

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

BOARD OF TRUSTEES OF INTERNAL IMPROVEMENT TRUST FUND

RULE NOS.:	RULE TITLES:
18-1.002	Definitions
18-1.006	Appraisal Procedures, Report Requirements and Determining Maximum Amounts
18-1.007	Appraiser Eligibility and Selection

PURPOSE AND EFFECT: The purpose of this ammendment is to make the appropriate changes to the Chapter 18-1, F.A.C., reflecting the recent legislative changes to Section 253.025, F.S. Pursuant to Section 253.025(6)(f), F.S., the Board of Trustees shall adopt a rule providing for waiver of sale history in appraisal reports where it is cost prohibitive compared to the value of the parcel. Furthermore, pursuant to Section 253.025(6)(e), F.S., changes to paragraph 18-1.007(5)(b), F.A.C., are proposed for consistancy among conservation and non-conservation land acquisitions in regards to the appraisal review threshold based on the value of the parcel. Finally, the proposed changes will revise subsection 18-1.002(29), F.A.C., to update the citation of the Uniform Standards of Professional Appraisal Practice to the version to be effective January 1, 2010.

SUBJECT AREA TO BE ADDRESSED: The Rule amendments will do the following: provide appraisal procedures for state land acquisition.

RULEMAKING AUTHORITY: 253.025 FS.

LAW IMPLEMENTED: 253.025 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.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mike Herran, Division of State Lands, 3900 Commonwealth Blvd., M.S. 110, Tallahassee, FL 32399 or by phone at (850)245-2665 or email at mike.herran@dep.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike Herran, Division of State Lands, 3900 Commonwealth Blvd., M.S. 110, Tallahassee, FL 32399 or by phone at (850)245-2665 or email at mike.herran@dep.state.fl.us

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

FLORIDA PAROLE COMMISSION

RULE NOS.:	RULE TITLES:
23-20.002	Scope of Responsibility
23-20.007	Procedures

PURPOSE AND EFFECT: The Commission proposes to amend a current rule to remove obsolete position titles.

SUBJECT AREA TO BE ADDRESSED: The Mutual Participation Program Administrator is a position which was consumed by the Release Services Administrator. Prison superintendents are now called wardens.

RULEMAKING AUTHORITY: 947.07, 947.135, 947.20 FS.

LAW IMPLEMENTED: 947.135 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: Sarah J. Rumph, General Counsel, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

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

FLORIDA PAROLE COMMISSION

RULE NO.:	RULE TITLE:
23-21.001	General

PURPOSE AND EFFECT: The Commission proposes to delete reference a non-existent type of supervision.

SUBJECT AREA TO BE ADDRESSED: The reference to compulsory conditional release must be removed as this type of release does not exist in statute.

RULEMAKING AUTHORITY: 120.53, 947.1405, 947.06, 947.07, 947.20 FS.

LAW IMPLEMENTED: 947.06 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.

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FLORIDA PAROLE COMMISSION

RULE NO.: 23-25.004
 RULE TITLE: Addiction Recovery Supervision

PURPOSE AND EFFECT: The Commission proposes to update rules to conform to current practices and procedures, standardizing to conform to other types of Commission supervision.

SUBJECT AREA TO BE ADDRESSED: The supervision and revocation procedures will be updated to conform to current practices and procedures for other types of supervision.

RULEMAKING AUTHORITY: 944.4731 FS.

LAW IMPLEMENTED: 944.4731, 947.141 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: Sarah J. Rumph, General Counsel, 2601 Blair Stone Road, Bldg. C, Tallahassee, Florida 32399-2450

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PUBLIC SERVICE COMMISSION

RULE NOS.: 25-10.026
 RULE TITLES: Location and Preservation of Records

25-10.111
 Customer Billing

PURPOSE AND EFFECT: The purpose of both rule repeals is to eliminate redundant provisions which are no longer in use. These rules have been superseded by new rules in Chapter 25-30, e.g. Rules 25-30.110 Records and Reports; Annual Reports; 25-30.115 Uniform System of Accounts for Water and Wastewater Utilities; 25-30.335 Customer Billing, Undocketed.

SUBJECT AREA TO BE ADDRESSED: These rules address utilities' responsibilities to maintain utility records within the State; to keep those records according to certain Accounting Standards; and to bill for service at regular intervals.

RULEMAKING AUTHORITY: 350.127(2), 367.121 FS.

LAW IMPLEMENTED: 367.111, 367.121 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: Larry Harris, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6199

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40A-4.041	Permit Required
40A-4.061	Mitigation Banks
40A-4.091	Processing of Permits
40A-4.142	Headgates, Valves, and Measuring Devices
40A-4.143	Abandonment
40A-4.301	Conditions for Issuance of Permits
40A-4.331	Revocation and Modification of Permits
40A-4.461	Inspection
40A-4.481	Remedial and Emergency Measures
40A-4.901	Forms and Instructions

PURPOSE AND EFFECT: The overall purpose of the proposed rule development is to clarify rule language. The majority of the anticipated changes will address concerns expressed by the Joint Administrative Procedures Committee that the use of the word "may" could be construed as a granting of un-bridled discretion to the Governing Board or the Executive Director. The effect of the proposed amendments will be to clarify and simplify rule language.

SUBJECT AREA TO BE ADDRESSED: Regulation of "Management and Storage of Surface Waters" projects.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.406, 373.418 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.046, 373.083, 373.116, 373.118, 373.406, 373.409, 373.413, 373.4135, 373.4136, 373.4137, 373.4141, 373.416, 373.417, 373.418, 373.423, 373.426, 373.427, 373.429, 373.436, 373.439 FS.

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

DATE AND TIME: December 2, 2009, 9:00 a.m., ET

PLACE: Northwest Florida Water Management District, 81 Water Management Drive, Governing Board Conference Room, Havana, Florida 32333-4711

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 72 hours before the workshop/meeting by contacting: Jean Whitten, Northwest Florida Water Management District, 81 Water Management Drive, Havana, Florida 32333-4711, (850)539-5999, (fax) (850)539-2777. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lance Laird, Northwest Florida Water Management District, 152 Water Management Drive, Havana, Florida 32333-4711, (850)539-5999, (850)539-2777 (fax)

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

WATER MANAGEMENT DISTRICTS

Northwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40A-6.091	Works of the District
40A-6.101	Content of Application
40A-6.331	Revocation and Modification of Permits
40A-6.351	Transfer of Permits
40A-6.451	Emergency Authorization
40A-6.461	Inspections
40A-6.481	Remedial and Emergency Measures
40A-6.901	Forms and Instructions

PURPOSE AND EFFECT: The overall purpose of the proposed rule development is to clarify rule language. The majority of the changes will address concerns expressed by the Joint Administrative Procedures Committee that the use of the word “may” could be construed as a granting of un-bridled discretion to the Governing Board or the Executive Director. In addition, a “District Works” will be deleted. The effect of the proposed amendments will be to clarify and simplify rule language and eliminate a “District Works” scheduled to be transferred to the City of Tallahassee.

SUBJECT AREA TO BE ADDRESSED: Regulation of “Works of the Districts.”

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118, 373.171, 373.418 FS.

LAW IMPLEMENTED: 373.084, 373.085, 373.086, 373.103, 373.119, 373.139, 373.413, 373.416, 373.418, 373.423, 373.426, 373.429, 373.436, 373.439 FS.

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

DATE AND TIME: December 2, 2009, 9:30 a.m., ET

PLACE: Northwest Florida Water Management District, 81 Water Management Drive, Governing Board Conference Room, Havana, Florida 32333-4711

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lance Laird, Northwest Florida Water Management District, 152 Water Management Drive, Havana, Florida 32333-4711, (850)539-5999, (850)539-2777 (fax)

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.:	RULE TITLE:
40E-1.659	Forms and Instructions

PURPOSE AND EFFECT: To incorporate by reference a conservation easement for local government use when the local government is submitting a permit involving a conservation easement to the South Florida Water Management District (District) as a component of the Environmental Resource Permit process. The regulated public, in this case the local government, will benefit by the incorporation of this form into the District’s rules by reducing review time for both the local government and District staff reviewers and by ensuring that the form is consistent with the requirements of Section 704.06, Florida Statutes, and other conservation easement forms adopted by the District.

SUBJECT AREA TO BE ADDRESSED: Real Property Conveyances and Restrictions, Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.

RULEMAKING AUTHORITY: 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 695.03, 704.06 FS.

LAW IMPLEMENTED: 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anita Bain, Director, Environmental Resource Permitting Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866, or by email to: abain@sfwmd.gov. For procedural questions please contact Kathie Ruff, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6299 or (561)682-6320, or by email to: kruff@sfwmd.gov

Copies of the proposed form are located at the District’s website at: my.sfwmd.gov/permitting in the right hand column under “rule development”. Copies can also be obtained by contacting Kathie Ruff, Paralegal at the contact information provided above.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-1.659 Forms and Instructions.

(1) The following forms and instructions are hereby incorporated by reference into this chapter:

Form No.	Date	Title			
			0188-QCROP	8-03	Report of Planting and Harvest of Seasonal Crops
			0188-QBWDR	8-03	Quarterly Report of Bulk Water Delivered and Received
			0195	6-91	Public Water Supply Well Information and Classification
			0196	10-89	Water Well Inspection Scheduling Card
			0299	1-90	Water Use Permit No.
			0444	8-95	Application for a Standard General Permit for Incidental Site Activities
0050A	7-89	Application to the South Florida Water Management District for a Permit for Utilization of District Works or Modification of Existing Permit Works of the District No.	0445	8-03	Mining/Dewatering Permit Application (RC-1A, RC-1W, RC-1G)
0108	3-91	Application for Release of Mineral, Canal, and Road Reservations Reserved Under Chapters 6456, 6957, 7305, 9131, 14717 and 20658, Laws of Florida	0483	9-04	Request for Environmental Resource, Surface Water Management, Water Use or Wetland Resource Permit Transfer
0113	8-95	Surface Water Management Permit No.	0645-W01	8-03	Water Use Permit Application (RC-1A, RC-1W, RC-1G)
0115	8-95	Surface Water Management Permit Modification No.	0645-G60	8-03	Table A Descriptions of Wells
0119	8-95	Wetland Resource Permit No.	0645-G61-1	8-03	Table B Description of Surface Water Pumps
0122	4-93	Application to the South Florida Water Management District for Authority to Utilize Works or Land of the District	0645-G61-2	8-03	Table C Description of Culverts
0123	4-95	Well Construction Permit Application	0645-G65	8-03	Table D Crop Information
0124	11-90	Well Completion Report	0645-G74	8-03	Table E Water Received From or Distributed to Other Entities
0145	8-95	Environmental Resource Permit No.	0645-G69	8-03	Table F Past Water Use & Table G Projected Water Use
0157	8-95	Environmental Resource Permit Modification No.	0645-G70	8-03	Table H Projected Water Use (For Per Capita Greater than 200 GPD)
0188-QMQ	8-03	Quarterly Report of Withdrawals	0645-G71	8-03	Table I Water Treatment Method and Losses
0188-MDQ	8-03	Monthly Report of Daily Withdrawals	0645-G72	8-03	Table J Aquifer Storage and Recovery
0188-QASR	8-03	Quarterly Report of Injections and Withdrawals for Aquifer Storage and Recovery (ASR) Wells]	0645-G73	8-03	Table K Water Supply System Interconnections
0188-QMON	8-03	Quarterly Report of Monitoring Requirements	0779	5-92	Guidance for Preparing an Application for a “Works of the District” Permit in the Everglades/Application for a Works of the District Permit
0188-QMQF	8-03	Quarterly Report of Withdrawals from Wells and Surface Water Pumps	0830	4-94	Special Use Application and License
			0881A	9-03	Environmental Resource/ Surface Water Management Permit Construction Completion Certification

0881B	9-03	Environmental Resource/ Surface Water Management Permit Construction Completion Certification – For Projects Permitted Prior to October 3, 1995	1020	9-04	Mitigation Bank Irrevocable Letter of Credit to Demonstrate Construction/Implementation Financial Assurance
			1021	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance
0889	9-04	Certification of Waiver of Permit Application Processing Fee			
0920	9-04	Request for Conversion of District Environmental Resource/Surface Water Management Permit from Construction Phase to Operation Phase and Transfer of Permit to the Operating Entity	1022	9-04	Mitigation Bank Trust Fund Agreement to Demonstrate Construction/Implementation Financial Assurance
			1023	9-04	Mitigation Bank Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance
0941	8-95	Environmental Resource Standard/Noticed General Permit No.	1024	9-04	Mitigation Bank Standby Trust Fund Agreement to Demonstrate Perpetual Management Financial Assurance
0942	8-95	Surface Water Management General Permit No.			
0960	9-04	Environmental Resource/ Surface Water Management Permit Construction Commencement Notice	1105	6-02	Performance Bond to Demonstrate Financial Assurance
			1106	6-02	Irrevocable Letter of Credit to Demonstrate Financial Assurance
0961	9-04	Environmental Resource/ Surface Water Management Permit Annual Status Report for Surface Water Management System Construction	1109	8-03	Water Use General Permit
			1189	2-06	Notice of Environmental Resource or Surface Water Management Permit
0970	2-04	Applicant Transmittal Form for Requested Additional Information	1190	1-07	Deed of Conservation Easement (Standard)
0971	8-95	Joint Application for Environmental Resource Permit/Authorization to Use State Owned Submerged Lands/Federal Dredge and Fill Permit	1191	1-07	Deed of Conservation Easement (Standard Passive Recreational)
			1192	1-07	Deed of Conservation Easement (Standard Riparian)
			1194	1-07	Deed of Conservation Easement (Third Party Standard)
0972	8-95	Petition for a Formal Wetland and Surface Water Determination	1195	1-07	Deed of Conservation Easement (Third Party Passive Recreational)
0973	8-95	Above Ground Impoundment Inspection/Certification Report	1196	1-07	Deed of Conservation Easement (Third Party Riparian)
0974	8-95	Notice of Intent to Construct a Minor Silvicultural System	1197	1-07	Restrictive Covenant (Standard)
0980	8-95	Notice of Intent to Use a Noticed General Environmental Resource Permit	1318		<u>Deed of Conservation Easement (Local Governments), incorporated by reference in Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.</u>
1019	9-04	Mitigation Bank Performance Bond to Demonstrate Construction/Implementation Financial Assurance			

Rulemaking Specific Authority 120.53, 218.075, 373.044, 373.113, 373.4136, 373.416, 704.06 FS. Law Implemented 120.53, 218.075, 373.113, 373.4135, 373.4136, 373.416, 704.06 FS. History—New 9-3-81, Amended 12-1-82, 3-9-83, Formerly 16K-1.90, Amended 7-26-87, 11-21-89, 1-4-93, Formerly 40E-1.901, Amended 5-11-93, 4-20-94, 10-3-95, 6-26-02, 8-14-02, 8-31-03, 9-16-03, 9-20-04, 2-12-06, 1-23-07, 8-7-07, _____.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-4.091
 RULE TITLE: Publications, Rules and Interagency Agreements Incorporated by Reference

PURPOSE AND EFFECT: To delete Section 4.3.9 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District (BOR), incorporated by reference in Rule 40E-40.091, F.A.C., pertaining to Mitigation Reduction through a Melaleuca Eradication Program.

SUBJECT AREA TO BE ADDRESSED: The deletion of Section 4.3.9 of the BOR pertaining to Mitigation Reduction through a Melaleuca Eradication Program.

RULEMAKING AUTHORITY: 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS.

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THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – _____”.

(b) through (k) No change.

(2) No change.

Rulemaking Specific Authority 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07, _____.

(The following represents proposed changes to the document entitled “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 7-22-07” incorporated by reference in Rule 40E-4.091, F.A.C.)

~~4.3.9 Mitigation Reduction Through a Melaleuca Eradication Program~~

~~(a) The intent of this section is to encourage landowners to maintain their land free of exotic vegetative species by providing a regulatory incentive in the form of future reductions in required mitigation. A landowner whose property contains melaleuca (Melaleuca quinquenervia), may elect to participate in a melaleuca eradication program. Landowners who implement a successful melaleuca eradication program which has been approved by the District may earn a reduction in mitigation requirements up to a maximum of 50% to be used towards mitigating future wetland impacts resulting from regulated activities undertaken on the subject property. The development and implementation of a melaleuca eradication program pursuant to this section shall not require an Environmental Resource Permit or a permit fee.~~

~~(b) In order to be eligible for the future mitigation reduction, a landowner must submit a plan to District staff for review and approval and successfully implement the melaleuca eradication program. The submitted plan must detail the extent of melaleuca coverage over the entire property, including both wetlands and uplands, for which the melaleuca eradication program is to be implemented. The plan shall differentiate between wetland communities and~~

~~upland communities, and shall specify melaleuca coverages and acreages for each community type which the landowner proposes to include in the melaleuca eradication program. Each vegetative community type shall be mapped using the Florida Land Use,~~

~~Cover and Forms Classification System (FLUCCS) to a minimum of Level III.~~

- ~~(e) The plan must include a map showing all of the landowner's property holdings which are contiguous to the property which is the subject of the melaleuca eradication program. Landowners may submit proposals to subdivide large land holdings based on phase boundaries or operational units.~~
- ~~(d) The melaleuca eradication plan must specify the following:~~
 - ~~1. the methodology to be used initially to eliminate or eradicate the existing melaleuca population;~~
 - ~~2. the subsequent management and maintenance procedures that will be undertaken on the property to ensure that:~~
 - ~~a. the area has no living mature or sapling melaleuca trees; and~~
 - ~~b. less than 1% of the total land area included in the melaleuca removal program contains live melaleuca seedlings.~~
- ~~(e) The melaleuca eradication program must include a monitoring plan to document the success of the melaleuca eradication efforts over time. In order to be approved, the melaleuca eradication plan must provide reasonable assurances that:~~
 - ~~1. the plan is designed to achieve a significant overall improvement of ecological conditions;~~
 - ~~2. the plan is capable of being successfully implemented based on reasonable scientific judgement given due consideration of such factors as adjacent land uses and proximate seed sources;~~
 - ~~3. the initial eradication methodology and subsequent management and maintenance procedures will not adversely impact wetlands, native upland habitat or listed species;~~
 - ~~4. the plan will not eliminate melaleuca in some areas of the property while facilitating melaleuca encroachment or proliferation into other areas of the property;~~
 - ~~5. the plan will not allow invasion by other exotic vegetation (category I and II species of trees, shrubs and vines as specified in the Florida Exotic Pest Plant Council's List of Florida's Most Invasive Species) in the areas where melaleuca has been removed.~~

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE NO.: 40E-4.091
 RULE TITLE: Publications, Rules and Interagency Agreements Incorporated by Reference

PURPOSE AND EFFECT: To incorporate by reference a conservation easement for local government use when the local government is submitting a permit involving a conservation easement to the South Florida Water Management District (District) as a component of the Environmental Resource process. The regulated public, in this case the local government, will benefit by the incorporation of this form into the District's rules by reducing review time for both the local government and District staff reviewers and by ensuring that the form is consistent with the requirements of Section 704.06, Florida Statutes, and other conservation easement forms adopted by the District.

SUBJECT AREA TO BE ADDRESSED: Real Property Conveyances and Restrictions, Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District, incorporated by reference in Rule 40E-4.091, F.A.C.

RULEMAKING AUTHORITY: 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS.

LAW IMPLEMENTED: 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Anita Bain, Director, Environmental Resource Permitting Division, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6866 or (561)682-6866, or by email to: abain@sfwmd.gov. For procedural questions please contact Kathie Ruff, Paralegal, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6320 or (561)682-6320 or by email to: kruff@sfwmd.gov

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-4.091 Publications, Rules and Interagency Agreements Incorporated by Reference.

(1) The following publications, rules and interagency agreements are incorporated by reference into this chapter, Chapters 40E-40, 40E-41 and 40E-400, F.A.C.:

(a) “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – _____”.

(b) through (k) No change.

(2) No change.

Rulemaking Specific Authority 373.044, 373.103(8), 373.113, 373.171, 373.413, 373.441, 668.003, 668.004, 668.50, 704.06 FS. Law Implemented 373.413, 373.4135, 373.4137, 373.414, 373.4142, 373.416, 373.418, 373.421, 373.426, 373.441, 668.003, 668.004, 668.50, 704.06 FS. History–New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.035(1), Amended 5-1-86, 7-1-86, 3-24-87, 4-14-87, 4-21-88, 11-21-89, 11-15-92, 1-23-94, 4-20-94, 10-3-95, 1-7-97, 12-3-98, 5-28-00, 8-16-00, 1-17-01, 7-19-01, 6-26-02, 6-26-02, 4-6-03, 4-14-03, 9-16-03, 12-7-04, 2-12-06, 10-1-06, 11-20-06, 1-23-07, 7-1-07, 7-22-07, _____

(The following represents proposed changes to the document entitled “Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District – 7-22-07” incorporated by reference in Rule 40E-4.091, F.A.C.)

4.3.8 Real Property Conveyances

(a) and (b) No change.

(c) The use of Form No(s) 1190-1192, ~~and~~ 1194-1197, and 1318, incorporated by reference ~~referenced~~ in Rule 40E-1.659, F.A.C., shall constitute consistency with Section 704.06, F.S. Where the applicant demonstrates that project specific conditions necessitate deviation from language of the accepted forms, alternative language shall be accepted provided that the intent of Section 704.06, F.S., and Section 4.3.8 of the Basis of Review for Environmental Resource Permit Applications Within the South Florida Water Management District are met.

(d) No change.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:
61G3-16.0010 Examination for Barber Licensure
PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.
SUBJECT AREA TO BE ADDRESSED: Examiners in Practical Examinations; Criteria for Selection.
RULEMAKING AUTHORITY: 455.217, 476.144 FS.
LAW IMPLEMENTED: 455.217, 476.134, 476.144 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:
61G3-16.002 Reexamination
PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.
SUBJECT AREA TO BE ADDRESSED: Reexamination.
RULEMAKING AUTHORITY: 455.217, 476.144 FS.
LAW IMPLEMENTED: 455.217, 476.134, 476.144 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:
61G3-16.005 Endorsement
PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.
SUBJECT AREA TO BE ADDRESSED: Endorsement.
RULEMAKING AUTHORITY: 455.217, 476.144 FS.
LAW IMPLEMENTED: 455.217, 476.134, 476.144 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.007 RULE TITLE: Examination for Restricted Licensure

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Examination for Restricted Licensure.

RULEMAKING AUTHORITY: 455.217, 476.144 FS.

LAW IMPLEMENTED: 455.217, 476.134, 476.144 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.008 RULE TITLE: Manner of Application

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Manner of Application.

RULEMAKING AUTHORITY: 455.217, 476.144 FS.

LAW IMPLEMENTED: 455.217, 476.134, 476.144 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.010 RULE TITLE: Supervised Practice Exception

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Supervised Practice Exception.

RULEMAKING AUTHORITY: 455.217, 476.144 FS.

LAW IMPLEMENTED: 455.217, 476.134, 476.144 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-20.002 RULE TITLE: Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Application Fee for Licensure Through Examination or Endorsement and Reexamination Fees.

RULEMAKING AUTHORITY: 455.213, 455.217, 476.144 FS.

LAW IMPLEMENTED: 455.2171, 476.192 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-20.0075 RULE TITLE: Examination Review Fee

PURPOSE AND EFFECT: The purpose of this notice is to review for possible changes to bring the rule into compliance with the legislature requirement.

SUBJECT AREA TO BE ADDRESSED: Examination Review Fee.

RULEMAKING AUTHORITY: 455.217, 476.2171 FS.

LAW IMPLEMENTED: 455.217, 476.2171 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: Robyn Barineau, Executive Director, Board of Cosmetology, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Landscape Architecture

RULE NOS.: 61G10-18.002 RULE TITLES: Board Approval of Continuing Education Providers
61G10-18.006 Approval of Continuing Education Courses

PURPOSE AND EFFECT: The Board proposes to amend the rules to incorporate new DBPR form numbers and to review existing language to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Board Approval of Continuing Education Providers; Approval of Continuing Education Courses.

RULEMAKING AUTHORITY: 455.2124, 455.2179, 481.306, 481.313, 481.325(2) FS.

LAW IMPLEMENTED: 455.2179, 481.313, 553.841 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: Juanita Chastain, Executive Director, Board of Landscape Architecture, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF HEALTH

Board of Hearing Aid Specialists

RULE NO.: 64B6-8.003 RULE TITLE: Trainee Stages, Minimum Training Requirements, and Training Program

PURPOSE AND EFFECT: The proposed changes will make it clear to applicants that Stage I must be completed before an applicant can move to Stage II. It will also require a training program sponsor to report to the Board following termination of a training program, whether complete or not.

SUBJECT AREA TO BE ADDRESSED: Trainee Stages, Minimum Training Requirements, and Training programs.

RULEMAKING AUTHORITY: 484.044, 484.0445(1) FS.

LAW IMPLEMENTED: 484.0445, 484.045 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: Sue Foster, Executive Director, Board of Hearing Aid Specialists, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.003
RULE TITLE: Physician Assistant Licensure
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised PA application form in the rule.
SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised PA application into the PA application rule.
RULEMAKING AUTHORITY: 456.013, 456.031(2), 456.033(6), 458.309, 458.347 FS.
LAW IMPLEMENTED: 456.013, 456.017, 456.031, 456.033, 458.347 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.015
RULE TITLE: Disciplinary Guidelines
PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the PA disciplinary guidelines to impose similar penalties for physician assistants as for physicians and to address recent legislative changes with regard to disciplinary guidelines.
SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for physician assistants.
RULEMAKING AUTHORITY: 456.079, 458.309, 458.331(4) FS.
LAW IMPLEMENTED: 456.072, 456.079, 458.331(4), 458.347(4)(e)1. 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: Larry

McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-30.019
RULE TITLE: Fees Regarding Physician Assistants
PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address licensure fees for physician assistants.
SUBJECT AREA TO BE ADDRESSED: Licensure fees for physician assistants.
RULEMAKING AUTHORITY: 456.036, 458.309, 458.347 FS.
LAW IMPLEMENTED: 456.036(5),(7), 458.347 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: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-31.003
RULE TITLE: Application for Licensure and Licensure Requirements for Anesthesiologist Assistants
PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised application for licensure as an anesthesiologist assistant in the application rule.
SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised application in the anesthesiologist assistant application rule.
RULEMAKING AUTHORITY: 458.309, 458.3475 FS.
LAW IMPLEMENTED: 456.013(7), 456.031, 456.033, 458.3475 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE NO.: 64B8-31.010 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address violations and penalties in the disciplinary guidelines for anesthesiologist assistants.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for anesthesiologist assistants.

RULEMAKING AUTHORITY: 456.079, 458.309, 458.331(4), 459.005, 459.023 FS.

LAW IMPLEMENTED: 456.072, 456.079, 458.331(4), 458.3475, 459.005, 459.023 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: Larry McPherson, Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.003 RULE TITLE: Physician Assistant Licensure

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised PA application form in the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised PA application into the PA application rule.

RULEMAKING AUTHORITY: 458.347(7), 459.005, 459.022 FS.

LAW IMPLEMENTED: 456.013, 456.031, 456.033, 459.022 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.011 RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address changes to the PA disciplinary guidelines to impose similar penalties for physician assistants as for physicians and to address recent legislative changes with regard to disciplinary guidelines.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for physician assistants.

RULEMAKING AUTHORITY: 456.079, 459.0015, 459.015(5) FS.

LAW IMPLEMENTED: 456.072, 456.079, 459.015(5), 459.022(4)(e)1., (7)(f) 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-6.013 RULE TITLE: Physician Assistant Fees

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address licensure fees for physician assistants.

SUBJECT AREA TO BE ADDRESSED: Licensure fees for physician assistants.

RULEMAKING AUTHORITY: 456.036(5),(7), 459.005, 459.009, 459.022(7) FS.

LAW IMPLEMENTED: 456.036(5),(7), 459.009, 459.022(7) 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.003
RULE TITLE: Application for Licensure and Licensure Requirements for Anesthesiologist Assistants

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised application for licensure as an anesthesiologist assistant in the application rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised application in the anesthesiologist assistant application rule.

RULEMAKING AUTHORITY: 459.023, 459.005 FS.

LAW IMPLEMENTED: 459.023, 456.013(7), 456.031, 456.033 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

RULE NO.: 64B15-7.010
RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Board proposes the development of rule amendments to address violations and penalties in the disciplinary guidelines for anesthesiologist assistants.

SUBJECT AREA TO BE ADDRESSED: Disciplinary guidelines for anesthesiologist assistants.

RULEMAKING AUTHORITY: 456.079, 459.005, 459.015(5), 459.023 FS.

LAW IMPLEMENTED: 456.072, 456.079, 459.015(5), 459.023 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: Kaye Howerton, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-27.500
RULE TITLE: Negative Drug Formulary

PURPOSE AND EFFECT: The Board proposes the rule amendment to consider whether levothyroxine sodium should remain on the negative formulary list.

SUBJECT AREA TO BE ADDRESSED: Negative Drug Formulary

RULEMAKING AUTHORITY: 465.005, 465.025(6) FS., Ch. 2001-146, Laws of Florida.

LAW IMPLEMENTED: 465.025(6) FS., Ch. 2001-146, Laws of Florida.

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: Rebecca Poston, Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

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

DEPARTMENT OF HEALTH

Council of Licensed Midwifery

RULE NO.: RULE TITLE:
64B24-3.004 Endorsement Fee

PURPOSE AND EFFECT: To lower the fee charged to applicants for licensure as a midwife by endorsement.

SUBJECT AREA TO BE ADDRESSED: Endorsement Fee

RULEMAKING AUTHORITY: 467.005, 467.0135 FS.

LAW IMPLEMENTED: 467.0135(6) 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: Kaye Howerton, Executive Director, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3250

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

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NO.: RULE TITLE:
65G-11.001 DD Waiver Waitlist Prioritization

PURPOSE AND EFFECT: The purpose of the rule development is to solicit public input to be used in developing a rule for the process and procedures for prioritizing the wait list for enrollment on the Developmental Disabilities Home and Community Based Services Waiver. This rule is required to implement statutory language adopted during the 2009 Florida Legislative session.

SUBJECT AREA TO BE ADDRESSED: DD/HCBS Waiver Waitlist Prioritization.

RULEMAKING AUTHORITY: 393.065(5) FS.

LAW IMPLEMENTED: 393.065(5) FS.

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

DATE AND TIME: November 16, 2009, 6:00 p.m. – 8:00 p.m. EST

PLACE: Tallahassee Community College, Grand Banquet Hall, Workforce Innovation Building, 444 Appleyard Drive, Tallahassee, Florida 32304, ADA Contact: Nilda Barreto, (850)922-9188

DATE AND TIME: November 17, 2009, 6:00 p.m. – 8:00 p.m. EST

PLACE: Rhode Building, 401 N.W. 2nd Ave, Suite N-1011, Miami, Florida 33128, ADA Contact: Miami Area Office, (305)349-1478

DATE AND TIME: November 18, 2009, 6:00 p.m. – 8:00 p.m.
PLACE: Hurston Building, 400 W. Robinson Street, 1st Floor Conference Room, Orlando, Florida 32801, ADA Contact: Orlando Area Office, (407)245-0440

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Denise Arnold, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Denis Arnold, Agency for Persons with Disabilities, 4030 Esplanade Way, Tallahassee, Florida 32399-0950

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

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NOS.:	RULE TITLES:
68-5.001	Introduction of Non-native Species into the State
68-5.002	Conditional Non-native Species
68-5.003	Prohibited Non-native Species
68-5.004	Amnesty for Persons Relinquishing Non-native Pets

PURPOSE AND EFFECT: The purpose of this rule development effort is to address the adoption of non-native animals to help prevent the illegal release of non-native fish and wildlife. The effect of this effort will be to assist in the prevention of the release of non-native species in Florida.

SUBJECT AREA TO BE ADDRESSED: The subject area to be addressed is adoption of non-native wildlife species.

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

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

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: James V.

Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NOS.:	RULE TITLES:
68A-6.0011	Possession of Wildlife in Captivity; Permit Requirements
68A-6.002	Categories of Captive Wildlife
68A-6.0021	Possession or Transfer of Class I Wildlife as Personal Use Wildlife
68A-6.0022	Possession of Class I, II, or III Wildlife in Captivity; Permit Requirements
68A-6.0023	General Regulations Governing Possession of Captive Wildlife; Public Contact; Transfer of Wildlife and Record Keeping Requirements
68A-6.0024	Commercialization of Wildlife; Bonding or Financial Responsibility Guarantee
68A-6.0025	Sanctuaries; Retired Performing Wildlife and Identification
68A-6.003	Facility and Structural Caging Requirement for Class I, II and III Wildlife
68A-6.004	Standard Caging Requirements for Captive Wildlife
68A-6.0041	Exceptions to Standard Caging Requirements for Captive Wildlife
68A-6.0042	Elephant Rides
68A-6.005	Transportation Requirements for Wildlife; Caging Requirements for Performing and Non-Performing Animals
68A-6.006	Dealing in Exotic or Pet Birds: Records
68A-6.007	Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern
68A-6.0071	Record Keeping and Reporting Requirements
68A-6.0072	Identification of Non-Native Venomous Reptiles and Reptiles of Concern; Escape

PURPOSE AND EFFECT: The purpose and effect of this rule development is to address the possession, housing, shipment and sale of captive wildlife. The proposed rule changes will define “hobbyist” and exempt hobbyists from meeting sustained and consistent commercial activity; clarify

requirements for meeting local building and zoning codes for applicants requesting authorization to possess Class I or Class II wildlife; specify labeling requirements for the shipment of live wildlife animal life, freshwater aquatic life or marine life; and clarify submission requirements for the Critical Incident/Disaster Plan.

SUBJECT AREA TO BE ADDRESSED: Subject areas to be covered in the proposed rules include commercialization of wildlife, facility requirements, labeling requirements for the shipment of live wild animal life, freshwater aquatic life or marine life, regulation of reptiles of concern and submission of Critical Incident/Disaster Plans to County Emergency Managers.

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

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

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

**Section II
Proposed Rules**

DEPARTMENT OF COMMUNITY AFFAIRS

Florida Communities Trust

RULE NOS.:	RULE TITLES:
9K-7.002	Definitions
9K-7.003	General Requirements and Eligibility Standards
9K-7.004	Submission of Application and Application Materials
9K-7.006	Application Review
9K-7.007	Project Evaluation Criteria
9K-7.008	Ranking and Selection of Applications
9K-7.010	Modification to Expand the Project Boundary
9K-7.011	Preparation and Acceptance of the Management Plan
9K-7.013	Annual Stewardship Report Requirement