

Dear Injured Employee:

Your employer's insurance carrier is providing this information to you on behalf of the Employee Assistance Office of the Division of Workers' Compensation.

The Employee Assistance Office of the Division of Workers' Compensation is a state bureau within the Florida Department of Financial Services. We provide the following services:

- Serves as a resource for injured workers and employers by providing information about the workers' compensation system.
- Educates and informs injured workers, employers, carriers, health care providers, and managed care arrangements about their responsibilities under the law.
- Provides assistance in avoiding any problems or disputes regarding your claim.

Within three (3) days after receiving notice that you have been injured, the workers' compensation insurance carrier will mail you an informational brochure explaining your rights and responsibilities, as well as the carrier's obligations. It contains valuable information you need to know about the workers' compensation system. You may have received the informational brochure along with this letter. You can also obtain the brochure by calling us at: 1(800)342-1741 or e-mailing us at: wceao@dfs.state.fl.us.

You can also visit one of our local Employee Assistance Offices to receive personal, one-on-one service. To locate the office nearest you, call the toll free 1-800 number above or visit the Division's website at: www.fldfs.com/WC/ and click on "About Us".

Sincerely,

Tanner Holloman

Director, Division of Workers' Compensation

(b) This notification shall be mailed to the injured employee within three (3) days after the carrier receives notice of the employee's injury. This notification shall be on Department of Financial Services letterhead and shall be of original or print quality. The notification is available in MS Word format at www.fldfs.com/WC/publications and is identified as the "Employee Notification Letter."

Specific Authority 440.185(12), 440.591 FS. Law Implemented 440.185(12), 440.191 FS. History—New 9-29-94, Amended 11-25-96, Formerly 38F-26.004, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Andrew Sabolic, Policy Coordinator, Division of Workers' Compensation, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Dan Sumner, Deputy Division Director, Division of Workers' Compensation, Department of Financial Services

DATE PROPOSED RULE APPROVED BY THE AGENCY HEAD: September 19, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 26, 2003

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF REVENUE

Property Tax Administration Program

RULE NO.: 12D-8.0082 RULE TITLE: Florida Uniform Market Area Guidelines

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as originally noticed for a public hearing held on November 21, 2003, in the Florida Administrative Weekly of October 31, 2003 (Vol. 29, No. 44, pp. 4324-4326), and as subsequently noticed for a second hearing held on January 16, 2004, in the Weekly of January 2, 2004 (Vol. 30, No. 1, p. 126), and for which a notice of change was published in the Weekly of January 2, 2004 (Vol. 30, No. 1, pp. 115-116), has been withdrawn.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-501.302 RULE TITLE: Copying Services for Inmates

FOURTH NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 39, (September 26, 2003), Vol. 29, No. 44, (October 31, 2003), Vol. 29, No. 51, (December 19, 2003) and in Vol. 30, No. 3, (January 16, 2004) issues of the Florida Administrative Weekly:

33-501.302 Copying Services for Inmates.

(1) All institutions and facilities shall provide photographic copying services to inmates submitting legal documents and accompanying evidentiary materials to courts and administrative bodies. No provision of this section shall be implemented in such a way as to conflict with any rule or order of court.

(2) through (4) No change.

(5) Filing or service in actions challenging convictions, sentences, or prison conditions. Inmates who are without funds shall not be denied copying services for documents and

accompanying evidentiary materials needed to initiate a legal or administrative action or which must be filed or served in a pending action that challenges convictions and sentences or prison conditions, or are required to be filed or served per order of the court or administrative body. However, the cost of providing copies for documents to be filed or served is a debt owed by the inmate that shall be collected as follows: At the time the inmate submits his request for copies, the department shall place a hold on the inmate's account for the estimated cost of providing the copies. The cost of providing the copies shall be collected from any existing balance in the inmate's bank trust fund account. If the account balance is insufficient to cover the cost, the account shall be reduced to zero. If costs remain unpaid, a hold will be placed on the inmate's account and all subsequent deposits to the inmate's account will be applied against the unpaid costs until the debt has been paid. Copies shall be provided at a rate of \$0.15 per page.

(6) Unless they have sufficient funds in their inmate trust accounts to cover the complete cost of making the copies, ~~(a)~~ inmates shall not be provided copying services for:

~~(a) Legal or administrative proceedings that do not relate to a challenge of convictions or sentences, or to challenges of prison conditions unless they have sufficient funds in their inmate trust account to cover the complete cost of making the copies.~~

~~(b) Inmates shall not be provided copying services for Records requests pursuant to Rule 33-601.901, F.A.C., unless they have sufficient funds in their inmate trust fund account to cover the complete cost of making the copies. Liens will not be placed to recover these costs at a future date.~~

~~(b) Where a court order has been issued directing the department to provide copies of department records to an inmate, the copies shall be provided and a lien shall be placed on the inmate's account to recover the cost of the copies as provided in subsection (5) of this rule unless otherwise ordered by the court.~~

(c) Records requests pursuant to Rule 33-601.901, F.A.C.

(d) Requests for records made during the course of discovery.

(7) No change.

Specific Authority 20.315, 944.09 FS. Law Implemented 20.315, 944.09 FS. History—New 10-6-83, Formerly 33-3.051, Amended 6-13-88, 8-20-89, 2-12-91, 4-10-94, 4-21-96, 6-29-98, Formerly 33-3.0051, Formerly 33-602.405, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Allen Overstreet

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.010
RULE TITLE: Payment Methodology for Nursing Home Services

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 29, No. 52, December 26, 2003, Florida Administrative Weekly, has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.020
RULE TITLE: Payment Methodology for Inpatient Hospital Services

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 29, No. 52, December 26, 2003, Florida Administrative Weekly, has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.030
RULE TITLE: Payment Methodology for Outpatient Hospital Services

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 29, No. 52, December 26, 2003, Florida Administrative Weekly has been withdrawn.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: 59G-6.045
RULE TITLE: Payment Methodology for Services in Facilities Not Publicly Owned and Publicly Operated (Facilities Formerly Known As ICF/DD Facilities)

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule as noticed in Vol. 29, No. 52, December 26, 2003, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Asbestos Licensing Unit

RULE NO.: 61E1-1.002
RULE TITLE: Continuing Education Requirements for Asbestos Consultants/Contractors

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 41, October 10, 2003, issue of the Florida Administrative Weekly.

61E1-1.002 Continuing Education Requirements for Asbestos Consultants/Contractors.

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

(b) Maintain records demonstrating that each asbestos abatement worker and onsite supervisor has completed a 1 day refresher course in each calendar year of each biennial period ~~refresher course each calendar year for each biennial period.~~ The refresher courses must have ~~met the requirements of~~ Section 469.012, Florida Statutes, and been courses of continuing education approved and required by the Department, and the records related to such course shall be furnished upon request pursuant to Rule 61-6.010, Florida Administrative Code. Such courses shall satisfy the criteria set forth in paragraph 61E1-2.006(2)(b), subparagraphs 61E1-2.006(4)(c)2., 61E1-2.006(4)(c)4., 61E1-2.006(4)(c)6., 61E1-2.006(4)(c)8., and 61E1-2.006(4)(c)11., Florida Administrative Code.

(3) No change.

Specific Authority 469.011, FS. Law Implemented 469.004(3), 469.012(4) 469.005(6), 455.004(6) FS. History—New 8-13-90, Formerly 21-25.002, Amended 11-11-97, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-21.001
 RULE TITLE: Continuing Education for Interior Designers

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 47, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures committee (JAPC). The Board, at its meeting held on February 4, 2004, voted to make changes to the rule to address the JAPC concerns. The changes are as follows:

61G1-21.001 Continuing Education for Interior Designers.

(1) Each interior designer in Florida shall be required to establish the interior designer's ~~his~~ professional knowledge and competency in conformity with this rule by the completion of 20 contact hours of continuing professional education per biennium as secured through programs approved by the Board or by submission of proof of compliance with the continuing education requirements of another state in which the interior designer is licensed, provided that the requirements of the other state equal or exceed the completion of 20 contact hours in a two year period and be that the education build upon the basic knowledge of interior design.

(2) through (3) No change.

Specific Authority 481.2055 FS. Law Implemented 481.215(3),(4),(5) FS. History—New 11-29-90, Amended 9-2-92, Formerly 21B-21.001, Amended 5-4-97, _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: 61G1-24.001
 RULE TITLE: Continuing Education for Interior Designers

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 47, issue of the Florida Administrative Weekly. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures committee (JAPC). The Board, at its meeting held on February 4, 2004, voted to make changes to the rule to address the JAPC concerns. The changes are as follows:

61G1-24.001 Continuing Education for Architects.

(1) Each architect in Florida shall be required to establish the architect's professional knowledge and competency in conformity with this rule by the completion of 20 contact hours of continuing professional education per biennium as secured through programs approved by the Board or by submission of proof of compliance with the continuing education requirements of another state in which the architect is licensed, provided that the requirements of the other state equal or exceed the completion of 20 contact hours in a two year period and be that the education build upon the basic knowledge of architecture.

(2) through (3) No change.

Specific Authority 481.215 FS. Law Implemented 481.215(3),(4),(5) FS. History—New 1-17-96, Amended _____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Architecture and Interior Design, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: 61G4-15.015
 RULE TITLE: Certification of Specialty Structure Contractors

NOTICE OF CHANGE

Notice is hereby gives notice that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 29, No. 44, of the October 31, 2003, Florida Administrative Weekly.

The changes are in compliance with the instructions of the full Board who voted and approved the changes at a public hearing held on February 13, 2004.

The changes are as follows:

Subsection (2)(b) shall now read:

(b) The scope of such work shall include and be limited to fabric coverings on metal substructures, screened porches, screened enclosures, pool enclosures, preformed panel-post and beam roofs, manufactured housing mobile home panel roof-overs, residential glass window and door enclosures, vinyl or acrylic panel window enclosures, guardrails, handrails, aluminum and vinyl fences, the installation or replacement of windstorm protective devices, single story self-contained aluminum utility storage structures (not to exceed 720 500 sq. ft.), residential glass window and door enclosures, sunrooms, siding, soffit, fascia and gutters. The installation or replacement of window and door assemblies certified in accordance with AAMA 101/ I.S.2 or Miami Dade TAS 201. 202. 203 as specified by the Florida Building Code in Group R occupancy buildings, as defined by the Florida Building Code, up to three stories or thirty feet in height. The installation or replacement of windstorm protective devices, except for impact resistant glazing, shall be unlimited. Division I Contractors shall be permitted to subcontract with Specialty Structure Contractors for the installation or replacement of window and door assemblies certified in accordance with AAMA 101/ I.S.2 or Miami Dade TAS 201. 202. 203 as specified by the Florida Building Code in buildings of Group R occupancy, as defined by the Florida Building Code, of any height.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Clinical Laboratory Personnel

RULE NO.: 64B3-6.002
RULE TITLE: Documentation for Licensure

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F. S., published in the Vol. 30, No. 1, January 2, 2004, issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Subsection (4) of 64B3-6.002, F.A.C., Documentation for Licensure, shall now read as follows:

64B3-6.002(4):

(4) Notarized ~~Certified~~ copy of certificate of attendance or notarized documentation of training required pursuant to Chapters 64B3-4 and 64B3-3, F.A.C. and continuing education required pursuant to Chapter 64B3-11 64B3-7, F.A.C., including training required pursuant to Chapters 64B3-5 and 64B3-3, F.A.C., and HIV/AIDS continuing education, and the 2-hour course on medical error prevention approved pursuant to Chapter 64B3-11, F.A.C.

Specific Authority 483.805(4) FS. Law Implemented 483.815, 483.823 FS. History—New 1-9-94, Amended 7-13-94, Formerly 61F3-6.002, Amended 12-28-94, 5-29-95, Formerly 590-6.002, Amended 8-27-97, 10-14-02,

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

DEPARTMENT OF HEALTH

Office of Vital Statistics

RULE NO.: 64V-1.003
RULE TITLE: Birth Certificate Amendments; Documentary Evidence Requirements

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 30, No. 2, January 9, 2004 issue of the Florida Administrative Weekly. The changes are in response to comments received from the Joint Administrative Procedures Committee.

Rule 64V-1.003, F.A.C., subsection (6) of the rule shall now be deleted in its entirety.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Dunkley Stephens, Office of Vital Statistics, 1217 Pearl Street, Jacksonville, Florida 32202.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Economic Self-Sufficiency Program

RULE NOS.: 65A-1.701, 65A-1.702, 65A-1.703, 65A-1.710, 65A-1.711
RULE TITLES: Definitions, Special Provisions, Family-Related Medicaid Coverage Groups, SSI-Related Medicaid Coverage Groups, SSI-Related Medicaid Non-Financial Eligibility Criteria

- 65A-1.712 SSI-Related Medicaid Resource Eligibility Criteria
- 65A-1.713 SSI-Related Medicaid Income Eligibility Criteria
- 65A-1.714 SSI-Related Medicaid Post-Eligibility Treatment of Income

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rules, as noticed in Vol. 29, No. 16. April 18, 2003 Florida Administrative Weekly has been withdrawn.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

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| <p>RULE CHAPTER NO.:
68B-8</p> <p>RULE NOS.:
68B-8.002
68B-8.003
68B-8.009
68B-8.010
68B-8.011
68B-8.012
68B-8.013</p> | <p>RULE CHAPTER TITLE:
Marine Special Activity License Program</p> <p>RULE TITLES:
Definitions
General Conditions and Restrictions
Prohibited Species Collection Criteria
Stock Collection and Release Special Activity License
Aquaculture Broodstock Collection Special Activity License
Snook Special Activity License
Non-Conforming Gear Special Activity Licenses and Exemptions</p> |
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NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to proposed new Rule Chapter 68B-8, F.A.C., relating to the Marine Special Activity License Program, as published in the January 2, 2004 issue of the Florida Administrative Weekly, Vol. 30, No. 1, pages 91-104. Changes were made to the following indicated portions of Rules 68B-8.002, 68B-8.003, 68B-8.009, 68B-8.010, 68B-8.011, 68B-8.012, and 68B-8.013. The remaining rules will be adopted without change.

68B-8.002 Definitions.

(1) through (19) No change.

(20) “Stock enhancement” means the process of releasing many organisms into a self-sustaining, naturally reproducing population of the same native species, in order to increase the number of breeders in that population. Stock enhancement represents an attempt to offset harvesting pressure or to expand stock size based upon a presumed underutilized carrying capacity of the environment.

(21) “Stock restoration” means the captive breeding and release of marine organisms to maintain or re-establish the demographic stability and biological diversity of a non-sustaining (inviable) or locally extirpated natural population (stock) until such time that a naturally self-sustaining stock can be re-established.

(22) No change.

68B-8.003 General Conditions and Restrictions.

(1) No change.

(2) APPLICATION, ISSUANCE, AND LICENSE PERIODS.

(a) A person may apply for and be issued a SAL at any time and a SAL may be valid for 12 months from the date of issuance with the following exceptions:

1. The period of validity of a Scientific Research SAL will be based on the duration of the proposed activity, provided that the duration is no longer than is necessary to achieve its stated purpose and it does not exceed 36 months from the date of issuance. The period of validity for a Scientific Research SAL issued for prohibited species may not exceed 12 months from the date of issuance.

2. The period of validity of an Education/Exhibition SAL issued for prohibited species is January 1 through December 31 of the year applied for. An application must be postmarked or hand-delivered to the Commission not later than November 1 before the year applied for and will be issued or denied by February 1 of that year.

3. The period of validity of a Governmental Purpose SAL will be based on the duration of the proposed activity, provided that it is no longer than is necessary to achieve its stated purpose.

4. The period of validity of a Nonprofit SAL is 36 months.

(b) No change.

(3) through (14) No change.

68B-8.009 Prohibited Species Collection Criteria.

(1) PURPOSE. This section establishes criteria for the issuance of a Scientific Research, Education/Exhibition, or Stock Collection and Release SAL involving the harvest of prohibited species from Florida waters and the possession of species legally harvested from the adjacent Exclusive Economic Zone (EEZ) for scientific research, educational, exhibitional, stock enhancement, or stock restoration purposes. The Commission utilizes the criteria established in this section to monitor and regulate harvest levels of prohibited species harvested from Florida waters and the adjacent EEZ while ensuring that such harvest activities do not adversely affect the stocks of such species.

(2) ELIGIBILITY. A SAL request involving the harvest of prohibited species will be authorized only for the following SAL applicants:

(a) An applicant for a Scientific Research SAL pursuant to Rule 68B-8.006, F.A.C.

(b) An applicant for an Education/Exhibition SAL pursuant to Rule 68B-8.007, F.A.C.

(c) An applicant for a Stock Collection and Release SAL pursuant to Rule 68B-8.010, F.A.C.

(3) through (4) No change.

68B-8.010 Stock Collection and Release Special Activity License.

(1) through (4) No change.

(2) ELIGIBILITY. A Stock Collection and Release SAL may be issued only to the following:

(a) An applicant eligible to receive a Scientific Research SAL pursuant to Rule 68B-8.006, F.A.C.

(b) An owner, director, or manager of a certified aquaculture facility.

(3) No change.

(4) EVALUATION CRITERIA. In addition to the evaluation criteria set forth in subsection 68B-8.004(2), F.A.C., an application for a Stock Collection and Release SAL will be evaluated based on the applicant's genetic management plan. The principal goal of the plan must be the preservation and maintenance of the genetic diversity of potentially impacted natural populations. This plan must include the following information as applicable to the proposed activity:

(a) Geographical delineation of genetic management units for potentially impacted wild fish. A genetic management unit is defined as the total genetic information (gene pools) possessed by members of a natural population (stock). A natural population is a genetically distinct group of marine organisms whose members interbreed in the wild within their own group to produce subsequent generations of young.

(b) Management practices that will be employed to ensure that genetic material are not artificially transferred between natural stocks.

(c) Management practices that will be employed to minimize genetic impacts from propagation-related genetic changes in cultured organisms intended for release, such as inbreeding, domestication, and artificial selection.

(d) Management practices that ensure potential escapement rates and planned maximum numbers of organisms to be released per unit of time per location pose no short- or long-term threat to the genetic diversity of natural stocks via excessive genetic input.

(5) RELEASE REQUIREMENTS.

(a) A Stock Collection and Release SAL holder must coordinate all release activities with the Commission and obtain written authorization prior to conducting any release. A release may not be conducted without written authorization from the Commission.

(b) A marine organism will not be authorized for release unless it has been maintained in accordance with the Captivity Requirements set forth in the "Florida Fish and Wildlife Conservation Commission Policy on the Release of Marine Organisms".

(c) A cultured marine organism will not be authorized for release if natural populations of the same species exist and the organism has been genetically modified by non-native (exogenous) gene insertion.

(d) Hatchery-reared finfish authorized for release must be distinguishable from wild finfish so that estimates of project success may be obtained through monitoring. The method used to identify hatchery-reared finfish is at the discretion of the SAL holder conducting the release. Potential distinguishing methods include but are not limited to internal or external mechanical tags, chemical marks, or genetic tags. All costs incurred in the fulfillment of this provision or any other provision of Rule 68B-8.010, F.A.C. will be the responsibility of the SAL holder.

(e) Prior to release, a representative sample of the marine organisms targeted for release must be submitted for a health examination. This examination must be conducted under the direction of a United States Department of Agriculture-certified veterinarian with fish health experience, or an American Fisheries Society-certified fish pathologist or fish health inspector. Exam results must be summarized in a USDA Health Certificate or a letter. The certificate or letter must state that the organisms appear to be normal, healthy, and suitable for release into the wild. The health examination will not be required when organisms are released in a larval form or cannot be readily evaluated using standard diagnostic protocols due to their size at release.

(6) REPORTING AND MONITORING REQUIREMENTS. A Stock Collection and Release SAL holder must submit the following:

(a) An activity report detailing all SAL-related harvest, sampling, and release activities. The activity report is a report other than any publications or technical, monitoring, or final reports. The activity report must include common and scientific names of the marine organisms harvested, numbers and sizes harvested, locations of harvest by county, and any mortalities that may have occurred.

(b) A copy of any publications, technical, monitoring, or final reports that were generated as a result of work conducted pursuant to the SAL. These reports must include the notation that research was conducted pursuant to the specific Commission Special Activity License.

(c) A post-release genetic monitoring program may be required if the genetic management plan submitted by the applicant does not provide the information necessary to determine the genetic impact of activities under the SAL, or if evaluation of the proposed activity determines that the genetic risks have not been minimized.

68B-8.011 Aquaculture Broodstock Collection Special Activity License.

(1) No change.

(2) ELIGIBILITY. An Aquaculture Broodstock Collection SAL may be issued only to the following:

(a) An applicant eligible to receive a Scientific Research SAL pursuant to subsection 68B-8.006(2), F.A.C.

(b) An owner, director, or manager of a certified aquaculture facility.

68B-8.012 Snook Special Activity License.

(1) through (6) No change.

(7) REPORTING REQUIREMENTS. A Snook SAL holder for the harvest of broodstock and production, possession, transport, or sale of broodstock progeny must submit the following:

(a) An activity report detailing all SAL-related harvest or sampling activities that resulted in the permanent retention of snook. The activity report must include numbers and sizes of snook harvested, locations of harvest by county, and any mortalities that may have occurred. If SAL-related activities did not result in the permanent retention or mortality of any marine organism, the SAL holder must submit a statement to that effect.

(b) Documentation of each sale of progeny sold, as specified in paragraph 68B-8.012(5)(b), F.A.C.

68B-8.013 Non-Conforming Gear Special Activity Licenses and Exemptions.

(1) through (7) No change.

(8) NONPROFIT CORPORATION SPECIAL ACTIVITY LICENSE.

(a) through (d) No change.

(e) REPORTING REQUIREMENTS. A Nonprofit Corporation SAL holder must submit the following documentation during the 12th month, 24th month, and within 30 days of the expiration of the SAL or during the renewal application process if the SAL is requested for renewal:

1. An activity report documenting the harvest of all specifically named marine organisms authorized for harvest pursuant to a Nonprofit Corporation SAL, and of all marine organisms not reported via the Marine Fisheries Trip Ticket (MFTT) system, by the marine organism's common name and scientific classification, amount harvested, and, if sold, the entity to whom sold.

2. Marine Fisheries Trip Tickets, except that a marine organism must not be reported via a trip ticket if one or more of the following apply:

a. The marine organism is specifically named in the Nonprofit Corporation SAL.

b. The marine organism has no species code in the MFTT system.

c. The marine organism is subject to a seasonal restriction on its commercial harvest and sale.

d. The commercial licensing requirements for the marine organism have not been met.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Tarpon

RULE NO.:
68B-32.005

RULE TITLE:
Boca Grande Pass Designated
Boundaries; Seasonal
Restrictions

NOTICE OF CHANGE

The Fish and Wildlife Conservation Commission announces changes to proposed amendments and new rule for Rule Chapter 68B-32, F.A.C., relating to tarpon, as published in the January 2, 2004 issue of the Florida Administrative Weekly, Vol. 30, No. 1, pages 110-111, with previous changes published in the January 9, 2004 issue, Vol. 30, No. 2, pages 176-177. The proposed amendments to Rules 68B-32.002 and 68B-32.004, F.A.C., were not changed.

Proposed new Rule 68B-32.005, F.A.C., was changed to read:

68B-32.005 Boca Grande Pass designated boundaries; seasonal restrictions.

(1) BOCA GRANDE PASS BB For purposes of this rule, Boca Grande Pass shall consist of all waters located within the following boundaries:

Begin at the westernmost edge of the Phosphate Dock (261 43.216° North Latitude, 821 15.517° West Longitude) on the southeast bay side of Gasparilla Island; thence proceed due east on a straight line to the westernmost edge of the intracoastal waterway (261 43.216° North Latitude, 821 14.705° West Longitude); thence proceed in a southerly direction to the #75 Intracoastal Waterway Marker (261 42.299° North Latitude, 821 14.580° West Longitude) on the northeast bay side of Cayo Costa; thence proceed westerly across Cayo Costa to the QR test buoy (261 42.002° North Latitude, 821 15.448° West Longitude) on the northwest Gulf coast side of Cayo Costa; thence proceed westerly on a straight line to the #12 red buoy (261 42.336° North Latitude, 821 16.748° West Longitude) marking the entrance to Boca Grande Pass; thence proceed northeasterly on a straight line to the easternmost edge of the concrete pier ruins (261 43.165° North Latitude, 821 15.778° West Longitude) at the lighthouse beach on the southwest Gulf side of Gasparilla Island; thence proceed easterly across Gasparilla Island to the Phosphate Dock, the point of beginning.

(2) During the months of April, May, and June each year, a maximum of three fishing lines may be deployed from a vessel at any one time in Boca Grande Pass during a tarpon fishing trip.