coast Buffer Project being acquired under the terms of an Interlocal Agreement with Palm Beach County comprised of one parcel referred to as SFWMD Tract No. W9-100-085 consisting of approximately 573.78 acres and lying in Section 12, Township 41 South, Range 46 East in Palm Beach County, Florida.

FAW Reference No. 2942

Part of the East Coast Buffer, CERP C-11 Impoundment and CERP WCA 3A/3B Seepage Management Project Areas comprised of twenty-nine parcels referred to as SFWMD Tract Nos. W9-200-917, W9-200-921, W9-200-931, W9-311-942, W9-311-943, W9-311-944, W9-311-945, W9-311-953, W9-312-001, W9-312-002, W9-312-003, W9-312-005, W9-312-009, W9-312-011, W9-312-021, 12-101-003, 12-101-004, 12-101-010, 12-101-011, 12-101-032, 12-101-036, 12-101-037, 12-101-067, 12-101-091, 12-101-092, 12-102-012, 12-102-013, 12-102-036 and 12-103-019 consisting of approximately 174 acres and lying in Sections 03, 09, 10, 15, 22, 27 and 34, Townships 50, 51, 52 and 53 South, Ranges 35, 37, 39 and 40 East in Broward and Miami-Dade Counties, Florida.

FAW Reference No. 2943

Part of the Water Conservation Areas comprised of three parcels referred to as SFWMD Tract Nos. 27-100-050, 27-100-051 and 27-100-052 consisting of approximately 250 acres and lying in Sections 01, 03 and 32, Townships 52 and 53 South, Ranges 35 and 37 East in Miami-Dade County.

FAW Reference No. 2944

Part of the East Coast Buffer and Critical C-4 projects comprised of sixteen parcels referred to as SFWMD Tract Nos. W9-311-940, W9-311-948, W9-311-952, W9-311-955, W9-311-957, W9-311-958, W9-311-960, W9-311-961, W9-311-962, W9-311-963, W9-311-971, W9-311-976, W9-311-977, W9-311-979, W9-311-993 and W9-311-999 consisting of approximately 361 acres and lying in Section 04, Township 54 South, Range 39 East in Miami-Dade County, Florida.

FAW Reference No. 2945

Part of the East Coast Buffer, CERP C-11 Impoundment and CERP WCA 3A/3B Seepage Management Project Areas comprised of twenty-nine parcels referred to as SFWMD Tract Nos. W9-200-917, W9-200-921, W9-200-931, W9-311-942, W9-311-943, W9-311-944, W9-311-945, W9-311-953, W9-312-001, W9-312-002, W9-312-003, W9-312-005, W9-312-009, W9-312-011, W9-312-021, 12-101-003, 12-101-004, 12-101-010, 12-101-011, 12-101-032, 12-101-036, 12-101-037, 12-101-067, 12-101-091, 12-101-092, 12-102-012, 12-102-013, 12-102-036 and 12-103-019 consisting of approximately 174 acres and lying in Sections 03, 09, 10, 15, 22, 27 and 34, Townships 50, 51, 52 and 53 South, Ranges 35, 37, 39 and 40 East in Broward and Miami-Dade Counties, Florida.

FAW Reference No. 2946

Part of the CERP Indian River Lagoon C23/24 North Reservoir Project comprised of two parcels referred to as SFWMD Tract Nos. KE-100-001 and KE-100-002 consisting of approximately 1,133.0 acres and lying in Sections 19, 20, 29 and 30, Township 35 South, Range 38 East in Miami-Dade County, Florida.

FAW Reference No. 2947

Part of the East Coast Buffer, CERP Bird Drive Recharge Project Area comprised of one parcel referred to as SFWMD Tract Nos. W9-308-130 consisting of approximately 20 acres and lying in Section 08, Township 54 South, Range 39 East in Miami-Dade County, Florida.

FAW Reference No. 2948

Approve a Resolution for using Save Our Everglades Trust Funds for land which is part of the East Coast Buffer, CERP AG Reserve Reservoir Project Area comprised of one parcel referred to as SFWMD Tract No. W9-100-085 consisting of approximately 623.96 acres lying in Sections 12 and 13, Township 46 South, Range 41 East in Palm Beach County, Florida.

FAW Reference No. 2949

Additional information concerning specific parcels or interests can be obtained from: Blair R. LittleJohn, III, South Florida Water Management District, Post Office Box 24680, West Palm Beach, Florida 33416-4680, (561)686-8800.

Appeals from any South Florida Water Management District Board decision requires a record of the proceedings. Although Governing Board meetings and hearings are normally

recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which the appeal is to be based.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance of the meeting to make appropriate arrangements.

For additional information, please contact Mr. Blair R. LittleJohn, III, Deputy Department Director, Land Acquisition Department, (561)686-8800.

The South Florida Water Management District announces a public meeting to which all interested parties are invited:

DATE AND TIME: Wednesday, April 24, 2002, 1:30 p.m.

PLACE: South Florida Water Management District, Bill Storch Conference Room, Building B-1, 3301 Gun Club Road, West Palm Beach, FL 33416

GENERAL SUBJECT MATTER TO BE CONSIDERED: The South Florida Water Management District will hold a Working Group Meeting required as a result of an agreement executed on January 17, 1996, between the South Florida Water Management District and the Seminole Tribe of Florida. The agreement requires periodic monitoring of the quality of surface water entering, originating on and leaving the Big Cypress Indian Reservation.

A copy of the agenda may be obtained by writing: South Florida Water Management District, P. O. Box 24680, West Palm Beach, Florida 33416-4680, Attention: Stacy Myers, Environmental Resource Regulation Department.

Persons with disabilities who need assistance may contact Paula Moree, Assistant District Clerk, (561)682-6447, at least two business days in advance to make appropriate arrangements.

Those who desire more information may contact Stacy Myers, (561)682-6208.

COMMISSION FOR THE TRANSPORTATION DISADVANTAGED

The Florida **Commission for the Transportation Disadvantaged** announces a Full Commission Meeting (via conference call) to which all persons are invited.

DATE AND TIME: Thursday, March 28, 2002, 10:00 a.m. – Completion

PLACE: Call: (850)921-5230 or Suncom 291-5230, Suite 1A, Rhyne Building, 2740 Centerview Drive, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss the regular business of the Commission for the Transportation Disadvantaged.

In accordance with the Americans with Disabilities Act, persons in need of special accommodation to participate in the meeting or an agenda should contact Tiffany McNabb at the

following address and telephone number: Commission for the Transportation Disadvantaged, 605 Suwannee Street, MS #49, Tallahassee, FL 32399-0450, (850)410-5700 or 1(800)983-2435 or 1(800)648-6084 (TDD only).

The meeting is subject to change upon chairperson's request.

REGIONAL UTILITY AUTHORITIES

The **Withlacoochee Regional Water Supply Authority** announces that the Authority will hold its regular March meeting as scheduled. This is a public meeting to which all persons are invited:

DATE AND TIME: Wednesday, March 20, 2002, 4:30 p.m.

PLACE: Sumter County Courthouse, Commission Meeting Room 222, 209 N. Florida Street, Bushnell, FL 33513

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct regular business of the Authority.

A copy of the agenda may be obtained by writing: Withlacoochee Regional Water Supply Authority, P. O. Drawer 190, Tallahassee, FL 32302.

Although these board meetings are normally recorded, affected persons are advised that it may be necessary for them to make their own arrangements if a verbatim record of the meeting is needed, including testimony and evidence upon which any appeal is to be based.

VETERAN'S AFFAIRS

The Florida **Commission on Veteran's Affairs** announces a public meeting to which all persons are invited.

DATE AND TIME Friday, March 22, 2002, 10:00 a.m.

PLACE: Cabinet Meeting Room, Lower Level, The Capitol Building, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting and planning session.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Jan Stearns, Florida Department of Veterans' Affairs, Koger Center, Suite 100, Douglas Building, 2540 Executive Center Circle, West, Tallahassee, Florida 32301. Please telephone (850)487-1533, at least 48 hours prior to the workshop.

SPACEPORT FLORIDA AUTHORITY

The **Florida Space Authority** announces a Board of Supervisors teleconference meeting to which the public is invited.

DATE AND TIME: March 27, 2002, 11:00 a.m. (EST)

PLACE: Florida Space Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board will continue discussion on the status of Authority projects, development and administrative issues of the Authority, and to consider other matters related to the business of the Authority.

For teleconference information, contact: Patricia Sweetman, (321)730-5301, Ext. 1210.

To obtain a copy of the agenda, write: Florida Space Authority, 100 Spaceport Way, Cape Canaveral, Florida 32920-4003.

DEPARTMENT OF MANAGEMENT SERVICES

The **State Retirement Commission** announces public hearings to which all persons are invited.

DATES AND TIME: March 18-19, 2002, 8:30 a.m.

PLACE: Embassy Suites, Tampa Airport Westshore, 555 North Westshore Boulevard, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct hearings pursuant to Section 121.23, Florida Statutes, and to consider other matters related to the business of the Commission.

A copy of the agenda may be obtained by writing: State Retirement Commission, Department of Management Services, Suite 260, 4050 Esplanade Way, Tallahassee, Florida 32399-0950 or by telephoning (850)487-2410.

A party who decides to appeal any decision made at such hearings will need a verbatim record of the hearing and may need to ensure that one is made, including the testimony and evidence, upon which the appeal is to be based.

Persons requiring accommodation because of a physical, visual, auditory or speech impairment should contact the Commission Clerk at least ten days prior to the hearing. If you are hearing or speech impaired, call by using the Florida Relay Service which can be reached at 1(800)955-8771 (TDD). Hearing rooms and facilities are wheelchair accessible.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The **Department of Business and Professional Regulation, Board of Employee Leasing Companies** announces an official telephone conference call regarding change of ownership applications.

DATE AND TIME: Wednesday, March 27, 2002, 10:00 a.m.

PLACE: Call: (850)921-2530 or Suncom 291-2530

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting of the Board regarding Change of Ownership Applications and other business as directed by the Board.

A copy of the agenda may be obtained by writing: Department of Business and Professional Regulation, Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767 or by calling Sandra DuPont, (850)921-7869.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Sandra DuPont at (850)921-7869. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record will include the testimony and evidence upon which the appeal is based.

For further information, contact: Florida Board of Employee Leasing Companies, 1940 North Monroe Street, Tallahassee, Florida 32399-0767.

The Florida **Board of Funeral Directors and Embalmers** announces the following meeting to be held by telephone conference call, to which all parties are invited to attend.

DATE AND TIME: March 26, 2002, 10:00 a.m.

PLACE: Call: (850)414-1709, Suncom 994-1709

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Funeral Directors and Embalmers, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a 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 a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)488-8690, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The Florida **Board of Professional Surveyors and Mappers** announces the following meeting to be held by telephone conference call, to which all persons are invited to attend.

DATE AND TIME: March 25, 2002, 9:00 a.m.

PLACE: Call: (850)414-1709, Suncom 994-1709

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business meeting.

To obtain a copy of the agenda, further information or submit written or other physical evidence, contact in writing: Board of Professional Surveyors and Mappers, 1940 N. Monroe St., Tallahassee, Florida 32399.

If a 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 a record of the proceedings, and for such purpose he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board Office, (850)413-7480, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Accountancy** announces the following public meetings to which all person are invited:

DATE AND TIME: Friday, April 5, 2002, 9:00 a.m.

PLACE: Hilton Airport, 2225 Lois Avenue, Tampa, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Independence Task Force meeting to discuss possible changes to Rule 61H-21.001, F.A.C., Independence. This is a public meeting.

A copy of the Board agenda may be obtained by writing: Martha P. Willis, Division Director, Division of Certified Public Accounting, Suite A, 240 N. W. 76th Drive, Gainesville, Florida 32607.

If a person decides to appeal any decision made by the Board with respect to any matter considered at these meetings, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based.

Pursuant to the provisions of the Americans with Disabilities Act any person requiring special accommodations to participate in this workshop/hearing/meeting is asked to advise the agency at least 48 hours before the workshop/hearing/meeting by contacting Martha Willis, (352)333-2500. If you are hearing or speech impaired, please contact the agency by calling 1(800)955-8711.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The **Department of Environmental Protection** will hold a public meeting on:

DATE AND TIME: April 2, 2002, TBP

PLACE: Twin Towers Office Building, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is to convene the Methodology Focus Group (a sub-group of the Contaminated Soils Forum) in anticipation of rule development associated with Florida Administrative Code, Chapter 62-777, Contaminant Cleanup Target Levels rule.

The full text of this notice will be published on March 15, 2002 on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices." An unofficial notice is attached for your review.

DEPARTMENT OF HEALTH

The **Community Hospital Education Council** announces a meeting to be held to which all persons are invited:

DATE AND TIME: March 25, 2002, 10:00 a.m. – 2:00 p.m. (EST)

PLACE: Broward General Hospital, Board Room, Second Floor, 1600 South Andrews Avenue, Ft. Lauderdale, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the council.

A copy of the agenda may be obtained by writing: Arlisha Roberts, Office of Community Health Resources, 4052 Bald Cypress Way, BIN #C15, Tallahassee, Florida 32399-1735, (850)245-4440, Ext. 3504.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Office of Community Health Resources, (850)245-4440, Ext. 3504, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Office of Community Health Resources using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

The **Board of Acupuncture** announces a conference call meeting to which all interested persons are invited to attend.

DATE AND TIME: Monday March 25, 2002, 10:30 a.m. or soon thereafter

PLACE: Call: (850)488-5778, Suncom 278-5778

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business Meeting.

Any person requiring special accommodations at this meeting due to disability or physical impairment should contact the Board of Acupuncture, (850)488-0595, at least five (5) calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

A copy of the agenda may be obtained by writing: Board of Acupuncture, 4052 Bald Cypress Way, BIN #C06, Tallahassee, Florida 32399-3256.

Please note, that if a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE OF AMENDMENT – The Board of Chiropractic Medicine will have the following meeting by telephone conference call to which all persons are invited to attend.

DATE AND TIME: Friday, March 22, 2002, 8:30 a.m.

PLACE: Hilton Jacksonville Riverfront, 1201 Riverplace Boulevard, Jacksonville, FL 32207, (904)398-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Chiropractic Medicine, (850)245-4355, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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 includes the testimony and evidence from which the appeal is to be issued.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Board of Chiropractic Medicine, Executive Director, 4052 Bald Cypress Way, BIN #C02, Tallahassee, FL 32399-3252.

The **Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling** announces an official Board meeting. All interested parties are invited to attend at the address listed below, which is normally open to the public.

DATE AND TIME: Friday, April 26, 2002, 9:00 a.m.

PLACE: Hilton Riverfront, 1201 Riverplace Road, Jacksonville, FL 32207, (904)398-8800

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board business.

A copy of the agenda may be obtained by writing: Sue Foster, Executive Director, Department of Health, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, BIN #C08, Tallahassee, Florida 32399-3258.

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

Those who are hearing impaired, using TDD equipment, can call the Florida Telephone Relay System at 1(800)955-8771. Persons requiring special accommodations due to disability or physical impairment should contact Sue Foster, by April 18, 2002.

The **Board of Nursing** will hold the following meetings to which all persons are invited to attend.

RULES WORKSHOP

DATE AND TIME: Tuesday, April 9, 2002, 4:00 p.m.

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Rules for Discipline of CNA's, and to review proposed request for declaratory statements

LEGISLATIVE COMMITTEE

DATE AND TIME: Tuesday, April 9, 2002, Upon Completion of Rules Workshop

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss legislative issues.

PRACTICE COMMITTEE

DATE AND TIME: Tuesday, April 9, 2002, Upon Completion of Legislative Committee

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review proposed requests for declaratory statements.

CREDENTIALS COMMITTEE

DATE AND TIME: Wednesday, April 10, 2002, 8:30 a.m.

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and hold hearings on credential issues.

ADVANCED REGISTER NURSE PRACTITIONER'S COMMITTEE MEETING

DATE AND TIME: Wednesday, April 10, 2002, 8:30 a.m.

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider applications and review certification of Advanced Registered Nurse Practitioners.

CONTINUING EDUCATION COMMITTEE

DATE AND TIME: Wednesday, April 10, 2002, To follow ARNP Committee

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss and hold hearings on procedures for continuing education rules.

EDUCATION COMMITTEE

DATE AND TIME: Wednesday, April 10, 2002, To follow Continuing Education Committee

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider matters relating to nursing programs and applications for licensure.

FULL BOARD

DATE AND TIME: Wednesday, April 10, 2002, 1:30 p.m.

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

FULL BOARD

DATE AND TIME: Thursday, April 11, 2002, 8:30 a.m.

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

DATE AND TIME: Friday, April 12, 2002, 8:30 a.m.

PLACE: Sheraton Gainesville Hotel, 2900 S. W. 13th Street, Gainesville, FL 32608, (352)373-6721

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Board Business.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the Board of Nursing, (850)245-4176, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Board using the Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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.

A copy of the agenda may be obtained by writing: Teresa Hall, Board of Nursing, 4052 Bald Cypress Way, BIN #C03, Tallahassee, FL 32399-3257.

The **Board of Optometry**, Probable Cause Panel will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Thursday, April 4, 2002, 6:30 p.m.

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL, (954)527-2700

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

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Optometry, (850)245-4355, at least 48 hours prior

to the meeting. If you are a hearing or speech impaired, please contact the Board office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Board of Optometry, Executive Director, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The **Board of Optometry** will hold a duly noticed meeting to which all persons are invited to attend.

DATE AND TIME: Friday, April 5, 2002, 9:00 a.m.

PLACE: Embassy Suites Hotel, 1100 S. E. 17th Street, Ft. Lauderdale, FL, (954)527-2700

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

Any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the Board of Optometry, (850)245-4355, at least 48 hours prior to the meeting. If you are a hearing or speech impaired, please contact the Board Office using the Dual Party Relay System at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

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.

A copy of the agenda item may be obtained by writing: Joe Baker, Jr., Board of Optometry, Executive Director, 4052 Bald Cypress Way, BIN #C07, Tallahassee, FL 32399-3257.

The Florida Probable Cause Panel of the **Board of Osteopathic Medicine** announces a meeting:

DATE AND TIME: Friday, March 29, 2002, 9:00 a.m. or soon thereafter

PLACE: Ft. Lauderdale Hilton, 1870 Griffin Road, Dania Beach, FL 33004, (954)920-3300

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review those cases on which a determination of existence of probable cause has already been made.

A copy of the PUBLIC portion of the agenda may be obtained by writing: Kathy Gatzloff, Senior Attorney, Agency for Health Care Administration, General Counsel, Palmer Building, P. O. Box 14229, Tallahassee, FL 32317-4229.

NOTE: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Practitioner Regulation Section no later than seven (7) days prior to the proceeding or meeting at which such special accommodation is required.

The Practitioner Regulation Section may be contacted at Post Office Box 14229, Tallahassee, FL 32317-4229, (850)414-8126, 1(800)955-8771 (TDD) or 1(800)955-8770 via Florida Relay Service.

The **Florida Emergency Medical Services**, Advisory Council will hold their quarterly meeting.

DATE AND TIME: April 19 2002, 8:00 a.m. (EST)

PLACE: Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399, (850)245-4055

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the council. An agenda may be obtained by contacting Desi Lassiter, Bureau of Emergency Medical Services, (850)245-4055.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment, should contact the Bureau of Emergency Medical Services, (850)245-4055, at least 48 hours prior to the meeting. If you are hearing or speech impaired, please call the Bureau of Emergency Medical Services using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

For further information, write: Desi Lassiter, 4052 Bald Cypress Way, BIN #C18 (HEMS), Tallahassee, Florida 32399-1738 or call (850)245-4055.

The **Correctional Medical Authority** announces a Mental Health Committee meeting to be held in Tallahassee, Florida, to which all persons are invited:

DATE AND TIME: March 29, 2002, 10:00 a.m. – 2:00 p.m.

PLACE: Prather Building, Conference Room 310A, Capital Circle Office Complex, 2585 Merchants Row Boulevard, Tallahassee, Florida 32399-1732

GENERAL SUBJECT MATTER TO BE CONSIDERED: Continued discussion of issues relating to mental health care in the Florida Department of Corrections.

A copy of the agenda may be obtained by writing: Executive Director, Correctional Medical Authority, 4052 Bald Cypress Way, BIN #B-04, Tallahassee, FL 32399-1732 or calling (850)245-4044.

Pursuant to Section 286.26, Florida Statutes, any handicapped person wishing to attend this meeting should contact staff at least 48 hours prior to the meeting in order to request any special assistance.

Pursuant to Section 381.90, F.S., the **Florida Health Information Systems Council** will hold a joint telephone conference call and meeting to facilitate the identification, collection, standardization, sharing and coordination of health-related data among federal, state, local and private entities.

DATE AND TIME: March 29, 2002, 2:00 p.m. – 4:00 p.m.

PLACE: Call: (850)921-2548, Suncom 291-2548. Note: The following location has been reserved to provide the option to participants to assemble at a common site for the meeting/conference call. Department of Health, Room 301, 4025 Esplanade Way, Tallahassee, FL 32399

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services**, SunCoast Region, Mental Health Program Office announces the following public forum to which all persons are invited.

DATE AND TIMES: Tuesday, March 26, 2002, 9:00 a.m. – 10:30 a.m. – St. Joseph's Hospital; 10:30 a.m. – 12:00 Noon – Tampa General Hospital

PLACE: Department of Children and Family Services, Regional Headquarters, Room 806, 9393 N. Florida Avenue, Tampa, FL 33612

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is seeking public input and information regarding the re-designation of St. Joseph's Hospital and Tampa General Hospital as Baker Act receiving facilities.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Department of Children and Family Services, not later than 5 working days prior to the proceeding.

For further information, including a copy of the agenda, please contact: Mike Wade, (813)558-5977.

The Florida **Department of Children and Family Services** announces the District 8, Collier County Community Alliance will meet on the following dates:

DATES AND TIME: March 26, 2002; April 16, 2002, 4:00 p.m.

PLACE: Collier County Courthouse, Building L, 3301 Tamiami Trail, East, Naples, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Monthly Board meetings to discuss community-based care issues, including preparing Collier County's Invitation to Negotiate.

A copy of the agenda may be obtained by contacting: Department of Children and Family Services, Community-Based Care Unit, 2nd Floor, 2295 Victoria Avenue, Fort Myers, Florida 33901, one week prior to each meeting. All persons are invited.

In accordance with the Americans With Disabilities Act, persons needing an accommodation to participate in the meetings or needing additional information should contact the Community-Based Care Unit, (941)338-1343.

FLORIDA INLAND NAVIGATION DISTRICTS

The Board of Commissioners of the **Florida Inland Navigation District** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 22, 2002, 8:30 a.m.

PLACE: The Pirates Cove Resort, 4307 S. E. Bayview Street, Port Salerno, Martin County, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Board of Commissioners to conduct the regular business of the District. Additionally, the District's Land Acquisition and Management, Legislative and Manatee Sign Committees will meet.

Please contact the District Office: 1314 Marcinski Road, Jupiter, FL 33477, (561)627-3386 for more information.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceeding, and for such purposes, they may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is based.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact the District prior to the meeting.

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation**, Predevelopment Loan Program announces a Review Committee meeting to which all interested parties are invited:

DATE AND TIME: Tuesday, April 2, 2002, 10:00 a.m.

PLACE: Florida Housing Finance Corporation, Formal Conference Room, 5th Floor, 227 North Bronough Street, Tallahassee, Florida 32301-1329

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct discussions and reviews and make decisions in reference to the confirmation, rejection, approval or request for revision of PLP 2000 Applications and/or Development Plans.

Prior to the meeting, interested parties are advised to confirm the meeting date, room and time by calling Florida Housing, (850)488-4197 or checking Florida Housing's website at www.floridahousing.org.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact Debbie L. Moran, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Corporation using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he/she will need a record of the proceedings, and for

such purpose he/she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based.

Concerning Issuance of Bonds to Finance Multifamily Residential Rental Properties

Notice is hereby given that the **Florida Housing Finance Corporation** ("Florida Housing") will conduct a public hearing in accordance with the Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") to which all interested persons are invited.

DATE AND TIME: Tuesday, April 2, 2002, 10:00 a.m. (EST)

PLACE: The Offices of Florida Housing Finance Corporation, Suite 5000, 227 North Bronough Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct a TEFRA hearing concerning the potential future issuance of bonds by Florida Housing to finance the acquisition of land and new construction of the following multifamily residential rental development in the aggregate face amount, not to exceed the amount listed below.

Stuart Pointe Apartments, a 192 unit multifamily residential rental development to be located at the northwest corner of Sunset Boulevard and U.S. 1 and continues to the county line, Jensen Beach, Martin County, Florida 34994. The prospective owner of the proposed development is Stuart Pointe Partners, Ltd., c/o Regency Development Associates, Inc., 2700 Wycliff Road, Suite 312, Raleigh, North Carolina 27607, or such successor in interest in which Regency Development Associates, Inc., or an affiliate thereof, is a managing member, general partner and/or controlling stockholder. The total tax-exempt bond amount is not to exceed \$8,000,000.

All interested parties may present oral comments at the public TEFRA hearing or submit written comments regarding the potential bond issuance for the development being financed. Written comments should be received by Florida Housing, by 5:00 p.m. (EST), Monday, April 1, 2002, and should be addressed to the attention of David Westcott, Multifamily Bond Administrator. Any persons desiring to present oral comments should appear at the hearing.

If requested in writing, a fact-finding hearing will be held in the county where the property is located. When possible, the local hearing will be held before the formal TEFRA hearing and comments received at the local hearing will be placed on record at the TEFRA hearing.

Any person requiring a special accommodation at this meeting because of a disability or physical impairment should contact David Westcott, Multifamily Bond Administrator, Florida Housing Finance Corporation, (850)488-4197, at least five calendar days prior to the meeting. If you are hearing impaired, please contact the Florida Housing using the Dual Party Relay System that can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

Any person who decides to appeal any decision made by Florida Housing with respect to any matter considered at this hearing, will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings be made, which will include the testimony and evidence upon which the appeal is based.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** has revised its scheduled public meetings as noticed in the Florida Administrative Weekly, Vol. 28, No. 6, February 8, 2002 as follows:

The Commission meeting scheduled for March 6, 2002 is canceled.

The Commission meeting scheduled for March 22, 2002 will take place at the time and place provided in this notice.

A special Commission meeting is scheduled for April 2, 2002 in the time and place provided in the notice.

DATES AND TIMES: March 22, 2002; April 2, 2002, 1:00 p.m.

PLACE: Bryant Building, 620 South Meridian Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review and discuss selection of an executive director; actions may include but are not limited to deciding on a list of the top applicants and making a final selection from the list.

A copy of the proposed agenda may be obtained from: Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600.

If any person decides to challenge any decision with respect to any matter considered at the above meetings, a record of the proceeding will be needed. For this purpose, you may need to ensure that a verbatim record of the proceeding is made which includes testimony and evidence upon which the challenge is to be based.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in the workshop or meeting is asked to advise the Commission at least 5 calendar days prior by calling Cindy Hoffman, ADA Coordinator, (850)488-6411. If you are hearing or speech impaired, please contact the agency by calling, (850)488-9542.

LEGAL AUTHORITY: Article IV, Section 9, Florida Constitution.

TECHNOLOGICAL RESEARCH AND DEVELOPMENT AUTHORITY

The **Technological Research and Development Authority** (TRDA) announces a meeting of its Board of Directors to which all persons are invited to participate.

DATE AND TIME: March 20, 2002, 2:00 p.m.

PLACE: Technological Research and Development Authority, 5195 South Washington Avenue, Titusville, Florida 32780

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Linda D. Lundy, TRDA Office Manager, (321)269-6330 or llundy@trda.org.

SUNSHINE STATE GOVERNMENTAL FINANCING COMMISSION

The **Sunshine State Governmental Financing Commission** announces a public meeting where all interested parties are invited:

DATE AND TIME: Friday, March 22, 2002, 10:00 a.m.

PLACE: Conference Room R, Second Floor, City Hall, City of Orlando, 400 South Orange Avenue, Orlando, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board of Directors Meeting.

Note: A copy of the agenda may be obtained by contacting: Mr. Richard C. Dowdy, Program Administrator, (850)878-1874.

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The **Florida Automobile Joint Underwriting Association** announces a meeting to which all persons are invited:

OPERATING COMMITTEE MEETING

DATE AND TIME: April 2, 2002, 9:00 a.m.

PLACE: Ft. Lauderdale Marina Marriott, 1881 S. E. 17th Street, Ft. Lauderdale, FL 33316

GENERAL SUBJECT MATTER TO BE CONSIDERED: Revisions to the FAJUA Underwriting Rules and Rates Manual and the Accounting and Statistical Manual if warranted.

Additional information may be obtained from: Lisa Stoutamire, FAJUA, Suite 401, 1113 East Tennessee Street, Tallahassee, FL 32308, (850)681-2003.

NOTICE OF REVISION – The Florida Automobile Joint Underwriting Association announces a public meeting to which all persons are invited:

CLAIM REVIEW COMMITTEE

DATES AND TIME: Tuesday and Wednesday, April 2-3, 2002, 9:00 a.m. – 5:00 p.m.

PLACE: Sheraton Orlando North, Maitland, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the committee will review Servicing Carrier performance of claim handling by the Orlando office, discuss draft of committee report of last review, discuss pending litigation and any other matters that may come before the

committee. An offsite inspection of York STB Offices, 2277 Lee Road, Winter Park, Florida, will be conducted and timing of inspection will be announced at the meeting.

Additional information may be obtained from: Lisa Blackwell Stoutamire, FAJUA, Suite 401, 1113 East Tennessee Street, Tallahassee, FL 32308, (850)681-2003, fajua@aol.com.

The **Florida Automobile Joint Underwriting Association** also announces a public meeting to which all persons are invited:

CLAIM REVIEW COMMITTEE

DATES AND TIME: Wednesday and Thursday, April 3-4, 2002, 9:00 a.m. – 5:00 p.m.

PLACE: York STB, 1211 N Westshore Blvd., Tampa, Florida
GENERAL SUBJECT MATTER TO BE CONSIDERED: Members of the committee will review Servicing Carrier performance of claim handling by the Tampa office, discuss draft of committee report of last review, discuss pending litigation and any other matters that may come before the committee.

Additional information may be obtained from: Lisa Blackwell Stoutamire, FAJUA, Suite 401, 1113 East Tennessee Street, Tallahassee, FL 32308, (850)681-2003, fajua@aol.com.

SPACE COAST WORLD TRADE COUNCIL

The **Space Coast World Trade Council** will host its Sixth Annual Fall Regulatory Review.

DATES AND TIME: October 3-4, 2002, To Be Posted

PLACE: Doubletree, Cocoa Beach, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: For exporters and other interested in foreign trade, the Review will give an overview of today's export controls and compliance issues, together with a look at recent and pending changes to the trade and regulatory environments. Visit the Council website at www.spacecoastworldtrade.com or call Ms. Mary Williams, (321)783-7831 for more information. The Council's mailing address is Post Office Box 540490, Merritt Island, Florida 32954-0490.

The Space Coast World Trade Council was founded 15 years ago in recognition of the growing contributions of Florida manufacturers and service enterprises to the region's economy through their efforts in the international marketplace. The Council is a not-for-profit organization dedicated to the growth of international trade on Florida's Space Coast and accomplishes its mission primarily through education. Its members are experienced and novice business people and other citizens having an interest in foreign trade.

Section VII Notices of Petitions and Dispositions Regarding Declaratory Statements

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on February 26, 2002, from Door & Access Systems Manufacturers Association International, with regards to the garage door wind load guides based on Sections 1606 and 1619 of the Florida Building Code, 2001, Building Volume. It has been assigned the number DCA02-DEC-063.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on February 26, 2002, from Door & Access Systems Manufacturers Association International, with regards to "actively or passively" locking garage doors within the High Velocity Hurricane Zone based on Section 2411.3.1.5 of the Florida Building Code, 2001, Building Volume. It has been assigned the number DCA02-DEC-064.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on March 1, 2002, from Mermaid Pools of Central Florida, Inc., with regards to the effect of Section 424.2.21.3, Main Outlet, of the Florida Building Code, 2001, Building Volume, on the construction and installation of fiberglass pools. It has been assigned the number DCA02-DEC-073.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on February 28, 2002, from Leisure Bay Industries, Inc., with regards to suction inlets and main outlets in above-ground pools based on Sections 424.2.6.6.4 and 424.2.21.3 of the Florida Building Code, 2001, Building Volume. It has been assigned the number DCA02-DEC-071.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on February 28, 2002, from Philip J. Childs, P.E., P.A., effect of section 424.2.2.6.6.4, Suction Inlets Per Pump, of the Florida Building Code, 2001, Building Volume, on construction of a residential pool in Key West. It has been assigned the number DCA02-DEC-070.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on March 1, 2002, from Russ Schanz of Walker Parking Consultants regarding the interpretation of the phrase or term "A Stand-Alone Parking Garage . . ." per Section 553.895(2), Fla. Stat. It has been assigned the number DCA02-DEC-074.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on March 1, 2002, from Ward Gould of Go-Bolt, Inc., regarding the method of corrosion resistance for metal accessories, connectors and thread accessories for use in exterior and interior wall construction, pursuant to section 2301 of the Florida Building Code 2001, Building Volume. It has been assigned the number DCA02-DEC-075.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on March 5, 2002, from George S. Pellington, P.E., Vac-Alert of Florida, Inc., regarding whether section 424.2.6.6.3 of the Florida Building Code, 2001, Building Volume, intends to permit the use of devices such as the Hayward Pool Products, Inc. SP 1048 R Kit to be used as a "backup system which shall provide vacuum relief" for pools and spas. It has been assigned the number DCA02-DEC-077.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

NOTICE IS HEREBY GIVEN THAT the Florida Building Commission received a Petition for Declaratory Statement on March 5, 2002, from Josam Company, with regards to whether Florida Building Code, 2001, Plumbing Volume, Section 1003 permits automatic grease recovery devices. It has been assigned the number DCA02-DEC-078.

A copy of the request may be obtained by writing: Paula P. Ford, Commission Clerk, Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

DEPARTMENT OF CORRECTIONS

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking, Final Order #DC 02-10, from James Harkleroad. The Department denied the Petition to amend Rule 33-602.201, Florida Administrative Code, to include two (2) plastic spoons available for purchase from the institution's canteen.

A copy of the Order may be obtained from: Anthony W. Garcia, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking, Final Order #DC 02-11 and DC 02-12, from James Harkleroad. The Department denied the Petition to amend Rule 33-602.201, Florida Administrative Code, to include two (2) different sizes of zip-lock clear plastic bags (12 3/4" X 6" and/or 16" X 12") on the inmate authorized property list.

A copy of the Order may be obtained from: Anthony W. Garcia, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking, Final Order #DC 02-13, DC 02-14, DC 02-15, DC 02-16, DC 02-17 and DC 02-18, from James Harkleroad. The Department denied the Petition to amend Rule 33-601.800, Florida Administrative Code.

A copy of the Order may be obtained from: Anthony W. Garcia, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking, Final Order #DC 02-19, from Randall Prater. The Department denied the Petition to amend Title 33, Florida Administrative Code, to permit inmates to receive certain Polaroid photographs in incoming mail.

A copy of the Order may be obtained from: Anthony W. Garcia, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

NOTICE IS HEREBY GIVEN THAT the Department of Corrections has issued a response to a Petition to Initiate Rulemaking, Final Order #DC 02-21, from Mark Osterback. The Department granted the Petition to amend Rule 33-602.203, Florida Administrative Code, to incorporate provisions contained in Procedure 602.018(4)(i).

A copy of the Order may be obtained from: Anthony W. Garcia, Assistant General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Frances Jean Helmer, Unit Owner; Petitioner, on January 24, 2002.

The Petitioner requests an interpretation as to whether a homeowner's association may enforce provisions in its covenants and restrictions on the use of the common elements belonging to its condominium association members.

A copy of the Petition for Declaratory Statement, Docket Number CD2002-013, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN THAT the Division of Florida Land Sales, Condominiums and Mobile Homes, Department of Business and Professional Regulation, State of Florida, received a petition for declaratory statement In Re: Petition for Declaratory Statement, Steven Krupnick, Unit Owner, Nine Island Avenue Condominium, Petitioner, on February 15, 2002.

The Petitioner requests an interpretation as to whether the cost of repairing a marina facility is a common expense payable by all unit owners or those with limited common element use rights under Sections 718.104, 718.113 and 718.115, Florida Statutes. If so, whether the reserve funds paid by only the limited common element unit owners should be adjusted accordingly.

A copy of the Petition for Declaratory Statement, Docket Number CD2002-017, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217. Please refer all comments to Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

DEPARTMENT OF HEALTH

The Board of Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Richard Goldberg, M.D. The Petitioner seeks the Board's interpretation of the application of Sections 458.331(1)(t) and (w), Florida Statutes. Specifically, Petitioner is in doubt of whether he would be subject to discipline if he delegates the injecting of contrast media to a technologist, R.N., or someone trained in the injection of contrast media during an MRI. Additionally, Petitioner seeks the Board's interpretation as to the level of supervision he is required to provide if delegation is appropriate.

The Board will consider this petition at its meeting scheduled for April 5-6, 2002, at the Westin, 400 Corporate Drive, Ft. Lauderdale, Florida 33334.

Copies of the petition may be obtained by writing: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

The Board of Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed by Ronald Frenkel, M.D. The Petitioner seeks the Board's interpretation of the application of Sections 456.053 and 456.054, Florida Statutes. Specifically, Petitioner seeks the Board's interpretation as to whether reimbursements by a pharmaceutical company for referrals to a medical study as outlined in the Petition would violate the listed statutes.

The Board will consider this petition at its meeting scheduled for April 5-6, 2002, at the Westin, 400 Corporate Drive, Ft. Lauderdale, Florida 33334. Copies of the petition may be

obtained by writing: Larry G. McPherson, Jr., Executive Director, Board of Medicine, 4052 Bald Cypress Way, BIN #C03, Tallahassee, Florida 32399-3253.

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

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

NONE

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

Florida Air Conditioning Contractors Association, Inc. and Florida Home Builders Association vs. Department of Community Affairs, Division of Housing and Community Development; Case No.: 00-4694RP; Rule No.: 9B-3.047; Dismissed

Mitchell Brothers, Inc. vs. Department of Transportation; Case No.: 00-4234RX; Rule No.: 14-22.012; Dismissed

Teresa A. Burns vs. Department of Corrections; Case No.: 00-3721RP; Rule Nos.: 33-602.401(2)(b), 33-602.403(2)(a)2.; Dismissed

First Omni Service Corp. and Modern, Inc. vs. St. Johns River Water Management District; Case No.: 99-0632RP; Rule Nos.: 40C-4.051(12)(b), 40C-4.091; Dismissed

Save the Manatee Club, Inc. vs. Southwest Florida Water Management District and Terrabrook Apollo Beach, L.P., and Northeast Florida Builders Association; Case No.: 00-4053RX; Rule No.: 40D-4.091(1); Dismissed

Florida Health Care Association, Inc. vs. Agency for Health Care Administration; Case No.: 00-4754RP; Rule No.: 59A-4.166; Dismissed

Florida Hospital Association, Inc. vs. Agency for Health Care Administration; Case No.: 00-3613RP; Rule No.: 59A-12.020; Dismissed

Medimpact Healthcare Systems, Inc. vs. Department of Management Services and Merck-Medco Managed Care, L.L.C. and Caremark, Inc.; Case No.: 00-3553RU; Rule No.: 60A-1.001(2); Denied

Food Safety Training, Inc. vs. Department of Business and Professional Regulation, Division of Hotels and Restaurants and Florida Restaurant Association, Inc.; Case No.: 01-3753RP; Rule No.: 61C-4.023; Invalid

Daniel G. Hennessey, Fred G. Warren and Celestina M. Gangemi vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 99-5254RX; Rule No.: 61D-6.002(1); Dismissed

Daniel G. Hennessey, Fred G. Warren and Celestina M. Gangemi vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 00-2821RX; Rule No.: 61D-6.002(1); Dismissed

Daniel G. Hennessey, Fred G. Warren and Celestina M. Gangemi vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 00-3809RX; Rule No.: 61D-6.002(1); Dismissed

Florida Council for Behavioral Healthcare, Florida Alcohol and Drug Abuse Association; Association for Retarded Citizens of Florida; Florida Assoc. of Child and Family Agencies; Florida Sheriffs Youth Ranches, Inc. and Real Life Children's Ranch et al vs. Department of Children and Family Services; Case No.: 01-2528RP; Rule No.: 65-29.001; Dismissed

Malona Hooks vs. Department of Children and Family Services; Case No.: 99-2059RX; Rule No.: 65A-1.400; Dismissed

Advantage Capital Florida Partners, I vs. Department of Banking and Finance; Case No.: 00-4071RU; Voluntary Dismissal

Fred Goodman, d/b/a Eyes and Ears Investigative Services vs. Department of Banking and Finance; Case No.: 00-4920RU; Dismissed

United Property and Casualty Insurance Company vs. Department of Insurance; Case No.: 00-4233RU; Dismissed

William R. Muldrow vs. Department of Education; Case No.: 00-3523RU; Voluntary Dismissal

William G. Reeves vs. Department of Labor and Employment Security, Division of Unemployment Compensation and Department of Management Services; Case No.: 00-4039RU; Dismissed

Miami-Dade County Aviation Department vs. Department of Environmental Protection; Case No.: 00-4226RU; Dismissed

Lakesmart Associates, Ltd. vs. Florida Housing Finance Corporation; Case No.: 00-4287RU; Dismissed

RPK Associates, Ltd. vs. Florida Housing Finance Corporation and Meadow Glen, Ltd. and Coral Village II, Ltd.; Case No.: 00-4408RU; Dismissed

Section IX
Notices 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

AGENCY FOR HEALTH CARE ADMINISTRATION

The Agency for Health Care Administration will issue a Request for Proposal (RFP) for a Medicaid Exclusive Provider Organization (EPO) initiative on March 20, 2002. The Agency will hold an Offeror's Conference on March 25, 2002 to discuss this new initiative with interested parties and respond to questions about the RFP process and the EPO initiative. The meeting will be held at 2728 Mahan Drive, Building 3 (Conference Rooms D & E), Tallahassee, Florida from 2:00 – 4:00 p.m.

The Agency is issuing an RFP with the intent to contract on a prepaid basis with an EPO to provide health care services to Medicaid recipients in the most cost-effective manner consistent with the delivery of quality medical care provided that the contract does not cost more than an HMO contract in the same Agency area.

The Agency shall also require EPOs to minimize the exposure of recipients to the need for acute inpatient, custodial and other institutional care and the inappropriate or unnecessary use of high-cost services.

The Agency intends to solicit proposals from entities that are currently licensed as EPOs in Areas 1, 2, 3 and 4 in those counties without existing HMO enrollment. Those counties are as follows:

- Area 1: Okaloosa and Walton
- Area 2: Bay, Gulf, Holmes, Jackson, Taylor, and Washington
- Area 3: Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Lafayette, Levy, Sumter, Suwannee, and Union
- Area 4: Flagler, Nassau, and St. Johns

Medicaid EPOs must have the capabilities to provide and manage patient care to ensure adequate access to primary care, reduce inappropriate utilization, control program costs, and improved health outcomes. Participating EPOs will develop direct contracts with health care providers who will be expected to fulfill the terms of this Proposal. The EPOs will be responsible for maintaining a network of credentialed providers as well as compiling and reporting key service utilization and clinical outcome measures.

To receive a copy of the RFP, contact the Issuing Officer.

David Rogers
 Administrator, MediPass Section
 Bureau of Medicaid Program Development
 Division of Medicaid
 Agency for Health Care Administration
 2728 Ft. Knox Boulevard, Building 3
 Mail Stop #20
 Tallahassee, Florida 32308
 (850)487-2355
 Fax (850)410-1676
 Email: rogersd@fdhc.state.fl.us

DEPARTMENT OF HEALTH

- Title: Withdrawal of Invitation to Negotiate ITN #02 – Teenage Pregnancy Prevention
 Advertised March 8, 2002.
- Reason: The Invitation to Negotiate will be advertised at a later date
- Questions: Contact:
 Lee County Health Department
 Attn.: Mary Chris DeCant
 3920 Michigan Avenue
 Ft. Myers, FL 33916
 Phone: (941)332-9512

INVITATION TO BID

Sealed bids will be accepted by the Pinellas County Health Department (PCHD), located at 300 31st Street, North, Suite 602, St. Petersburg, FL 33713, until 1:00 p.m., April 9, 2002. Bid No. 0102-04-RW, to furnish a WIDE AREA NETWORK TRANSPORT SERVICE, may be secured from the Purchasing Department within the PCHD at the above address, (727)893-2209. Bid Packages include specifications, terms and general conditions. A mandatory bidder's conference will be held on Tuesday, March 26, 2002, 10:00 a.m., at the PCHD, Suite 615. ATTENDANCE IS MANDATORY. Bidder's not in attendance will not be considered for award. Right is reserved for the PCHD to reject any or all bids.

SPECIAL NOTE: If you require accommodations because of a disability in order to participate in the bid process, please contact Rick Wallace, (727)893-2209, Ext. 137, by March 22, 2002.

FISH AND WILDLIFE CONSERVATION COMMISSION

ADVERTISEMENT FOR BIDS

PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION FOR THE CONSTRUCTION OF:

PROJECT NO: FWC 01/02-54
 PROJECT NAME: NAVARRE BEACH BOAT RAMP
 PROJECT LOCATION: SANTA ROSA COUNTY, FLORIDA

FOR:

Work on this proposed Contract comprises replacing the existing single-lane boat ramp with a three-lane boat ramp, public restroom facility, asphalt access roadway and parking area.

PREQUALIFICATION:

Each bidder whose field is governed by Chapter 399, 455, 489 and 633 of the Florida Statutes for licensure or certification must submit prequalification data of their eligibility to submit proposals, at least five (5) calendar days prior to the bid opening date if not previously qualified by the Commission. Call (850)488-5531, for information on prequalification with the Florida Fish and Wildlife Conservation Commission.

PRE-BID CONFERENCE:

A non-mandatory pre-bid conference has been scheduled for 11:00 a.m. (CST), April 5, 2002, at Navarre Beach Boat Ramp Site.

REQUIRED BONDS:

Bids shall be accompanied by a bid guarantee of not less than five (5) percent of the amount of the bid.

After award of Contract, a 100% Performance Bond and a 100% Labor And Material Payment Bond Will be required.

Sealed bids will be received, publicly opened and read aloud on:

DATE AND TIME: April 19, 2002, 2:00 p.m. (EDT)

PLACE:

Purchasing Office, Room 364, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-3428

PROPOSAL:

Bids must be submitted in full accordance with the requirements of the Drawings, Specifications, Bidding Conditions and Contractual Conditions, which may be examined and obtained from the above mentioned Purchasing Office, upon payment of \$50.00, non-refundable, for one set. The payment envelope MUST be plainly marked on the outside with the bid number. The bid package will be sent overnight upon receiving payment by the Purchasing Office.

NORTHEAST FLORIDA STATE HOSPITAL

ADVERTISEMENT FOR BIDS

LEGAL NOTICE IS HEREBY GIVEN THAT SEALED BIDS ARE REQUESTED FROM QUALIFIED BIDDERS, BY THE STATE OF FLORIDA, DEPARTMENT OF CHILDREN AND FAMILY SERVICES, NORTHEAST FLORIDA STATE HOSPITAL, HEREINAFTER REFERRED TO AS THE OWNER, TO PROVIDE ALL MATERIALS, LABOR, EQUIPMENT AND INSURANCE TO REMOVE EXISTING SHINGLES AND REPLACE WITH NEW SHINGLES ON SIX (6) BUILDINGS.

OPENING DATE AND TIME: MARCH 29, 2002, 2:00 P.M. (LOCAL TIME)

PLACE: PURCHASING AGENT'S OFFICE, BUILDING 19, NORTHEAST FLORIDA STATE HOSPITAL, 7487 SOUTH STATE ROAD 121, MACCLENNY, FLORIDA

ENGINEER: FOR TECHNICAL INFORMATION, CONCERNING ROOFING PROJECT CONTACT, W. J. WHEELER, ENGINEER III, BUILDING 19, NORTHEAST FLORIDA STATE HOSPITAL, 7487 SOUTH STATE ROAD 121, MACCLENNY, FLORIDA 32063, (904)259-6211, EXT. 1166.

SPECIAL NOTATION: A MANDATORY PRE-BID SITE VISIT IS REQUIRED. BIDDERS NOT COMPLYING WITH THIS REQUEST WILL NOT BE CONSIDERED IN THE BID PROCESS. ALL BIDDERS MUST SIGN-IN AT THE PURCHASING DEPARTMENT, BUILDING 19, BEFORE VISITING THE SITE.

PROPOSAL: BIDS MUST BE SUBMITTED IN FULL, IN ACCORDANCE WITH THE REQUIREMENTS OF THE SPECIFICATIONS, BIDDING CONDITIONS AND SPECIAL CONDITIONS, WHICH MAY BE EXAMINED AND OBTAINED FROM:

AGENT: JIM MASMAR, PURCHASING AGENT III, BUILDING 19, NORTHEAST FLORIDA STATE HOSPITAL, 7487 SOUTH STATE ROAD 121, MACCLENNY, FLORIDA 32063, (904)259-6211, EXT. 1119, FAX (904)259-8497.

NOTE: FAXED QUOTATIONS WILL NOT BE CONSIDERED. BIDS MUST BE SEALED.

THE NORTHEAST FLORIDA STATE HOSPITAL RESERVES THE RIGHT TO REFUSE ANY AND ALL BIDS WHEN IN THE BEST INTEREST OF THE STATE OF FLORIDA.

CONTRACT AWARD: THE BID TABULATION AND NOTICE OF AWARD WILL BE POSTED APRIL 1, 2002, 2:00 P.M. (LOCAL TIME), IN THE LOCATION WHERE THE BIDS WERE OPENED. IN THE EVENT THAT THE BID TABULATION AND NOTICE OF AWARD CANNOT BE POSTED IN THIS MANNER, THEN ALL BIDDERS WILL BE NOTIFIED BY CERTIFIED U.S. MAIL, RETURN RECEIPT REQUESTED. IF NO PROTEST IS FILED, THE CONTRACT WILL BE AWARDED TO THE QUALIFIED, RESPONSIVE LOW BIDDER IN ACCORDANCE WITH RULE 60D-5, F.A.C., BY THE OWNER.

TAYLOR COUNTY BOARD OF COUNTY COMMISSIONERS

NOTICE OF REQUEST FOR PROPOSALS FOR REGISTERED SURVEYING AND MAPPING SERVICES

The Taylor County Board of County Commissioners is requesting sealed Proposals from interested and qualified registered surveying and mapping firms concerning the following services:

To provide general surveying and mapping services for the purpose of identifying county right-of-ways and easements, topographical features, land survey plats, construction layout of public works projects, legal description preparation and Chapter 177, Florida Statute plat reviews.

The Board requests that those responding to the R.F.P. state their experience in the area of surveying and mapping services. Such persons shall include a listing of qualifications, approach to the project, and ability to furnish the required services.

Sealed Proposals will be received by the Clerk of Court, Courthouse, 1st Floor, 108 North Jefferson Street or P. O. Box 620, Perry, Florida 32348, to arrive no later than 4:00 p.m., (Local Time), April 1, 2002. R.F.P.'s will be opened and respondents announced at 6:10 p.m. (Local Time), April 1, 2002, in the Taylor County Administrative Complex, 201 East Green Street, Perry, Florida 32347.

R. F. P. considerations/specifications MUST be obtained from the Clerk of Court, Courthouse, 1st Floor or P. O. Box 620, Perry, Florida 32348.

The Board reserves the right to waive any information to any responses and to accept or reject any and/or all R. F. P.'s and to award the R.F.P. in the best interest of Taylor County.

Additional information may be obtained from:

Ed Harvey, County Manager
201 East Green Street
Perry, Florida 32347, (850)838-3500, Ext. 6

FLORIDA AUTOMOBILE JOINT UNDERWRITING ASSOCIATION

The Florida Automobile Joint Underwriting Association (FAJUA) is soliciting proposals from firms to provide legal services to the Association.

A copy of the Invitation may be obtained from the Association by writing to Lisa Stoutamire, 1113 E. Tennessee Street, Suite 401, Tallahassee, FL 32308. Requests must be in writing via regular mail, Facsimile (850)681-7802 or e-mail FAJUA@AOL.COM. Proposals are due by 4:00 p.m., April 12, 2002.

**Section XII
Miscellaneous**

DEPARTMENT OF BANKING AND FINANCE

NOTICE OF FILINGS

Notice is hereby given that the Department of Banking and Finance, Division of Banking, has received the following application and/or other notice. Comments may be submitted to the Director, Division of Banking, 101 East Gaines Street, Suite 636, Fletcher Building, Tallahassee, Florida 32399-0350, for inclusion in the official record without requesting a hearing; however, any person may request a public hearing by filing a petition with the Clerk, Legal Division, Department of Banking and Finance, 101 East Gaines Street, Suite 526, Fletcher Building, Tallahassee, Florida 32399-0350, pursuant to provisions specified in Rule 3C-105.100, Florida Administrative Code. Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., April 5, 2002):

EXPANDED FIELD OF MEMBERSHIP

Name and Address of Applicant: Bell-Tel Credit Union, Post Office Box 4900, Orlando, Florida 32801

Expansion Includes: Those who live or work within Seminole County, Florida and zip code 32801.

Received: February 28, 2002

DEPARTMENT OF COMMUNITY AFFAIRS

DCA Final Order No.: DCA02-OR-065

In re: A LAND DEVELOPMENT
REGULATION ADOPTED BY
ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 02-01

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

1. On January 25, 2002, the Department received for review Islamorada, Village of Islands Ordinance No. 02-01 which was adopted by the Village Council on January 10, 2002 ("Ord. 02-01"). Ord. 02-01 establishes regulations regarding outdoor seating areas associated with dining facilities and bars.
2. Ord. 02-01 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

3. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
4. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-01 are land development regulations.
6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (2001).
7. Ordinance 02-01 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

8. Ordinance 02-01 is not inconsistent with the remaining Principles. Ord. 02-01 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-01 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO

SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO 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 COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

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

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of February, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Frank Kulisky, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036
Carol Simpkins, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036
John Herin, Esq.
Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.
2665 South Bayshore Drive
Miami, FL 33133
By Hand Delivery or Interagency Mail:
Michael McDaniel, Growth Management Administrator, DCA
Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Richard A. Lotspeich, Assistant General Counsel, DCA
Tallahassee

DCA Final Order No.: DCA02-OR-066
In re: A LAND DEVELOPMENT
REGULATION ADOPTED BY
ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 02-05

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. On February 4, 2002, the Department received for review Islamorada, Village of Islands Ordinance No. 02-05 which was adopted by the Village Council on January 24, 2002 ("Ord. 02-05"). Ord. 02-05 establishes regulations for the transfer of development rights between properties within the Village to aid in the protection of the natural environment and community character of the Village, the protection of private property rights, and the preservation and appropriate redevelopment of Village neighborhoods.
- 2. Ord. 02-05 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- 3. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).

4. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-05 are land development regulations.
6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (2001).
7. Ordinance 02-05 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (b) To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
 - (d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
 - (j) To make available affordable housing for all sectors of the population of the Florida Keys.
8. Ordinance 02-05 is not inconsistent with the remaining Principles. Ord. 02-05 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-05 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

ANY PERSON WHOSE SUBSTANTIAL INTERESTS ARE AFFECTED BY THIS ORDER HAS THE OPPORTUNITY FOR AN ADMINISTRATIVE PROCEEDING PURSUANT TO SECTION 120.569, FLORIDA STATUTES, REGARDING THE AGENCY'S ACTION. DEPENDING UPON WHETHER YOU ALLEGE

ANY DISPUTED ISSUE OF MATERIAL FACT IN YOUR PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

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

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO 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 COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL

PROCEEDING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of February, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Frank Kulisky, Mayor

Islamorada, Village of Islands

Post Office Box 568

Islamorada, FL 33036

Carol Simpkins, Village Clerk

Islamorada, Village of Islands

Post Office Box 568

Islamorada, FL 33036

John Herin, Esq.

Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.

2665 South Bayshore Drive

Miami, FL 33133

By Hand Delivery or Interagency Mail:

Michael McDaniel, Growth Management Administrator, DCA

Tallahassee

Rebecca Jetton, DCA Florida Keys Field Office

Richard A. Lotspeich, Assistant General Counsel, DCA

Tallahassee

DCA Final Order No.: DCA02-OR-067

In re: A LAND DEVELOPMENT

REGULATION ADOPTED BY

ISLAMORADA, VILLAGE OF ISLANDS

ORDINANCE NO. 02-10

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. On February 4, 2002, the Department received for review Islamorada, Village of Islands Ordinance No. 02-10 which was adopted by the Village Council on January 24, 2002 ("Ord. 02-10"). Ord. 02-10 establishes procedures and standards for the regulation of off-street parking, loading, and delivery.
2. Ord. 02-10 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- 3. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
4. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-10 are land development regulations.
6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (2001).
7. Ordinance 02-10 promotes and furthers the following Principles:
(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.

(h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

* * *

5. Transportation facilities;

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

8. Ordinance 02-10 is not inconsistent with the remaining Principles. Ord. 02-10 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-10 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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

WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

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

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CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of February, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Frank Kulisky, Mayor

Islamorada, Village of Islands

Post Office Box 568

Islamorada, FL 33036

Carol Simpkins, Village Clerk

Islamorada, Village of Islands

Post Office Box 568

Islamorada, FL 33036

John Herin, Esq.

Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.

2665 South Bayshore Drive

Miami, FL 33133

By Hand Delivery or Interagency Mail:

Michael McDaniel, Growth Management Administrator, DCA Tallahassee

Rebecca Jetton, DCA Florida Keys Field Office

Richard A. Lotspeich, Assistant General Counsel, DCA Tallahassee

DCA Final Order No.: DCA02-OR-068

In re: A LAND DEVELOPMENT REGULATION ADOPTED BY ISLAMORADA, VILLAGE OF ISLANDS ORDINANCE NO. 02-11

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. On February 4, 2002, the Department received for review Islamorada, Village of Islands Ordinance No. 02-11 which was adopted by the Village Council on January 24, 2002 ("Ord. 02-11"). Ord. 02-11 establishes regulations for nonconforming uses and structures.
2. Ord. 02-11 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- 3. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
4. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-11 are land development regulations.
6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (2001).
7. Ordinance 02-11 promotes and furthers the following Principles:
(a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
(d) To ensure the maximum well-being of the Florida Keys and its citizens through sound economic development.
(g) To protect the historical heritage of the Florida Keys.
(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
8. Ordinance 02-11 is not inconsistent with the remaining Principles. Ord. 02-11 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-11 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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

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IF YOU DESIRE EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING, YOU MUST FILE WITH THE AGENCY CLERK OF THE DEPARTMENT OF COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, "PETITION FOR ADMINISTRATIVE PROCEEDINGS" WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE.

A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT'S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

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

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of February, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Frank Kulisky, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036
Carol Simpkins, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036
John Herin, Esq.

Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.
2665 South Bayshore Drive
Miami, FL 33133

By Hand Delivery or Interagency Mail:

Michael McDaniel, Growth Management Administrator, DCA
Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office

Richard A. Lotspeich, Assistant General Counsel, DCA
Tallahassee

DCA Final Order No.: DCA02-OR-069

In re: A LAND DEVELOPMENT
REGULATION ADOPTED BY
ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 02-12

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. On February 4, 2002, the Department received for review Islamorada, Village of Islands Ordinance No. 02-12 which was adopted by the Village Council on January 24, 2002 ("Ord. 02-12"). Ord. 02-12 establishes regulations for the installation and maintenance of landscaping and the preservation and maintenance of natural vegetation and habitat.
- 2. Ord. 02-12 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- 3. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
- 4. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
- 5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-12 are land development regulations.
- 6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (2001).
- 7. Ordinance 02-12 promotes and furthers the following Principles:

- (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
- (b) To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.
- (c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.
- (e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.
- (f) To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.
- (h) To protect the value, efficiency, cost-effectiveness, and amortized life of existing and proposed major public investments, including:

- 1. The Florida Keys Aqueduct and water supply facilities;

* * *

- (l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.
- 8. Ordinance 02-12 is not inconsistent with the remaining Principles. Ord. 02-12 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-12 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

 SONNY TIMMERMAN, DIRECTOR
 Division of Community Planning
 Department of Community Affairs
 2555 Shumard Oak Boulevard
 Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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PETITION REQUESTING AN ADMINISTRATIVE PROCEEDING, YOU ARE ENTITLED TO EITHER AN INFORMAL PROCEEDING OR A FORMAL HEARING.

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

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO 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 COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

THE PETITION MUST MEET THE FILING REQUIREMENTS IN RULE 28-106.104(2), FLORIDA ADMINISTRATIVE CODE. IF AN INFORMAL PROCEEDING IS REQUESTED, THEN THE PETITION

SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.301, FLORIDA ADMINISTRATIVE CODE. IF A FORMAL HEARING IS REQUESTED, THEN THE PETITION SHALL BE SUBMITTED IN ACCORDANCE WITH RULE 28-106.201(2), FLORIDA ADMINISTRATIVE CODE.

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

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this __ day of March, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

Honorable Frank Kulisky, Mayor
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036
Carol Simpkins, Village Clerk
Islamorada, Village of Islands
Post Office Box 568
Islamorada, FL 33036
John Herin, Esq.
Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.
2665 South Bayshore Drive
Miami, FL 33133

By Hand Delivery or Interagency Mail:

Michael McDaniel, Growth Management Administrator, DCA
Tallahassee
Rebecca Jetton, DCA Florida Keys Field Office
Richard A. Lotspeich, Assistant General Counsel, DCA
Tallahassee

DCA Final Order No.: DCA02-OR-072

In re: A LAND DEVELOPMENT
REGULATION ADOPTED BY
ISLAMORADA, VILLAGE OF ISLANDS
ORDINANCE NO. 02-04

FINAL ORDER

The Department of Community Affairs (the "Department") hereby issues its Final Order, pursuant to §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001), approving a land development regulation adopted by a local government within the Florida Keys Area of Critical State Concern as set forth below.

FINDINGS OF FACT

- 1. On January 25, 2002, the Department received for review Islamorada, Village of Islands Ordinance No. 02-04 which was adopted by the Village Council on January 10, 2002 ("Ord. 02-04"). Ord. 02-04 extends a moratorium on the issuance of development orders and permits for non-residential development.
- 2. Ord. 02-04 is consistent with the Village Comprehensive Plan.

CONCLUSIONS OF LAW

- 3. The Department is required to approve or reject land development regulations that are enacted, amended or rescinded by any local government in the Florida Keys Area of Critical State Concern. §§ 380.05(6) and (11), Fla. Stat., and § 380.0552(9), Fla. Stat. (2001).
- 4. Islamorada, Village of Islands is a local government within the Florida Keys Area of Critical State Concern. § 380.0552, Fla. Stat. (2001), and Rule 28-29.002 (superseding Chapter 27F-8), Fla. Admin. Code.
- 5. "Land development regulations" include local zoning, subdivision, building and other regulations controlling the development of land. § 380.031(8), Fla. Stat. (2001). The regulations adopted by Ord. 02-04 are land development regulations.
- 6. All land development regulations enacted, amended or rescinded within an area of critical state concern must be consistent with the Principles for Guiding Development (the "Principles"). The Principles are construed as a whole and no specific provision is construed or applied in isolation from the other provisions. § 380.0552(7), Fla. Stat. (2001).
- 7. Ordinance 02-04 promotes and furthers the following Principles:
 - (a) To strengthen local government capabilities for managing land use and development so that local government is able to achieve these objectives without the continuation of the area of critical state concern designation.
 - (b) To protect shoreline and marine resources including mangroves, coral reef formations, seagrass beds, wetlands, fish and wildlife, and their habitat.

(c) To protect upland resources, tropical biological communities, freshwater wetlands, native tropical vegetation, (for example, hardwood hammocks and pinelands), dune ridges and beaches, wildlife, and their habitat.

(e) To limit the adverse impacts of development on the quality of water throughout the Florida Keys.

(f) To enhance natural scenic resources, promote aesthetic benefits of the natural environment, and ensure that development is compatible with the unique historic character of the Florida Keys.

(l) To protect the public health, safety, and welfare of the citizens of the Florida Keys and maintain the Florida Keys as a unique Florida resource.

8. Ordinance 02-04 is not inconsistent with the remaining Principles. Ord. 02-04 is consistent with the Principles for Guiding Development as a whole.

WHEREFORE, IT IS ORDERED that Ord. 02-04 is found to be consistent with the Principles for Guiding Development of the Florida Keys Area of Critical State Concern, and is hereby APPROVED.

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

DONE AND ORDERED in Tallahassee, Florida.

SONNY TIMMERMAN, DIRECTOR
Division of Community Planning
Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

NOTICE OF ADMINISTRATIVE RIGHTS

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

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

REPRESENTATIVE, AND YOU MAY PRESENT WRITTEN OR ORAL EVIDENCE IN OPPOSITION TO THE DEPARTMENT’S ACTION OR REFUSAL TO ACT; OR YOU MAY EXERCISE THE OPTION TO PRESENT A WRITTEN STATEMENT CHALLENGING THE GROUNDS UPON WHICH THE DEPARTMENT HAS CHOSEN TO JUSTIFY ITS ACTION OR INACTION.

IF YOU DISPUTE ANY ISSUE OF MATERIAL FACT STATED IN THE AGENCY ACTION, THEN YOU MAY FILE A PETITION REQUESTING A FORMAL ADMINISTRATIVE HEARING BEFORE AN ADMINISTRATIVE LAW JUDGE OF THE DIVISION OF ADMINISTRATIVE HEARINGS, PURSUANT TO SECTIONS 120.569 AND 120.57(1), FLORIDA STATUTES, AND CHAPTER 28-106, PARTS I AND II, FLORIDA ADMINISTRATIVE CODE. AT A FORMAL ADMINISTRATIVE HEARING, YOU MAY BE REPRESENTED BY COUNSEL OR OTHER QUALIFIED REPRESENTATIVE, AND YOU WILL HAVE THE OPPORTUNITY TO PRESENT EVIDENCE AND ARGUMENT ON ALL THE ISSUES INVOLVED, TO CONDUCT CROSS-EXAMINATION AND SUBMIT REBUTTAL EVIDENCE, TO SUBMIT PROPOSED FINDINGS OF FACT AND ORDERS, AND TO 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 COMMUNITY AFFAIRS A WRITTEN PLEADING ENTITLED, “PETITION FOR ADMINISTRATIVE PROCEEDINGS” WITHIN 21 CALENDAR DAYS OF PUBLICATION OF THIS NOTICE. A PETITION IS FILED WHEN IT IS RECEIVED BY THE AGENCY CLERK, IN THE DEPARTMENT’S OFFICE OF GENERAL COUNSEL, 2555 SHUMARD OAK BOULEVARD, TALLAHASSEE, FLORIDA 32399-2100.

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

CERTIFICATE OF FILING AND SERVICE

I HEREBY CERTIFY that the original of the foregoing Final Order has been filed with the undersigned Agency Clerk of the Department of Community Affairs, and that true and correct copies have been furnished to the persons listed below by the method indicated this ___ day of March, 2002.

Paula Ford, Agency Clerk

By U.S. Mail:

- Honorable Frank Kulisky, Mayor
- Islamorada, Village of Islands
- Post Office Box 568
- Islamorada, FL 33036
- Carol Simpkins, Village Clerk
- Islamorada, Village of Islands
- Post Office Box 568
- Islamorada, FL 33036
- John Herin, Esq.
- Weiss, Serota, Helfman, Pastoriza & Guedes, P.A.
- 2665 South Bayshore Drive
- Miami, FL 33133

By Hand Delivery or Interagency Mail:

- Michael McDaniel, Growth Management Administrator, DCA
- Tallahassee
- Rebecca Jetton, DCA Florida Keys Field Office
- Richard A. Lotspeich, Assistant General Counsel, DCA
- Tallahassee

NOTICE OF APPROVAL
FOR PRESERVATION 2000 FUNDS

The Florida Communities Trust (“Trust”) reviewed and approved project plans for land acquisition projects submitted under the Trust Preservation 2000 Program, Series P9A and P10 funding cycles. The project plans were reviewed in accordance with Rule 9K-4.011, F.A.C., at its February 28, 2002, meeting by the Trust governing body, which authorized that the project plans be approved, that the Chair execute the agreements for acquisition of the project sites and all other documents necessary to close the projects and that funds be released as follows:

- Project: 99-039-P9A/Depot Junction(CSX)
- Grantee: City of Gainesville
- Amount of Approved Funds: the lesser of 40% of the final total project costs or \$600,240.00, contingent on final approval of management plan by FCT staff.

Project: 00-053-P10/Parrot Jungle and Gardens Acquisition
Grantee: Village of Pinecrest
Amount of Approved Funds: the lesser of 34% of the final total project costs or \$2,200,000.00, contingent on final approval of management plan by FCT staff.

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 9K-1.008, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal

proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

NOTICE OF CONCEPTUAL APPROVAL

The Florida Communities Trust (Trust) has conceptually approved funding applications submitted under the Florida Communities Trust Florida Forever Program, Series FF1 funding cycle. On November 29-30, 2001 applications were scored, ranked and selected for funding according to the criteria and procedures set forth in Rule Chapter 9K-7, F.A.C. In accordance with Rule 9K-7.009, F.A.C., the projects are considered to have received conceptual approval for funding. The funds awarded derive from the sale of Florida Forever bonds. Certain applications were selected for funding contingent upon funds becoming available either through other projects terminating, projects closing under budget, or interest accruals.

Those applications conceptually approved for funding and the amount of funding conceptually approved are listed below. The conceptual approval is subject to appeal and may change following the appeals process. For this reason, final conceptual approval of awards cannot be made until any appeals have been resolved.

The following projects were approved for funding with funds currently already available:

Selected/Funded Project No.	Project Name	Applicant	Amount
01-002-FF1	Cocoa Beach's Seminole Canoe Park	City of Cocoa Beach	\$ 850,852.50
01-004-FF1	Bennett Park	Manatee County	\$ 2,336,850.00
01-005-FF1	Cocoa Beach's Thousand Island Conservation Area	City of Cocoa Beach	\$ 726,720.00
01-008-FF1	Pocono Trails Preserve	Sarasota County	\$ 804,000.00
01-009-FF1	Moultrie Creek/Intracoastal (Vail Point) Tract	St. John County	\$ 1,942,615.35
01-011-FF1	White City Flatwoods	St. Lucie County	\$ 335,000.00
01-013-FF1	Palm Coast Greenway	City of Palm Coast	\$ 4,440,000.00
01-015-FF1	Kapok Wetland and Floodplain Restoration	City of Clearwater	\$ 3,500,000.00
01-016-FF1	Section 16 West Addition to the WPB Preserve	City of West Palm Beach	\$ 567,990.00
01-017-FF1	El Jobean Pier Park	Charlotte County	\$ 660,000.00
01-018-FF1	Bayshore Linear Park	Charlotte County	\$ 1,391,551.50
01-020-FF1	Clements Fewell Park	Highlands County	\$ 600,000.00
01-022-FF1	Wall Springs Coastal Addition	Pinellas County	\$ 3,432,450.00
01-023-FF1	Westmoreland River Park	St. Lucie County – City of Port St. Lucie	\$ 2,055,825.00
01-024-FF1	Cedar Point Park	Charlotte County	\$ 472,125.00
01-025-FF1	Egans Creek Greenway, Phase III	City of Fernandina Beach	\$ 2,284,875.00
01-028-FF1	Curry Creek Preserve	Sarasota County – City of Venice	\$ 1,598,000.00
01-031-FF1	Caloosahatchee Creeks Preserve	Lee County	\$ 3,243,132.50
01-032-FF1	Daytona Beach Historic Pier and Boardwalk	City of Daytona Beach	\$ 6,000,000.00
01-034-FF1	Cradle Creek Preserve	City of Jacksonville Beach	\$ 620,765.00
01-035-FF1	Overlook Scrub Natural Area	Palm Beach County – Town of Hypoluxo	\$ 1,711,770.00
01-037-FF1	Acreage Pines Natural Area	Palm Beach County	\$ 462,576.70
01-039-FF1	Pond Apple Park	City of Sanibel	\$ 2,283,920.00
01-040-FF1	The Naples Preserve	City of Naples	\$ 3,213,120.00
01-043-FF1	Deering Estate – Cutler Glade Rehydration Addition	Miami-Dade County	\$ 566,366.80
01-046-FF1	Trillium Property Waterfront Acquisition	City of Pensacola	\$ 1,233,587.57
01-048-FF1	Triple Creek Greenway	Hillsborough County	\$ 1,147,900.00
01-049-FF1	Town'n Country Preserve	Hillsborough County	\$ 1,151,000.00
01-055-FF1	Hallstrom Farmstead	Indian River County	\$ 1,089,750.00
01-056-FF1	Kelly Park Addition	Orange County	\$ 480,000.00
01-058-FF1	North Village Neighborhood Park	Village of Islamorada	\$ 521,150.00

01-059-FF1	Archdiocese Turtle Preserve	Village of Islamorada	\$	768,300.00
01-063-FF1	Tippecanoe Scrub Environmental Park, Phase II	Charlotte County	\$	1,711,250.00
01-065-FF1	Shoreside Park	Town of Palm Shores	\$	564,000.00
01-067-FF1	Sheraton Plaza Preserve	St. Lucie County	\$	606,000.00
01-069-FF1	Indrio Scrub Preserve	St. Lucie County	\$	471,500.00
01-071-FF1	Doris Leeper Spruce Creek Preserve	Volusia County	\$	735,000.00
01-074-FF1	Pleasant Oceanside Preserve	City of Deerfield Beach	\$	964,750.00
01-075-FF1	Ancient Oaks	St. Lucie County	\$	352,400.00
01-077-FF1	Cocoa Conservation Area	City of Cocoa	\$	1,293,300.00
01-079-FF1	Savanna Buffer Preserve	St. Lucie County – City of Fort Pierce	\$	420,000.00
01-080-FF1	Cedar Key Cemetery Point Park	City of Cedar Key	\$	270,210.00
01-081-FF1	The Bonair Beach (Gomez Tract)	Town of Jupiter Island	\$	4,000,000.00
01-082-FF1	St. Lucie Village Heritage Park	Town of St. Lucie Village	\$	3,095,000.00
01-088-FF1	Rockledge Coastal Scrub Ecosystem Project	Brevard County	\$	6,600,000.00
01-092-FF1	Griffin Marine Park Expansion	Broward County – City of Dania Beach	\$	166,400.00
01-093-FF1	Hollywood North Beach Addition	Broward County – City of Hollywood	\$	1,574,400.00
01-098-FF1	North Fork of the St. Lucie River – Phase II	St. Lucie County	\$	775,000.00
01-100-FF1	Ombres Property	City of West Palm Beach	\$	1,180,851.00
01-101-FF1	New River Park	City of Fort Lauderdale	\$	6,600,000.00
01-104-FF1	North Peninsula In-Holdings Phase II	Volusia County	\$	446,500.00
01-112-FF1	McGirts Creek Park Expansion	City of Jacksonville	\$	350,400.00
01-114-FF1	Rushing Branch Park and Preserve	City of Jacksonville	\$	800,000.00
01-115-FF1	Reddie Point Preserve	City of Jacksonville	\$	1,220,000.00
01-116-FF1	Ribault River Urban Waterfront Park	City of Jacksonville	\$	172,000.00
01-117-FF1	Drummond Creek Preserve	City of Jacksonville	\$	1,174,000.00
01-118-FF1	Miramar Pineland ESL Addition	Broward County – City of Miramar	\$	5,554,880.00
01-119-FF1	Boystown/Camp Matecumbe	Miami-Dade County	\$	1,668,000.00

01-120-FF1	Jacksonville-Baldwin Rails to Trails Buffer	City of Jacksonville	\$ 2,054,000.00
01-121-FF1	Hart Heritage Park	City of Jacksonville	\$ 286,600.00
01-122-FF1	Beach and Peach Urban Park	City of Jacksonville	\$ 540,000.00
01-124-FF1	Clifton Springs	Seminole County	\$ 375,000.00
01-126-FF1	Caruso-Pineloach Property	Seminole County	\$ 1,250,000.00
01-129-FF1	Town Center Properties	City of Port Orange	\$ 144,000.00
01-131-FF1	Upper Bridge Land Acquisition Project	Wakulla County	\$ 713,500.00
01-133-FF1	Delaplane Peninsula Blueway	Martin County Regional Land Trust	\$ 5,554,600.00
01-136-FF1	Melrose Heritage Park	Putnam County	\$ 184,200.00
01-138-FF1	Kings Bay Linear Park Phase IV	City of Crystal River	\$ 782,000.00
01-140-FF1	Puhute Recreational Area	City of Blountstown	\$ 813,000.00
01-141-FF1	Blues Creek Ravine and Fox Pond	Alachua Conservation Trust	\$ 2,880,000.00
01-143-FF1	Shingle Creek Recreational Preserve North	Osceola County	\$ 3,797,625.00
01-144-FF1	Historic Bayview Environmental Park	City of Clearwater	\$ 1,726,875.00
01-145-FF1	Goose Bayou Marsh	The Bay County Conservancy	\$ 2,260,000.00
01-147-FF1	Little Hatchett Creek	City of Gainesville	\$ 1,171,800.00
01-148-FF1	Sugarfoot Sink	City of Gainesville	\$ 773,600.00
01-149-FF1	Beville Creek	City of Gainesville	\$ 368,800.00
01-150-FF1	Pier Park	City of Panama City Beach	\$ 2,327,600.00
01-152-FF1	St. Mark Headwaters (Booth Property)	Leon County	\$ 1,662,975.00
01-153-FF1	Coral Bean Addition to the Under the Oaks Park	City of Parker	\$ 1,213,275.00
01-154-FF1	Lost Tree Island	Indian River County – Indian River Shores- Vero Beach	\$ 5,500,000.50
			\$ 131,637,483.92

Contingent Funded

Project No.	Project Name	Applicant	Amount
01-026-FF1	South County Regional Park	Charlotte County	\$ 208,912.00
01-036-FF1	Lake Park Scrub Natural Area	Palm Beach County – Town of Lake Park	\$ 1,417,450.00
01-047-FF1	Plantation Central Open Space	City of Plantation	\$ 4,402,000.00
01-089-FF1	Hacienda Recreational Use Center	City of New Port Richey	\$ 1,015,666.00
01-103-FF1	Micanopy Native American Heritage Park	Town of Micanopy	\$ 507,000.00
01-151-FF1	Cedar Grove Nature and Equestrian Park	Town of Cedar Grove	\$ 359,750.00
			\$ 7,910,778.00

The following projects were not approved for funding with funds currently available:

Non-Funded

Project No.	Project Name	Applicant	Amount
01-001-FF1	Cape Canaveral's Hammock Park	City of Cape Canaveral	\$ 1,512,800.00
01-003-FF1	Sunny Shores Park	Manatee County	\$ 1,075,000.00
01-006-FF1	Pineland Gopher Tract	Manatee County	\$ 621,637.50
01-007-FF1	St. Andrews Links Acquisition	City of Dunedin	\$ 851,145.00
01-010-FF1	Wilderness (Pod H)	City of Port St. Lucie	\$ 614,220.00
01-012-FF1	White City Woodlands	St. Lucie County	\$ 412,000.00
01-014-FF1	Ocoee Center Lake Park	City of Ocoee	\$ 1,437,000.00
01-019-FF1	Lake Minnehaha Urban Nature Park	City of Clermont	\$ 679,100.00
01-021-FF1	Dodson Creek Properties	City of Ormond Beach	\$ 424,600.00
01-027-FF1	Nehrling Museum and Gardens	Orange County	\$ 184,800.00
01-029-FF1	Eagle Nest Park	City of Orlando	\$ 540,087.00
01-030-FF1	Little Palm Island	Conservancy of Southwest Florida	\$ 6,600,000.00
01-033-FF1	North Jupiter Flatwoods	Palm Beach County – Town of Jupiter	\$ 857,876.62
01-038-FF1	Miller Homestead	City of Edgewater	\$ 173,600.00
01-042-FF1	6000 Collins Avenue Open Vista	City of Miami Beach	\$ 2,200,000.00
01-044-FF1	Cypress Street Restoration Park Southern Expansion	City of Tampa	\$ 1,275,250.00
01-045-FF1	Venice Gulf View Park (Loufek Property)	City of Venice	\$ 298,935.00
01-052-FF1	Parker-Poinciana Preserve 1	The Nature Conservancy	\$ 3,740,000.00
01-053-FF1	Orange County Natural Resource Center	Orange County	\$ 998,900.00
01-054-FF1	Barefoot Preserve Outparcel	Collier County	\$ 2,113,600.00

01-057-FF1	Gulf and Bay Park	City of Madeira Beach	\$ 820,000.00
01-060-FF1	Village Green	Village of Islamorada	\$ 773,800.00
01-061-FF1	Tollgate Safety Harbor Neighborhood Preserve	Village of Islamorada	\$ 104,800.00
01-062-FF1	Urban Transit Village Greenspaces	City of Homestead	\$ 283,800.00
01-064-FF1	Forever Florida Phase 1 Acquisition	Allen Broussard Conservancy	\$ 4,122,130.00
01-066-FF1	South Miami Hammock House Park	City of South Miami – The Trust for Public Land	\$ 275,250.00
01-068-FF1	North Fork Ranch	Clay County	\$ 1,151,100.00
01-070-FF1	Esther Street Park	Volusia County – City of New Smyrna Beach	\$ 588,000.00
01-072-FF1	Pine Hills Trail – Phase I	Orange County	\$ 600,000.00
01-073-FF1	Westside Park	City of Deerfield Beach	\$ 334,164.00
01-076-FF1	Island City Park Addition	City of Wilton Manors	\$ 82,400.00
01-078-FF1	Pemberton Creek Preserve	Hillsborough County	\$ 1,580,500.00
01-083-FF1	Parcel 105	Orange County	\$ 2,038,162.80
01-086-FF1	Upland & Wetland Restoration/Open Space Preserve	Town of Davie	\$ 6,600,000.00
01-087-FF1	Antioch Road/Ellis Road Acquisition	Okaloosa County	\$ 399,123.37
01-090-FF1	Palm Beach Gardens District Park	Palm Beach County	\$ 1,260,399.12
01-091-FF1	Milton Riverwalk Park Southern Expansion	City of Milton	\$ 500,000.00
01-094-FF1	Norwood Park	City of North Miami Beach	\$ 60,300.00
01-095-FF1	Lake Hartridge Environmental Park	City of Winter Haven	\$ 315,000.00
01-096-FF1	Chace Lane Stormwater and Recreation Improvements	City of Palm Bay	\$ 127,125.00
01-097-FF1	Island Drive Park	City of Satellite Beach	\$ 350,000.00
01-099-FF1	Hutchison-Long Bayou Nature Park	City of Seminole	\$ 1,912,500.00
01-102-FF1	Winter Miles Park	City of Oviedo	\$ 844,400.00
01-105-FF1	Old Church Park	City of Satellite Beach	\$ 1,198,000.00
01-106-FF1	Jackson Court Park	City of Satellite Beach	\$ 450,000.00
01-107-FF1	Juno Dunes	Town of Juno Beach	\$ 429,485.00
01-108-FF1	Basin 1 Stormwater and Recreation Improvements	City of Palm Bay	\$ 80,160.00
01-109-FF1	Beecher Point	Putnam County	\$ 512,275.00
01-110-FF1	Liverpool Park	DeSoto County	\$ 1,981,420.00

01-111-FF1	Beverly Beach Seaside Park	Town of Beverly Beach	\$ 453,800.00
01-113-FF1	Sheridan Street ESL Addition	Broward County	\$ 847,903.20
01-123-FF1	Land O'Lakes Community Center Preservation and Expansion	Pasco County	\$ 400,733.00
01-125-FF1	Meadowland Property	Seminole County	\$ 1,500,000.00
01-127-FF1	Nine Island Cove Nature Park	City of Dunnellon	\$ 932,065.00
01-128-FF1	Strickland Park Hammock	City of Chiefland	\$ 202,000.00
01-130-FF1	Spruce Creek-Ford Parcels	City of Port Orange	\$ 432,000.00
01-132-FF1	Choctawhatchee Bayside Park	Walton County	\$ 2,189,000.00
01-134-FF1	Historic Clemente Park Expansion	City of Fort Myers	\$ 355,622.00
01-135-FF1	Peace River Park	Town of Zolfo Springs	\$ 2,110,500.00
01-137-FF1	Tanglewyld Center Project	Putnam County	\$ 544,500.00
01-139-FF1	Goffinsville-Nassau River Park	Nassau County	\$ 1,081,400.00
01-142-FF1	Newton Beach	Town of Fort Myers Beach	\$ 2,130,300.00
01-146-FF1	Calhoun County's "Look and Tremble Park"	Calhoun County	\$ 2,676,000.00
01-155-FF1	Oak Hill Mosquito Lagoon Park	City of Oak Hill	\$ 6,568,500.00
01-156-FF1	Botanical Gardens of Bonita Springs, Inc.	Lee County-Botanical Gardens of Bonita Springs- Bonita Springs	\$ 6,000,000.00
01-157-FF1	Acquiring Land for the Dupuis/Magic City Little Haiti Neigh. Park	City of Miami	\$ 6,600,000.00
			\$ 90,958,668.91
Withdrawn Project No.	Project Name	Applicant	Amount
01-041-FF1	4-H Camp Cherry Lake Environmental Center Expansion	Madison County	\$ 582,100.00
01-050-FF1	Riverhills Park Addition – Phase II	City of Temple Terrace	\$ 464,900.00
01-051-FF1	St. Johns River Ferry Park	Friends of the St. Johns Ferry	\$ 500,000.00
01-084-FF1	Mathews Parcel	Martin County	\$ 474,286.86
01-085-FF1	Tree Island Park	Miami-Dade County	\$ 3,275,638.20
			\$ 5,296,925.06

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

NOTICE OF GRANT APPROVAL

The Florida Communities Trust ("Trust") considered and approved grant proposals for land acquisition projects proposed under the Trust Area of Critical State Concern 2000 Program. Grant proposals were reviewed in accordance with Rule Chapter 9K-5, F.A.C. Funds awarded derive from the Preservation 2000 bond allocation pursuant to s. 259.101, F.S. The Trust governing body, at its November 29, 2001 and February 28, 2002 meetings, approved the following grant proposals.

Proposal Number: 01-001-CS7 Submitted by: City of Key Colony Beach

Project Name: Sunset Park Addition

Amount of Grant Requested and Approved: \$1,000,000.00

Proposal Number: 01-002-CS7 Submitted by: Islamorada, Village of Islands

Project Names: Islamorada Environmental & Cultural Preserve, Safety Harbor Neighborhood Preserve, and Village Green

Amount of Grant Requested and Approved: \$1,929,191.69

NOTICE OF ADMINISTRATIVE HEARING RIGHTS

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to an informal administrative proceeding pursuant to Section 120.57(2), F.S., if the person does not dispute issues of material fact raised by this decision. If an informal proceeding is held, the petitioner will have the opportunity to be represented by counsel, to present to the agency written or oral evidence in opposition to the Trust action, or to present a written statement challenging the legal grounds upon which the Trust is justifying its actions.

Alternatively, any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust has a right to a formal administrative hearing pursuant to Section 120.57(1), F.S., if the person disputes any issues of material fact stated in this decision. At a formal hearing the petitioner may be represented by counsel, and will have the opportunity to present evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any order or hearing officer's recommended order.

If a person with a substantial interest desires either an informal proceeding or a formal hearing, the person must file with the Trust Clerk a written response or pleading entitled "Petition for Administrative Proceedings" within 21 calendar days of the publication date of this notice of final agency action. The petition must be in the form required by Rule 18-106.201, F.A.C. A petition is filed when it is received by the Trust Clerk at 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100. A petition must specifically request an informal proceeding or a formal hearing, it must admit or deny each material fact contained in this decision, and it must state any defenses upon which the petitioner relies. If the petitioner lacks knowledge of a particular allegation of fact, it must so state and that statement will operate as a denial.

Any person with substantial interests that are or may be determined by the approval of funds for projects by the Trust waives the right to an informal proceeding or a formal hearing

if a Petition for Administrative Proceeding is not filed with the Trust Clerk within 21 days of the date of publication of the notice of final agency action.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, F.S., American IronHorse Motorcycle Company, intends to allow the establishment of Arlen Ness Custom Motorcycles, as a dealership for the sale of American IronHorse Motorcycles, at 420 N. Beach St., Daytona Beach (Volusia County), Florida 32114, on or after February 1, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Arlen Ness Custom Motorcycles are dealer operator: Julie Maenza, 420 N. Beach St., Daytona Beach, FL 32114; principal investor(s): Bruce Rossmeier, 420 N. Beach St., Daytona Beach, FL 32114.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Elizabeth A. Owens, VP/Marketing & Sales, American IronHorse Motorcycle Company.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Kawasaki Motors Corp., U.S.A., intends to allow the establishment of Power Toys, Inc., as a dealership for the sale of Kawasaki motorcycles, at 2790 N. State Road 7, Margate (Broward County), Florida 33063, on or after March 13, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Power Toys, Inc. are dealer operator(s) and principal investor(s): Thomas White, 8186 N. W. 2nd Manor, Coral Springs, FL 33071 and Tammy White, 9126 Northwest 2nd Street, Coral Springs, FL 33071.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Jim Capps, Regional Sales Manager, Kawasaki Motors Corp., U.S.A., 6110 Boat Rock Blvd., S. W., Atlanta, GA 30378.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, Exotix Cycle and Motor Werx, intends to allow the establishment of Dream Machines USA, as a dealership for the sale of Exotix motorcycles, at 570 S. Dixie Highway, Lantana (Palm Beach County), Florida 33462, on or after September 1, 2001.

The name and address of the dealer operator(s) and principal investor(s) of Dream Machines USA are dealer operator(s) and principal investor(s): Harley Nosker, 5317 Winchester Woods Dr., Lake Worth, FL 33463 and Tom Brosseau, 4729 Blue Pines Circle, Lake Worth, FL 33463.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: John T. Barontini, CEO, Exotix Cycle and Motor Werx, 640 Kane Court, Oviedo, FL 32765.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, MuZ of North America, Inc. d/b/a Motorrad of North America, intends to allow the establishment of Fortis USA Inc. d/b/a Scooters of Palm Beach and Fortis Auto Mall, as a dealership for the sale of MZ motorcycles, at 12550 S. Military Trail, Suite 1, Boynton Beach (Palm Beach County), Florida 33436, on or after February 26, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Fortis USA Inc. d/b/a Scooters of Palm Beach and Fortis Auto Mall are dealer operator(s) and principal investor(s): Edson Teixeira and MaryAnn Teixeira, 4154 Birchwood Dr., Boca Raton, FL 33487.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ray Campanile, Vice President/GM, MuZ of North America, Inc. d/b/a Motorrad of North America, 771 Fentress Blvd., Unit 22, Daytona Beach, FL 32114.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that BMW of North America, LLC intends to allow the establishment of Johnny Miller d/b/a/ Miller BMW Motorcycles, as a dealership for the sale of BMW motorcycles, at 2765 W. Tennessee Street, Tallahassee (Leon County), Florida 32304, on or after March 5, 2002.

The name and address of the dealer operator(s) and principal investor(s) of Johnny Miller d/b/a Miller BMW Motorcycles are dealer operator and principal investor(s): Mr. Johnny Miller, 2748 Teton Trail, Tallahassee, FL 32303.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Ms. Barbara L. Kuhns, Administrative Coordinator, BMW of North America, LLC, P. O. Box 1227, Westwood, NJ 07675-1227.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Corp. intends to establish Ken Art Motors, Inc. as a dealership for the sale of new Chrysler and Jeep motor vehicles at a location in Lake County, Clermont, Florida, which is located in northeast quadrant of State Route 50, bounded on the east by South Greater Hills Boulevard on or after June 1, 2002. The legal description of this property is as follows:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4, SECTION 27, T22S, R26E, LAKE COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 27; THENCE S89°13'47"E ALONG THE NORTH LINE OF SAID NE 1/4, A DISTANCE OF 1340.20 FEET TO A POINT ON THE EAST LINE OF GREATER HILLS, PHASE 1, AS RECORDED IN PLAT BOOK 30,

PAGE 42, OF THE OFFICIAL RECORDS OF LAKE COUNTY, FLORIDA; THENCE LEAVING THE NORTH LINE OF SAID NORTHEAST 1/4, SO'07'47"W ALONG THE EAST LINE OF SAID GREATER HILLS, PHASE 1, A DISTANCE OF 693.79 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE FORMER ATLANTIC COAST LINE RAILROAD (50 FOOT RIGHT OF WAY), SAID POINT ALSO BEING THE POINT OF BEGINNING:

THENCE LEAVING THE EAST LINE OF SAID GREATER HILLS, PHASE 1, SOUTHEASTERLY ALONG A NON-TANGENT CURVE TO THE LEFT, BEING ALSO ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ATLANTIC COAST LINE RAILROAD, AND ARC DISTANCE OF 797.21 FEET (SAID CURVE HAVING A RADIUS OF 1422.00 FEET, A DELTA ANGLE OF 32°07'17", AND A CHORD BEARING AND DISTANCE OF S83°22'38"E, 786.81 FEET) TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ATLANTIC COST LINE RAILROAD, N80°34'55"E A DISTANCE OF 498.07 FEET TO A POINT ON THE EAST LINE OF SAID NE 1/4; THENCE LEAVING THE NORTHERLY RIGHT OF WAY LINE OF SAID ATLANTICE COAST LINE SO'05'07"W ALONG THE EAST LINE OF SAID NE 1/4 A DISTANCE OF 464.55 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF STATE

ROUTE 50 (VARIABLE RIGHT OF WAY); THENCE LEAVING THE EAST LINE OF SAID NE 1/4, N89°23'48"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, A DISTANCE OF 60.74 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, NO'36'12"E A DISTANCE OF 18.00 FEET TO A POINT; THENCE CONTNUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, N89°23'48"W A DISTANCE OF 800.00 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY OF SAID STATE ROAD 50, SO'36'12"W A DISTANCE OF 18.00 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, N89°23'48"W A DISANCE 412.59 FEET TO A POINT ON

THE EAST LINE OF SAID GREATER HILLS, PHASE 1; THENCE LEAVING THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, NO'07'47"E ALONG THE EAST LINE OF SAID GREATER HILLS, PHASE 1, A DISTANCE OF 460.39 FEET TO THE POINT OF BEGINNING.

The name and address of the dealer operator(s) and principal investor(s) of Ken Art Motors, Inc. are dealer operator: Mr. Kenneth Wesenberg, 3000 North Main Street, Gainesville, FL 32609 principal investor(s): Mr. Arthur Sullivan, Mr. Kenneth Wesenberg and Mr. Christopher Smith, 3000 North Main Street, Gainesville, FL 32609.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: J. J. Browne, Zone Manager, Daimler Chrysler Motors Corp., 10300 Boggy Creek Rd., Ste. 110, Orlando, FL 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of Less
than 300,000 Population

Pursuant to the requirements of Section 320.642, Florida Statutes, notice is given that DaimlerChrysler Motors Corp. intends to establish Clermont Dodge, Inc. as a dealership for the sale of new Dodge motor vehicles at a location in Lake County, Clermont, Florida, which is located in northeast quadrant of State Route 50, bounded on the east by South Greater Hills Boulevard on or after June 1, 2002. The legal description of this property is as follows:

A PARCEL OF LAND LOCATED IN THE NORTHEAST 1/4, SECTION 27, T22S, R26E, LAKE COUNTY, FLORIDA, MORE PARTICULARY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 27; THENCE S89°13'47"E ALONG THE NORTH LINE OF SAID NE 1/4, A DISTANCE OF 1340.20 FEET TO A POINT ON THE EAST LINE OF GREATER HILLS, PHASE 1, AS RECORDED IN PLAT BOOK 30, PAGE 42, OF THE OFFICIAL RECORDS OF LAKE COUNTY, FLORIDA; THENCE LEAVING THE NORTH LINE OF SAID NORTHEAST 1/4, SO'07'47"W ALONG THE EAST LINE OF SAID GREATER HILLS, PHASE 1, A DISTANCE OF 693.79 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE FORMER ATLANTIC COAST LINE RAILROAD (50 FOOT RIGHT OF WAY), SAID POINT ALSO BEING THE POINT OF BEGINNING:

THENCE LEAVING THE EAST LINE OF SAID GREATER HILLS, PHASE 1, SOUTHEASTERLY ALONG A NON-TANGENT CURVE TO THE LEFT, BEING ALSO ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ATLANTIC COAST LINE RAILROAD, AND ARC DISTANCE OF 797.21 FEET (SAID CURVE HAVING A RADIUS OF 1422.00 FEET, A DELTA ANGLE OF 32°07'17", AND A CHORD BEARING AND DISTANCE OF S83°22'38"E, 786.81 FEET) TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID ATLANTIC COST LINE RAILROAD, N80°34'55"E A DISTANCE OF 498.07 FEET TO A POINT ON THE EAST LINE OF SAID NE 1/4; THENCE

LEAVING THE NORTHERLY RIGHT OF WAY LINE OF SAID ATLANTICE COAST LINE SO'05'07"W ALONG THE EAST LINE OF SAID NE 1/4 A DISTANCE OF 464.55 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF STATE

ROUTE 50 (VARIABLE RIGHT OF WAY); THENCE LEAVING THE EAST LINE OF SAID NE 1/4, N89'23'48"W ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, A DISTANCE OF 60.74 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, NO'36'12"E A DISTANCE OF 18.00 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, N89'23'4"W A DISTANCE OF 800.00 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY OF SAID STATE ROAD 50, SO'36'12"W A DISTANCE OF 18.00 FEET TO A POINT; THENCE CONTINUING ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, N89'23'48"W A DISANCE 412.59 FEET TO A POINT ON THE EAST LINE OF SAID GREATER HILLS, PHASE 1; THENCE LEAVING THE NORTHERLY RIGHT OF WAY LINE OF SAID STATE ROUTE 50, NO'07'47"E ALONG THE EAST LINE OF SAID GREATER HILLS, PHASE 1, A DISTANCE OF 460.39 FEET TO THE POINT OF BEGINNING.

The name and address of the dealer operator(s) and principal investor(s) of Clermont Dodge, Inc. are dealer operator(s) and principal investor(s): Mr. Kevin R. Aicher, 5455 S. University Drive, Davie, FL 33328 and Mr. Daniel D. Gregory, 2514 Princeton Ct., Weston, FL 33327.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, as amended by Chapter 88-395, Laws of Florida, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Mr. Ronald D. Reynolds, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: J. J. Browne, Zone Manager, Daimler Chrysler Motors Corp., 10300 Boggy Creek Rd., Ste. 110, Orlando, FL 32824.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

AGENCY FOR HEALTH CARE ADMINISTRATION

CERTIFICATE OF NEED

GRACE PERIOD LETTERS OF INTENT

The Agency for Health Care Administration received and accepted the following grace period letters of intent for the March 13, 2002 application filing date for the hospital beds and facilities batching cycle:

County: Bay District: 2

Date Filed: February 22, 2002 LOI#: H020255

Facility/Project: HealthSouth LTAC of Bay County, Inc.

Applicant: HealthSouth LTAC of Bay County, Inc.

Project Description: Establish up to a 40-bed long-term care hospital

County: Hillsborough District: 6

Date Filed: February 25, 2002 LOI#: H020256

Facility/Project: Genesis Rehabilitation Hospital, Inc.

Applicant: Genesis Rehabilitation Hospital, Inc.
 Project Description: Establish a new 60-bed comprehensive medical rehabilitation hospital
 County: Orange District: 7
 Date Filed: February 27, 2002 LOI#: H020257
 Facility/Project: Arnold Palmer Hospital
 Applicant: Orlando Regional Healthcare System, Inc.
 Project Description: Add up to four Level III NICU beds
 County: Osceola District: 7
 Date Filed: February 19, 2002 LOI#: H020258
 Facility/Project: Florida Hospital Celebration Health
 Applicant: Adventist Health System/Sunbelt, Inc.
 Project Description: Add up to 60 acute care beds
 County: Collier District: 8
 Date Filed: February 27, 2002 LOI#: H020259
 Facility/Project: Cleveland Clinic Florida Hospital Naples
 Applicant: Cleveland Clinic Florida Hospital Naples
 Project Description: Add up to 60 acute care beds
 County: St. Lucie District: 9
 Date Filed: February 27, 2002 LOI#: H020260
 Facility/Project: Martin Memorial Medical Center, Inc.
 Applicant: Martin Memorial Medical Center, Inc.
 Project Description: Establish a new 80-bed acute care hospital
 County: Broward District: 10
 Date Filed: February 22, 2002 LOI#: H020261
 Facility/Project: Memorial Regional Hospital
 Applicant: South Broward Hospital District
 Project Description: Add up to six comprehensive medical rehabilitation beds
 County: Dade District: 11
 Date Filed: February 19, 2002 LOI#: H020262
 Facility/Project: Mt. Sinai Medical Center & Miami Heart Institute
 Applicant: Mount Sinai Medical Center of Florida, Inc.

Project Description: Add up to 60 acute care beds at 4300 Alton Rd. through delicensure of up to 60 acute care beds at 4701 N. Meridian Ave.
 If requested within 14 days after notice that an application has been filed, a public hearing may be held at the local level within 21 days after April 17, 2002, the date the application is scheduled to be deemed complete. Tentative dates for hearings will be published on March 29, 2002.
 AHCA Purchase Order Number: 5900J00496

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION
 The Florida Department of Environmental Protection has determined, under the State Revolving Fund program, that the City of Starke's water transmission project will not adversely affect the environment.
 The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."
 For more information, call Al Bishop, (850)488-8163.

NOTICE OF AVAILABILITY

FLORIDA CATEGORICAL EXCLUSION NOTIFICATION
 The Florida Department of Environmental Protection has determined, under the State Revolving Fund program, that the City of Hollywood's water treatment plant upgrades, water distribution system upgrades and replacement of storage tanks will not adversely affect the environment.
 The full text of this notice is published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."
 For more information, call Bob Holmden, (850)488-8163.

DEPARTMENT OF HEALTH

On February 28, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Deborah Birdsong Neide, R.N. Neide holds license number RN 2845172. Neide's last known address is 16280 S.E., 88th Avenue, Summerfield, Florida 34491. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

On February 28, 2002, John O. Agwunobi, M.D. Secretary of the Department of Health, issued an Order of Emergency Suspension, with regard to the license of Julie Ann Ward Bockhorst, R.N. Bockhorst holds license number RN 2896922. Bockhorst's last known address is 1325 Lake Shore Drive, Inverness, Florida 34450. This Emergency Order was predicated upon the Secretary's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(8), Florida Statutes. The Secretary determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Section XIII
Index to Rules Filed During Preceding Week

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**INDEX TO RULES FILED
DURING PRECEDING WEEK
RULES FILED BETWEEN February 25, 2002
and March 1, 2002**

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STATE

Division of Library and Information Services

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BANKING AND FINANCE

Division of Banking

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AGRICULTURE AND CONSUMER SERVICES

Division of Agricultural Environmental Services

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Division of Standards

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5F-1.050	3/1/02	3/21/02	28/1	
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CORRECTIONS

33-601.606	2/27/02	3/19/02	28/3	
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WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

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40C-8.031	2/27/02	3/19/02	27/52	
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MANAGEMENT SERVICES

Division of Retirement

60S-9.001	2/26/02	3/18/02	27/47	28/4
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BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

61G6-5.008	2/27/02	3/19/02	28/4	
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Florida Building Code Administrators and Inspector

61G19-9.001	2/27/02	3/19/02	27/47	27/50
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HEALTH

Board of Dentistry

64B5-17.011	2/27/02	3/19/02	28/3	
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64B5-25.003	2/27/02	3/19/02	28/3	
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Board of Orthotists and Prosthetists

64B14-7.004	2/27/02	3/19/02	28/3	
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Board of Podiatric Medicine

64B18-12.004	2/27/02	3/19/02	28/3	
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FLORIDA HOUSING FINANCE CORPORATION

67-21.002	2/25/02	3/17/02	27/50	28/5
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67-21.003	2/25/02	3/17/02	27/50	28/5
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67-21.0035	2/25/02	3/17/02	27/50	28/5
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67-21.004	2/25/02	3/17/02	27/50	28/5
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67-21.0041	2/25/02	3/17/02	27/50	
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67-21.0045	2/25/02	3/17/02	27/50	28/5
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67-21.005	2/25/02	3/17/02	27/50	
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67-21.006	2/25/02	3/17/02	27/50	
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67-21.007	2/25/02	3/17/02	27/50	
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67-21.008	2/25/02	3/17/02	27/50	28/5
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67-21.009	2/25/02	3/17/02	27/50	
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67-21.010	2/25/02	3/17/02	27/50	
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67-21.011	2/25/02	3/17/02	27/50	
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67-21.012	2/25/02	3/17/02	27/50	
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67-21.013	2/25/02	3/17/02	27/50	
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67-21.014	2/25/02	3/17/02	27/50	
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67-21.015	2/25/02	3/17/02	27/50	
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67-21.016	2/25/02	3/17/02	27/50	28/5
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67-21.017	2/25/02	3/17/02	27/50	28/5
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67-21.018	2/25/02	3/17/02	27/50	
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67-21.019	2/25/02	3/17/02	27/50	28/5
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67-32.002	2/25/02	3/17/02	27/50	
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67-32.003	2/25/02	3/17/02	27/50	
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67-32.004	2/25/02	3/17/02	27/50	
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67-32.005	2/25/02	3/17/02	27/50	
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67-32.006	2/25/02	3/17/02	27/50	28/5
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67-32.007	2/25/02	3/17/02	27/50	
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67-32.008	2/25/02	3/17/02	27/50	
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67-32.010	2/25/02	3/17/02	27/50	
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67-32.011	2/25/02	3/17/02	27/50	
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67-48.001	2/25/02	3/17/02	27/50	
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67-48.002	2/25/02	3/17/02	27/50	28/5
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67-48.003	2/25/02	3/17/02	27/50	
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67-48.004	2/25/02	3/17/02	27/50	28/5
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67-48.005	2/25/02	3/17/02	27/50	
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67-48.006	2/25/02	3/17/02	27/50	28/5
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67-48.007	2/25/02	3/17/02	27/50	28/5
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67-48.009	2/25/02	3/17/02	27/50	28/5
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67-48.0095	2/25/02	3/17/02	27/50	28/5
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67-48.010	2/25/02	3/17/02	27/50	28/5
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67-48.0105	2/25/02	3/17/02	27/50	28/5
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67-48.012	2/25/02	3/17/02	27/50	28/5
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67-48.013	2/25/02	3/17/02	27/50	28/5
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67-48.014	2/25/02	3/17/02	27/50	28/5
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67-48.015	2/25/02	3/17/02	27/50	
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67-48.017	2/25/02	3/17/02	27/50	
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67-48.018	2/25/02	3/17/02	27/50	
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67-48.019	2/25/02	3/17/02	27/50	28/5	67-48.026	2/25/02	3/17/02	27/50	28/5
67-48.020	2/25/02	3/17/02	27/50	28/5	67-48.027	2/25/02	3/17/02	27/50	28/5
67-48.0205	2/25/02	3/17/02	27/50		67-48.028	2/25/02	3/17/02	27/50	
67-48.021	2/25/02	3/17/02	27/50	28/5	67-48.029	2/25/02	3/17/02	27/50	
67-48.022	2/25/02	3/17/02	27/50	28/5	67-48.030	2/25/02	3/17/02	27/50	
67-48.023	2/25/02	3/17/02	27/50	28/5	67-48.031	2/25/02	3/17/02	27/50	
67-48.025	2/25/02	3/17/02	27/50						
