

(1) All Law Enforcement/Correction/Detention employees must complete, at a minimum, the following training requirements within 90 calendar days of that employee's hire date:

(a) Direct care employees who are certified correctional, correctional probation or law enforcement officers under Chapter 943, F.S., are to successfully complete PAR Crossover Training for Law Enforcement Personnel. Successful completion requires:

1. Attendance and participation in a minimum of twenty (20) hours of PAR Training.

2. A passing score on the written examination.

3. One-hundred percent (100%) satisfactory performance on the techniques specified on the applicable PAR Performance Evaluation form.

(b) Direct care employees who are not certified correctional, correctional probation or law enforcement officers under Chapter 943, F.S., are to be certified in PAR.

(2) CJSTC certified employees and non-CJSTC certified employees shall adhere to the annual training requirements set forth in 63HER06-12 for facility employees.

(3) With regard to the use of mechanical restraints, reporting requirements and record retention, all Law Enforcement Operations and Partnerships other than those governed by Chapter 63E F.A.C. shall comply with Rules 63HER06-5, -6, and -7.

(4) All Law Enforcement operated facilities or programs shall submit a PAR Training Plan in accordance with Rules 63HER06-4.

(5) Facilities or programs that are required to have PAR certified employees must certify employees within the timeframes set forth herein.

EFFECTIVE DATE: July 1, 2006

Specific Authority 985.4055, 985.405 FS. Law Implemented 985.4055(2)(d) FS. History—New 7-1-06.

THESE EMERGENCY RULES TAKE EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE.

EFFECTIVE DATE: July 1, 2006

---

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

### DEPARTMENT OF LAW ENFORCEMENT

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Washington-Holmes Technical Center on June 2, 2006, a petition for Waiver of paragraph 11B-21.005(8)(c),

F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department permit it to operate with less staff than specified in the rule.

Comments on this Petition should be filed with: Office of General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel, Grace A. Jaye.

A copy of the Petition may be obtained by contacting: Assistant General Counsel, Grace A. Jaye, at the above address, or by calling (850)410-7676.

---

Notice is hereby given that the Officer Professionalism Program, Florida Department of Law Enforcement has received from Florida Keys Community College on June 8, 2006, a petition for Waiver of Rule 11B-18.0053, F.A.C., pursuant to Section 120.542, F.S. Petitioner has requested that the Department permit it to retain Trust Funds expended on a lease purchase item.

Comments on this Petition should be filed with: Office of General Counsel, Florida Department of Law Enforcement, Post Office Box 1489, Tallahassee, Florida 32302, Attention: Assistant General Counsel, Grace A. Jaye.

A copy of the Petition may be obtained by contacting: Assistant General Counsel, Grace A. Jaye, at the above address, or by calling (850)410-7676.

---

### DEPARTMENT OF TRANSPORTATION

NOTICE IS HEREBY GIVEN that, on June 21, 2006, the Florida Department of Transportation issued an order denying the Petition of Hillsborough Area Regional Transit, seeking a variance from the provisions of paragraph 14-90.007(3)(a), F.A.C. The Petition was received by the Department on April 13, 2006. The Department published its notice of receipt of the Petition in the April 22, 2006 edition of the Florida Administrative Weekly. Paragraph 14-90.007(3)(a), F.A.C., regulates the minimum curbside mirror height requirements for Type I buses. The Department's order, issued in DOT Case No. 06-032, denied the petition because it did not relate to Type I buses.

A copy of the Department's order may be obtained from: Clerk of Agency Proceedings, Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458. For additional information, contact: James C. Myers, (850)414-5393.

---

### 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."

---

## WATER MANAGEMENT DISTRICTS

The St. Johns River Water Management District hereby gives notice that it received a petition for variance on June 9, 2006 from Palm Vista Preserve, LLC. Pursuant to Section 120.542, Florida Statutes, Palm Vista Preserve, LLC is seeking a variance from subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3 of the Applicant's Handbook: Management and Storage of Surface Waters (February 1, 2005) (A.H.), with respect to Environmental Resource Permit (ERP) Application 4-009-96767-1. The permit applicant is proposing to construct a mixed use development project, known as Palm Vista, and associated roadway improvements in Brevard County. Subparagraph 40C-41.063(1)(c)1., F.A.C., and Section 11.1.3., A.H., prohibit the construction, operation, and maintenance of a surface water management system in the Upper St. Johns River Hydrologic Basin that results in an increase in the amount of water being diverted from the Basin to coastal receiving waters. These rules are intended to protect the water resources of the State by limiting discharges of fresh water to estuarine waters and curtailing interbasin diversion. Comments on this petition should be filed with Robert Nawrocki, District Clerk, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, within 14 days of publication of this notice. The petition has been assigned F.O.R. Number 2006-68.

For a copy of the petition or additional information, contact: Veronika Thiebach, Senior Assistant General Counsel, Office of General Counsel, St. Johns River Water Management District, 4049 Reid Street, Palatka, Florida 32177, (386)329-4488.

---

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 2006-077-DAO-ROW), on June 14, 2006, to Collier County Transportation Department. The petition for waiver was received by the SFWMD on May 3, 2006. Notice of receipt of the petition requesting the waiver was published in the Florida Administrative Weekly, Vol. 32, No. 20, on May 19, 2006. No public comment was received. This Order provides a waiver for the proposed widening of the existing Tree Farm Road Bridge crossing the C.R. 951 Canal; S26 & 35/T48S/R26E, Collier County. Specifically, the Order grants a waiver from paragraph 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 subsection 40E-6.091(1), Fla. Admin. Code, which governs the minimum vertical clearance requirement of 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) the facilities will 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 would prevent Collier County Transportation Department from suffering a substantial hardship.

A copy of the Order can be obtained from: Kathie Ruff, South Florida Water Management District, 3301 Gun Club Road, MSC 1410, West Palm Beach, FL 33406-4680, (561)682-6320, or by e-mail [kruff@sfwmd.gov](mailto:kruff@sfwmd.gov)

---

## DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that on June 8, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance Request for subsection 61C-4.010(7), Florida Administrative Code, from 903 Mills Market located in Orlando. The above referenced Florida Administrative Code states that each food service establishment must maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to use the one bathroom facility located in the establishment and have seating for fifty (50).

A copy of the Petition can be obtained from: Rhonda Steele, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

---

NOTICE IS HEREBY GIVEN that on June 6, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance Request for subsection 61C-4.010(7), Florida Administrative Code, from Costello's Catering & Deli located in Sanford. The above referenced Florida Administrative Code states that each food service establishment must maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to use the one bathroom facility located in the establishment and have seating for thirty (30).

A copy of the Petition can be obtained from: Rhonda Steele, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

---

NOTICE IS HEREBY GIVEN that on May 30, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.010(1) and

61C-4.010(6), Florida Administrative Code, from Alquizar Catering #1. The above referenced F.A.C., addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved for the three vehicles and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of variance and operating procedures are to be present on each MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

---

NOTICE IS HEREBY GIVEN that on May 30, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Alquizar Catering #4. The above referenced F.A.C., addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved June 16, 2006, and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of variance and operating procedures are to be present on each MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

---

NOTICE IS HEREBY GIVEN that on April 1, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from E&E Catering, Inc. located in Wimauma. The above referenced F.A.C., addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition can be obtained from: Rhonda Steele, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

---

NOTICE IS HEREBY GIVEN that on April 1, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance for subsections 61C-4.010(1) and 61C-4.010(6), Florida Administrative Code, from E&E Catering, Inc. located in Wimauma. The above referenced F.A.C., addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

This variance request was approved June 16, 2006, and is contingent upon Petitioner's use of open-air steam table is properly covered and air curtain is operating properly according to manufacturer's specifications and Section 6-202-15(D)(2), 2001 FDA Food Code, as to expel possible contaminants and vermin. Approval is also contingent upon Petitioner conducting all re-heating for hot holding at approved commissaries to the proper temperature per Section 3-403.11, 2001 FDA Food Code; and potentially hazardous food is held at proper temperatures according to Section 3-501.16, 2001 FDA Food Code.

The Petitioner shall strictly adhere to paragraph 61C-4.0161(2)(c), Florida Administrative Code, and report to the commissary at least once daily when operating. All warewashing is to be conducted at the commissary and strict adherence to employee health guidelines as specified in the Section 2-201, 2001 FDA Food Code, are to be followed. Petitioner shall also use a potable water tank and utilize a wastewater holding tank that is at least 15% larger than the potable water holding tank; and sloped to a drain that is 1 inch in inner diameter or greater, equipped with a shut-off valve. Petitioner must receive potable water from an approved source with written documentation provided and sanitize the fresh water and wastewater tanks at least once every 24 hours.

Copies of variance and operating procedures are to be present on each MFDV at all times of operation and shall be adhered to as approved by the Division. This variance is not transferable under any conditions. All provisos must be complied prior to final approval and licensing. Any violation of the variance is the equivalent of a violation of the Rule and may result in a rescission of the variance, and subject the Petitioner to disciplinary sanctions as enumerated in Section 509.261, Florida Statutes.

---

NOTICE IS HEREBY GIVEN that on June 13, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsections 61C-4.0101(1) and 61C-4.010(6), Florida Administrative Code, from Costa Azul Catering located in Fort Pierce. The above referenced F.A.C., addresses food supplies, food protection, and physical facilities-except as specifically provided in this rule, public food service establishments shall be subject to the provisions

of chapter three and chapter six of the FDA Food Code. They are requesting to do open air food service on a Mobile Food Dispensing Vehicle.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013. The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

---

NOTICE IS HEREBY GIVEN that on June 15, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for subsection 61C-4.010(7), Florida Administrative Code, from Maw Maw's Country Kitchen located in Sandestin. The above referenced F.A.C. states ...each public food service establishment shall maintain a minimum of one public bathroom for each sex, properly designated.... . The proposed establishment does not have bathroom facilities for patrons. They are requesting a variance to have a seating capacity of 60 and use public bathroom facilities located in the village of Baytowne Wharf.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

---

NOTICE IS HEREBY GIVEN that on June 19, 2006, the Division of Hotels and Restaurants received a Petition for a Routine Variance Request for subsection 61C-4.010(7), Florida Administrative Code, from Yummy located in Oakland Park. The above referenced Florida Administrative Code states that each food service establishment must maintain a minimum of one public bathroom for each sex, properly designated.... They are requesting a variance to use the one bathroom facility located in the establishment and have seating for twenty (20).

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

---

NOTICE IS HEREBY GIVEN that on June 19, 2006, the Division of Hotels and Restaurants received a Petition for an Emergency Variance for paragraph 61C-4.0161(2)(c), Florida Administrative Code, from Brevard Zoo located in Melbourne. The above referenced F.A.C. addresses potable water supply and adequate facilities for the disposal of liquid and solid waste. They are requesting a temporary vaiance, four month, to

operate a mobile unit with fresh and wastewater tanks for potable water and sewage disposal until the permanent structure is remodeled.

A copy of the Petition can be obtained from: Xenia Bailey, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Division of Hotels and Restaurants will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m.

---

#### **DEPARTMENT OF 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**

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Juan Alberto, D.D.S. The Notice of Petition for Variance was published in Vol. 32, No. 12, of the March 24, 2006, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on April 7, 2006.

The Board's Order, filed on May 4, 2006, grants the Petition for Variance or Waiver, finding that Petitioner has complied with the requirements of Section 120.542(2), Florida Statutes. Specifically, Petitioner has demonstrated how the purpose of the underlying statute would be achieved by other means. Additionally, Petitioner has demonstrated that strict application of the rule would create a substantial hardship or violate principles of fairness. Moreover, Petitioner has complied with Sections 120.542(2), Florida Statutes and subsection 64B5-2.0146(2), Florida Administrative Code. Based upon the foregoing, the Board determined that Petitioner is eligible for a waiver or variance of subsection 64B5-2.0146(2), F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

---

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for John T. Bowman, D.M.D., M.D. The Notice of Petition for Variance was published in Vol. 32, No. 11, of the March 17, 2006, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on April 7, 2006. The Board's Order, filed on May 4, 2006, denies the Petition for Variance or Waiver, finding that Petitioner has not met the requirements of subsection 64B5-2.0146(2), Florida Administrative Code. Specifically, Petitioner has failed to demonstrate how the purpose of the underlying rule would be

achieved by other means. Additionally, Petitioner failed to demonstrate that principles of fairness would be violated by denial of the petition and failed to demonstrate that literal application of the rule affects Petitioner in a manner significantly different from other dentists subject to the rule. Moreover, Petitioner failed to demonstrate that application of subsection 64B5-2.0146(2), F.A.C., would create a substantial hardship of the Florida Administrative Code because Petitioner can practice oral surgery as a Florida licensed medical doctor (physician) without being licensed as a dentist pursuant to Section 466.002(1), Florida Statutes. Furthermore, the Board denied the Petition for Variance or Waiver because the Board may not waive or vary from Section 466.06(4), Florida Statutes. Based upon the foregoing, the Board determined that Petitioner is not eligible for a waiver or variance of Rule 64B7-14.005, F.A.C.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

---

The Board of Dentistry hereby gives notice of the issuance of an Order regarding the Petition for Variance for Bradley T. Piotrowski, D.D.S., M.S.D. The Notice of Petition for Variance was published in Vol. 32, No.14, of the April 7, 2006, Florida Administrative Weekly. The Board considered the Petition at a duly-noticed public meeting held on April 7, 2006.

The Board's Order, filed on June 15, 2006, denies the Petition for Variance or Waiver, finding that Petitioner failed to demonstrate compliance with Section 120.542(2), Florida Statutes. Petitioner failed to demonstrate that application of subsection 64B5-14.0005(2), Florida Administrative Code, would violate principles of fairness. Additionally, Petitioner failed to demonstrate that the purposes of the underlying statute, Section 466.017, Fla. Stat., will be or has been achieved by other means. Furthermore, the Board denied the Petition for Variance or Waiver because the Petitioner failed to demonstrate that application of subsection 64B5-14.005(2), F.A.C., would create a substantial hardship.

A copy of the Board's Order may be obtained by contacting: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

---

The Department of Health gives notice that it has granted a petition for variance that was filed on September 9, 2005, by David Squalli, on behalf of ECODAS. The order granting the variance was filed June 13, 2006. Petitioner sought a permanent variance from paragraph 64E-16.002(2)(e), F.A.C., pertaining to the treatment of biomedical waste. For notice of receipt of the petition, see the Florida Administrative Weekly, Vol. 32, No. 6, February 10, 2006. The basis of the approval is an unnecessary hardship to Petitioner for compliance with the requirement set forth in paragraph 64E-16.002(2)(e), F.A.C., requiring biological indicators be placed in specified locations

in packages of untreated biomedical waste for the purpose of demonstrating treatment efficacy upon completion of a treatment cycle. Compliance with this rule would prevent Petitioner from selling their treatment unit in Florida. Petitioner has offered an alternative method that the department has determined meets the intent of paragraph 64E-16.002(2)(e), F.A.C., for demonstrating treatment efficacy.

For a copy of the order granting the petition, contact: Edith Coulter, Department of Health, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710.

The Department of Health hereby gives notice of the issuance of an Order regarding the Emergency Petition for Variance filed by Susan and Bernard Belanger on behalf of Southern Trails RV Park (Petitioner). The Notice of Emergency Petition for Waiver was filed with the Department May 12, 2006. The Petitioner sought a permanent Variance from subsection 64E-15.005(2), Florida Administrative Code, which requires each RV Park to have toilets, showers, urinals and hand washing fixtures. The Department's Order, filed on June 21, 2005, GRANTS the Petition, finding that an Emergency Variance is warranted on the basis that the underlying purpose of the statutes, as implemented by subsection 64E-15.005(2), Florida Administrative Code, has been met in that Petitioner will so restrict traffic in this park as to only allow self contained recreational vehicles rather than experience the financial hardship of installing the toilets, urinals, showers and handwash fixtures. In addition, the Petition for Emergency Variance is warranted because restricting the opening of the park would be a financial hardship because it is scheduled to open in the height of the RV season.

A copy of the Department's Order may be obtained by contacting the: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703.

NOTICE IS HEREBY GIVEN THAT ON June 19, 2006, the Department of Health, filed an Order disposing of an Emergency Petition for variance from the requirements of paragraph 64E-18.003(3)(a), F.A.C., as filed by D. Andrew Burns, Esq., representing Chris McAllister (Petitioner). The petition was filed with the Department on May 19, 2006, and noticed in the Florida Administrative Weekly on June 2, 2006, in Vol. 32, No. 22.

The Department determined that the Petition was unable to provide specific facts that would demonstrate that Petitioner would suffer an immediate adverse effect unless the Variance was issued more expeditiously that the time frames provided in Section 120.542, FS.

Therefore, the petitioners request for Emergency Petition for Variance was DENIED and the Department will proceed to review the Petition on a non-emergency basis.

A copy of the Order may be obtained from: Agency Clerk, Department of Health, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1703, (850)245-4005.

#### **FLORIDA HOUSING FINANCE CORPORATION**

NOTICE IS HEREBY GIVEN that on June 20, 2006, Florida Housing Finance Corporation received a Petition for Waiver of paragraph 67-48.004(14)(m), Florida Administrative Code, from Casa San Juan Bosco, Inc. ("Petition"). The Petition is seeking a waiver of the Rules to allow a change in its funding request.

A copy of the Petition can be obtained from: Sherry Green, Public Records Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Standard Time, on the 14th day after publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32399-1329.

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

#### **DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

The Florida **Department of Agriculture and Consumer Services** announce the meeting of the Florida Agriculture Center and Horse Park Authority, Inc.

DATE AND TIME: August 1, 2006, 5:00 p.m.

PLACE: On Top of the World Communities, 8413 S. W. 90th Terrace Rd., Ocala, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Florida Agriculture Center and Horse Park Authority, Inc.

If you need special accommodations due to disability or for directions please call: (850)921-1727.

The Florida **Department of Agriculture and Consumer Services** announces a public meeting of the Soil and Water Conservation Council to which all person are invited.

DATE AND TIME: Monday, July 17, 2006, 1:00 p.m.– 4:00 p.m.

PLACE: The Marriott Resort, 400 South Collier Blvd., Marco Island, FL 34145, (800)438-4373

GENERAL SUBJECT MATTER TO BE CONSIDERED: Reports and discussion will include Controlled Release Fertilizers (CRF) recommendations by the Council to the