

effective date of the new or renewal policy as a basis for imposing or requesting an additional premium for or for refusing to renew any policy, contract, or certificate of motor vehicle liability, personal injury protection, medical payment, or collision insurance, or any combination thereof. Notwithstanding the above, the imposition of or the request for an additional premium due to at fault motor vehicle accidents referred to in this rule may be imposed on a policy, contract, or certificate of motor vehicle liability, personal injury protection, medical payment, or collision insurance, or any combination thereof in a manner consistent with the processing procedures of an insurer and may not remain in effect in excess of 36 months.

(2)(a) No insurer or person authorized to engage in the business of insurance in the State of Florida shall use any motor vehicle accident which may have occurred at any time in the past as the sole basis for imposing or requesting an additional premium for or for refusing to renew any policy, contract, or certificate of motor vehicle liability, personal injury protection, medical payment, or collision insurance, or any combination thereof unless that insurer’s file contains information from which the insurer in good faith determines that the insured was substantially at fault in the accident.

(b) The term “imposing or requesting additional premium” means that the premium charged by the insurer as consideration in exchange for indemnifying the insured is greater than such premium would have been if that motor vehicle accident had not taken place or the insured had not been substantially at fault in that accident. The term “accident” means any unexpected and unforeseen event that is definite in time and place.

Specific Authority 624.308(1), 626.9611 FS. Law Implemented 624.307(1), 626.9541(1)(o)3.a. FS. History–New 8-1-90, Formerly 4-43.007, 4-175.008, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michael Milnes, P&C Product Review, Office of Insurance Regulation, E-mail Michael.milnes@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 13, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 17, 2008

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 5F-11.001 | Definitions |
| 5F-11.022 | Marking of Containers |
| 5F-11.026 | Unsafe Container or System |
| 5F-11.029 | Inspection of DOT Cylinders |
| 5F-11.047 | Connecting or Disconnecting Cylinders, Tanks, or Systems; Notice to Owner; Transportation |
| 5F-11.080 | Administrative Penalties and Enforcements – Purpose |
| 5F-11.081 | Aggravating and Mitigating Factors |
| 5F-11.082 | Default Final Orders |
| 5F-11.083 | Repeat Violations |
| 5F-11.084 | Notice of Noncompliance; Failure to Correct |
| 5F-11.085 | Accident Related Violations |
| 5F-11.086 | Hazardous Acts |
| 5F-11.087 | Specific Violations; Enforcement Actions |
| 5F-11.088 | Violations; Enforcement Actions |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in the Vol. 34, No. 6, February 8, 2008 (Notice of Proposed Rulemaking) and Vol. 34, No. 27, July 3, 2008 (Notice of Change) issues of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

| RULE NO.: | RULE TITLE: |
|-----------|------------------------------------|
| 9J-5.026 | Rural Land Stewardship Area (RSLA) |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 42, October 17, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF COMMUNITY AFFAIRS

Division of Community Planning

| RULE NO.: | RULE TITLE: |
|-----------|--|
| 9J-11.023 | Procedure for the Designation of a Rural Land Stewardship Area |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 42, October 17, 2008 issue of the Florida Administrative Weekly has been withdrawn.

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."

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

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. 34, No. 33, August 15, 2008 issue of the Florida Administrative Weekly.

Paragraph numbering and the form number for the new Meter Accuracy Verification Form have been changed so that the amendments now read as follows:

40D-1.659 Forms and Instructions.

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

(1) GROUNDWATER.

(1) through (30) renumbered (a) through (dd) No change.

(2) SURFACE WATER.

(1) through (15) renumbered (a) through (o) No change.

(3) OTHER.

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

(c) METER ACCURACY VERIFICATION FORM, FORM NO. LEG-R.021.00 (07/08).

Specific Authority 373.044, 373.113, 373.149, 373.171, 373.337 FS. Law Implemented 373.116, 373.206, 373.207, 373.209, 373.216, 373.219, 373.229, 373.239, 373.306, 373.308, 373.309, 373.313, 373.323, 373.324, 373.413, 373.414, 373.416, 373.419, 373.421, 668.50 FS. History–New 12-31-74, Amended 10-24-76, Formerly 16J-0.40, 40D-1.901, 40D-1.1.901, Amended 12-22-94, 5-10-95, 10-19-95, 5-26-96, 7-23-96, 2-16-99, 7-12-99, 7-15-99, 12-2-99, 5-31-00, 9-3-00,10-26-00, 6-26-01, 11-4-01, 6-12-02, 8-25-02, 2-26-03, 9-14-03, 9-30-04, 2-1-05, 6-5-05, 10-19-05, 2-6-07, 2-26-07, 9-27-07, 11-11-07, 11-25-07, 1-8-08, 4-7-08, 5-12-08, 5-20-08, 8-19-08, 12-30-08,_____.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-2.091 Publications Incorporated by Reference

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. 34, No. 33, August 15, 2008 issue of the Florida Administrative Weekly.

In response to the Joint Administrative Procedures Committee, the amendments to the Basis of Review have been clarified and the form number changed so that the amendments will read as follows:

40D-2.091 Publications Incorporated by Reference.

The following publications are hereby incorporated by reference into this Chapter, and are available from the District upon request:

(1) Water Use Permit Information Manual Part B, "Basis of Review" (____) (~~1-20-09~~); **and**

(2) Water Use Permit Information Manual Part D, "Requirements for the Estimation of Permanent and Temporal Service Area Populations" (1-20-09); **and**

(3) Meter Accuracy Verification Form, Form No. LEG-R.021.00 (07/08).

Specific Authority 373.044, 373.113, 373.118, 373.171 FS. Law Implemented 373.036, 373.0361, 373.042, 373.0421, 373.0831, 373.116, 373.117, 373.118, 373.149, 373.171, 373.1963, 373.216, 373.219, 373.223, 373.229, 373.239, 373.243 FS. History–New 10-1-89, Amended 11-15-90, 2-10-93, 3-30-93, 7-29-93, 4-11-94, 7-15-98, 7-28-98, 7-22-99, 12-2-99, 8-3-00, 9-3-00, 4-18-01, 4-14-02, 9-26-02, 1-1-03, 2-1-05, 10-19-05, 1-1-07, 8-23-07, 10-1-07, 10-22-07, 11-25-07, 12-24-07, 2-13-08, 2-18-08, 4-7-08, 5-12-08, 7-20-08, 9-10-08, 12-30-08, 1-20-09,_____.

The following provisions are incorporated by reference in rule 40D-2.091(1)

**WATER USE PERMIT INFORMATION MANUAL
PART B, BASIS OF REVIEW**

Chapter

5.0 MONITORING REQUIREMENTS

The following provisions are added to the end of section 5.1. The paragraphs under the heading "Flow Meters" are primarily replicated from Chapter 6, the section titled "PUMPAGE REPORTING, 5. Flow Meters" except as noted through strikeout/underline. Paragraphs that are completely underlined are new:

Flow Meters

All required flow meters shall adhere to the following requirements and shall be installed and maintained as follows:

1. All meters shall be non-resettable, totalizing flow meters that have a totalizer of sufficient magnitude to retain total gallon data for a minimum of the three highest

consecutive months permitted quantities. If other measuring devices or other alternative accounting methods are proposed, prior to installation, the Permittee shall submit documentation that the other measuring devices or accounting methods meet the accuracy requirement provided below stipulations listed in this condition. If the alternative accounting method involves a meter belonging to another entity or to an alternative water supply provider, the Permittee shall submit documentation from the owner/supplier that the meter readings conform to these meter requirements. Approval for other measuring devices or accounting methods must be obtained in writing from the Regulation Department Director.

a. The flow meter(s) or other approved flow-measuring device(s) shall have and maintain an accuracy within five percent of the actual flow as installed.

b. Accuracy testing requirements:

i. For newly metered withdrawal points, ~~t~~The flow meter installation-water piping system shall be designed for inline field access for meter accuracy testing.

ii. The meter shall be tested for accuracy on-site, as installed, every five years beginning from the date of its installation for new meters or from the date of initial issuance of the this permit condition containing the metering condition with an accuracy-test requirement for existing meters.

iii. The testing frequency will be decreased if the Permittee demonstrates to the satisfaction of the District that a longer period of time for testing is warranted.

iv. The test will be accepted by the District only if performed by a person certified on knowledgeable in the test equipment used as described in the section entitled Flow Meter Verification, below.

v. If the actual flow is found to be greater than 5% different from the measured flow, within 30 days the Permittee shall have the meter re-calibrated, repaired, or replaced, whichever is necessary. Documentation of the test and a certificate of re-calibration, if applicable, shall be submitted within 30 days of each test or re-calibration.

2. The meter shall be installed according to the manufacturer's instructions for achieving accurate flow to the specifications above, or it shall be installed in a straight length of pipe where there is at least an upstream length equal to ten (10) times the outside pipe diameter and a downstream length equal to two (2) times the outside pipe diameter. Where there is not at least a length of ten diameters upstream available, flow straightening vanes shall be used in the upstream line. Existing systems that would require retrofitting to achieve the above standards will not be required to retrofit provided it is documented on the Meter Accuracy Verification Form, Form No. LEG-R.021.00 (07/08), incorporated herein by reference, that the flow meter is accurately and reliably measuring flow over different flow ranges or for the permanent operating flow. This form can be obtained from the District's website (www.watermatters.org).

3. If a metered withdrawal point, AWS inflow line or re-pump withdrawal point is not utilized during a given month, the meter report shall be submitted to the District showing the same meter reading that was submitted the previous month.

4. ~~3.~~ Broken or malfunctioning meter:

a. If the meter or other flow-measuring device malfunctions or breaks, the Permittee shall:

a. Notify the District within 15 days of discovering the malfunction or breakage;

b. ~~The meter must be r~~Replaced the broken or malfunctioning meter with a repaired or new meter, subject to the ~~same~~ specifications given above, within 30 days of the discovery; and

c. Submit estimates of their pumpage as described below.

e. If the meter is removed from the withdrawal point for any other reason, it shall be replaced with another meter having the same specifications given above, or the meter shall be reinstalled within 30 days of its removal from the withdrawal. In either event, the withdrawal point shall not lack a fully functioning meter shall not be off the withdrawal point for more than 60 consecutive days.

5. While the meter is not functioning correctly off the withdrawal, the Permittee shall document the total amount of time in minutes that the withdrawal point was used for each month and multiply those minutes times the pump capacity (in gallons per minute) for total gallons estimate their use by multiplying the number of hours the withdrawal point was used during that month times the flow capacity of the pump or mainline, whichever is appropriate, or the Permittee may request instructions on how to estimate use from the Permit Data Section. The estimate of the number of gallons used each month during that period shall be submitted on District scanning forms and noted as estimated per instructions on the form noted as an estimate when it is submitted to the District. The reason for the necessity to estimate pumpage shall be reported with the estimate.

6. In the event a new meter is installed to replace a broken meter, the meter ~~it~~ and its installation shall meet the specifications of this Chapter condition. The permittee shall notify the District of the replacement with the first submittal of meter readings from the new meter.

Transferred from Chapter 6 -09

Flow Meter Verification

The following requirements pertain to the required flow meter testing:

1. The Flow Meter Accuracy Verification Form referenced above under the heading "Flow Meters" shall be completed and provided to the District for each flow meter tested. This form can be obtained from the District's website (www.watermatters.org). If the test equipment provides a printout of data that was input, this shall be submitted with the worksheet. The equipment's water temperature shall be set to 72 degrees for ground water, and for other water sources the measured water temperature shall be used.

2. Permittees shall demonstrate that the results of the meter testing are accurate. This demonstration may be met by submitting documentation with the Flow Meter Accuracy Verification Form referenced above under the heading "Flow Meters" that:

a. The manufacturer of the test equipment, or an entity approved or authorized by the manufacturer, has trained the operator to use the specific model test equipment used for testing; and,

b. Includes a date of calibration of the testing equipment within the previous twelve months, and the test lab's National Institute of Standards and Testing (N.I.S.T.) traceability reference number.

3. A diagram showing the precise location on the pipe where the testing equipment was mounted shall be supplied with the form. This diagram shall also show the pump, installed meter, the configuration (with all valves, tees, elbows, and any other possible flow disturbing devices) that exists between the pump and the test location clearly noted with measurements. If flow straightening vanes are utilized, their location(s) shall also be included in the diagram.

4. A picture(s) of the test location, including the pump, installed flow meter, and the measuring device, or for sites where the picture does not include all of the items listed above, a picture of the test site with a notation of distances to these items.

5. A minimum of two separate timed tests shall be performed for each meter. Each timed test shall consist of measuring flow using the test meter and the installed meter for a minimum of four minutes duration. If the two tests do not yield consistent results, additional tests shall be performed for a minimum of eight minutes or longer per test until consistent results are obtained. If the installed meter has a rate of flow, or large multiplier that does not allow for consistent results to be obtained with four- or eight-minute tests, the duration of the test shall be increased as necessary to obtain accurate and consistent results with respect to the type of flow meter installed. The results of two consistent tests shall be averaged, and the result will be considered the test result for the meter being tested. This result shall be expressed as a plus or minus percent (rounded to the nearest one-tenth percent) accuracy of the installed meter relative to the test meter. The percent accuracy indicates the deviation (if any), of the meter being tested from the test meter.

6. Flow meters that fail to meet the District's accuracy requirements must be repaired or replaced within 30 days. These meters shall be retested after the repair and the results submitted to the District within 30 days of the test.

____-09.

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 Osteopathic Medicine

| | |
|--------------|---|
| RULE NO.: | RULE TITLE: |
| 64B15-13.001 | Continuing Education for Biennial Renewal |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 41, October 10, 2008 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF HEALTH

Board of Psychology

| | |
|---------------|-------------------------------------|
| RULE NO.: | RULE TITLE: |
| 64B19-11.0075 | Application Closure After 24 Months |

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 34, No. 49, December 5, 2008 issue of the Florida Administrative Weekly.

The rule number was published as 64B19-11.007, but the correct rule number is 64B19-11.0075. The foregoing correction does not affect the substance of the Notice or the subsequent adoption of the rule.

The person to be contacted regarding the above correction is: Allen Hall, Executive Director, Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253.

DEPARTMENT OF HEALTH

Division of Emergency Medical Operations

| | |
|------------|--|
| RULE NOS.: | RULE TITLES: |
| 64J-2.007 | Trauma Agency Formation, Continuation, and Plan Requirements |
| 64J-2.008 | Trauma Agency Plan Approval and Denial Process |
| 64J-2.009 | Trauma Agency Implementation and Operation 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. 34, No. 49, December 5, 2008 issue of the Florida Administrative Weekly.

The following changes are in response to revisions requested by the Joint Administrative Procedures Committee and technical changes to correct redundancy, punctuation and inconsistency errors.

64J-2.007 Trauma Agency Formation, Continuation, and Plan Requirements.

64J-2.007(2)(a)

~~(a)(e)~~ Hold a public hearing at least 60 days prior to the submission of the plan to the department, and give adequate notice of the hearing to the public in the defined geographic area to be served by county or counties in which the proposed trauma agency shall operate. Adequate notice shall consist of publishing the notice, at least 30 days prior to the public hearing, in at least one newspaper of general circulation in each affected county. If a newspaper is not published in a county in which the a proposed trauma agency shall operate, adequate notice may be given by publishing the notice in at least one newspaper of general circulation in adjoining affected counties.

64J-2.007(3)(k)2.

2. Verify that the existing communications within the trauma agency's trauma service area meet all the requirements for compliance with the Florida Emergency Medical Services Communication Plan, Volume I – March 2004 and Volume II – July 2008, to include all hospitals with emergency departments. The Florida Emergency Medical Services Communications Plan (Volumes I and II) is incorporated by reference and a copy of the document can be obtained by mail from the Department of Management Services, Division of Telecommunications, 4030 Esplanade Way, Suite 180, Tallahassee, Florida 32399; or electronically through the following web link: http://dms.myflorida.com/cits/public_safety/radio_communications/radio_communication_plans .

64J-2.008 Trauma Agency Plan Approval and Denial Process.

(1) The department shall, within 30 days of receipt of the ~~initial formation of a trauma agency plan or the five-year and the trauma agency 5-year plan update~~, review the ~~proposed~~ trauma agency's trauma system plan, and notify the ~~proposed~~ trauma agency that the plan is complete, or that there are omissions. If there are omissions, the department shall request the required additional information to be submitted by the ~~proposed~~ trauma agency.

(2) The ~~existing or proposed~~ trauma agency shall submit the requested additional information to the department within 30 days of receipt of the notice of omissions.

(5) The department shall issue a letter of approval to the ~~existing or proposed~~ trauma agency upon determination that the plan is in compliance with Chapters 395 and 401, F.S., and Chapters 59A-3 and 64J-2, F.A.C.

(6) The department shall issue a letter of denial to the ~~existing or proposed~~ trauma agency upon determination that the plan is not in compliance with Chapters 395 and 401, F.S., and Chapters 59A-3 and 64J-2, F.A.C. The letter shall specify the deficiencies in the plan and include notification of any right to a hearing pursuant to Section 120.57, F.S.

64J-2.009 Trauma Agency Implementation and Operation Requirements.

~~(2)(b)2.5.~~ Documentation that all trauma centers in the geographic area of the trauma agency participate in the trauma agency's quality assurance and improvement activities process.

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NOS.:

RULE TITLES:

69A-37.055

Curriculum Requirements for Training Firefighter Recruits or Firefighters

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. 34, No. 52, December 24, 2008 issue of the Florida Administrative Weekly.

69A-37.055 Curriculum Requirements for Training Firefighter Recruits or Firefighters.

(1) The firefighter training embodied in the curriculum requirements for schools operated by or for any employing agency for the specific purpose of training firefighter recruits or firefighters shall consist of 206 hours of training to complete Part I (equivalent to NFPA Firefighter I compliant) and an additional 192 hours to complete Part II (equivalent to NFPA Firefighter II compliant) training. Completion of both Part I and Part II represents the required 398 hours referred to collectively hereinafter as the "Minimum Standards Course;" which is required to be certified as a firefighter. The individual courses shall have the titles, content, and at least the minimum hours of instruction as prescribed by the Bureau in this rule. Part I completion shall be documented when the required coursework identified in this section has been completed. These courses shall be delivered by an instructor approved by the Bureau. A score of 70% or more must be achieved on each of a written and practical examination delivered by the Bureau. Part I curriculum may be delivered by a recognized fire department. ~~The completion of the Form DFS-K4-1028 "Verification of Prescribed Training Hours" evidencing compliance with minimum curriculum requirements shall be presented to the Bureau Field Representative prior to the state certification examination.~~ The school or employing agency is permitted and encouraged to offer additional training above that training required by this chapter for firefighter recruit training.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NO.:

RULE TITLE:

69O-163.011

Credit Disability Insurance Rates

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 44, October 31, 2008 Florida Administrative Weekly has been continued from January 13, 2009 to February 10, 2009.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

| | |
|------------------|---|
| RULE NO.: | RULE TITLE: |
| 69O-164.040 | Determining Reserve Liabilities for Preneed Life Insurance |

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 40, October 3, 2008 Florida Administrative Weekly has been continued from January 13, 2009 to February 10, 2009.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

| | |
|-------------------|--|
| RULE NOS.: | RULE TITLES: |
| 69O-186.003 | Title Insurance Rates |
| 69O-186.005 | Premium Schedule Applicable to “Truth in Lending” and Other Endorsements |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 31, No. 22, June 3, 2005 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

| | |
|------------------|---------------------------------------|
| RULE NO.: | RULE TITLE: |
| 69O-186.013 | Title Insurance Statistical Gathering |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 32, No. 40, October 6, 2006 issue of the Florida Administrative Weekly has been withdrawn.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

| | |
|------------------|--|
| RULE NO.: | RULE TITLE: |
| 69O-204.101 | Disclosures to Viator of Disbursement |

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 11, March 14, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**Section IV
Emergency Rules**

**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.”

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.”

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

DEPARTMENT OF LAW ENFORCEMENT

NOTICE IS HEREBY GIVEN THAT on January 14, 2009, the Criminal Justice Standards and Training Commission, received a petition for waiver of paragraph 11B-27.0013(8)(f), F.A.C., by Alan Kalfus. The Petitioner wishes to waive that portion of the rule requiring canine team evaluators to become reapproved every four years.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32302, (850)410-7676.

**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.”

WATER MANAGEMENT DISTRICTS

NOTICE IS HEREBY GIVEN THAT on January 9, 2009, the South Florida Water Management District, received a petition for waiver from Edward A. Bakay Jr. and Sandra K. Bakay, Application No. 08-0609-2, for utilization of Works or Lands of the District known as the Golden Gate Main Canal, for the proposed installation of a cross fence within 40 feet of the top of the canal bank; Sections 10 & 11, Township 49 South, Range 27 East, Collier County. The petition seeks relief from subsections 40E-6.011(4) and (6), Florida Administrative Code, which governs the placement of permanent and/or