

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.036
RULE TITLE: Arts and Cultural Grants
PURPOSE AND EFFECT: The purpose of this rule amendment is to establish in rule the most recent guidelines and grant report form for the General Program Support Program and the Specific Cultural Project Program. The guidelines for both programs clarify eligibility criteria, match requirements, application submission criteria, panel review and evaluation criteria, amend materials incorporated by reference, and update the application form.

SUBJECT AREA TO BE ADDRESSED: Guidelines and application forms for the General Program Support Program and the Specific Cultural Project Program. Specific areas include: eligibility criteria, match, application procedures, panel review and evaluation criteria, and updated application and grant report forms.

RULEMAKING AUTHORITY: 265.284(3)(j), 265.286(1), (11) FS.

LAW IMPLEMENTED: 265.284, 265.286, 286.011, 286.012 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: Monday, November 28, 2011, 9:30 a.m.

PLACE: Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, Room 302A, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250. 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: Donald R. Blancett, Division of Cultural Affairs, R. A. Gray Building, 3rd Floor, 500 South Bronough Street, Tallahassee, Florida 32399-0250

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

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

RULE NO.: 5A-17.001
RULE TITLE: Agricultural Land Acknowledgment
PURPOSE AND EFFECT: The Agricultural Land Acknowledgment Act, Section 163.3163, Florida Statutes, was created by Section 2 of Chapter 2011-007, Laws of Florida, (HB 7103). The Department of Agriculture and Consumer Services, in cooperation with the Department of Revenue, may adopt rules to administer the Act. The Department has received several comments requesting rulemaking to ensure common application of the Act across the state.

SUBJECT AREA TO BE ADDRESSED: Agricultural Land Acknowledgment Act, Section 163.3163, Florida Statutes.

RULEMAKING AUTHORITY: 163.3163(4)(c), 570.07(23) FS.

LAW IMPLEMENTED: 163.3163 FS.

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

DATE AND TIME: December 1, 2011, 1:30 p.m.

PLACE: The Terry L. Rhodes Building, 2005 Apalachee Parkway Ste 225, Tallahassee, FL 32399 and by conference call at Dial-In Number: 1(888)808-6959 with Conference Code: "3457501149".

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: Steven Hall, Attorney, by email at "Steven.Hall@FreshFromFlorida.com" or by phone (850)245-1000. 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: Steven Hall, Attorney, Department of Agriculture and Consumer Services by email at "Steven.Hall@FreshFromFlorida.com" or by phone (850)245-1000

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

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

RULE NO.: 15C-20.001
RULE TITLE: Derelict Motor Vehicle Electronic Application and Notification

PURPOSE AND EFFECT: To establish electronic notification systems for salvage motor vehicle dealers and secondary metals recyclers on salvage and derelict motor vehicles; establish fees for such system.

SUBJECT AREA TO BE ADDRESSED: Reporting requirements for salvage and derelict motor vehicles and mobile homes relating to the titles of motor vehicles or mobile homes and associated fees.

RULEMAKING AUTHORITY: 319.30(8)(a) FS.

LAW IMPLEMENTED: 319.30(2)(c)2., 319.30(7)(a)4.b, 319.30(8) 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: Thursday, December 15, 2011, 2:00 p.m., EST

PLACE: 2900 Apalachee Parkway, Neil Kirkman Building, Room A427, Tallahassee, Florida 32399

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: Selma Sauls, Government Operations Consultant I, 2900 Apalachee Parkway, Tallahassee Florida 32399, selmsauls@flhsmv.gov (850)617-3001. 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: Selma Sauls, Government Operations Consultant I, 2900 Apalachee Parkway, Tallahassee Florida 32399, selmsauls@flhsmv.gov (850)617-3001

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

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-4.034	Tariffs
25-4.0341	Filing of Service Schedules

PURPOSE AND EFFECT: Rule 25-4.034, F.A.C., would be amended and Rule 25-4.0341, F.A.C., would be added to comply with recent changes to Section 364.04(1), F.S., which permits telecommunications companies the option of filing published service schedules either with the Commission or through other reasonably publicly accessible means, including on a website, and which provides that the Commission shall have no jurisdiction over the content or form or format of such published schedules. Rule 25-4.034, F.A.C., would require local exchange telecommunications companies to maintain tariffs on file with the Commission setting forth all intrastate rates, terms and conditions for network access services pursuant to Section 364.163, F.S., and would otherwise simplify requirements when schedules or tariffs are published

with the Commission. Rule 25-4.0341, F.A.C., would offer limited guidance to telecommunications companies choosing to file service schedules with the Commission. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Telecommunications utility regulation.

RULEMAKING AUTHORITY: 350.127, 364.01 FS.

LAW IMPLEMENTED: 364.01, 364.04, 364.163 FS.

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

DATE AND TIME: Monday, December 5, 2011, 1:30 p.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL

One or more Commissioners may be in attendance and participate in the workshop. In accordance with the Americans with Disabilities Act, persons requiring a special accommodation to participate at this workshop should contact the Office of Commission Clerk no later than five days prior to the workshop at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rosanne Gervasi, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6224, rgervasi@psc.state.fl.us. The agenda for the workshop and a copy of the preliminary draft of the proposed rule amendment will be available on the Commission's website, www.floridapsc.com, after November 15, 2011

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

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-4.083	Preferred Carrier Freeze.
25-4.118	Local, Local Toll, or Toll Provider Selection.

PURPOSE AND EFFECT: Rule 25-4.083, F.A.C., would be repealed and the substance of Rule 25-4.083, F.A.C., would be incorporated into Rule 25-4.118, F.A.C. Rule 25-4.118, F.A.C., would be amended to comply with recent changes to Section 364.16(5), F.S., relating to unauthorized changes of a subscriber's local telecommunications service and preferred carrier freezes and to incorporate the substance of Rule 25-4.083, F.A.C. The amendments to Rule 25-4.118, F.A.C., would be consistent with the Telecommunications Act of 1996, provide for specific verification methods, provide for subscriber notification regarding a preferred carrier freeze at no charge, allow for a subscriber's change to be considered valid if verification is performed consistent with Commission

rules, and provide remedies for violations of the rule and allow for the imposition of other penalties available under Chapter 364, F.S. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Telecommunications utility regulation.

RULEMAKING AUTHORITY: 350.127, 364.01, 364.16(5) FS.

LAW IMPLEMENTED: 364.01, 364.16(5), 364.285 FS.

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

DATE AND TIME: Monday, December 5, 2011, 9:30 a.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL

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PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-6.019	Notification of Accidents
25-6.0345	Safety Standards for Construction of new Transmission and Distribution Facilities
25-6.060	Meter Test – Referee

PURPOSE AND EFFECT: To repeal Rule 25-6.019, F.A.C., to eliminate duplication and conflict with other rules; to amend Rule 25-6.0345, F.A.C., to update property damage reporting requirement; and to change the title of Rule 25-6.060, F.A.C., for accuracy and clarification. Undocketed.

SUBJECT AREA TO BE ADDRESSED: The rule addresses electric utility requirements concerning notification of accidents, safety standards for construction on new transmission and distribution facilities, and meter tests.

RULEMAKING AUTHORITY: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 366.04(2)(f), (6), 366.05(1), (3) 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: Kathryn G. W. Cowdery, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

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

PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-7.059	Use of Meters
25-7.060	Location of Meters and Associated Appurtenances
25-7.061	Meter Testing Equipment
25-7.062	Meter Test Records
25-7.064	Periodic Meter Tests
25-7.065	Meter Test by Request
25-7.066	Meter Test – Referee
25-7.070	Sealing Meters
25-7.071	Measuring Customer Service
25-7.084	Meter Readings

PURPOSE AND EFFECT: Rule 25-7.059, F.A.C., would be clarified to accurately describe the “pressure control” function; Rule 25-7.060 would be amended to delete obsolete meter locating requirements; Rule 25-7.061, F.A.C., would be amended to delete obsolete meter-testing technology language; Rule 25-7.062 would be amended to remove obsolete language and to clarify language; Rule 25-7.064, F.A.C., language would be amended for accuracy and clarification; Rule 25-7.065 would be amended to add allowable methods of test request and to add clarifying language; Rule 25-7.066, F.A.C., would be amended to add clarifying language; Rule 25-7.070, F.A.C., would be amended to update terminology; Rule 25-7.071, F.A.C., would be amended to delete unnecessary language; Rule 25-7.084, F.A.C., would be amended to remove obsolete language and to add clarifying language. Undocketed.

SUBJECT AREA TO BE ADDRESSED: The rules address the use of meters, location of meters and associated appurtenance, meter testing equipment, meter test records, periodic meter tests, meter test by request, meter test-referee, sealing meters, measuring customer service, and meter readings.

RULEMAKING AUTHORITY: 350.127(2), 366.05(1) FS.

LAW IMPLEMENTED: 366.03, 366.05(1), (3), (4), (5) 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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PUBLIC SERVICE COMMISSION

RULE NOS.:	RULE TITLES:
25-12.005	Codes and Standards Adopted
25-12.008	New, Reconstructed or Converted Facilities
25-12.027	Welder Qualifications
25-12.052	Criteria for Cathodic Protection of Buried or Submerged Steel, Cast Iron, and Ductile Iron Pipeline Construction Notice

PURPOSE AND EFFECT: Rule 25-12.005, F.A.C., would be amended to adopt the most current applicable Code of Federal Regulation sections for natural gas pipelines; Rule 25-12.008, F.A.C., would be amended to delete obsolete requirements and to reflect the adoption of the most current applicable C.F.R. section; Rule 25-12.027, F.A.C., would be amended to reflect the adoption of the most current applicable C.F.R. section; Rule 25-12.052, F.A.C., would be amended to remove obsolete language and to reflect the adoption of the most current applicable C.F.R. section; Rule 25-12.082, F.A.C., would be amended to specify the timeframe within which major pipeline construction or alternation notification must be given to the Commission.

Undocketed

SUBJECT AREA TO BE ADDRESSED: Safety of gas transportation by pipeline.

RULEMAKING AUTHORITY: 350.127(2), 368.05(2), FS.
LAW IMPLEMENTED: 38.03, 368.05(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kathryn G. W. Cowdery, Office of General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6216, kcowdery@psc.state.fl.us

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

PUBLIC SERVICE COMMISSION

RULE NO.: 25-24.825
RULE TITLE: Price List
PURPOSE AND EFFECT: Rule 25-24.825, F.A.C., would be repealed to comply with recent changes to Section 364.04(1), F.S., which permits telecommunications companies the option of filing published service schedules either with the Commission or through other reasonably publicly accessible means, including on a website, and which provides that the Commission shall have no jurisdiction over the content or form or format of such published schedules. Undocketed.

SUBJECT AREA TO BE ADDRESSED: Telecommunications utility regulation.

RULEMAKING AUTHORITY: 350.127, 364.01 FS.

LAW IMPLEMENTED: 364.01, 364.04 FS.

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

DATE AND TIME: Monday, December 5, 2011, 1:30 p.m.

PLACE: Betty Easley Conference Center, Room 148, 4075 Esplanade Way, Tallahassee, FL

One or more Commissioners may be in attendance and participate in the workshop. In accordance with the Americans with Disabilities Act, persons requiring a special accommodation to participate at this workshop should contact the Office of Commission Clerk no later than five days prior to the workshop at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Rosanne Gervasi, Florida Public Service Commission, Office of the General Counsel, 2540 Shumard Oak Blvd., Tallahassee, FL 32399-0850, (850)413-6224, rgervasi@psc.state.fl.us. The agenda for the workshop and a copy of the preliminary draft of the proposed rule amendment will be available on the Commission's website, www.floridapsc.com, after November 15, 2011

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

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-302.104
RULE TITLE: Correctional Probation Officers Carrying Firearms

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify what type of holster is required of probation officers who carry firearms.

SUBJECT AREA TO BE ADDRESSED: Probation officers' firearms.

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 20.315, 790.06 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.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-302.104 Correctional Probation Officers Carrying Firearms.

(1) through (3) No change.

(4) Carrying a Firearm While on Duty.

(a) Officers who elect to carry a firearm and who receive Department authorization to carry a firearm, are authorized to carry the firearm, in accordance with Department standards, only while on duty conducting field supervision and investigation. The firearm shall be carried in a holster about the waist. ~~All holsters that secure the firearm about the waist shall be of a type which secures the firearm with a thumb break retainer.~~ Only the authorized firearm may be carried.

(b) through (5) No change.

(6) Firearm Type, Holsters, and Ammunition.

(a) Correctional probation officers are authorized to carry only department approved firearms, holsters, ammunition and reloading devices.

(b) through (11) No change.

Rulemaking Specific Authority 944.09 FS. Law Implemented 20.315, 790.06 FS. History--New 5-28-86, Amended 7-7-92, 12-20-92, 3-30-94, 9-27-94, 12-19-94, 3-8-95, 2-15-98, Formerly 33-24.013, Amended 3-4-01, 12-4-01, 8-13-03, 6-24-04, 7-13-05, 3-27-08,

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-40.302	Conditions for Issuance of General Permits

PURPOSE AND EFFECT: The purpose of this rulemaking is to clarify the threshold for general environmental resource permits when activities are proposed to occur in, on or over wetlands and other surface waters. Under current rule language, one of the thresholds for a general permit is activity in, on or over wetlands and other surface waters must be limited to one acre or less. Excluded from the calculation of this one-acre limit are upland-cut ditches and any wholly

owned isolated wetland or other surface water less than one-half acre in size and for which mitigation is not required. Under Section 3.2.2.2 of the District's Environmental Resource Permitting Information Manual Part B, Basis of Review, alterations to wholly owned ponds constructed entirely in uplands and less than one acre in size do not require mitigation to offset any adverse impacts to fish and wildlife. Accordingly, the proposed amendment will exclude activities in wholly owned ponds up to one acre in size that are constructed entirely in uplands and for which mitigation is not required from the general permit threshold of one acre of activities in wetlands or other surface waters. The effect will be to reduce unnecessary regulatory burdens and achieve other streamlining benefits for the regulated public when proposed activities involve wetlands and other surface waters.

SUBJECT AREA TO BE ADDRESSED: General Environmental Resource Permits.

RULEMAKING AUTHORITY: 373.044, 373.113, 373.118 FS.

LAW IMPLEMENTED: 373.079(4)(a), 373.083(5), 373.413, 373.414, 373.416, 373.419 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: The Southwest Florida Water Management District Human Resources Director, 2379 Broad Street, Brooksville, Florida 34604-6899; telephone (352)796-7211, ext. 4702 or 1(800)423-1476 (FL only), ext. 4702; TDD (FL only) 1(800)231-6103; or email to ADACoordinator@swfwmd.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: Barbara Martinez, Office of General Counsel, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, extension 4660 (OGC#2011051)

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

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

RULE NO.:	RULE TITLE:
61H1-27.001	College or University Requirements

PURPOSE AND EFFECT: The Board proposes the rule amendment to add Hong Kong to a list of countries with Board-approved college or university accounting programs to mirror the recent recognition by the U.S. International Qualifications Appraisal Board.

SUBJECT AREA TO BE ADDRESSED: College or University Requirements.

RULEMAKING AUTHORITY: 473.304, 473.306 FS.

LAW IMPLEMENTED: 473.306 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: Veloria A. Kelly, Executive Director, Board of Accountancy, 240 N.W. 76th Drive, Suite A, Gainesville, Florida 32607

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: RULE TITLE:
64B7-24.017 Board Business

PURPOSE AND EFFECT: The Board proposes this rule amendment to delete a subsection that contradicts Section 456.011, and a subsection unnecessary because it states a requirement already mandated by statutes.

SUBJECT AREA TO BE ADDRESSED: Board Business.

RULEMAKING AUTHORITY: 456.011(4) FS.

LAW IMPLEMENTED: 456.011(4) 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: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: RULE TITLE:
64B7-26.001 Definitions

PURPOSE AND EFFECT: The Board proposes this rule amendment to delete a rule subsection that repeats the language of the statute.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.043(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.

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DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: RULE TITLE:
64B7-27.100 Fees

PURPOSE AND EFFECT: The Board proposes this new rule to consolidate the fees into one rule, delete obsolete fees rules and reduce the reactivation rule for massage therapists and the initial licensure fee for massage establishments.

SUBJECT AREA TO BE ADDRESSED: Fees.

RULEMAKING AUTHORITY: 456.013(2), 456.025(1), 456.036(7), (8), 456.065(3), 480.035(7), 480.044 FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), 456.036(4), 456.065(3), 480.043(7), 480.044 FS.

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DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: RULE TITLE:
64B7-28.008 Display of Licenses

PURPOSE AND EFFECT: The Board proposes this rule amendment to implement Section 456.072(1)(t), F.S., in a manner that will assist the Department investigators in determining unlicensed practice of massage therapy.

SUBJECT AREA TO BE ADDRESSED: Display of Licenses.

RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 456.072(1)(t), 480.043(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: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: RULE TITLE:
64B7-28.0095 Continuing Education for Pro Bono Services

PURPOSE AND EFFECT: The Board proposes this rule amendment to incorporate the forms developed for the pro bono method of achieving the required biennial continuing education.

SUBJECT AREA TO BE ADDRESSED: Continuing Education for Pro Bono Services.

RULEMAKING AUTHORITY: 456.013, 480.0415 FS.

LAW IMPLEMENTED: 456.013, 480.0415 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: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: RULE TITLE:
64B7-29.001 Definitions

PURPOSE AND EFFECT: The Board proposes this rule amendment to incorporate in the definition of “direct supervision” the generally accepted standard of the boards regulating health care professionals.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 480.035(7), 480.041(4)(b) FS.

LAW IMPLEMENTED: 480.041(4)(b) 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: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: RULE TITLE:
64B7-32.001 Definitions

PURPOSE AND EFFECT: The Board proposes this rule amendment to modify the rule so that courses that are eligible for distance learning do not require the physical presence of the instructor.

SUBJECT AREA TO BE ADDRESSED: Definitions.

RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(b) 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: Anthony

Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-32.002
 RULE TITLE: Documentation of Graduation from a Board Approved Massage School

PURPOSE AND EFFECT: The Board proposes this rule amendment to simplify and reduce the documentation necessary from Board approved massage programs regarding the documentation for the programs' graduates.

SUBJECT AREA TO BE ADDRESSED: Proof of Graduation.
 RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(b) 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: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Board of Massage

RULE NO.: 64B7-32.003
 RULE TITLE: Minimum Requirements for Board Approved Massage Schools

PURPOSE AND EFFECT: The Board proposes this rule amendment to establish a standard for success on the approved national examinations in order to assist Florida citizens in achieving licensure after substantial expenditure in completing the required education and deletes documentation not needed for review of the program.

SUBJECT AREA TO BE ADDRESSED: Minimum Requirements for Board Approved Massage Schools.
 RULEMAKING AUTHORITY: 480.035(7) FS.

LAW IMPLEMENTED: 480.033(9), 480.041(1)(b) 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: Anthony Jusevitch, Executive Director, Board of Massage Therapy/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256

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

DEPARTMENT OF HEALTH

Prescription Drug Monitoring Program

RULE NO.: 64K-1.007
 RULE TITLE: Indicators of Substance Abuse

PURPOSE AND EFFECT: The Department determined that a new rule is needed to implement the statute requiring the program manager to work with the stakeholders to develop a rule to identify the indicators of controlled substance abuse.

SUBJECT AREA TO BE ADDRESSED: Indicators of Substance Abuse.

RULEMAKING AUTHORITY: 893.055 FS.

LAW IMPLEMENTED: 893.055 FS.

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

DATE AND TIME: December 1, 2011, 9:00 a.m.

PLACE: Orlando Airport Marriott, 7499 Augusta National Drive, Orlando, Florida 32822

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: telephone number (850)245-4292. 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: Rebecca R. Poston, BPharm, RPh., Program Manager, 4052 Bald Cypress Way, Bin #C-16, Tallahassee, Florida 32399, telephone number (850)245-4797

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

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68A-4.009 **RULE TITLE:** Florida Black Bear
PURPOSE AND EFFECT: As required by paragraph 68A-27.0012(3)(a), F.A.C., the Florida black bear has been evaluated under the listing criteria. The Commission is considering removing the Florida black bear from the State-designated Threatened species list. This rule would provide for prohibitions, permitting, and agency activities concerning the Florida black bear subsequent to its removal from the State-designated Threatened species list.
SUBJECT AREA TO BE ADDRESSED: Regulations concerning the Florida black bear subsequent to its removal from the State-designated Threatened species list.
RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const.
LAW IMPLEMENTED: Art. IV., Sec. 9, Fla. Const., 379.1025 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: David Telesco, Bear Management Program, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399 (phone: (850)922-4330)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE FROM THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION WEBSITE, <http://www.MyFWC.com/Bear>. Look under Read the Draft Bear Management Plan; the proposed rule language is in Appendix V.

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68A-27.003 **RULE TITLE:** Designation of Endangered Species; Prohibitions
PURPOSE AND EFFECT: As required by paragraph 68A-27.0012(3)(a), F.A.C., the Florida black bear has been evaluated under the listing criteria. The Commission is considering removing the Florida black bear from the State-designated Threatened species list. The effect of this rule would be to remove the Florida black bear from the State-designated Threatened species list.
SUBJECT AREA TO BE ADDRESSED: Regulations concerning the Florida black bear.
RULEMAKING AUTHORITY: Art. IV, Sec. 9, Fla. Const.
LAW IMPLEMENTED: Art. IV., Sec. 9, Fla. Const.

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: Kelly Samek, Senior Attorney, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399 (phone: (850)487-1764)

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE BY REQUEST (see above).

**Section II
Proposed Rules**

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.721 **RULE TITLE:** Visiting Operations
PURPOSE AND EFFECT: The purpose and effect of the proposed rulemaking is to remove reference to smoking.
SUMMARY: The proposed rule is amended to clarify that tobacco use by visitors is not permitted.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency. Based on information provided by the Bureau of Classification and Central Records, the changes only affect internal operations and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 944.09 FS.
LAW IMPLEMENTED: 944.09, 944.23, 944.8031 FS.
 IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Lee Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.721 Visiting Operations.

(1) through (6) No change.

~~(7) Smoking shall be permitted only in an outdoor smoking area designated by the warden.~~

(8) through (11) renumbered (7) through (10) No change.

(11) Neither inmates nor visitors, including death row inmates and their visitors, shall be permitted to possess or use tobacco products as defined in Section 944.115(2)(d), F.S., during visitation.

Rulemaking Specific Authority 944.09, ~~944.23~~ FS. Law Implemented 944.09, 944.115, 944.23, 944.8031 FS. History–New 11-18-01, Amended 5-27-02, 9-16-03, 7-17-07,_____.

Editorial Note: Formerly 33-601.708, F.A.C.

NAME OF PERSON ORIGINATING PROPOSED RULE: Russell Hosford, Assistant Secretary of Institutions
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth Tucker, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 22, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 27, 2011

DEPARTMENT OF CORRECTIONS

RULE NO.: 33-601.800
RULE TITLE: Close Management

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to clarify that for inmates who have committed certain offenses such as assault or battery against staff, the regional director shall provide written authorization prior to release of such inmates from close management.

SUMMARY: The rule is clarified to state that inmates who have committed offenses such as assault or battery against staff, the regional director shall provide authorization for release from close management.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

Based on information provided by the Bureau of Security Operations, the rule change only affects internal operations and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 944.09 FS.

LAW IMPLEMENTED: 944.09 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kendra Jowers, 501 South Calhoun Street, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

33-601.800 Close Management.

(1) through (15) No change.

(16) Review of Close Management.

(a) through (f) No change.

(g) Before an inmate is released from CM, written authorization must be obtained by the SCO from the regional director if any of the following apply:

1. The inmate has been convicted, regardless of whether adjudication is withheld, of any assault or battery, or any attempted assault or battery, that constitutes a felony on a staff member;

2. The inmate has an active detainer as a result of any assault or battery, or any attempted assault or battery, that constitutes a felony on a staff member; or

3. The inmate is confined under the Interstate Corrections Compact and has been convicted, regardless of whether adjudication is withheld, of any assault or battery, or any attempted assault or battery, that constitutes a felony on a staff member in the state from which he transferred.

Rulemaking Authority 944.09 FS. Law Implemented 944.09 FS. History–New 2-1-01, Amended 12-16-01, 4-8-04, 3-10-05, 4-9-06, 8-23-07, 4-27-08, 6-28-10, 3-9-11, 7-31-11,_____.

Editorial Note: Formerly 33-601.801-.813, substantially amended February 1, 2001.

NAME OF PERSON ORIGINATING PROPOSED RULE: Russell Hosford, Assistant Secretary of Institutions
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Kenneth Tucker, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 6, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 16, 2010

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: 61C-1.008
RULE TITLE: License Fees

PURPOSE AND EFFECT: The purpose and effect of the proposed rule development is to reduce the fee charged to process a variance request to zero; to repeal language that duplicates statutory requirements as identified in the rule

review completed under Executive Order 11-01; and to change resort license classifications to vacation rentals, as renamed by Chapter 2011-119, Laws of Florida.

SUMMARY: The proposed rule removes language that duplicates statutory requirements, replaces the license classification of “resort condominiums” and “resort dwellings” with “vacation rentals”, identifies vacation rentals as condominiums and dwellings for licensing purposes, and reduces the fee for a variance request to \$0.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: N/A

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: the economic review conducted by the agency.

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

RULEMAKING AUTHORITY: 509.032, 509.251 FS.

LAW IMPLEMENTED: 509.013, 509.032, 509.251, 509.302 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Comingore, Operations Review Specialist, Division of Hotels and Restaurants, Department of Business and Professional Regulation, 1940 North Monroe St., Tallahassee, FL 32399-1011, Telephone: (850)488-1133, E-Mail: Michelle.Comingore@dbpr.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

61C-1.008 License Fees.

(1) No change.

~~(2) The license fee shall be paid to the division before a license is issued, and the license fee to be charged shall be determined according to the licensing fee schedule in effect at the time an application for a license is received by the division.~~

~~(2)(3) Fractional License Fees.~~ The licensing fee schedule shall require an establishment which applies for an initial license to pay the full license fee, if application is made during

the annual renewal period or more than 6 months prior to the next such renewal period, and one-half of the fee if application is made 6 months or less prior to such period.

~~(3)(4) Amount of License Fee – Public Lodging Establishment.~~ The license fee to conduct a public lodging establishment shall be in accordance with the following schedule exclusive of the categories of fee adjustments set forth in subsections 61C-1.008(1) and (3), F.A.C.:

(a) TRANSIENT LODGING/EXCLUDING TRANSIENT APARTMENTS AND VACATION RENTALS RESORT CONDOMINIUMS AND DWELLINGS.

NUMBER OF UNITS	BASIC FEE	INCREMENTAL UNIT FEE	HEP FEE	TOTAL FEE
SINGLE UNIT	\$170	\$10	\$10	\$190
2-25	\$170	\$20	\$10	\$200
26-50	\$170	\$35	\$10	\$215
51-100	\$170	\$50	\$10	\$230
101-200	\$170	\$75	\$10	\$255
201-300	\$170	\$105	\$10	\$285
301-400	\$170	\$135	\$10	\$315
401-500	\$170	\$160	\$10	\$340
OVER 500	\$170	\$190	\$10	\$370

(b) No change.

(c) VACATION RENTALS RESORT CONDOMINIUMS AND RESORT DWELLINGS.

1. Vacation rentals may be classified as a Resort condominium or and resort dwelling and licenses may be classified as either single, or collective or group, as defined in Rule 61C-1.002, F.A.C.

2. Fees for renewal shall be based on the number of existing units under license at the time of the renewal period. Unless timely notification of additions or deletions of units in a group or collective license is given to the division, as set forth in sub-subparagraph 61C-1.002(4)(c)5.c., F.A.C., the fee for renewal shall be based upon the number of units under license when the license was either issued or last renewed, whichever is most recent.

3.a. VACATION RENTALS RESORT CONDOMINIUMS AND DWELLINGS/ COLLECTIVE LICENSE.

BASIC FEE	PER UNIT FEE	HEP FEE	TOTAL FEE
\$150	\$10	\$10	VARIES

b. VACATION RENTALS RESORT CONDOMINIUMS AND DWELLINGS /GROUP AND SINGLE LICENSE.

NUMBER OF UNITS	BASIC FEE	INCREMENTAL UNIT FEE	HEP FEE	TOTAL FEE
SINGLE UNIT	\$150	\$10	\$10	\$170
2-25	\$150	\$20	\$10	\$180
26-50	\$150	\$35	\$10	\$195
51-100	\$150	\$50	\$10	\$210
101-200	\$150	\$75	\$10	\$235
201-300	\$150	\$105	\$10	\$265
301-400	\$150	\$135	\$10	\$295
401-500	\$150	\$160	\$10	\$320
OVER 500	\$150	\$190	\$10	\$350

(d) through (e) No change.

~~(4)(5)~~ Amount of License Fee – Public Food Service Establishment. The license fee for a public food service establishment shall be in accordance with the following schedule exclusive of the categories of fee adjustments set forth in subsections 61C-1.008(1) and (3), F.A.C.:

(a) through (b) No change.

(c) Plan review fees shall be \$150; variance review process fees shall be ~~\$0~~:-

~~1. Routine—\$150; and~~

~~2. Emergency—\$300.~~

~~(5)(6)~~ Delinquency Fees. A license renewal filed with the division within 30 days after the expiration date shall be accompanied by a delinquency fee of \$50 in addition to the renewal fee and any other fees required by law or rule. A license renewal filed with the division more than 30 but not more than 60 days after the expiration date shall be accompanied by a delinquency fee of \$100 in addition to the renewal fee and any other fees required by law or rule.

Rulemaking Specific Authority 509.032~~(6)~~, 509.251 FS. Law Implemented 509.013, 509.032~~(2)(e)~~, ~~509.032(3)(e)~~, 509.251, 509.302~~(3)~~ FS. History—New 7-31-79, Revised 9-1-80, Formerly 7C-1.08, Amended 5-10-89, 9-10-89, 10-31-89, 4-3-90, 12-31-90, 9-11-91, 2-27-92, 7-6-92, 8-23-92, 11-4-92, 4-4-93, Formerly 7C-1.008, Amended 9-20-93, 12-22-93, 6-29-95, 10-9-95, 9-25-96, 5-11-98, 9-21-00, 9-9-03, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Bill L. Veach, Director, Division of Hotels and Restaurants, Department of Business and Professional Regulation
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ken Lawson, Secretary, Department of Business and Professional Regulation
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 24, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 2, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:

61G3-15.006 General Information

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory

costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 119.07(1)(a), 120.53(1), 476.064(4) FS.

LAW IMPLEMENTED: 119.07(1)(a), 120.53(1), 455.205 FS. IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers’ Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-15.006 General Information.

Rulemaking Specific Authority 119.07(1)(a), 120.53(1), 476.064(4) FS. Law Implemented 119.07(1)(a), 120.53(1), 455.205 FS. History—New 7-16-80, Formerly 21C-15.06, 21C-15.006, Amended 10-30-95, 2-14-96, 2-11-02, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers’ Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers’ Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers’ Board

RULE NO.: RULE TITLE:

61G3-15.015 Guidelines for Disposition of Disciplinary Cases or Other Cases in Which Substantial Interests are Determined by the Board

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory

costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 120.53(1) FS.

LAW IMPLEMENTED: 120.53(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-15.015 Guidelines for Disposition of Disciplinary Cases or Other Cases in Which Substantial Interests are Determined by the Board.

Rulemaking Specific Authority 120.53(1) FS. Law Implemented 120.53(1) FS. History--New 7-16-80, Formerly 21C-15.15, Formerly 21C-15.015, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.:	RULE TITLE:
61G3-15.020	Security and Monitoring Procedures for Licensure Examination

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory

costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 455.217(1)(d), 120.54(8) FS.

LAW IMPLEMENTED: 455.217(1)(d) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-15.020 Security and Monitoring Procedures for Licensure Examination.

Rulemaking Specific Authority 455.217(1)(d), 120.54(8) FS. Law Implemented 455.217(1)(d) FS. History--New 4-6-83, Formerly 21C-15.20, Formerly 21C-15.020, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.:	RULE TITLE:
61G3-15.021	Final Orders

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 120.53(1), 476.064(4) FS.
LAW IMPLEMENTED: 120.52(11), 120.53(1), 476.064(4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-15.021 Final Orders.

Rulemaking Specific Authority 120.53(1), 476.064(4) FS. Law Implemented 120.52(11), 120.53(1), 476.064(4) FS. History--New 1-10-83, Formerly 21C-15.21, Amended 6-14-93, Formerly 21C-15.021, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-15.022
RULE TITLE: Designation of Official Reporter

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 120.53(2)(b), (c), (4), 476.064(4) FS.

LAW IMPLEMENTED: 120.53(2)(b), (c), (4) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-15.022 Designation of Official Reporter.

Rulemaking Specific Authority 120.53(2)(b),(c),(4), 476.064(4) FS. Law Implemented 120.53(2)(b),(c),(4) FS. History--New 5-29-85, Formerly 21C-15.22, 21C-15.022, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.003
RULE TITLE: Examination Review Procedure

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 455.217(3) FS.

LAW IMPLEMENTED: 455.217(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-16.003 Examination Review Procedure.

Rulemaking Specific Authority 455.217(3) FS Law Implemented 455.217(3) FS History--New 7-16-80, Formerly 21C-16.03, Amended 12-23-90, Formerly 21C-16.003, Amended 11-12-00, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.0041 RULE TITLE: Foreign Language Examination

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 476.064(4) FS.

LAW IMPLEMENTED: 455.217(6) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-16.0041 Foreign Language Examination.

Rulemaking Specific Authority 476.064(4) FS. Law Implemented 455.217(6) FS. History--New 1-26-93, Formerly 21C-16.0041, Amended 11-12-00, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-18.001 RULE TITLE: Biennial Renewal of Barber License

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 476.064(4), 476.154(1) FS.

LAW IMPLEMENTED: 476.144, 476.154(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-18.001 Biennial Renewal of Barber License.

Rulemaking Specific Authority 476.064(4), 476.154(1) FS Law Implemented 476.144, 476.154(1) FS History--New 7-16-80, Formerly 21C-18.001, Amended 11-6-97, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-18.002
RULE TITLE: Biennial Renewal of Barber Assistant Registration

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 476.064(4), 476.254 FS.

LAW IMPLEMENTED: 476.254 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-18.002 Biennial Renewal of Barber Assistant Registration.

Rulemaking Specific Authority 476.064(4), 476.254 FS Law Implemented 476.254 FS History--New 7-16-80, Formerly 21C-18.002, Amended 12-9-97, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-19.0135
RULE TITLE: Relocation of a Barbershop

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 476.064(4), 476.184(2) FS.

LAW IMPLEMENTED: 476.184(2), (7) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-19.0135 Relocation of a Barbershop.

Rulemaking Specific Authority 476.064(4), 476.184(2) FS Law Implemented 476.184(2),(7) FS History--New 7-14-91, Formerly 216-19.0135, Amended 1-8-98, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Barbers' Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Barbers' Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 8, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Barbers' Board

RULE NO.: 61G3-20.001
RULE TITLE: Collection and Payment of Fees
PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 455.2171, 476.064(4) FS.

LAW IMPLEMENTED: 455.213(2), 455.2171 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-20.001 Collection and Payment of Fees.

Rulemaking Specific Authority 455.2171, 476.064(4) FS Law Implemented 455.213(2), 455.2171 FS History--New 7-16-80, Formerly 21C-20.01, 21C-20.001, Amended 11-6-00, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Barbers' Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 8, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Barbers' Board

RULE NO.: 61G3-20.0075
RULE TITLE: Examination Review Fee
PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 455.217(2), 455.2171 FS.

LAW IMPLEMENTED: 455.217(2), 455.2171 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-20.0075 Examination Review Fee.

Rulemaking Specific Authority 455.217(2), 455.2171 FS Law Implemented 455.217(2), 455.2171 FS History--New 7-4-90, Formerly 21C-20.0075, Amended 11-6-00, 2-11-10, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Barbers' Board
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Barbers' Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-21.005
RULE TITLE: Mitigation; Notice of Mitigation and Aggravation

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 476.064(4) FS., Ch. 86-90, § 2, Laws of Florida.

LAW IMPLEMENTED: Ch. 86-90, § 2, Laws of Florida.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-21.005 Mitigation; Notice of Mitigation and Aggravation.

Rulemaking Specific Authority 476.064(4) FS., Ch. 86-90, § 2, Laws of Florida. Law Implemented Ch. 86-90, § 2, Laws of Florida. History--New 11-25-86, Formerly 21C-21.005, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-21.007
RULE TITLE: Stipulations

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 476.064(4) FS., Ch. 86-90, § 2, Laws of Florida.

LAW IMPLEMENTED: Ch. 86-90, § 2, Laws of Florida.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-21.007 Stipulations.

Rulemaking Specific Authority 476.064(4) FS., Ch. 86-90, § 2, Laws of Florida. Law Implemented Ch. 86-90, § 2, Laws of Florida. History--New 11-25-86, Formerly 21C-21.007, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-21.008
 RULE TITLE: Installment Payment of Fines

PURPOSE AND EFFECT: The Board reviewed the rule as required by Executive Order 11-01 and proposes to repeal the rule as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: As required by Executive Order 11-01, the rule was reviewed and is being repealed as it is duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: The Board determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature.

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

RULEMAKING AUTHORITY: 476.064(4) FS.

LAW IMPLEMENTED: 476.204(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G3-21.008 Installment Payment of Fines.

Rulemaking Specific Authority 476.064(4) FS. Law Implemented 476.204(2) FS. History–New 12-7-92, Amended 5-31-93, Formerly 21C-21.008, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Barbers' Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barbers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 8, 2011

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-2.003
 RULE TITLE: Inactive Renewal

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify language concerning any education requirement for an inactive renewal of an appraisal management company license.

SUMMARY: Clarifying language that continuing education requirements do not apply to appraisal management companies for licensure renewals.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST AND LEGISLATIVE RATIFICATION:

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.619 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-2.003 Inactive Renewal.

(1) An inactive registrant, licensee or certificate holder may elect to renew as active by submitting a request, proof of continuing education, and the fees established in Rule 61J1-2.001, Florida Administrative Code. The education requirement for renewal does not apply to appraisal management company registrations.

(2) No change.

Rulemaking Authority 475.614 FS. Law Implemented 475.619 FS. History–New 10-15-91, Formerly 21VV-2.003, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Florida Real Estate Appraisal Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 18, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 14, 2011

**DEPARTMENT OF BUSINESS AND PROFESSIONAL
REGULATION**

Florida Real Estate Appraisal Board

RULE NO.: RULE TITLE:
61J1-7.004 Office

PURPOSE AND EFFECT: The Board proposes the rule amendment to clarify the requirement for an appraisal management company to notify the Department of a business name, mailing address, and telephone number, or any future changes made.

SUMMARY: The requirement for a licensee to notify the Department of a business name, mailing address, and telephone number, or any future changes made will be clarified to apply to appraisal management companies.

**SUMMARY OF STATEMENT OF ESTIMATED
REGULATORY COST AND LEGISLATIVE
RATIFICATION:**

During discussion of the economic impact of the rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that the rule amendment will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this rule will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.623 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juana Watkins, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-7.004 Office.

(1) All appraisers who have an active registration, license or certification pursuant to Part II, Chapter 475, F.S., shall furnish in writing to the Department of Business and Professional Regulation each business name, trade name, or firm name and address from which he or she operates in the performance of appraisal services. All appraisal management companies who have an active registration pursuant to Part II, Chapter 475, F.S., shall furnish in writing to the Department of Business and Professional Regulation each firm or business name, mailing address, street address, and telephone number of the appraisal management company's principal business location from which the appraisal management company operates in the performance of appraisal management services.

(2) Each such appraiser or appraisal management company must notify the Department of any change of business name, trade name, or firm name and address within 10 days of the change of name or address in such a manner as determined by the Department.

(3) No change.

Rulemaking Authority 475.614 FS. Law Implemented 475.623, 475.6235 FS. History--New 10-15-91, Formerly 21VV-7.004, Amended 2-16-04, 12-4-06,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Florida Real Estate Appraisal Board
NAME OF AGENCY HEAD WHO APPROVED THE
PROPOSED RULE: Florida Real Estate Appraisal Board
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: July 18, 2011
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: October 14, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: RULE TITLES:
62-204.240 Ambient Air Quality Standards
62-204.260 Prevention of Significant
 Deterioration Maximum Allowable
 Increases (PSD Increments)

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1085) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The purpose of the proposed rulemaking is to update Chapter 62-204, F.A.C., to remove obsolete provisions related to ambient air quality standards. The proposed changes will remove excess or redundant language to better align with Federal rule language.

OTHER RULES INCORPORATING THIS RULE: Subsection 62-296.602(3), F.A.C. references Rule 62-204.240, F.A.C.

EFFECT ON THOSE OTHER RULES: Subsection 62-296.602(3), F.A.C. will need to be changed in future rulemaking to correct the cross reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

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

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087 FS.

A HEARING WILL BE HELD BEFORE THE ENVIRONMENTAL REGULATION COMMISSION AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 8, 2011, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, Second Floor, City Hall, 300 S. Adams St., Tallahassee, Florida

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 48 hours before the workshop/meeting by contacting: Kelly Stevens, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9017, E-mail: kelly.stevens@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 department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399. Telephone (850)245-2288, E-mail: patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail: patricia.comer@dep.state.fl.us or Kelly Stevens, Florida Department of Environmental Protection, Division of Air

Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9017, E-mail: kelly.stevens@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-204.240 Ambient Air Quality Standards

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—New 3-13-96, Repealed.

62-204.260 Prevention of Significant Deterioration Maximum Allowable Increases (PSD Increments).

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—New 3-13-96, Amended 2-12-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management

NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 17, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:

RULE TITLES:

62-212.600

Sulfur Storage and Handling Facilities

62-212.710

Air Emissions Bubble

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1088) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The proposed rules to be repealed involve requirements for sulfur storage and handling facilities and procedures for obtaining an Air Emission Bubble. These rules are outdated and unnecessary preconstruction review. OTHER RULES INCORPORATING THIS RULE: Rule 62-212.600, F.A.C, is referenced in subsection 62-212.300(2), F.A.C.

EFFECT ON THOSE OTHER RULES: The rule repeal would have the intended impact on the referencing rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

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

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087, 403.08735 FS.

A HEARING WILL BE HELD BEFORE THE ENVIRONMENTAL REGULATION COMMISSION AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 8, 2011, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, Second Floor, City Hall, 300 S. Adams St., Tallahassee, Florida

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 48 hours before the workshop/meeting by contacting: Cindy Phillips, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9098, E-mail: cindy.phillips@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 department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288., E-mail: patricia.comer@dep.state.fl.us or Cindy Phillips, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9098, E-mail: cindy.phillips@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-212.600 Sulfur Storage and Handling Facilities.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—Formerly 17-2.540, 17-212.600, Amended 11-23-94, 1-1-96, 3-13-96, 8-17-00, Repealed_____.

62-212.710 Air Emissions Bubble.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.08735 FS. History—New 5-20-97, Repealed_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 17, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-252.500	Gasoline Tanker Trucks or Trailers
62-252.900	Form

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1093) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The proposed rules to be repealed involve requirements for gasoline vapor control for gasoline tanker trucks or trailers. There are now Federal standards for gasoline dispensing facilities which also cover gasoline tanker trucks or gasoline cargo trucks, making the proposed rules to be repealed obsolete.

OTHER RULES INCORPORATING THIS RULE: Chapter 62-252, F.A.C. is referenced in Rule 62-210.200, F.A.C.

EFFECT ON THOSE OTHER RULES: The rule amendments would have no impact on the referencing rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

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

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061, 403.087 FS.

A HEARING WILL BE HELD BEFORE THE ENVIRONMENTAL REGULATION COMMISSION AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 8, 2011, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, Second Floor, City Hall, 300 S. Adams St., Tallahassee, Florida

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 48 hours before the workshop/meeting by

contacting: Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9023, E-mail: terri.long@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 department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail: patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Terri Long, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9023, E-mail: terri.long@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-252.500 Gasoline Tanker Trucks or Trailers.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—Formerly 17-2.650(1)(c)3., 17-2.700(6)(c)2.d., Amended 2-2-93, Formerly 17-252.500, Amended 9-10-96, 5-9-07, Repealed.

62-252.900 Form.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—New 2-2-93, Formerly 17-252.900, Amended 11-23-94, 9-10-96, 5-9-07, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 17, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NO.:	RULE TITLE:
62-285.420	Heavy-Duty Vehicle Idling Reduction

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1097) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Market incentives for diesel fuel cost savings renders the anti-idling requirements of Rule 62-285.420, F.A.C., unnecessary.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

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

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.031, 403.061 FS.

A HEARING WILL BE HELD BEFORE THE ENVIRONMENTAL REGULATION COMMISSION AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 8, 2011, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, Second Floor, City Hall, 300 S. Adams St., Tallahassee, Florida

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 48 hours before the workshop/meeting by contacting: Jim Pennington, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9102, E-mail: jim.pennington@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 department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail: patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail: patricia.comer@dep.state.fl.us or Jim Pennington, Florida Department of Environmental Protection, Division of Air Resource

Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9102, E-mail: jim.pennington@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULE IS:

62-285.420 Heavy-Duty Vehicle Idling Reduction.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061 FS. History—New 12-15-08, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 17, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-296.407	Portland Cement Plants
62-296.411	Sulfur Storage and Handling Facilities
62-296.413	Synthetic Organic Fiber Production

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment (OGC 11-1098) will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: The proposed rules to be repealed involve requirements for portland cement plants and synthetic organic fiber production that have been superseded by federal standards or involve requirements that are no longer needed for protection of air quality near sulfur storage and handling operations.

OTHER RULES INCORPORATING THIS RULE: None.

EFFECT ON THOSE OTHER RULES: None.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that repeal of these rules will not have an adverse impact on small business or likely increase regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

This rulemaking will not require ratification by the Florida Legislature because the rules are being repealed to reduce unnecessary regulatory costs.

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

RULEMAKING AUTHORITY: 403.061 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.087 FS.

A HEARING WILL BE HELD BEFORE THE ENVIRONMENTAL REGULATION COMMISSION AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 8, 2011, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, Second Floor, City Hall, 300 S. Adams St., Tallahassee, Florida

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 48 hours before the workshop/meeting by contacting: Cindy Phillips, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400, Telephone (850)717-9098, E-mail: cindy.phillips@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 department will accept public comments on the proposed rulemaking, within a 21 day time period, beginning the day following publication of this notice (day one). Comments may be sent to Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Patricia E. Comer, Assistant General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399, Telephone (850)245-2288, E-mail patricia.comer@dep.state.fl.us or Cindy Phillips, Florida Department of Environmental Protection, Division of Air Resource Management, Blair Stone Road, MS 5500, Tallahassee, Florida 32399-2400. Telephone (850)717-9098, E-mail cindy.phillips@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

62-296.407 Portland Cement Plants.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—Formerly 17-2.600(7), 17-296.407, Amended 11-23-94, 1-1-96, Repealed.

62-296.411 Sulfur Storage and Handling Facilities.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.021, 403.031, 403.061, 403.087 FS. History—Formerly 17-2.600(11), 17-296.411, Amended 11-23-94, 1-1-96, Repealed.

62-296.413 Synthetic Organic Fiber Production.

Rulemaking Specific Authority 403.061 FS. Law Implemented 403.031, 403.061, 403.087 FS. History—Formerly 17-2.600(13), 17-296.413, Amended 11-23-94, 1-1-96, 3-13-96, 2-12-06, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
 Mike Halpin, Director, Division of Air Resource Management
 NAME OF PERSON WHO APPROVED THE PROPOSED
 RULE: Herschel T. Vinyard, Jr., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY
 October 17, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.: 62-302.200 62-302.530 62-302.531 62-302.532 62-302.800	RULE TITLES: Definitions Table: Surface Water Quality Criteria Numeric Interpretations of Narrative Nutrient Criteria Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion Site Specific Alternative Criteria
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PURPOSE AND EFFECT: The proposed rules establish numeric interpretations of the narrative surface water quality criterion for nutrients in paragraph 62-302.530(47)(b), F.A.C., for streams, lakes, spring vents, and specific estuaries in Southwest and South Florida. These interpretations, which are Florida water quality standards, are intended to fully protect the designated use of surface waters. A new type of Site Specific Alternative Criteria (Type III) is also established that is specifically tailored to address nutrients and nutrient response variables.

SUMMARY: The Department is amending Chapter 62-302, F.A.C., to establish numeric interpretations of the narrative surface water criterion for nutrients in paragraph 62-302.530(47)(b), F.A.C. The proposed amendments establish numeric interpretations in a hierarchy, as follows: 1) site specific interpretations (e.g., Total Maximum Daily Loads (TMDL), Site Specific Alternative Criteria), 2) interpretations based on cause-and-effect relationships between nutrients and biological response, 3) reference-based interpretations within nutrient watershed regions combined with biological information, and 4) the existing narrative criterion, which will continue to apply to all waters, including those that do not fall under one of the hierarchical levels above. Numeric interpretations are established for: 1) lakes (based on color and alkalinity), 2) spring vents, and 3) streams (based on stream nutrient watershed regions). In addition, estuary specific nutrient standards are established for a number of south Florida estuaries, including Clearwater Harbor/St. Joseph Sound, Tampa Bay, Sarasota Bay, Charlotte Harbor, Tidal Coghatchee River/Ten Thousand Islands, Florida Bay, Florida Keys, and Biscayne Bay. A new Type III Site Specific Alternative Criterion is established that is specific to nutrients and nutrient response variables. The Department has also identified a list of previously adopted TMDLs that constitute a numeric interpretation of the narrative nutrient criterion under Rule 62-302.531, F.A.C., which list may be obtained from the

Department’s internet site at <http://www.dep.state.fl.us/water/wqssp> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. OTHER RULES INCORPORATING THIS RULE: Chapter 62-302, Rule 62-302.200, Rule 62-302.530, and Rule 62-302.800, F.A.C., are referenced by the following rules: Rules 18-2.021, 62-4.160, 62-4.240, 62-4.241, 62-4.242, 62-4.246, 62-25.001, 62-25.025, 62-25.030, 62-25.080, 62-29.050, 62-40.120, 62-40.210, 62-45.070, 62-110.106, 62-113.200, 62-301.100, 62-302.200, 62-302.300, 62-302.400, 62-302.500, 62-302.520, 62-302.530, 62-302.540, 62-302.700, 62-302.800, 62-303.100, 62-303.200, 62-303.320, 62-303.330, 62-303.370, 62-303.400, 62-303.430, 62-304.310, 62-304.335, 62-304.500, 62-312.050, 62-312.310, 62-312.340, 62-312.400, 62-312.816, 62-312.819, 62-312.825, 62-330.100, 62-330.200, 62-340.700, 62-341.215, 62-341.486, 62-341.490, 62-341.494, 62-346.050, 62-346.051, 62-346.301, 62-348.200, 62-520.200, 62-520.520, 62-528.610, 62-528.630, 62-600.120, 62-600.200, 62-600.300, 62-600.400, 62-600.430, 62-600.440, 62-600.500, 62-600.520, 62-610.200, 62-610.300, 62-610.310, 62-610.554, 62-610.555, 62-610.650, 62-610.670, 62-610.810, 62-610.820, 62-610.830, 62-610.850, 62-610.860, 62-611.110, 62-611.200, 62-611.450, 62-611.500, 62-611.600, 62-611.650, 62-611.700, 62-620.320, 62-620.400, 62-620.610, 62-620.620, 62-620.800, 62-621.303, 62-624.800, 62-625.300, 62-625.400, 62-640.400, 62-650.300, 62-660.300, 62-673.340, 62-673.610, 62-701.200, 62-701.300, 62-709.500, 62-711.540, 62-761.200, 62-762.201, 62-770.200, 62-771.100, 62-777.150, 62-777.170, 62-780.200, 62-782.200, 62-785.200, 62B-49.008, 62B-49.012, and 62C-16.0051, F.A.C.

EFFECT ON THOSE OTHER RULES: The proposed amendments for streams, lakes and spring vents are designed to protect state waters from the adverse effects of nutrient over-enrichment and are intended to replace federal standards adopted by EPA for the State of Florida. The above rules, which cover a variety of regulatory programs, reference and implement Florida’s water quality standards in Chapter 62-302, F.A.C.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency. In November 2010, the U.S. Environmental Protection Agency (EPA) promulgated numeric nutrient criteria for Florida’s waters. The Florida Department of Environmental Protection’s (FDEP) proposed numeric nutrient criteria are intended to replace EPA’s rule. Recent reports on the EPA rule estimated that annual implementation costs could range from \$135.5 million to \$4.7 billion. Using information from these estimates with

assumptions consistent with the proposed FDEP rules, FDEP estimates that costs associated with the proposed FDEP rules would be at or below the lower end of the estimates for the existing EPA rule. Although the ultimate costs associated with the proposed FDEP rules are anticipated to be significantly lower than those applicable to the existing EPA rule, it is clear that the those costs will directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the proposed FDEP rule when compared with existing state rules only.

The Agency has determined that the proposed rule is expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the economic analysis conducted in preparation of its statement of estimated regulatory cost, the Department has determined that the proposed rule is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after implementation of the rule.

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

RULEMAKING AUTHORITY: 403.061, 403.062, 403.087, 403.088, 403.504, 403.704, 403.804, 403.805 FS.

LAW IMPLEMENTED: 403.021, 403.031, 403.061, 403.062, 403.067, 403.085, 403.086, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.504, 403.702, 403.708, 403.802 FS.

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

DATE AND TIME: Thursday, December 8, 2011, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, 300 S. Adams Street, Tallahassee, Florida 32301

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: Eric Shaw at (850)245-8429 or the below information. 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 IS: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us. Copies of the draft rule as well as further information also may be obtained from the Department's internet site at: <http://www.dep.state.fl.us/water/wqssp/nutrients/index.htm>. (OGC No. 11-1488)

THE FULL TEXT OF THE PROPOSED RULES IS:

62-302.200 Definitions.

As used in this chapter:

(1) "Acute ~~t~~oxicity" shall mean a concentration greater than one-third (1/3) of the amount lethal to 50 percent of the test organisms in 96 hours (96 hr LC₅₀) for a species protective of the indigenous aquatic community for a substance not identified in paragraph 62-302.500(1)(c), F.A.C., or for mixtures of substances, including effluents.

(2) "Annual ~~a~~verage ~~f~~low" is the long-term harmonic mean flow of the receiving water, or an equivalent flow based on generally accepted scientific procedures in waters for which such a mean cannot be calculated. For waters for which flow records have been kept for at least the last three years, "long-term" shall mean the period of record. For all other waters, "long-term" shall mean three years (unless the Department finds the data from that period not representative of present flow conditions, based on evidence of land use or other changes affecting the flow) or the period of records sufficient to show a variation of flow of at least three orders of magnitude, whichever period is less. For nontidal portions of rivers and streams, the harmonic mean (Q_{hm}) shall be calculated as

$$Q_{hm} = \frac{n}{\frac{1}{Q_1} + \frac{1}{Q_2} + \frac{1}{Q_3} + \frac{1}{Q_4} + \dots + \frac{1}{Q_n}}$$

in which each Q is an individual flow record and n is the total number of records. In lakes and reservoirs, the annual average flow shall be based on the hydraulic residence time, which shall be calculated according to generally accepted scientific procedures, using the harmonic mean flows for the inflow sources. In tidal estuaries and coastal systems or tidal portions of rivers and streams, the annual average flow shall be determined using methods described in EPA publication no. 600/6-85/002b pages 142-227, incorporated by reference in paragraph 62-4.246(9)(k), F.A.C., or by other generally accepted scientific procedures, using the harmonic mean flow for any freshwater inflow. If there are insufficient data to determine the harmonic mean then the harmonic mean shall be estimated by methods as set forth in the EPA publication Technical Support Document for Water Quality-Based Toxics Control (March 1991), incorporated by reference in paragraph 62-4.246(9)(d), F.A.C., or other generally accepted scientific procedures. In situations with seasonably variable effluent discharge rates, hold-and-release treatment systems, and effluent-dominated sites, annual average flow shall mean modeling techniques that calculate long-term average daily concentrations from long-term individual daily flows and concentrations in accordance with generally accepted scientific procedures.

(3) No change.

(4) “Biological Health Assessment” shall mean one of the following aquatic community-based biological evaluations: Stream Condition Index (SCI), Lake Vegetation Index (LVI), or Shannon-Weaver Diversity Index.

(5)(4) “Chronic tToxicity”

(a) through (b) No change.

(6)(5) No change.

(7)(6) “Compensation pPoint for pPhotosynthetic aActivity” shall mean the depth at which one percent of the light intensity at the surface remains unabsorbed. The light intensities at the surface and subsurface shall be measured simultaneously by irradiance meters such as Kahlsico Underwater Irradiameter (Model No. 268 WA 310), or other device having a comparable spectral response.

(8)(7) No change.

(9)(8) “Designated uUse” shall mean the present and future most beneficial use of a body of water as designated by the Environmental Regulation Commission by means of the Classification system contained in this Chapter.

(10)(9) “Dissolved mMetal” shall mean the metal fraction that passes through a 0.45 micron filter.

(11)(10) “Effluent lLimitation” shall mean any restriction established by the Department on quantities, rates or concentrations of chemical, physical, biological or other constituents which are discharged from sources into waters of the State.

(12)(11) “Exceptional eEcological sSignificance” shall mean that a waterbody ~~water body~~ is a part of an ecosystem of unusual value. The exceptional significance may be in unusual species, productivity, diversity, ecological relationships, ambient water quality, scientific or educational interest, or in other aspects of the ecosystem’s setting or processes.

(13)(12) “Exceptional rRecreational sSignificance” shall mean unusual value as a resource for outdoor recreation activities. Outdoor recreation activities include, but are not limited to, fishing, boating, canoeing, water skiing, swimming, scuba diving, or nature observation. The exceptional significance may be in the intensity of present recreational usage, in an unusual quality of recreational experience, or in the potential for unusual future recreational use or experience.

(14)(13) “Existing uUses” shall mean any actual beneficial use of the waterbody ~~water body~~ on or after November 28, 1975.

(15)(14) “IC25” or “Inhibition Concentration 25%” shall mean the concentration of toxicant that causes a 25% reduction in a biological response such as biomass, growth, fecundity, or reproduction in the test population when compared to the control population response.

(16) “Lake” shall mean, for purposes of interpreting the narrative nutrient criterion in paragraph 62-302.530(47)(b), F.A.C., a lentic fresh waterbody with a relatively long water residence time and an open water area that is free from emergent vegetation under typical hydrologic and climatic

conditions. Aquatic plants, as defined in subsection 62-340.200(1), F.A.C., may be present in the open water. Lakes do not include springs, wetlands, or streams (except portions of streams that exhibit lake-like characteristics, such as long water residence time, increased width, or predominance of biological taxa typically found in non-flowing conditions).

(17) “Lake Vegetation Index (LVI)” shall mean a Biological Health Assessment that measures lake biological health in predominantly freshwaters using aquatic and wetland plants, performed and calculated using the Standard Operating Procedures for the LVI (DEP-SOP-003/11 LVI 1000) and the methodology in Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer’s internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(18)(15) “Man-induced conditions which cannot be controlled or abated” shall mean conditions that have been influenced by human activities, and

(a) through (b) No change.

(c) Cannot be restored or abated by physical alteration of the waterbody ~~water body~~, or there is no reasonable relationship between the economic, social and environmental costs and the benefits of restoration or physical alteration.

(19)(16) “Natural bBackground” shall mean the condition of waters in the absence of man-induced alterations based on the best scientific information available to the Department. The establishment of natural background for an altered waterbody may be based upon a similar unaltered waterbody or on historical pre-alteration data.

(20)(17) “Nuisance sSpecies” shall mean species of flora or fauna whose noxious characteristics or presence in sufficient number, biomass, or areal extent may reasonably be expected to prevent, or unreasonably interfere with, a designated use of those waters.

(21)(18) “Nursery aArea of iIndigenous aAquatic lLife” shall mean any bed of the following aquatic plants, either in monoculture or mixed: Halodule wrightii, Halophila spp., Potamogeton spp. (pondweed), Ruppia maritima (widgeon-grass), Sagittaria spp. (arrowhead), Syringodium filiforme (manatee-grass), Thalassia testudinum (turtle grass), or Vallisneria spp. (eel-grass), or any area used by the early-life stages, larvae and post-larvae, of aquatic life during the period of rapid growth and development into the juvenile states.

(22) “Nutrient” shall mean total nitrogen (TN), total phosphorus (TP), or their organic or inorganic forms.

(23) “Nutrient response variable” shall mean a biological variable, such as chlorophyll *a*, biomass, or structure of the phytoplankton, periphyton or vascular plant community, that responds to nutrient load or concentration in a predictable and measurable manner. For purposes of interpreting paragraph 62-302.530(47)(b), F.A.C., dissolved oxygen (DO) shall also

be considered a nutrient response variable if it is demonstrated for the waterbody that DO conditions result in biological imbalance and the DO responds to a nutrient load or concentration in a predictable and measurable manner.

(24) "Nutrient Threshold" shall mean a concentration of nutrients that applies to a Nutrient Watershed Region and is derived from a statistical distribution of data from reference or benchmark sites. Nutrient Thresholds are only applied to streams as specified in paragraph 62-302.531(2)(c), F.A.C.

(25) "Nutrient Watershed Region" shall mean a drainage area over which the nutrient thresholds in paragraph 62-302.531(2)(c), F.A.C., apply.

(a) The Panhandle West region consists of the Perdido Bay Watershed, Pensacola Bay Watershed, Choctawhatchee Bay Watershed, St. Andrew Bay Watershed, and Apalachicola Bay Watershed.

(b) The Panhandle East region consists of the Apalachee Bay Watershed, and Econfina/Steinhatchee Coastal Drainage Area.

(c) The North Central region consists of the Suwannee River Watershed and the "stream to sink" region in Alachua, Marion and Levy Counties that is affected by the Hawthorne Formation.

(d) The West Central region consists of the Peace, Myakka, Hillsborough, Alafia, Manatee, Little Manatee River Watersheds, Sarasota/Lemon Bay Watershed and small, direct Tampa Bay tributary watersheds south of the Hillsborough River Watershed.

(e) The Peninsula region consists of the Waccasassa Coastal Drainage Area, Withlacoochee Coastal Drainage Area, Crystal/Pithlachascotee Coastal Drainage Area, small, direct Tampa Bay tributary watersheds west of the Hillsborough River Watershed, small, direct Charlotte Harbor tributary watersheds south of the Peace River Watershed, Caloosahatchee River Watershed, Estero Bay Watershed, Imperial River Watershed, Kissimmee River/Lake Okeechobee Drainage Area, Loxahatchee/St. Lucie Watershed, Indian River Watershed, Daytona/St. Augustine Coastal Drainage Area, St. John's River Watershed, Nassau Coastal Drainage Area, and St. Mary's River Watershed.

(f) The South Florida region consists of those areas south of the Peninsula region, such as the Cocohatchee River Watershed, Naples Bay Watershed, Rookery Bay Watershed, Ten Thousand Islands Watershed, Lake Worth Lagoon Watershed, Southeast Coast – Biscayne Bay Watershed, Everglades Watershed, Florida Bay Watershed, and the Florida Keys.

A map of the Nutrient Watershed Regions may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(19) through (21) renumbered (26) through (28) No change.

~~(29)(22)~~ "Predominantly Fresh Waters" shall mean surface waters in which the chloride concentration at the surface is less than 1,500 milligrams per liter or specific conductance is less than 4,580 μ mhos/cm.

~~(30)(23)~~ "Predominantly Marine Waters" shall mean surface waters in which the chloride concentration at the surface is greater than or equal to 1,500 milligrams per liter or specific conductance is greater than or equal to 4,580 μ mhos/cm.

(24) through (26) renumbered (31) through (33) No change.

~~(34)(27)~~ "Special Waters" shall mean water bodies designated in accordance with Rule 62-302.700, F.A.C., by the Environmental Regulation Commission for inclusion in the Special Waters Category of Outstanding Florida Waters, as contained in Rule 62-302.700, F.A.C. A Special Water may include all or part of any waterbody water body.

(35) "Spring vent" shall mean a location where groundwater flows out of a natural, discernable opening in the ground onto the land surface or into a predominantly fresh surface water.

(36) "Stream" shall mean, for purposes of interpreting the narrative nutrient criterion in paragraph 62-302.530(47)(b), F.A.C., a predominantly fresh surface waterbody with perennial flow in a defined channel with banks during typical climatic and hydrologic conditions for its region within the state. During periods of drought, portions of a stream channel may exhibit a dry bed, but wetted pools are typically still present during these conditions. Streams do not include non-perennial water segments, wetlands, or portions of streams that exhibit lake characteristics (e.g., long water residence time, increased width, or predominance of biological taxa typically found in non-flowing conditions).

(37) "Stream Condition Index (SCI)" shall mean a Biological Health Assessment that measures stream biological health in predominantly freshwaters using benthic macroinvertebrates, performed and calculated using the Standard Operating Procedures for the SCI (DEP-SOP-003/11 SCI 1000) and the methodology in *Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer's* internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. For water quality standards purposes, the Stream Condition Index shall not apply in the South Florida Nutrient Watershed Region.

~~(38)(28)~~ “Surface ~~w~~Water” means water upon the surface of the earth, whether contained in bounds created naturally or artificially or diffused. Water from natural springs shall be classified as surface water when it exits from the spring onto the earth’s surface.

~~(39)~~ “Total Maximum Daily Load” (TMDL) for an impaired waterbody or waterbody segment shall mean the sum of the individual wasteload allocations for point sources and the load allocations for nonpoint sources and natural background. Prior to determining individual wasteload allocations and load allocations, the maximum amount of a pollutant that a waterbody or water segment can assimilate from all sources without exceeding water quality standards must first be calculated. A TMDL shall include either an implicit or explicit margin of safety and a consideration of seasonal variations.

~~(40)(29)~~ “Total ~~r~~Recoverable ~~m~~Metal” shall mean the concentration of metal in an unfiltered sample following treatment with hot dilute mineral acid.

~~(41)(30)~~ No change.

~~(42)(31)~~ “Water quality standards” shall mean standards composed of designated present and future most beneficial uses (classification of waters), the numerical and narrative criteria, including Site Specific Alternative Criteria, applied to the specific water uses or classification, the Florida anti-degradation policy, and the moderating provisions, such as variances, mixing zone rule provisions, or exemptions, contained in this rule and in Chapter 62-4, adopted pursuant to Chapter 403, F.S.

~~(43)(32)~~ No change.

~~(44)(33)~~ “Zone of ~~m~~Mixing” or “~~m~~Mixing ~~z~~Zone” shall mean a volume of surface water containing the point or area of discharge and within which an opportunity for the mixture of wastes with receiving surface waters has been afforded.

Rulemaking Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS. Law Implemented 403.021, 403.031, 403.061, 403.062, 403.085, 403.086, 403.087, 403.088, 403.502, 403.802 FS. History—New 05-29-90, Amended 2-13-92, Formerly 17-302.200, Amended 1-23-95, 5-15-02, 4-2-08,_____.

62-302.530 Table: Surface Water Quality Criteria.

The following table contains both numeric and narrative surface water quality criteria to be applied except within zones of mixing. The left-hand column of the Table is a list of constituents for which a surface water criterion exists. The headings for the water quality classifications are found at the top of the Table, and the classification descriptions for the headings are specified in subsection 62-302.400(1), F.A.C. Applicable criteria lie within the Table. The individual criteria should be read in conjunction with other provisions in water quality standards, including Rule 62-302.500, F.A.C. The criteria contained in Rule 62-302.500, F.A.C., also apply to all waters unless alternative or more stringent criteria are specified in Rule 62-302.530, F.A.C. Unless otherwise stated, all criteria

express the maximum not to be exceeded at any time. In some cases, there are separate or additional limits, which apply independently of the maximum not to be exceeded at any time. For example, annual average (denoted as “annual avg.” in the Table) means the maximum concentration at average annual flow conditions (see subsection 62-302.200(2), F.A.C.). Numeric interpretations of the narrative nutrient criterion in paragraph 62-302.530 (47)(b), F.A.C., shall be expressed as spatial averages and applied over a spatial area consistent with their derivation. In applying the water quality standards, the Department shall take into account the variability occurring in nature and shall recognize the statistical variability inherent in sampling and testing procedures. The Department’s assessment methodology, set forth in Chapter 62-303, F.A.C., accounts for such natural and statistical variability when used to assess ambient waters pursuant to sections 305(b) and 303(d) of the Federal Clean Water Act.

(1) through (70) No change.

Rulemaking Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS. Law Implemented 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS. History—New 1-28-90, Formerly 17-3.065, Amended 2-13-92, 6-17-92, Formerly 17-302.540, 17-302.550, 17-302.560, 17-302.570, 17-302.580, Amended 4-25-93, Formerly 17-302.530, Amended 1-23-95, 1-15-96, 5-15-02, 7-19-04, 12-7-06, 8-5-10,_____.

62-302.531 Numeric Interpretations of Narrative Nutrient Criteria.

(1) The narrative water quality criteria for nutrients in paragraphs 62-302.530(47)(a) and (b), F.A.C., applies to all Class I, Class II, and Class III waters.

(2) The narrative water quality criterion for nutrients in paragraph 62-302.530(47)(b), F.A.C., shall be numerically interpreted for both nutrients and nutrient response variables in a hierarchical manner as follows:

(a) Where a site specific numeric interpretation of the criterion in paragraph 62-302.530(47)(b), F.A.C., has been established by the Department, this numeric interpretation shall be the primary interpretation. If there are multiple interpretations of the narrative criterion for a waterbody, the most recent interpretation established by the Department shall apply. A list of the site specific numeric interpretations of paragraph 62-302.530(47)(b), F.A.C., may be obtained from the Department’s internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

1. The primary site specific interpretations are as follows:

a. Total Maximum Daily Loads (TMDLs) adopted under Chapter 62-304, F.A.C., that interpret the narrative water quality criterion for nutrients in paragraph 62-302.530(47)(b), F.A.C., for one or more nutrients or nutrient response variables:

b. Site specific alternative criteria (SSAC) for one or more nutrients or nutrient response variables as established under Rule 62-302.800, F.A.C.;

c. Estuary-specific numeric interpretations of the narrative nutrient criterion established in Rule 62-302.532, F.A.C.; or

d. Other site specific interpretations for one or more nutrients or nutrient response variables that are formally established by rule or final order by the Department, such as a Reasonable Assurance Demonstration pursuant to Rule 62-303.600, F.A.C., or Level II Water Quality Based Effluent Limitations (WQBEL) established pursuant to Rule 62-650.500, F.A.C. To be recognized as the applicable site specific numeric interpretation of the narrative nutrient criterion, the interpretation must establish the total allowable load or ambient concentration for at least one nutrient that results in attainment of the applicable nutrient response variable that represents achievement of the narrative nutrient criterion for the waterbody.

2. For the primary site specific interpretations in subparagraph 62-302.531(2)(a)1., F.A.C., the notice of rulemaking or other public notice shall state that the Department is establishing a site specific interpretation for the receiving waterbody, and offer an opportunity for a public meeting and public comment.

(b) If site specific numeric interpretations, as described in paragraph 62-302.531(2)(a), F.A.C., above, have not been established for a waterbody, but there is an established, quantifiable cause-and-effect relationship between one or more nutrients and nutrient response variables linked to a value that protects against an imbalance in the natural populations of the aquatic flora or fauna, then the numeric values for the nutrients

or nutrient response variables, set forth in this paragraph (2)(b), shall be the applicable interpretations. Absent a numeric interpretation as established in paragraph 62-302.531(2)(a), F.A.C., site specific numeric interpretations are established as follows:

1. For lakes, the applicable numeric interpretations of the narrative nutrient criterion in paragraph 62-302.530(47)(b), F.A.C., for chlorophyll *a* are shown in the table below. The applicable interpretations for TN and TP will vary on an annual basis, depending on the availability of chlorophyll *a* data and the concentrations of nutrients and chlorophyll *a* in the lake, as described below. The applicable numeric interpretations for TN, TP, and chlorophyll *a* shall not be exceeded more than once in any consecutive three year period.

a. If there are sufficient data to calculate the annual geometric mean chlorophyll *a* and the mean does not exceed the chlorophyll *a* value for the lake type in the table below, then the TN and TP numeric interpretations for that calendar year shall be the annual geometric means of lake TN and TP samples, subject to the minimum and maximum limits in the table below. However, for lakes with color > 40 PCU in the West Central Nutrient Watershed Region, the maximum TP limit shall be the 0.49 mg/L TP streams threshold for the region; or

b. If there are insufficient data to calculate the annual geometric mean chlorophyll *a* for a given year or the annual geometric mean chlorophyll *a* exceeds the values in the table below for the lake type, then the applicable numeric interpretations for TN and TP shall be the minimum values in the table below.

Long Term Geometric Mean Lake Color and Alkalinity	Annual Geometric Mean Chlorophyll <i>a</i>	Minimum calculated numeric interpretation		Maximum calculated numeric interpretation	
		Annual Geometric Mean Total Phosphorus	Annual Geometric Mean Total Nitrogen	Annual Geometric Mean Total Phosphorus	Annual Geometric Mean Total Nitrogen
> 40 Platinum Cobalt Units	20 µg/L	0.05 mg/L	1.27 mg/L	0.16 mg/L ¹	2.23 mg/L
≤ 40 Platinum Cobalt Units and > 20 mg/L CaCO ₃	20 µg/L	0.03 mg/L	1.05 mg/L	0.09 mg/L ¹	1.91 mg/L
≤ 40 Platinum Cobalt Units and ≤ 20 mg/L CaCO ₃	6 µg/L	0.01 mg/L	0.51 mg/L	0.03 mg/L ¹	0.93 mg/L

¹ For lakes with color > 40 PCU in the West Central Nutrient Watershed Region, the maximum TP limit shall be the 0.49 mg/L TP streams threshold for the region.

c. For the purpose of subparagraph 62-302.531(2)(b)1., F.A.C., color shall be assessed as true color and shall be free from turbidity. Lake color and alkalinity shall be the long-term geometric mean, based on a minimum of ten data points over at

least three years with at least one data point in each year. If insufficient alkalinity data are available, long-term geometric mean specific conductance values shall be used, with a value of <100 micromhos/cm used to estimate the 20 mg/L CaCO₃ alkalinity concentration until such time that alkalinity data are available.

2. For spring vents, the applicable numeric interpretation of the narrative nutrient criterion in paragraph 62-302.530(47)(b), F.A.C., is 0.35 mg/L of nitrate-nitrite (NO₃ + NO₂) as an annual geometric mean, not to be exceeded more than once in any three calendar year period.

(c) For streams, if a site specific interpretation pursuant to paragraph 62-302.531(2)(a) or (2)(b), F.A.C., has not been established, biological information shall be used to interpret the narrative nutrient criterion in combination with Nutrient Thresholds. The narrative nutrient criterion in paragraph 62-302.530(47)(b), F.A.C., shall be interpreted as being

achieved in a stream segment where information on chlorophyll *a* levels, algal mats or blooms, nuisance macrophyte growth, and changes in algal species composition indicates there are no imbalances in flora or fauna, and either:

1. The average score of at least two temporally independent SCIs performed at representative locations and times is 40 or higher, with neither of the two most recent SCI scores less than 35, or

2. The nutrient thresholds set forth in the table below are achieved.

<u>Nutrient Watershed Region</u>	<u>Total Phosphorus Nutrient Threshold¹</u>	<u>Total Nitrogen Nutrient Threshold¹</u>
<u>Panhandle West</u>	<u>0.06 mg/L</u>	<u>0.67 mg/L</u>
<u>Panhandle East</u>	<u>0.18 mg/L</u>	<u>1.03 mg/L</u>
<u>North Central</u>	<u>0.30 mg/L</u>	<u>1.87 mg/L</u>
<u>Peninsular</u>	<u>0.12 mg/L</u>	<u>1.54 mg/L</u>
<u>West Central</u>	<u>0.49 mg/L</u>	<u>1.65 mg/L</u>
<u>South Florida</u>	<u>No numeric nutrient threshold. The narrative criterion in paragraph 62-302.530(47)(b), F.A.C., applies.</u>	<u>No numeric nutrient threshold. The narrative criterion in paragraph 62-302.530(47)(b), F.A.C., applies.</u>

¹These values are annual geometric mean concentrations not to be exceeded more than once in any three calendar year period.

(3) Except for data used to establish historical chlorophyll *a* levels, chlorophyll *a* data assessed under this Chapter shall be measured according to the DEP document titled "Applicability of Chlorophyll *a* Methods" (DEP-SAS-002/10), incorporated by reference herein. Copies of the chlorophyll *a* document may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. Chlorophyll *a* data collected after [effective date] shall be corrected for or free from the interference of phaeophytin.

(4) The loading of nutrients from a waterbody shall be limited as necessary to provide for the attainment and maintenance of water quality standards in downstream waters.

(5) To qualify as temporally independent samples, each SCI shall be conducted at least three months apart. SCIs collected at the same location less than three months apart shall be considered one sample, with the mean value used to represent the sampling period.

(6) To calculate an annual geometric mean for TN, TP, or chlorophyll *a*, there shall be at least four temporally-independent samples per year with at least one sample taken between May 1 and September 30 and at least one sample taken during the other months of the calendar year. To be treated as temporally-independent, samples must be taken at least one week apart.

(7) The numeric interpretation of the narrative nutrient criterion shall be applied over a spatial area consistent with its derivation.

(a) For numeric interpretations based on paragraph 62-302.531(2)(a), F.A.C., the spatial application of the numeric interpretation is as defined in the associated order or rule.

(b) For lakes covered under subparagraph 62-302.531(2)(b)1., F.A.C., the numeric interpretation shall be applied as a lake-wide or lake segment-wide average.

(c) For spring vents covered under subparagraph 62-302.531(2)(b)2., F.A.C., the numeric interpretation shall be applied in the surface water at or above the spring vent.

(d) For streams covered under paragraph 62-302.531(2)(c), F.A.C., the spatial application of the numeric interpretation shall be determined by relative stream homogeneity and shall be applied to waterbody segments or aggregations of segments as determined by the site-specific considerations.

(8) Load-based or percent reduction-based nutrient TMDLs or Level II Water Quality Based Effluent Limitations (WQBELs) pursuant to Chapter 62-650, F.A.C., do not need to be converted into concentration-based nutrient TMDLs or WQBELs to be used as the basis for the numeric interpretation of the narrative criterion. For percent reduction-based nutrient TMDLs, the associated allowable load or concentration is the numeric interpretation of the narrative criterion for the waterbody.

(9) Rule 62-302.531, F.A.C., shall not be implemented until it is approved in its entirety pursuant to 40 C.F.R. § 131.21 and 33 U.S.C. § 1313(c). If any provision of Rule 62-302.531, F.A.C., is later determined invalid, then the entirety of Rule 62-302.531, F.A.C., shall not be implemented.

Rulemaking Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS. Law Implemented 403.021, 403.061, 403.067, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS. History—New _____.

62-302.532 Estuary-Specific Numeric Interpretations of the Narrative Nutrient Criterion.

(1) Estuary-specific numeric interpretations of the narrative nutrient criterion in paragraph 62-302.530(47)(b), F.A.C., are in the table below. The concentration-based estuary interpretations are open water, area-wide averages. The

interpretations expressed as load per million cubic meters of freshwater inflow are the total load of that nutrient to the estuary divided by the total volume of freshwater inflow to that estuary.

Estuary	Total Phosphorus	Total Nitrogen	Chlorophyll <i>a</i>
(a) Clearwater Harbor/St. Joseph Sound	Annual geometric mean values not to be exceeded more than once in a three year period		
1. St. Joseph Sound	0.05 mg/L	0.66 mg/L	3.1 µg/L
2. Clearwater North	0.05 mg/L	0.61 mg/L	5.4 µg/L
3. Clearwater South	0.06 mg/L	0.58 mg/L	7.6 µg/L
(b) Tampa Bay	Annual totals for nutrients and annual arithmetic means for chlorophyll a, not to be exceeded more than once in a three year period		
1. Old Tampa Bay	0.23 tons/million cubic meters of water	1.08 tons/million cubic meters of water	9.3 µg/L
2. Hillsborough Bay	1.28 tons/million cubic meters of water	1.62 tons/million cubic meters of water	15.0 µg/L
3. Middle Tampa Bay	0.24 tons/million cubic meters of water	1.24 tons/million cubic meters of water	8.5 µg/L
4. Lower Tampa Bay	0.14 tons/million cubic meters of water	0.97 tons/million cubic meters of water	5.1 µg/L
5. Boca Ciega North	0.18 tons/million cubic meters of water	1.54 tons/million cubic meters of water	8.3 µg/L
6. Boca Ciega South	0.06 tons/million cubic meters of water	0.97 tons/million cubic meters of water	6.3 µg/L
7. Terra Ceia Bay	0.14 tons/million cubic meters of water	1.10 tons/million cubic meters of water	8.7 µg/L
8. Manatee River Estuary	0.37 tons/million cubic meters of water	1.80 tons/million cubic meters of water	8.8 µg/L
(c) Sarasota Bay	Annual geometric mean values for nutrients and annual arithmetic means for chlorophyll a, not to be exceeded more than once in a three year period		
1. Palma Sola Bay	0.26 mg/L	0.93 mg/L	11.8 µg/L
2. Sarasota Bay	0.19 mg/L	See paragraph 62-302.532(3)(i), F.A.C.	6.1 µg/L
3. Roberts Bay	0.23 mg/L	0.54 mg/L	11.0 µg/L
4. Little Sarasota Bay	0.21 mg/L	0.60 mg/L	10.4 µg/L
5. Blackburn Bay	0.21 mg/L	0.43 mg/L	8.2 µg/L
(d) Charlotte Harbor/Estero Bay	Annual arithmetic mean values for nutrients and annual arithmetic means for chlorophyll a, not to be exceeded more than once in a three year period		
1. Dona and Roberts Bay	0.18 mg/L	0.42 mg/L	4.9 µg/L
2. Upper Lemon Bay	0.26 mg/L	0.56 mg/L	8.9 µg/L
3. Lower Lemon Bay	0.17 mg/L	0.62 mg/L	6.1 µg/L
4. Charlotte Harbor	0.19 mg/L	0.67 mg/L	6.1 µg/L
Proper			
5. Pine Island Sound	0.06 mg/L	0.57 mg/L	6.5 µg/L
6. San Carlos Bay	0.07 mg/L	0.56 mg/L	3.5 µg/L

7. Tidal Myakka River	<u>0.31 mg/L</u>	<u>1.02 mg/L</u>	<u>11.7 µg/L</u>
8. Matlacha Pass	<u>0.08 mg/L</u>	<u>0.58 mg/L</u>	<u>6.1 µg/L</u>
9. Estero Bay (including Tidal Imperial River)	<u>0.07 mg/L</u>	<u>0.63 mg/L</u>	<u>5.9 µg/L</u>
(e) Tidal Cocohatchee River/Ten Thousand Islands	<u>Annual geometric means that shall not be exceeded more than once in a three year period</u>		
1. Tidal Cocohatchee River	<u>0.057 mg/L</u>	<u>0.47 mg/L</u>	<u>5.8 µg/L</u>
2. Collier Inshore	<u>0.032 mg/L</u>	<u>0.25 mg/L</u>	<u>3.1 µg/L</u>
3. Rookery Bay/Marco Island	<u>0.046 mg/L</u>	<u>0.30 mg/L</u>	<u>4.9 µg/L</u>
4. Naples Bay	<u>0.045 mg/L</u>	<u>0.57 mg/L</u>	<u>4.3 µg/L</u>
5. Inner Gulf Shelf	<u>0.018 mg/L</u>	<u>0.29 mg/L</u>	<u>1.6 µg/L</u>
6. Middle Gulf Shelf	<u>0.016 mg/L</u>	<u>0.26 mg/L</u>	<u>1.4 µg/L</u>
7. Outer Gulf Shelf	<u>0.013 mg/L</u>	<u>0.22 mg/L</u>	<u>1.0 µg/L</u>
8. Blackwater River	<u>0.053 mg/L</u>	<u>0.41 mg/L</u>	<u>4.1 µg/L</u>
9. Coastal Transition Zone	<u>0.034 mg/L</u>	<u>0.61 mg/L</u>	<u>3.9 µg/L</u>
10. Gulf Islands	<u>0.038 mg/L</u>	<u>0.44 mg/L</u>	<u>3.4 µg/L</u>
11. Inner Waterway	<u>0.033 mg/L</u>	<u>0.69 mg/L</u>	<u>5.2 µg/L</u>
12. Mangrove Rivers	<u>0.021 mg/L</u>	<u>0.71 mg/L</u>	<u>3.7 µg/L</u>
13. Ponce de Leon	<u>0.024 mg/L</u>	<u>0.52 mg/L</u>	<u>3.0 µg/L</u>
14. Shark River Mouth	<u>0.022 mg/L</u>	<u>0.75 mg/L</u>	<u>2.2 µg/L</u>
15. Whitewater Bay	<u>0.026 mg/L</u>	<u>0.82 mg/L</u>	<u>4.1 µg/L</u>
(f) Florida Bay	<u>Annual geometric means that shall not be exceeded more than once in a three year period</u>		
1. Central Florida Bay	<u>0.019 mg/L</u>	<u>0.99 mg/L</u>	<u>2.2 µg/L</u>
2. Coastal Lakes	<u>0.045 mg/L</u>	<u>1.29 mg/L</u>	<u>9.3 µg/L</u>
3. East Central Florida Bay	<u>0.007 mg/L</u>	<u>0.65 mg/L</u>	<u>0.4 µg/L</u>
4. Northern Florida Bay	<u>0.010 mg/L</u>	<u>0.68 mg/L</u>	<u>0.8 µg/L</u>
5. Southern Florida Bay	<u>0.009 mg/L</u>	<u>0.64 mg/L</u>	<u>0.8 µg/L</u>
6. Western Florida Bay	<u>0.015 mg/L</u>	<u>0.37 mg/L</u>	<u>1.4 µg/L</u>
(g) Florida Keys	<u>Annual geometric means that shall not be exceeded more than once in a three year period</u>		
1. Back Bay	<u>0.009 mg/L</u>	<u>0.25 mg/L</u>	<u>0.3 µg/L</u>
2. Backshelf	<u>0.011 mg/L</u>	<u>0.23 mg/L</u>	<u>0.7 µg/L</u>
3. Lower Keys	<u>0.008 mg/L</u>	<u>0.21 mg/L</u>	<u>0.3 µg/L</u>
4. Marquesas	<u>0.008 mg/L</u>	<u>0.21 mg/L</u>	<u>0.6 µg/L</u>
5. Middle Keys	<u>0.007 mg/L</u>	<u>0.22 mg/L</u>	<u>0.3 µg/L</u>
6. Oceanside	<u>0.007 mg/L</u>	<u>0.17 mg/L</u>	<u>0.3 µg/L</u>
7. Upper Keys	<u>0.007 mg/L</u>	<u>0.18 mg/L</u>	<u>0.2 µg/L</u>
(h) Biscayne Bay	<u>Annual geometric means that shall not be exceeded more than once in a three year period</u>		
1. Card Sound	<u>0.008 mg/L</u>	<u>0.33 mg/L</u>	<u>0.5 µg/L</u>
2. Manatee Bay – Barnes Sound	<u>0.007 mg/L</u>	<u>0.58 mg/L</u>	<u>0.4 µg/L</u>
3. North Central Inshore	<u>0.007 mg/L</u>	<u>0.31 mg/L</u>	<u>0.5 µg/L</u>
4. North Central Outer-Bay	<u>0.008 mg/L</u>	<u>0.28 mg/L</u>	<u>0.7 µg/L</u>
5. Northern North Bay	<u>0.012 mg/L</u>	<u>0.30 mg/L</u>	<u>1.7 µg/L</u>
6. South Central Inshore	<u>0.007 mg/L</u>	<u>0.48 mg/L</u>	<u>0.4 µg/L</u>
7. South Central Mid-Bay	<u>0.007 mg/L</u>	<u>0.35 mg/L</u>	<u>0.2 µg/L</u>
8. South Central Outer-Bay	<u>0.006 mg/L</u>	<u>0.24 mg/L</u>	<u>0.2 µg/L</u>
9. Southern North Bay	<u>0.010 mg/L</u>	<u>0.29 mg/L</u>	<u>1.1 µg/L</u>

<p>(i) Sarasota Bay</p>	<p>For TN, the annual geometric mean target is calculated from monthly arithmetic mean color by region and season. Annual geometric means that shall not be exceeded more than once in a three year period. The Sarasota Bay regions are defined as north (Manatee County) and south (Sarasota County). The wet season for Sarasota Bay is defined as July through October and the dry season is defined as all other months of the year. The seasonal region targets are calculated using monthly color data and shall be calculated as follows:</p> $NW_i = \text{Ln}[(13.35 - (0.32 * CN_i)) / 3.58]$ $ND_i = \text{Ln}[(10.39 - (0.32 * CN_i)) / 3.58]$ $SW_i = \text{Ln}[(8.51 - (0.32 * CS_i)) / 3.58]$ $SD_i = \text{Ln}[(5.55 - (0.32 * CS_i)) / 3.58]$ <p>Where,</p> <p>NW_i is the TN target for i^{th} month calculated for the north region during the wet season</p> <p>ND_i is the TN target for i^{th} month calculated for the north region during the dry season</p> <p>SW_i is the TN target for i^{th} month calculated for the south region during the wet season</p> <p>SD_i is the TN target for i^{th} month calculated for the south region during the dry season</p> <p>CN_i is the arithmetic mean color during the i^{th} month within the north region</p> <p>CS_i is the arithmetic mean color during the i^{th} month within the south region</p> <p>The annual TN target is calculated as the geometric mean of all monthly regional and season targets as follows:</p> $e^{\frac{\sum_{i=1}^{12} (NW_i + ND_i + SW_i + SD_i)}{24}}$
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<p>(j) Clam Bay (Collier County)</p>	<p>No more than 10 percent of the individual Total Phosphorus (TP) or Total Nitrogen (TN) measurements shall exceed the respective TP Upper Limit or TN Upper Limit.</p> <table border="1" data-bbox="346 1249 1404 1326"> <tr> <td data-bbox="346 1249 847 1326"> <p>TP Upper Limit (mg/L) = $e^{(-1.06256 - 0.0000328465 * \text{Conductivity} (\mu\text{S}))}$</p> </td> <td data-bbox="847 1249 1404 1326"> <p>TN Upper Limit (mg/L) = $2.3601 - 0.0000268325 * \text{Conductivity} (\mu\text{S})$</p> </td> </tr> </table>	<p>TP Upper Limit (mg/L) = $e^{(-1.06256 - 0.0000328465 * \text{Conductivity} (\mu\text{S}))}$</p>	<p>TN Upper Limit (mg/L) = $2.3601 - 0.0000268325 * \text{Conductivity} (\mu\text{S})$</p>
<p>TP Upper Limit (mg/L) = $e^{(-1.06256 - 0.0000328465 * \text{Conductivity} (\mu\text{S}))}$</p>	<p>TN Upper Limit (mg/L) = $2.3601 - 0.0000268325 * \text{Conductivity} (\mu\text{S})$</p>		

(2) Estuarine and marine areas are delineated in the map of the Florida Marine Nutrient Regions that may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(3) The Department shall establish by rule or final order estuary specific numeric interpretations of the narrative nutrient criteria for TN and TP for Perdido Bay, Pensacola Bay (including Escambia Bay), St. Andrews Bay, Choctawhatchee Bay, and Apalachicola Bay by June 30, 2013, subject to the provisions of Chapter 120, F.S. The Department shall establish by rule or final order the estuary specific numeric interpretation of the narrative nutrient criteria for TN and TP for the remaining estuaries by June 30, 2015, subject to the

provisions of Chapter 120, F.S. This subsection 62-302.532(3), F.A.C., shall not be implemented until Rule 62-302.531, F.A.C., is approved in its entirety pursuant to 40 C.F.R. § 131.21 and 33 U.S.C. § 1313(c). If any provision of Rule 62-302.531, F.A.C., is later determined invalid, then this subsection shall not be implemented.

Rulemaking Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804 FS. Law Implemented 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.182, 403.502, 403.702, 403.708 FS. History—New _____.

62-302.800 Site Specific Alternative Criteria.

(1) Type I Site Specific Alternative Criteria: A waterbody water body, or portion thereof, may not meet a particular ambient water quality criterion specified for its classification, due to natural background conditions or man-induced

conditions which cannot be controlled or abated. In such circumstances, and upon petition by an affected person or upon the initiation by the Department, the Secretary may establish a site specific alternative water quality criterion when an affirmative demonstration is made that an alternative criterion is more appropriate for a specified portion of waters of the state. Public notice and an opportunity for public hearing shall be provided prior to issuing any order establishing alternative criteria.

(a) The affirmative demonstration required by this section shall mean a documented showing that the proposed alternative criteria would exist due to natural background conditions or man-induced conditions which cannot be controlled or abated. Such demonstration shall be based upon relevant factors which include:

1. A description of the physical nature of the specified waterbody ~~water body~~ and the water pollution sources affecting the criterion to be altered.

2. through 4. No change.

(b) No change.

(2) Type II Site Specific Alternative Criteria: In accordance with the procedures set forth below, affected persons may petition the Department, or the Department may initiate rulemaking, to adopt an alternative water quality criterion for a specific waterbody ~~water body~~, or portion thereof, on the basis of site-specific reasons other than those set forth above in subsection 62-302.800(1), F.A.C. The Department shall process any such petition as follows:

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

2. In making the demonstration required by this paragraph (c), the petition shall include an assessment of aquatic toxicity, except on a showing that no such assessment is relevant to the particular criterion. The assessment of aquatic toxicity shall show that physical and chemical conditions at the site alter the toxicity or bioavailability of the compound in question and shall meet the requirements and follow the Indicator Species procedure set forth in *Water Quality Standards Handbook* (December 1983), a publication of the United States Environmental Protection Agency, incorporated here by reference. If, however, the Indicator Species Procedure is not applicable to the proposed site-specific alternative criterion, the petitioner may propose another generally accepted scientific method or procedure to demonstrate with equal assurance that the alternative criterion will protect the aquatic life designated use of the waterbody ~~water body~~.

3. through 7. No change.

(d) The provisions of this subsection do not apply to criteria contained in Rule 62-302.500, F.A.C., or criteria that apply to:

1. Biological Integrity (subsection 62-302.530(10), F.A.C.)

2. B.O.D. (subsection 62-302.530(11), F.A.C.)

3. ~~Nutrients.~~

3.4. Odor (subsections 62-302.500(1), 62-302.530(21), 62-302.530(48), and paragraphs 62-302.530 (49)(b) and 62-302.530(52)(a), F.A.C.)

4.5. Oils and Greases (subsection 62-302.530(49), F.A.C.)

5.6. Radioactive Substances (subsection 62-302.530(57), F.A.C.)

6.7. Substances in concentrations that injure, are chronically toxic to, or produce adverse physiological or behavioral response in humans, animals, or plants (subsection 62-302.530(61), F.A.C.)

7.8. Substances, other than nutrients, in concentrations that result in the dominance of nuisance species (subsection 62-302.200(20), F.A.C.)

8.9. Total Dissolved Gases (subsection 62-302.530(66), F.A.C.)

9.10 No change.

(e) through (f) No change.

(3) Type III Site Specific Alternative Criteria (SSAC) for Nutrients: Upon petition by an affected person or upon initiation by the Department, the Department shall establish, by Secretarial Order, site specific numeric nutrient criteria when an affirmative demonstration is made that the proposed criteria achieve the narrative nutrient criteria in paragraph 62-302.530(47)(b), F.A.C., and are protective of downstream waters. Public notice and an opportunity for public hearing shall be provided prior to adopting any order establishing alternative criteria under this subsection.

(a) The Department shall establish a Type III SSAC if all of the following conditions are met:

1. The petitioner demonstrates that the waterbody achieves the narrative nutrient criteria in paragraph 62-302.530(47)(b), F.A.C.

a. For streams, such a demonstration shall require:

i. Information on chlorophyll *a* levels, algal mats or blooms, nuisance macrophyte growth, and changes in algal species composition indicating that there is not an imbalance in flora, and

ii. At least two temporally independent SCIs, conducted at a minimum of two spatially-independent stations representative of the waterbody or water segment for which a SSAC is requested, with an average score of 40 or higher, with neither of the two most recent SCI scores less than 35.

b. For lakes, such a demonstration shall require:

i. Information on chlorophyll *a* levels, algal mats or blooms indicating that there is not an imbalance in flora or fauna, and

ii. At least two temporally independent LVIs, with an average score of 43 or above.

c. SCIs and LVIs collected at the same location less than three months apart shall be considered to be one sample, with the mean value used to represent the sampling period. SCIs and LVIs shall be conducted during the water quality sampling

period described in subparagraph 62-302.800(3)(a)2, F.A.C. There shall be a minimum of two assessments per station or lake, with at least one assessment conducted during the final year.

2. The petitioner provides sufficient data to characterize water quality conditions, including temporal variability, that are representative of the biological data used to support the SSAC. The water quality data shall be collected in the same waterbody segment as the biological monitoring stations and at a frequency and duration consistent with the study design concepts described in the document titled *Development of Type III Site Specific Alternative Criteria (SSAC) for Nutrients* 's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. Water quality data associated with extreme climatic conditions, such as floods, droughts, and hurricanes, shall be excluded from the analysis.

3. Demonstration of downstream protection by one of the following methods:

a. Downstream waters are attaining water quality standards related to nutrient conditions pursuant to Chapter 62-303, F.A.C.; or

b. If the downstream waters do not attain water quality standards related to nutrient conditions:

i. The nutrients delivered by the waterbody subject to the Type III SSAC meet the allocations of a downstream TMDL; or

ii. The nutrients delivered by the waterbody are shown to provide for the attainment and maintenance of water quality standards in downstream waters.

(b) The SSAC shall be established at a level representative of nutrient loads or concentrations that have been demonstrated to be protective of the designated use by maintaining balanced, natural populations of aquatic flora and fauna. This demonstration shall take into account natural variability by using statistical methods appropriate to the data set, as described in *Development of Type III Site Specific Alternative Criteria (SSAC) for Nutrients (DEP-SAS-004/11)*.

(3) through (4) renumbered (4) through (5) No change.

(6)(5) Type II sSite specific alternative criteria apply to the water bodies, or portions of the water bodies, listed below. For dissolved oxygen site specific alternative criteria, normal daily and seasonal fluctuations above the levels listed in the table below shall be maintained. For site specific alternative criteria with seasonal limits, the generally applicable criteria in Rule 62-302.530, F.A.C., apply at other times of the year.

(a) through (d) No change.

Rulemaking Authority 403.061, 403.062, 403.087, 403.504, 403.704, 403.804, 403.805 FS. Law Implemented 403.021, 403.061, 403.087, 403.088, 403.141, 403.161, 403.502 FS. History—Formerly 17-3.05(4), Amended 3-1-79, 10-2-80, 2-1-83, Formerly 17-3.031, Amended 6-17-92, Formerly 17-302.800, Amended 5-15-02, 1-9-06, 6-28-06, 12-7-06, 8-5-07, 8-5-10,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 20, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-303.150	Relationships Among Planning, Study and Verified Lists
62-303.200	Definitions
62-303.310	Evaluation of Aquatic Life Use Support
62-303.330	Biological Assessment
62-303.350	Assessments of Numeric Interpretations of Narrative Nutrient Criteria
62-303.351	Nutrients in Freshwater Streams
62-303.352	Nutrients in Freshwater Lakes
62-303.353	Nutrients in Estuaries and Open Coastal Waters
62-303.354	Nitrate-nitrite in Freshwater Spring Vents
62-303.390	The Study List
62-303.420	Aquatic Life-Based Water Quality Criteria Assessment
62-303.430	Biological Impairment
62-303.450	Assessments of Numeric Interpretation of Narrative Nutrient Criteria
62-303.710	Format of Verified List and Verified List Approval
62-303.720	Delisting Procedure

PURPOSE AND EFFECT: The proposed rule revisions, which are water quality standards, provide for the assessment of the numeric interpretations of the narrative surface water quality criterion for nutrients that are proposed for adoption in Chapter 62-302, F.A.C. The numeric interpretations are applied as spatial averages, depending on waterbody type, consistent with their derivations.

SUMMARY: The Department is amending Chapter 62-303, F.A.C., to revise impairment thresholds and establish assessment methodologies for numeric interpretations of the

narrative surface water criterion for nutrients in paragraph 62-302.530(47)(b), F.A.C. The proposed rule revisions also establish a new list type (Study List).

OTHER RULES INCORPORATING THIS RULE: Chapter 62-303 and Rules 62-303.100, 62-303.150, 62-303.200, 62-303.310, 62-303.330, 62-303.350, 62-303.351, 62-303.352, 62-303.353, 62-303.354, 62-303.390, 62-303.420, 62-303.430, 62-303.450, 62-303.710, 62-303.720, F.A.C., are referenced by the following rules: Rules 62-302.530, 62-303.100, 62-303.150, 62-303.200, 62-303.300, 62-303.310, 62-303.320, 62-303.330, 62-303.350, 62-303.351, 62-303.352, 62-303.353, 62-303.360, 62-303.370, 62-303.380, 62-303.400, 62-303.410, 62-303.420, 62-303.430, 62-303.450, 62-303.460, 62-303.470, 62-303.480, 62-303.600, 62-303.700, 62-303.710, 62-303.720, 62-303.810, 62-304.100, 62-305.200, and 62-672.780, F.A.C.

EFFECT ON THOSE OTHER RULES: This rulemaking does not have any direct effect on Rule 62-301.530, F.A.C. Rule 62-302.530, F.A.C., simply notes that Chapter 62-303, F.A.C., is the Department's assessment methodology, and accounts for natural and statistical variability when assessing ambient waters pursuant to sections 305(b) and 303(d) of the Federal Clean Water Act. All of the rules listed for Chapter 62-303, F.A.C., are simply cross-rule references within the chapter, and this rulemaking takes into account the interconnection between rule sections for the planning, study, and verified lists. This rulemaking affects Rule 62-304.100, F.A.C., because it affects which waters are listed on the verified list for nutrient impairment. The Department is responsible for developing and adopting by rule in Chapter 62-304, F.A.C., Total Maximum Daily Loads (TMDLs) and their allocations for waters that have been verified to be impaired by a pollutant pursuant to Chapter 62-303, F.A.C. This rulemaking also affects Rule 62-305.200, F.A.C., because it establishes when nutrients are identified as a "pollutant of concern." Rule 62-305.200, F.A.C., refers to Chapter 62-303, F.A.C., in the definition for "pollutant of concern," which means "the pollutant or pollutants that have been identified as causing the impairment of a water body pursuant to the process set forth in Chapter 62-303, F.A.C." This rulemaking also affects Rule 672.780, F.A.C., which requires that operating plans for new or increased discharges from phosphogypsum stack systems identify "any impaired waters and parameters included on a verified list, determined in accordance with Chapter 62-303, F.A.C., for any water body or water body segment existing at or downstream of the proposed new or increased discharge."

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION: The Agency has determined that this will have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has been prepared by the agency. In November 2010, the U.S. Environmental Protection Agency (EPA)

promulgated numeric nutrient criteria for Florida's waters. The Florida Department of Environmental Protection's (FDEP) proposed numeric nutrient criteria are intended to replace EPA's rule. Recent reports on the EPA rule estimated that annual implementation costs could range from \$135.5 million to \$4.7 billion. Using information from these estimates with assumptions consistent with the proposed FDEP rules, FDEP estimates that costs associated with the proposed FDEP rules would be at or below the lower end of the estimates for the existing EPA rule. Although the ultimate costs associated with the proposed FDEP rules are anticipated to be significantly lower than those applicable to the existing EPA rule, it is clear that those costs will directly or indirectly increase regulatory costs in excess of \$200,000 in the aggregate in Florida within 1 year after the implementation of the proposed FDEP rule when compared with existing state rules only.

The Agency has determined that the proposed rule is expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based on the economic analysis conducted in preparation of its statement of estimated regulatory cost, the Department has determined that the proposed rule is likely to increase regulatory costs, including any transactional costs, in excess of \$1 million in the aggregate within 5 years after implementation of the rule.

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

RULEMAKING AUTHORITY: 403.061, 403.067 FS.

LAW IMPLEMENTED: 403.021(11), 403.062, 403.067 FS.

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

DATE AND TIME: Thursday, December 8, 2011, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, 300 S. Adams Street, Tallahassee, Florida 32301

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: Eric Shaw at (850)245-8429 or the below information. 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 RULES IS: Eric Shaw, Department of Environmental Protection, Bureau of Assessment and Restoration Support, MS 6511, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, (850)245-8429 or e-mail: eric.shaw@dep.state.fl.us. Copies of the draft rule as well as

further information also may be obtained from the Department's internet site at: <http://www.dep.state.fl.us/water/wqssp/nutrients/index.htm>. (OGC No. 11-1489)

THE FULL TEXT OF THE PROPOSED RULES IS:

PART I
GENERAL

62-303.150 Relationships ~~Among~~ ~~Between~~ Planning, Study and Verified Lists.

(1) The Department shall follow the methodology in ~~Part II Rule 62-303.300, F.A.C.~~, to develop a planning list and ~~Part III to develop a study list~~ pursuant to Section 403.067(2), F.S. As required by Section 403.067(2), F.S., the planning list and the study list shall not be used in the administration or implementation of any regulatory program. ~~The planning list and shall be submitted to EPA for informational purposes only. Waters on this planning list will be assessed pursuant to Section subsection 403.067(3) F.S., as part of the Department's watershed management approach. During this assessment, the Department shall determine whether the waterbody water body is impaired and whether the impairment is due to pollutant discharges using the methodology in Part IV H. In cases where a waterbody on the planning list is determined to be impaired but the Department cannot determine the cause of the impairment, the waterbody shall be placed on a study list for further analysis to determine the causative pollutant(s) or other factors contributing to the impairment. The study list also addresses increasing nutrient trends in waterbodies. The Department shall only place a waterbody on the verified list if pollutant loading or concentrations cause or contribute to nonattainment of water quality standards. The resultant verified list of impaired waters, which is the list of waters for which TMDLs will be developed by the Department pursuant to Section subsection 403.067(4), F.S., will be adopted by Secretarial Order and will be subject to challenge under Sections 120.569 and 120.57, F.S. Once adopted, the list will be submitted to the EPA pursuant to paragraph 303(d)(1) of the Federal Clean Water Act CWA.~~

(2) Consistent with state and federal requirements, opportunities for public participation, including workshops, meetings, and periods to submit comments on draft lists, will be provided as part of the development of planning, study, and verified lists.

~~Rulemaking Specific 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Repromulgated 1-2-07. Amended _____.~~

62-303.200 Definitions.

As used in this chapter:

(1) ~~“Biological Health Assessment”~~ ~~“Bioassessment”~~ shall mean one of the following aquatic community-based biological evaluations: Stream Condition Index (SCI), a BioRecon, Lake Vegetation Condition Index (LVI), or Shannon-Weaver Diversity Index Stream Condition Index.

(2) ~~“BioRecon” shall mean a biological assessment that measures stream health in predominantly freshwaters using benthic macroinvertebrates, performed and calculated using the Standard Operating Procedures (SOP) for the BioRecon (DEP-SOP-003/01 BRN 1000), dated 10-24-11, which is incorporated by reference herein. Copies of the SOP may be obtained from the Department's internet site at http://www.dep.state.fl.us/water/wqssp/swq-docs or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400, evaluation conducted in accordance with standard operating procedures (SOPs) FT 3000, F.S. 7410, and LT 7100, as promulgated in Rule 62-160.800, F.A.C.~~

(3) ~~“Clean techniques” shall mean those applicable field sampling procedures and analytical methods referenced in “Method 1669: Sampling Ambient Water for Trace Metals at EPA Water Quality Criteria Levels, July 1996, USEPA, Office of Water, Engineering and Analysis Division, Washington, D.C.,” which is incorporated by reference. Copies of the procedures and methods may be obtained from the Department's internet site at http://www.dep.state.fl.us/water/wqssp/swq-docs or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.~~

(4) through (6) No change.

(7) ~~“Impaired water” shall mean a waterbody water body or waterbody water body segment that does not meet its applicable water quality standards as set forth in Chapters 62-302 and 62-4, F.A.C., as determined by the methodology in Part IV H of this chapter, due in whole or in part to discharges of pollutants from point or nonpoint sources.~~

(8) ~~“Lake” shall mean a lentic fresh waterbody with a relatively long water residence time and an open water area that is free from emergent vegetation under typical hydrologic and climatic conditions. Aquatic plants, as defined in subsection 62-340.200(1), F.A.C., may be present in the open water. Lakes do not include springs, wetlands, or streams (except portions of streams that exhibit lake-like characteristics, such as long water residence time, increased width, or predominance of biological taxa typically found in non-flowing conditions).~~

(9)(8) ~~“Lake Vegetation Index (LVI)” shall mean a Biological Health Assessment that measures lake biological health in predominantly freshwaters using aquatic and wetland plants, performed and calculated using the Standard Operating Procedures for the LVI (DEP-SOP-003/11 LVI 1000) and the~~

methodology in Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. "Lake Condition Index" shall mean the benthic macroinvertebrate component of a biological evaluation conducted following the procedures outlined in "Development of Lake Condition Indexes (LCI) for Florida," Florida Department of Environmental Protection, July, 2000, which is incorporated by reference.

(9) through (10) renumbered (10) through (11) No change.

(12) "Nutrient" shall mean total nitrogen (TN), total phosphorus (TP), or their organic or inorganic forms.

(13) "Nutrient response variable" shall mean a biological variable, such as chlorophyll *a*, biomass, or structure of the phytoplankton, periphyton or vascular plant community, that responds to nutrient load or concentration in a predictable and measurable manner. For purposes of interpreting paragraph 62-302.530(47)(b), F.A.C., Dissolved oxygen (DO) shall also be considered a nutrient response variable if it is demonstrated for the waterbody that DO conditions result in biological imbalance and the DO responds to a nutrient load or concentration in a predictable and measurable manner.

(14) "Nutrient Watershed Region" shall mean a drainage area over which the nutrient thresholds in paragraph 62-302.531(2)(c), F.A.C., apply.

(a) The Panhandle West region consists of the Perdido Bay Watershed, Pensacola Bay Watershed, Choctawhatchee Bay Watershed, St. Andrew Bay Watershed, and Apalachicola Bay Watershed.

(b) The Panhandle East region consists of the Apalachee Bay Watershed, and Econfina/Steinhatchee Coastal Drainage Area.

(c) The North Central region consists of the Suwannee River Watershed and an area in Alachua County stream to sink region affected by the Hawthorne Formation.

(d) The West Central region consists of the Peace, Myakka, Hillsborough, Alafia, Manatee, Little Manatee River Watersheds, Sarasota/Lemon Bay Watershed and small, direct Tampa Bay tributary watersheds south of the Hillsborough River Watershed.

(e) The Peninsula region consists of the Waccasassa Coastal Drainage Area, Withlacoochee Coastal Drainage Area, Crystal/Pithlachascotee Coastal Drainage Area, small, direct Tampa Bay tributary watersheds west of the Hillsborough River Watershed, small, direct Charlotte Harbor tributary watersheds south of the Peace River Watershed, Caloosahatchee River Watershed, Estero Bay Watershed, Imperial River Watershed, Kissimmee River/Lake Okeechobee Drainage Area, Loxahatchee/St. Lucie Watershed, Indian River

Watershed, Daytona/St. Augustine Coastal Drainage Area, St. John's River Watershed, Nassau Coastal Drainage Area, and St. Mary's River Watershed.

(f) The South Florida region consists of those areas south of the Peninsula region, such as the Cocohatchee River Watershed, Naples Bay Watershed, Rookery Bay Watershed, Ten Thousand Islands Watershed, Lake Worth Lagoon Watershed, Southeast Coast – Biscayne Bay Watershed, Everglades Watershed, Florida Bay Watershed, and the Florida Keys.

A map of the Nutrient Watershed Regions may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400.

(11) through (12) renumbered (15) through (16) No change.

(17)(13) "Physical alterations" shall mean human-induced changes to the physical structure of the waterbody ~~water body~~.

(14) through (16) renumbered (18) through (20) No change.

(21) "Predominantly fresh waters" shall mean surface waters in which the chloride concentration is less than 1,500 milligrams per liter or specific conductance is less than 4,580 $\mu\text{mhos/cm}$.

(22)(17) "Predominantly marine waters" shall mean surface waters in which the chloride concentration ~~at the surface~~ is greater than or equal to 1,500 milligrams per liter or specific conductance is greater than or equal to 4,580 $\mu\text{mhos/cm}$.

(18) through (19) renumbered (23) through (24) No change.

(25) "Shannon-Weaver Diversity Index" shall mean: negative summation (from $i=1$ to s) of $(n_i/N) \log_2 (n_i/N)$ where s is the number of species in a sample, N is the total number of individuals in a sample, and n_i is the total number of individuals in species i .

(26)(20) No change.

(27) "Spring vent" shall mean a location where groundwater flows out of a natural, discernable opening in the ground onto the land surface or into a predominantly fresh surface water.

(28)(21) "Stream" shall mean a free-flowing, predominantly fresh surface waterbody that flows water in a defined channel with banks ~~and includes rivers, creeks, branches, freshwater sloughs, and other similar water bodies.~~ Streams do not include wetlands or portions of streams that exhibit lake characteristics (e.g., long water residence time, increased width, and predominance of biological taxa typically found in non-flowing conditions).

~~(29)(22)~~ “Stream Condition Index (SCI)” shall mean a Biological Health Assessment that measures stream biological health in predominantly freshwaters using benthic macroinvertebrates, performed and calculated using the Standard Operating Procedures for the SCI (DEP-SOP-003/11 SCI 1000) and the methodology in *Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer’s* internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. For water quality standards purposes, the Stream Condition Index shall not apply in the South Florida Nutrient Watershed Region, evaluation conducted in accordance with SOPs FT 3000, FS 7420, and LT 7200, as promulgated in Rule 62-160.800, F.A.C.

(30) “Study list” shall mean the list of surface waters or segments, as identified in Rule 62-303.390, F.A.C., that do not attain surface water quality standards, but the cause of nonattainment is unknown and requires further study to identify the cause of nonattainment, or exhibit a clear adverse trend in nutrients or nutrient response variables where a site specific numeric interpretation has not been established pursuant to paragraph 63-302.531(2)(a), F.A.C.

~~(31)(23)~~ No change.

~~(32)(24)~~ “Total Maximum Daily Load” (TMDL) for an impaired waterbody ~~water body~~ or waterbody ~~water body~~ segment shall mean the sum of the individual wasteload allocations for point sources and the load allocations for nonpoint sources and natural background. Prior to determining individual wasteload allocations and load allocations, the maximum amount of a pollutant that a waterbody ~~water body~~ or waterbody ~~water body~~ segment can assimilate from all sources without exceeding water quality standards must first be calculated. A TMDL shall include either an implicit or explicit margin of safety and a consideration of seasonal variations.

~~(25)~~ “Trophic State Index” or “TSI” means the trophic state index for index for lakes, which is based on lake chlorophyll a, Total Nitrogen, and Total Phosphorus levels, and is calculated following the procedures outlined on pages 86 and 87 of the State’s 1996 305(b) report, which are incorporated by reference.

(26) through (27) renumbered (33) through (34) No change.

~~(35)(28)~~ “Water quality standards” shall mean standards composed of designated present and future most beneficial uses (classification of waters), the numerical and narrative criteria, including Site Specific Alternative Criteria, applied to the specific water uses or classification, the Florida antidegradation policy, and the moderating provisions, such as variances, mixing zone rule provisions, or exemptions, ~~(mixing~~

~~zones, site-specific alternative criteria, and exemptions) contained in Chapter 62-302, F.A.C., and in Chapter 62-4, F.A.C., adopted pursuant to Chapter 403, F.S.~~

~~(36)(29)~~ “Water segment” shall mean a portion of a waterbody ~~water body~~ that the Department will assess and evaluate for purposes of determining whether a TMDL will be required. Water segments previously evaluated as part of the Department’s 1998 305(b) Report are depicted in the map titled “Water Segments of Florida,” which is incorporated by reference.

~~(37)(30)~~ No change.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Amended 6-5-06, 12-11-06, _____.

PART II

THE PLANNING LIST

62-303.310 Evaluation of Aquatic Life Use Support.

A Class I, II, or III water shall be placed on the planning list for assessment of aquatic life use support (propagation and maintenance of a healthy, well-balanced population of fish and wildlife) if, based on sufficient quality and quantity of data, it:

(1) No change.

(2) Does not meet Biological Health Assessment thresholds for its waterbody ~~water body~~ type as outlined in Rule 62-303.330, F.A.C., or

(3) Exceeds nutrient impairment thresholds as outlined in Rule 62-303.350, F.A.C.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Amended 12-11-06, _____.

62-303.330 Biological Assessment.

(1) No change.

(2) Biological Health Assessments ~~Bioassessments~~ used to evaluate predominantly fresh water assess streams and lakes under this rule shall include BioRecons, the Stream Condition Index (SCI) ~~Indices (SCIs)~~, and the Lake Vegetation Index (LVI), and the Shannon-Weaver Diversity Index, ~~the benthic macroinvertebrate component of the Lake Condition Index (LCI), which only applies to clear lakes with a color less than 20 platinum cobalt units.~~ BioRecons can also be used to evaluate predominantly fresh water streams under this rule. Because these Biological Health Assessment ~~bioassessment~~ procedures require specific training and expertise, persons conducting a BioRecon, SCI or LVI ~~the bioassessments~~ must comply with the quality assurance requirements of Chapter 62-160, F.A.C. (including adherence to *Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer* (DEP-SAS-001/11), which was incorporated by reference in subsection 62-303.200(10), F.A.C., and *Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer*

(DEP-SAS-002/11), which was incorporated by reference in subsection 62-303.200(30), F.A.C.), attend at least eight hours of Department sanctioned field training; and pass a Department sanctioned field audit that verifies the sampler follows the applicable SOPs, as set forth in Chapter 62-160, F.A.C., before their Biological Health Assessment bioassessment data will be considered valid for use under this rule.

(3) A water segment shall be included on the planning list if it meets any of the following conditions: Water segments with at least one failed bioassessment or one failure of the biological integrity standard, subsection 62-302.530(11), F.A.C., shall be included on the planning list for assessment of aquatic life use support.

(a) One of the two most recent Shannon-Weaver Diversity Index (subsection 62-302.530(10), F.A.C.) scores is less than 75 percent of the value from an appropriate control site.

(b) One of the two most recent Stream Condition Index scores is:

1. A score of < 35; or

2. A 20 point reduction from the historic maximum value if the historic maximum value SCI is above 64.

(c) One of the two most recent BioRecon scores is ≤4.

(d) One of the two most recent Lake Vegetation Index scores is:

1. A score < 43; or

2. A 20 point reduction from the historic maximum value if the historic maximum value LVI is above 78.

(a) In streams, the bioassessment shall be either an SCI or a BioRecon. Failure of a bioassessment for streams consists of a “poor” or “very poor” rating on the Stream Condition Index, or a “fail” rating on the BioRecon.

(b) Failure for lakes consists of a “poor” or “very poor” rating on the Lake Condition Index.

(4) The “historic maximum value” shall be the highest mean of any three consecutive, temporally independent Stream Condition Index (SCI) scores or Lake Vegetation Index (LVI) scores at the same location that are collected prior to the most recent sample being considered for evaluation with this provision. To qualify as temporally independent samples, each Biological Health Assessment shall be conducted at least three months apart. Biological Health Assessments collected at the same water segment less than three months apart shall be considered one sample, with the mean value used to represent the sampling period.

(5) Other information relevant to the biological health integrity of the water segment, including toxicity tests and information about alterations in the type, nature, or function of a waterbody, shall also be considered when assessing aquatic life use support.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06, _____.

62-303.350 Assessments of Numeric Interpretations of Narrative Nutrient Criteria.

(1) The nutrient impairment thresholds identified in Rules 62-303.351 through 62-303.354, F.A.C., Trophic state indices (TSIs) and annual mean chlorophyll *a* values shall be the primary means for assessing whether a water should be assessed further for nutrient impairment. Other information indicating an imbalance in flora or fauna due to nutrient enrichment, such as including, but not limited to, algal blooms or mats, excessive nuisance macrophyte growth, decrease in the distribution (either in density or areal coverage) of submerged aquatic vegetation, adverse changes in algal species composition richness, and excessive diel oxygen swings, shall also be considered for placing waters on the planning list.

(2) To be used to determine whether a waterbody should be assessed further for nutrient enrichment,

(a) Data must meet the requirements of subsections (2)-(4), (7), and (8) in Rule 62-303.320, F.A.C.;

(b) To calculate an annual geometric mean for TN, TP or chlorophyll *a*, there shall be at least four temporally-independent samples per year with at least one sample collected between May 1 and September 30 and at least one sample collected during the other months of the calendar year. To be treated as temporally-independent, samples must be collected at least one week apart; and At least one sample from each season shall be required in any given year to calculate a Trophic State Index (TSI) or an annual mean chlorophyll *a* value for that year (for purposes of this chapter, the four seasons shall be January 1 through March 31, April 1 through June 30, July 1 through September 30, October 1 through December 31);

(c) If there are multiple chlorophyll *a* or TSI values within a season, the average value for that season shall be calculated from the individual values and the four quarterly values shall be averaged to calculate the annual mean for that calendar year;

(d) For data collected after the effective date of this rule, individual TSI values shall only be calculated when the nitrogen, phosphorus, and chlorophyll data were collected at the same time and location;

(e) If there are insufficient data used to calculate a TSI or an annual mean chlorophyll *a* value in the planning period, but there are data from at least four consecutive seasons, the mean TSI or mean chlorophyll *a* value for the consecutive seasons shall be used to assess the waterbody;

(f) There must be annual means from at least four years when evaluating the change in TSI over time pursuant to subsection 62-303.352(3), F.A.C., and

(g) To be assessed under this chapter rule, except for data used to establish historical chlorophyll *a* levels, chlorophyll *a* data shall be determined using Department-approved methods as measured according to the DEP document titled, “Applicability of Chlorophyll *a* Methods” (DEP-SAS-002/10), incorporated by reference

~~herein. Copies of the chlorophyll *a* document may be obtained from the Department's internet site at <http://www.dep.state.fl.us/water/wqssp/swq-docs> or by writing to the Florida Department of Environmental Protection, Standards and Assessment Section, 2600 Blair Stone Road, MS 6511, Tallahassee, FL 32399-2400. Chlorophyll *a* data shall be corrected for or free from the interference of pheophytin. chlorophyll *a* data collected after the effective date of this rule shall be corrected chlorophyll *a*, except for data used to establish historical chlorophyll *a* levels. Corrected chlorophyll *a* is the calculated concentration of chlorophyll *a* remaining after the chlorophyll degradation product, pheophytin *a*, has been subtracted from the uncorrected chlorophyll *a* measurement.~~

~~(3) When comparing changes in chlorophyll *a* or TSI values to historical levels, historical levels shall be based on the lowest five-year average for the period of record. To calculate a five year average, there must be annual means from at least three years of the five-year period.~~

~~Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, _____.~~

62-303.351 Nutrients in Freshwater Streams.

A stream or stream segment shall be included on the planning list for nutrients if ~~the following biological imbalances are observed:~~

~~(1) The applicable numeric interpretation of the narrative nutrient criterion established in subsection 62-302.531(2), F.A.C., is exceeded;~~

~~(2) For streams meeting the definition in subsection 62-302.200(36), F.A.C., the nutrient thresholds in subparagraph 62-302.531(2)(c)3., F.A.C., are exceeded and insufficient Biological Health Assessment data are available to fully assess achievement of the nutrient provisions in subparagraph 62-302.531(2)(c)2., F.A.C.;~~

~~(3)(4) Algal mats or blooms are present in sufficient quantities to pose a nuisance or hinder reproduction of a threatened or endangered species; or~~

~~(4)(2) Annual geometric mean chlorophyll *a* concentrations are greater than 20 ug/l; or if data indicate annual mean chlorophyll *a* values have increased by more than 50 percent over historical values for at least two consecutive years.~~

~~(5) There is a statistically significant increasing trend in the annual geometric means at the 95 percent confidence level in TN, TP or chlorophyll *a*'s one-sided, upper-tail test for trend, as described in Nonparametric Statistical Methods by M. Hollander and D. Wolfe (1999 ed.), pages 376 and 724, which are incorporated by reference herein.~~

~~Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Repromulgated 1-2-07, Amended _____.~~

62-303.352 Nutrients in Freshwater Lakes.

~~For the purposes of evaluating nutrient enrichment in lakes, TSI shall be calculated based on the procedures outlined on pages 86 and 87 of the State's 1996 305(b) report, which are incorporated by reference. Lakes or lake segments shall be included on the planning list for nutrients if:~~

~~(1) The numeric interpretation of the narrative nutrient criterion established in subsection 62-302.531(2), F.A.C., is exceeded; For lakes with a mean color greater than 40 platinum cobalt units, the annual mean TSI for the lake exceeds 60, unless paleolimnological information indicates the lake was naturally greater than 60, or~~

~~(2) Algal mats or blooms are present in sufficient quantities to pose a nuisance or hinder reproduction of a threatened or endangered species; or For lakes with a mean color less than or equal to 40 platinum cobalt units, the annual mean TSI for the lake exceeds 40, unless paleolimnological information indicates the lake was naturally greater than 40, or~~

~~(3) There is a statistically significant increasing trend in the annual geometric means at the 95 percent confidence level in TN, TP, or chlorophyll *a*'s one-sided, upper-tail test for trend.'s one-sided, upper-tail test for trend, as described in Nonparametric Statistical Methods by M. Hollander and D. Wolfe (1999 ed.), pages 376 and 724 (which are incorporated by reference), with a 95 percent confidence level.~~

~~Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, _____.~~

62-303.353 Nutrients in Estuaries and Open Coastal Waters.

Estuaries, estuary segments, or open coastal waters shall be included on the planning list for nutrients if:

~~(1) The numeric interpretation of the narrative nutrient criterion established in subsection 62-302.531(2), F.A.C., is exceeded; or~~

~~(2) Their annual geometric mean chlorophyll *a* for any year is greater than 11 ug/l, or if data indicate annual mean chlorophyll *a* values have increased by more than 50 percent over historical values for at least two consecutive years.~~

~~(3) Algal mats or blooms are present in sufficient quantities to pose a nuisance or hinder reproduction of a threatened or endangered species, or~~

~~(4) There is a statistically significant increasing trend in the annual geometric means at the 95 percent confidence level in TN, TP, or chlorophyll *a*'s one-sided, upper-tail test for trend.~~

~~Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06, _____.~~

62-303.354 Nitrate-nitrite in Freshwater Spring Vents.

A spring vent in predominantly fresh waters shall be included on the planning list for nitrate-nitrite if:

(1) The numeric interpretation of the narrative nutrient criterion established in subsection 62-302.531(2), F.A.C., is exceeded;

(2) Algal mats or blooms are present in sufficient quantities to pose a nuisance or hinder reproduction of a threatened or endangered species; or

(3) There is a statistically significant increasing trend in the annual geometric means at the 95 percent confidence level in nitrate-nitrite over the planning period using a Mann's one-sided, upper-tail test for trend.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New _____.

PART III
THE STUDY LIST

62-303.390 The Study List.

(1) The Study List contains waters where evidence indicates nonattainment of water quality standards, but the Department does not have enough information to determine the causative pollutant(s) and therefore cannot determine the appropriate remedy, and waters where a site specific numeric interpretation has not been established pursuant to paragraph 62-302.531(2)(a), F.A.C., and there is a clear adverse trend in nutrients or nutrient response variables. Causes of nonattainment can include excess pollutant loading or concentrations, habitat or hydrologic alterations, or natural conditions. Waters that do not attain water quality standards due to natural conditions pursuant to paragraph 62-303.420(1)(b), F.A.C., shall not be added to the Study List. To conform to the expectations of Section 303(d) of the Federal Clean Water Act and federal regulations at 40 C.F.R. 130.7(b), waters and associated parameters identified in the Study List will be submitted to EPA as water quality limited segments. However, pursuant to paragraph 403.067(2)(a), F.S., the Study List cannot be used in the administration or implementation of any regulatory program.

(2) A Class I, II, or III water shall be placed on the study list if:

(a) For waters with a statistically-significant increasing trend in TN, TP, nitrate-nitrite, or chlorophyll *a* pursuant to subsection 62-303.351(5), 62-303.352(3), 62-303.353(2), or 62-303.354(3), F.A.C., the Department confirms there is:

1. A statistically-significant (at the 95 percent confidence level) temporal trend in the annual geometric means after controlling for or removing the effects of confounding variables, such as climatic and hydrologic cycles, seasonality, quality assurance issues, and changes in analytical methods or method detection limits; and

2. A reasonable expectation that the water will become impaired within 10 years, taking into consideration the current concentrations of nutrients or nutrient response variables and the slope of the trend.

(b) A waterbody segment does not achieve the Biological Health Assessment provisions in Rule 62-303.430, F.A.C., but a causative pollutant has not been identified;

(c) A waterbody segment is verified as not meeting the dissolved oxygen criterion pursuant to Part IV of this Chapter, but a causative pollutant has not been identified;

(d) A waterbody segment where pollution control mechanisms are in place or planned that meet the requirements of Rule 62-303.600, F.A.C., except that there is uncertainty when water quality standards will be attained and the waterbody segment requires additional study; or

(e) For streams meeting the definition in subsection 62-302.200(36), F.A.C., the nutrient thresholds in subparagraph 62-302.531(2)(c)3., F.A.C., are exceeded based on data from the last 7.5 years and insufficient Biological Health Assessment, chlorophyll *a*, or other response variable data are available to fully assess achievement of the nutrient provisions in paragraph 62-302.531(2)(c), F.A.C. A TMDL shall not be established for the waterbody prior to the collection of additional response variable data and the conclusion of the next assessment cycle.

(3) Waters that fall under paragraph 62-303.390(2)(a), F.A.C., and do not have a site specific numeric interpretation of the narrative pursuant to paragraph 62-302.351(2)(a), F.A.C., shall be removed from the Study List upon development of a site-specific interpretation of the narrative nutrient criteria for the waterbody. Those waters subject to a site specific interpretation of the narrative that meet the provisions of subparagraph 62-303.390(2)(a)1., F.A.C., will be reevaluated by the Department to determine whether adjustments are necessary to provide for the attainment and maintenance of water quality standards in downstream waterbodies.

(4) For waters that fall under paragraph 62-303.390(2)(b), F.A.C., above, a stressor identification study shall be conducted to identify the causative pollutant(s) or other factor(s) responsible for nonattainment. A stressor identification study includes collection and analysis of physical, chemical, and biological data necessary to determine the causative pollutant(s) or other factor(s) causing nonattainment.

(5) It is the Department's goal to collect the additional data needed for waters on the Study List as part of its watershed management approach, with the data collected during either the same cycle that the water is initially listed on the study list or during the subsequent cycle.

Rulemaking Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New _____.

PART IV III
THE VERIFIED LIST

62-303.420 Aquatic Life-Based Water Quality Criteria Assessment.

- (1) No change.
- (a) No change.

(b) If the Department has information suggesting that the values not meeting the dissolved oxygen (DO) criterion are due to natural background conditions, ~~including information about the in-stream concentrations of TN, TP, and BOD relative to comparable reference waters for waterbodies with values below the DO criterion,~~ it is the Department's intent to support that conclusion through the use of Biological Health Assessment ~~bioassessment~~ procedures referenced in Rule 62-303.330, F.A.C. The waterbody ~~water body~~ or segment shall not be included on the verified list for DO ~~the parameter of concern~~ if two or more temporally independent Biological Health Assessments indicate the waterbody supports the protection and maintenance of a healthy, well-balanced population of fish and wildlife ~~bioassessments are conducted and no failures are reported.~~ In addition, the Biological Health Assessments shall be conducted in the same waterbody segment, or for streams, in the adjacent downstream waterbody segment where the water quality samples were taken. These Biological Health Assessments shall be conducted on the same day or after the water quality samples were collected. To be treated as independent bioassessments, they must be conducted at least two months apart, within the assessed segment downstream of where the samples were measured, and after the samples were measured.

- (2) No change.

(3) If the waterbody ~~water~~ was placed on the planning list based on worst case values used to represent multiple samples taken during a four-day period, the Department shall evaluate whether the worst case value should be excluded from the analysis pursuant to subsections (4) and (5). If the worst case value should not be used, the Department shall then re-evaluate the data following the methodology in subsection 62-303.420(2), F.A.C., using the more representative worst case value or, if all valid values are below acutely toxic levels, the median value.

(4) If the waterbody ~~water~~ was listed on the planning list based on samples that do not meet water quality criteria for metals, the metals data shall be excluded if it is determined that the quality assurance requirements of subsection 62-303.320(8), F.A.C., were not met or that the sample was not collected and analyzed using clean techniques, if the use of clean techniques is appropriate. The Department shall re-evaluate the remaining valid data using the methodology in subsection 62-303.420(2), F.A.C., excluding any data that cannot be validated.

- (5) through (7) No change.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.021(11), 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06,_____.

62-303.430 Biological Impairment.

(1) All Biological Health Assessments ~~bioassessments~~ used to list a water on the verified list shall be conducted and interpreted in accordance with Chapter 62-160, F.A.C., including Department-approved Standard Operating Procedures and the Department documents, *Sampling and Use of the Stream Condition Index (SCI) for Assessing Flowing Waters: A Primer* (DEP-SAS-001/11), which was adopted by reference in subsection 62-303.200(10), F.A.C., and *Sampling and Use of the Lake Vegetation Index (LVI) for Assessing Lake Plant Communities in Florida: A Primer* (DEP-SAS-002/11), which was adopted by reference in subsection 62-303.200(30), F.A.C. To be used for placing waters on the verified list, any Biological Health Assessments ~~bioassessments~~ conducted before the adoption of applicable SOPs for such Biological Health Assessments ~~bioassessments~~ as part of Chapter 62-160, F.A.C., shall substantially comply with the subsequent SOPs. Biological Health Assessments conducted during conditions inconsistent with the applicable primer shall be excluded from the assessment.

(2) If the water was listed on the planning list based on Biological Health Assessment ~~bioassessment~~ results, the water shall be determined to be biologically impaired if any of the following conditions occur:

(a) The average score of at least two temporally independent Biological Health Assessments is below 40 for the SCI or if either of the two most recent SCI scores is less than 35, or 43 for the LVI. If there are only two Biological Health Assessments and the difference between the two scores is greater than 20 points, then an additional SCI or LVI shall be required and the average of all three scores shall be used.

(b) The historic maximum SCI value, as defined in subsection 62-303.330(4), F.A.C., is above 64 and the average of the two most recent independent SCI scores is 20 or more points below the historic maximum value.

(c) The historic maximum value LVI, as defined in subsection 62-303.330(4), F.A.C., is above 78 and the average of the two most recent independent LVI scores is 20 or more points below the historic maximum value, there were two or more failed bioassessments within the five years preceding the planning list assessment. If there were less than two failed bioassessments during the last five years preceding the planning list assessment, the Department will conduct an additional bioassessment. If the previous failed bioassessment was a BioRecon, then an SCI will be conducted. Failure of this additional bioassessment shall constitute verification that the water is biologically impaired.

(d) The average score of at least two temporally independent Shannon-Weaver Diversity Indices is less than 75 percent of the average score from an appropriate control site, pursuant to subsection 62-302.530(10), F.A.C.

(3) If the water was listed on the planning list based on BioRecon data, two or more temporally independent SCIs shall be conducted. If the water segment was listed on the planning list based on other information specified in subsection rule 62-303.330(4), F.A.C., indicating biological impairment, two or more temporally independent Biological Health Assessments appropriate for the waterbody type shall be conducted the Department will conduct a bioassessment in the waterbody segment, conducted in accordance with the methodology in Rule 62-303.330, F.A.C., to verify whether the water is impaired. If available, the Department shall consider other scientifically credible biological assessment methods in predominantly marine waters to verify that the water is biologically impaired. Results from these biological assessments shall be evaluated in accordance with subsection 62-303.430(2), F.A.C., as applicable. For streams, the bioassessment shall be an SCI. Failure of this bioassessment shall constitute verification that the water is biologically impaired.

(4) If a waterbody was listed on the planning list based on failure of the Shannon-Weaver Diversity Index under subsection 62-302.530(10), F.A.C., a minimum of two Biological Health Assessments shall be conducted in accordance with the methodology in Rule 62-303.330, F.A.C., to verify whether the water is impaired. If an SCI or LVI is not applicable for the waterbody type, then the Biological Health Assessment shall be the Shannon-Weaver Diversity Index or other scientifically credible method.

(5)(4) Following verification that a waterbody is biologically impaired, a waterbody water shall be included on the verified list for biological impairment if:

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

2. If there is not a numeric criterion for the specified pollutant(s) in Chapter 62-302, F.A.C., an identification of the specific factors that reasonably demonstrate how the particular pollutant(s) are associated with the observed biological effect. If the numeric interpretation of the narrative nutrient criterion in paragraph 62-302.531(2)(c), F.A.C., is exceeded, then nutrients shall be identified as the causative pollutant unless a stressor identification study links the adverse biological effects to causal factor(s) other than nutrients.

(6) If a waterbody is verified as biologically impaired, but a causative pollutant has not been identified, the waterbody shall be included on the study list.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History—New 6-10-02, Amended 12-11-06, _____.

62-303.450 Assessments of Numeric Interpretations of Narrative Nutrient Criteria.

(1) A stream or estuary A water shall be placed on the verified list for impairment due to nutrients if it exceeds the chlorophyll *a* thresholds in subsection 62-303.351(4), F.A.C., or subsection 62-303.353(1), F.A.C., more than once in any consecutive three year period, and there are sufficient data from the last 7.5 five years preceding the planning list assessment, combined with historical data (if needed to establish historical chlorophyll *a* levels or historical TSIs), to meet the data sufficiency requirements of subsection 62-303.350(2), F.A.C. If there are insufficient data, additional data shall be collected as needed to meet the requirements. Once these additional data are collected, the Department shall determine if there is sufficient information, including paleoecological data, to develop a site-specific chlorophyll *a* threshold that better reflects conditions beyond which an imbalance in flora or fauna occurs in the water segment. If there is sufficient information, the Department shall re-evaluate the data using the site-specific thresholds. If there is insufficient information, the Department shall re-evaluate the data using the thresholds provided in subsections Rules 62-303.351(4) and 62-303.353(1) -353, F.A.C., for streams, lakes, and estuaries and verify impairment if there is more than one exceedance in any consecutive three year period, respectively. In any case, the Department shall limit its analysis to the use of data collected during the last 7.5 five years preceding the planning list assessment and the additional data collected in the second phase. If alternative thresholds are used for the analysis, the Department shall provide the thresholds for the record and document how the alternative threshold better represents conditions beyond which an imbalance in flora or fauna is expected to occur.

(2) If the waterbody was listed on either the planning or study list for nutrient enrichment based on other information indicating an imbalance in flora or fauna, as provided in subsections 62-303.350(1), 62-303.351(3), 62-303.352(2), or 62-303.353(2), F.A.C., the Department shall verify the imbalance before placing the water on the verified list for impairment due to nutrients and shall provide documentation supporting the imbalance in flora or fauna.

(3) If the waterbody was listed on the planning list based on subsection 62-303.351(1), 62-303.352(1), 62-303.353(1), or 62-303.354(1), F.A.C., upon confirming the imbalance of flora or fauna based on the last 7.5 years of data, the Department shall place the waterbody on the verified list for exceedances of the narrative nutrient criteria in paragraph 62-302.530(47)(b), F.A.C.

(4) If the waterbody was listed on the study list for an adverse trend in nutrient response variables pursuant to paragraph 62-303.390(2)(a), F.A.C., the Department shall analyze the potential risk of nonattainment of the narrative nutrient criteria at paragraph 62-302.530(47)(b), F.A.C. This

analysis shall take into consideration the current concentrations of nutrient response variables, the slope of the trend, and the potential sources of nutrients (natural and anthropogenic). If there is a reasonable expectation that the waterbody will become impaired within 5 years, the Department shall place the waterbody on the verified list to develop a TMDL that establishes a numeric interpretation pursuant to paragraph 62-302.531(2)(a), F.A.C.

~~(5)(3) The thresholds for impairment due to nutrients in paragraph 62-302.531(2)(c) and subsections 62-303.351(4) and 62-303.353(1), F.A.C., used under this section are not required to be used during development of wasteload allocations or TMDLs where a site-specific interpretation of the narrative nutrient criterion in paragraph 62-302.530(4)(b), F.A.C., is established.~~

(6) When assessing waters for nutrient impairment, the Department shall evaluate whether the data were collected under extreme climatic conditions, such as floods, droughts, and hurricanes. When assessing estuary specific numeric interpretations of the narrative nutrient criterion in Rule 62-302.532, F.A.C., the Department shall also evaluate whether the current ambient monitoring network is representative of the network that was the basis for the numeric interpretation of the narrative nutrient criterion in Rule 62-302.532, F.A.C. The Department will consider this information when developing the final verified list and shall not list waters as impaired based solely on extreme climatic conditions or changes in the monitoring network.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06,_____.

PART ~~V~~ IV

MISCELLANEOUS PROVISIONS

62-303.710 Format of Verified List and Verified List Approval.

(1) through (2) No change.

(3) For waters impaired for dissolved oxygen, the Department shall identify the pollutants causing or contributing to the impairment and list both the pollutant and dissolved oxygen on the verified list. If the factor(s) causing the impairment cannot be identified, the water shall be placed on the study list.

(4) through (7) No change.

Rulemaking Specific Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History--New 6-10-02, Amended 12-11-06,_____.

62-303.720 Delisting Procedure.

(1) Waters on planning or study lists developed under this chapter that are verified to not be impaired during development of the verified list shall be removed from the State's planning or study list. Once a waterbody segment is verified to not be

impaired pursuant to Part ~~IV~~ III of this chapter, the data used to place the waterbody on the planning or study list shall not be the sole basis for listing that waterbody segment on future planning lists.

(2) Waterbody segments shall be removed from the State's verified list only after ~~adoption~~ completion of a TMDL, a Department determination that pollution control programs provide reasonable assurance that water quality standards will be attained pursuant to Rule 62-303.600 F.A.C., ~~for all pollutants causing impairment of the segment~~ or upon demonstration that the waterbody meets the water quality standard that was previously established as not being met.

(a) No change.

(b) For waters listed due to failure to meet aquatic life use support based on biological data, the waterbody shall be delisted when the two most recent independent Biological Health Assessments indicate the waterbody is no longer impaired pursuant to subsection 62-303.430(2), F.A.C. the segment passes two independent follow-up bioassessments and there have been no failed bioassessments for at least one year. The follow-up tests must meet the following requirements:

1. For streams, the new data ~~must be~~ may be two BioRecons or any combination of BioRecons and SCIs unless the SCI is not appropriate for the waterbody type, in which case the new data shall consist of the Shannon-Weaver Diversity Index.

2. The Biological Health Assessments bioassessments must be conducted during similar conditions (same seasons and general flow conditions) under which the previous Biological Health Assessments bioassessments used to determine impairment were collected.

3. through (i) No change.

(j) For waters listed based on nutrient impairment, the waterbody shall be delisted if it does not meet the listing thresholds in Rule 62-303.450, F.A.C., for three consecutive years, or it is demonstrated to not exceed the narrative nutrient criteria at paragraph 62-302.530(4)(b), F.A.C., pursuant to the provisions of subsection 62-303.450(3), F.A.C.

(k) No change.

(l) For waters listed based on paragraph 62-303.420(7)(b), F.A.C., or subsection 62-303.470(3), F.A.C., the waterbody shall be delisted if the Department determines the waterbody is no longer impaired, based on scientifically credible and compelling information comparable in quantity and quality to the information used to make the initial listing decision. Any determinations to delist waters based on this provision shall be documented, and the documentation shall include the basis for the decision.

Table 4. No change.

(m) No change.

(n) For waterbodies listed on the verified list, the water shall be delisted from the verified list and added to the study list when subsequent analysis demonstrates that the cause of the impairment was incorrect or otherwise demonstrates that a TMDL is not appropriate.

(3) No change.

~~Rulemaking Specific~~ Authority 403.061, 403.067 FS. Law Implemented 403.062, 403.067 FS. History–New 6-10-02, Amended 12-11-06, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Drew Bartlett

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 1, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 20, 2011

DEPARTMENT OF ENVIRONMENTAL PROTECTION

RULE NOS.:	RULE TITLES:
62-702.300	Applicability
62-702.400	Ash Residue Management Plan
62-702.570	Ash Residue Storage and Disposal Requirements
62-702.600	Recycling of Ash Residue

PURPOSE AND EFFECT: The purpose and effect of the proposed rule amendment will be to repeal rules identified during the comprehensive rule review required by Executive Order 11-01 as duplicative, unnecessarily burdensome, or no longer necessary.

SUMMARY: Although the rule is authorized by Sections 403.704 and 403.7045, F.S., it is not mandated by statute and there will be no adverse consequences if it is repealed. The rule was created to provide clarification to the regulated public, but it is not necessary.

OTHER RULES INCORPORATING THIS RULE: Rule 62-701.200, subsection 62-701.310(1), paragraph 62-701.320(14)(c), F.A.C.

EFFECT ON THOSE OTHER RULES: Will require clerical amendment to delete reference.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The proposed changes remove requirements and procedures for the managing of combustor ash residue. The current requirements are outdated, duplicative of requirements found in other Department rules, or are unnecessary. There are no costs associated with removing this section, and in some cases it may reduce costs. Thus, the proposed rules are not expected to require legislative ratification pursuant to subsection 120.541(3), F.S.

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

RULEMAKING AUTHORITY: 403.704, 403.7045 FS.

LAW IMPLEMENTED: 403.7045 FS.

A HEARING WILL BE HELD BEFORE THE ENVIRONMENTAL REGULATION COMMISSION AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: December 8, 2011, 9:00 a.m.

PLACE: Tallahassee City Commission Chambers, Second Floor, City Hall, 300 S. Adams St., Tallahassee, Florida

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 48 hours before the workshop/meeting by contacting: Richard Tedder (contact information provided below). 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 RULES IS: Richard Tedder, Department of Environmental Protection, MS 4565, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, telephone (850)245-8735, or email at Richard.Tedder@dep.state.fl.us

THE FULL TEXT OF THE PROPOSED RULES IS:

62-702.300 Applicability.

~~Rulemaking Specific~~ Authority 403.704, 403.7045 FS. Law Implemented 403.7045 FS. History–New 7-19-90, Formerly 17-702.300, Repealed _____.

62-702.400 Ash Residue Management Plan.

~~Rulemaking Specific~~ Authority 403.704, 403.7045 FS. Law Implemented 403.7045 FS. History–New 7-19-90, Amended 9-2-91, Formerly 17-702.400, Repealed _____.

62-702.570 Ash Residue Storage and Disposal Requirements.

~~Rulemaking Specific~~ Authority 403.704, 403.7045 FS. Law Implemented 403.7045 FS. History–New 7-19-90, Formerly 17-702.570, Amended 12-23-96, Repealed _____.

62-702.600 Recycling of Ash Residue.

~~Rulemaking Specific~~ Authority 403.704, 403.7045 FS. Law Implemented 403.7045 FS. History–New 7-19-90, Formerly 17-702.600, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Richard Tedder

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Herschel T. Vinyard, Jr., Secretary, Florida Department of Environmental Protection

DATE PROPOSED RULE APPROVED BY AGENCY
 HEAD: October 17, 2011

DEPARTMENT OF HEALTH

Board of Massage

RULE NOS.: 64B7-27.002 64B7-27.003 64B7-27.004 64B7-27.005 64B7-27.006 64B7-27.007 64B7-27.008 64B7-27.010 64B7-27.011 64B7-27.012 64B7-27.014 64B7-27.015 64B7-27.016 64B7-27.017 64B7-27.018 64B7-27.019	RULE TITLES: Application for Licensure; Fees Massage Establishment Re-examination Apprentice Biennial Renewal Fee for Massage Therapist Biennial Renewal Fee for Massage Establishments Initial Fee for Licensure Renewal Fee for Inactive License Reactivation Fee for Inactive License Licensure of Establishment Fee Duplicate License Fees Delinquency Fee Change in Status Fee Unlicensed Activity Fee Fee for Retired Status License Fee for Reactivation of Retired Status License
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PURPOSE AND EFFECT: The Board proposes the repeal of Rules 64B7-27.002, 64B7-27.003, 64B7-27.004, 64B7-27.005, 64B7-27.006, 64B7-27.007, 64B7-010, 64B7-011, 64B7-012, 64B7-27.014, 64B7-27.015, 64B7-27.016, 64B7-27.017, 64B7-27.018 and 64B7-27.019, F.A.C., as fees are being consolidated into one rule.

SUMMARY: These rules are being repealed as fees are being consolidated into one rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST:

During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule.

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

RULEMAKING AUTHORITY: 456.013(2), 456.025(1), (7) 456.031, 456.033, 456.036(7), (8), 456.065(3) 464.006, 464.008, 464.009, 464.012, 480.035(7), 480.0425, 480.044(1) FS.

LAW IMPLEMENTED: 456.013(2), 456.025(1), (7), 456.031, 456.033, 456.036(4), (7), (8), 456.065(3) 464.006, 464.008, 464.009, 464.012, 480.035(7), 480.043(7), 480.044(1), (c), (d), (e), (g), (h), (l) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anthony Jusevitch., Executive Director, Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, FL 32399-3256

THE FULL TEXT OF THE PROPOSED RULES IS:

64B7-27.002 Application for Licensure; Fees.

Rulemaking Specific Authority 480.035(7), 480.044(1) FS. Law Implemented 480.044(1) FS. History–New 11-27-79, Amended 2-6-85, Formerly 21L-27.02, 21L-27.002, Amended 6-28-94, 11-22-94, 9-9-96, 1-29-97, Formerly 61G11-27.002, Amended 10-12-99, 5-5-04, Repealed.

64B7-27.003 Massage Establishment.

Rulemaking Specific Authority 480.035(7), 480.044(1) FS. Law Implemented 480.043(7), 480.044(1)(c) FS. History–New 11-27-79, Amended 7-9-80, 11-20-84, Formerly 21L-27.03, Amended 1-7-86, Formerly 21L-27.003, Amended 1-9-95, Formerly 61G11-27.003, Amended 6-15-98, 7-30-02, Repealed.

64B7-27.004 Re-examination.

Rulemaking Specific Authority 480.035(7), 480.044(1) FS. Law Implemented 480.044(1)(g) FS. History–New 11-27-79, Formerly 21L-27.04, Amended 6-17-86, 5-17-90, Formerly 21L-27.004, Amended 12-12-94, 9-18-95, 9-9-96, Formerly 61G11-27.004, Amended 1-7-03, Repealed.

64B7-27.005 Apprentice.

Rulemaking Specific Authority 480.044(1) FS. Law Implemented 480.044(1)(h) FS. History–New 11-27-79, Formerly 21L-27.05, 21L-27.005, 61G11-27.005, Amended 2-16-99, Repealed.

64B7-27.006 Biennial Renewal Fee for Massage Therapist.

Rulemaking Authority 480.035(7), 480.044(1) FS. Law Implemented 480.044(1), (1)(f) FS. History–New 11-27-79, Amended 11-20-84, Formerly 21L-27.06, Amended 12-18-88, Formerly 21L-27.006, 61G11-27.006, Amended 7-30-02, 9-19-10, Repealed.

of address affirmation such that the out-of-county move-in voter is not required to fill out two out-of-county address affirmations.

4. Subsection F. (Voter Leaves the Booth Without Casting His or Her Ballot) of Section IV (The Voting Process) is revised to clarify that a blank ballot or overvoted ballot that a voter has left in the booth without casting should be cast and that only rejected ballots that are damaged or whose coding cannot be read should be marked as unscanned and sent to the canvassing board.

5. Section VIII (Interacting with Voters) is revised to add reference to other types of impairments such as emotional or intellectual as may result from brain injury, accident, or genetic condition and how to accommodate these voters at the polls.

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:
 1S-2.048 NVRA-Voter Registration Agencies
 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. 37, No. 38, September 23, 2011 issue of the Florida Administrative Weekly. Based upon written comments received for the public hearing and from the Joint Administrative Procedures Committee, subsection (7) has been revised to remove the option of submitting voter registration activity reports in an electronic format prescribed by the Department. Subsection (8) has also been revised to clarify that the application made available online should also be available for print since current forms online do not allow a person to save inputted data online. In addition, reference to 42 USC 1973gg (National Voter Registration Act) is changed to section 97.012(7) and (9), Florida which references the state’s coordination of NVRA activities. Additionally, the title of the rule will read State and Federal Designated NVRA Voter Registration Agencies-Responsibilities in order to distinguish it from private persons or entities who solicit and collect voter registrations as Third-party Voter Registration Organizations that are governed by a very different provision of law.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-1.039 Supplemental Educational Services
 in Title I Schools
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the meeting noticed in Vol. 37, No. 44, November 4, 2011 issue of the Florida Administrative Weekly.

Rule 6A-1.039, Supplemental Educational Services in Title I Schools, was inadvertently omitted from the meeting notice for the State Board of Education meeting being held at Andrew Jackson High School, 3816 N. Main St., Jacksonville, Florida, on November 15, 2011, starting at 9:00 a.m. This rule was noticed for action by the Board on November 15th in the October 14, 2011 edition of the FAW.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-7.0710 Instructional Materials Policies and
 Procedures
 NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

The notice of proposed rulemaking omitted the following statement of estimated regulatory costs and legislative ratification information: The agency has determined that the technological and procedural requirements create some minimal regulatory costs for local governments and private entities. Agency resources have been committed to streamline these procedures and minimize transactional costs. The rule is expected to affect a small number of small businesses. The rule does not create regulatory costs which would invoke the requirement for legislative ratification. No lower cost regulatory alternatives have been submitted.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
 6A-7.0712 Local Instructional Improvement
 Systems
 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. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

Rule 6A-7.0712 is amended as follows:

6A-7.0712 Local Instructional Improvement Systems
~~System~~

(1) Each school district shall develop and implement a Local Instructional Improvement System consistent with the Florida Department of Education’s minimum standards by June 30, 2014. The Department’s Local Instructional Improvement Systems Minimum Standards (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00658>) December 2011 are hereby incorporated by reference and may be obtained on the Department’s web site at <http://www.fldoe.org/arra/LIISMS.asp>.

(2) To determine the progress districts are making toward compliance with the minimum standards and determine compliance with the minimum standards and Section 1006.281, Florida Statutes, districts will be required to report to the Department on an annual basis. The Department will notify districts of the due date of the report no later than sixty days prior to the date the report is due. The date that the report shall be due will be posted on the Department's website at <http://www.fldoe.org/arra/LIISMS.asp> no later than sixty (60) days prior to the date the report is due."

(3) Beginning in fiscal year 2014-15, the Department shall review the minimum standards for needed revisions at least every three (3) years.

Rulemaking Authority 1006.281 FS. Law Implemented 1006.281 History--New _____.

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:
6A-10.0315 College Preparatory Testing,
 Placement, and Instruction

NOTICE OF CONTINUATION

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 41, October 14, 2011 Florida Administrative Weekly has been continued from November 15, 2011 to December 5, 2011.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council

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

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. 37, No. 38, September 23, 2011 issue of the Florida Administrative Weekly.

The change is in response to testimony received at the final public hearing to adopt the proposed rule held on October 27, 2011 and the vote of the Council at the meeting held on October 27, 2011. A new Policy 4.1.9 has been added to the North Central Florida Strategic Regional Policy Plan. The new policy states as follows:

Policy 4.1.9 Ensure that local government comprehensive plans and Developments of Regional Impact do not include provisions relying upon Regional Plan Policies 4.1.5 and 4.1.6 contained herein as encouragement or justification to require the issuance of a local government permit for the consumptive use of water or the exercise of any other local government regulatory action preempting or having the effect of preempting the exclusive authority of water management districts over the consumptive use of water as authorized by Chapter 373, Florida Statutes.

Copies of the policy can be obtained from the North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603 or from its website at <http://www.ncfrpc.org/publications>.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Scott Koons, Executive Director, North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603

DEPARTMENT OF CORRECTIONS

RULE NO.: RULE TITLE:
33-601.721 Visiting Operations
 NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 37, No. 25, September 2, 2011 issue of the Florida Administrative Weekly has been withdrawn.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: RULE TITLE:
40D-1.6051 Timeframe for Providing Requested
 Information for Permit Applications
 and Denial of Incomplete
 Applications
40D-1.659 Forms and Instructions

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

Correction is made to add the following language to the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification section of the Notice of Proposed Rule as follows:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Proposed amendments will reduce costs for the regulated public. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

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

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

Correction is made to add the following language to the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification section of the Notice of Proposed Rule as follows:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: There are no costs to the regulated public as a result of the proposed amendments. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-2.091	Publications Incorporated by Reference
40D-2.101	Content of Application

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

Correction is made to add the following language to the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification section of the Notice of Proposed Rule as follows:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Proposed amendments will reduce costs for the regulated public. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.:	RULE TITLE:
40D-3.101	Content of Application

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

Correction is made to add the following language to the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification section of the Notice of Proposed Rule as follows:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Proposed amendments will reduce costs for the

regulated public. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-4.042	Formal Determination of Wetlands and Other Surface Waters
40D-4.091	Publications, Forms and Agreements Incorporated by Reference
40D-4.101	Content of Application
40D-4.331	Modification of Permits

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

Correction is made to add the following language to the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification section of the Notice of Proposed Rule as follows:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Proposed amendments will reduce costs for the regulated public. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NOS.:	RULE TITLES:
40D-40.044	General Permit for Site Conditions Assessment
40D-40.302	Conditions for Issuance of General Permits

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

Correction is made to add the following language to the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification section of the Notice of Proposed Rule as follows:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Proposed amendments will reduce costs for the regulated public. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

WATER MANAGEMENT DISTRICTS

Southwest Florida Water Management District

RULE NO.: 40D-400.500
 RULE TITLE: General Permit for Construction, Operation, Maintenance, Alteration, Abandonment or Removal of Minor Silvicultural Surface Water Management Systems

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 41, October 14, 2011 issue of the Florida Administrative Weekly.

Correction is made to add the following language to the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification section of the Notice of Proposed Rule as follows:

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Proposed amendments will reduce costs for the regulated public. Therefore, this rulemaking will not result in any adverse economic impacts or regulatory cost increases that require legislative ratification.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Pari-Mutuel Wagering

RULE NO.: 61D-6.008
 RULE TITLE: Permitted Medications for Horses

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. 36, No. 36, September 10, 2010 issue of the Florida Administrative Weekly.

61D-6.008 Permitted Medications for Horses.

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

2. The post race serum sample of such horse contains a concentration less than 2 5 micrograms (mcg) of phenylbutazone or its metabolites per milliliter (ml) of serum.

(b) When the post race serum sample of such horse contains a concentration of phenylbutazone equal to or in excess of 2 micrograms per milliliter of serum, but less than 5 8 micrograms per milliliter of serum, the trainer as the absolute insurer of the horse, shall be subject to the following penalties:

1. through 3. No change.

(c) When the post race serum sample contains a concentration of phenylbutazone equal to or in excess of 5 8 micrograms per milliliter of serum, the trainer as the absolute insurer of the horse, shall be subject to the following penalties:

1. through 3. No change.

(3) through (8) No change.

(9) The following permitted medications shall not be reported by the racing laboratory to the division as a violation of Section 550.2415, F.S.:

~~(a) The detection of cimetidine at a urinary concentration less than or equal to 10 micrograms per milliliter.~~

~~(a)(b) The detection of dimethyl sulfoxide (DMSO) at a blood serum concentration less than or equal to 10 micrograms per milliliter.~~

~~(e) The detection of famotidine at a urinary concentration less than or equal to 10 micrograms per milliliter.~~

~~(b)(d) The detection of flunixin at a blood serum concentration less than or equal to 20 nanograms per milliliter.~~

~~(c)(e) The detection of guaifenesin (free) at a blood serum concentration less than or equal to 100 nanograms per milliliter.~~

~~(d)(f) The detection of total isoxsuprine at a urinary concentration less than or equal to 100 nanograms per milliliter.~~

~~(e)(g) The detection of ketoprofen at a blood serum concentration less than or equal to 10 nanograms per milliliter.~~

~~(f)(h) The detection of methocarbamol (free) at a blood serum concentration less than or equal to 20 nanograms per milliliter.~~

~~(g)(i) The detection of naproxen at a blood serum concentration less than or equal to 1 microgram per milliliter.~~

~~(j) The detection of a sulfide metabolite of omeprazole detected by LC-MS.~~

~~(k) The detection of ranitidine at a urinary concentration less than or equal to 10 micrograms per milliliter.~~

(10) No change.

Rulemaking Authority 550.0251(3), 550.2415(7)(a), (b), (c), (e), (8)(c), (12) FS. Law Implemented 550.0251(11), 550.2415(1), (7)(8)(e), (8)(9)(c), (12)(13), (14)(15), (15)(16) FS. History—New 10-20-96, Amended 1-5-98, 6-6-00, 5-14-02, 6-6-04, 7-6-06, 8-12-07, 12-30-08, _____.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Barbers' Board

RULE NO.: 61G3-16.005
 RULE TITLE: Endorsement

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 40, October 7, 2011 issue of the Florida Administrative Weekly.

The correction is in response to comments submitted by the Joint Administrative Procedures Committee in a letter dated October 13, 2011. The correction is as follows:

The STATEMENT OF ESTIMATED REGULATORY COSTS shall read as: During discussion of this rule at its Board meeting, the Board, based upon the expertise and experience of

its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. These rule amendments will not require ratification by the Legislature. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Robyn Barineau, Executive Director, Barbers' Board, 1940 North Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-21.001
RULE TITLE: Written Examination Designated; General Requirements

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 44, November 4, 2011 issue of the Florida Administrative Weekly.

The change will correct the DATE PROPOSED RULE APPROVED BY AGENCY HEAD and DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW. DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 19, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 9, 2011

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-55267.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: 61G15-23.001
RULE TITLE: Seals Acceptable to the Board

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 44, November 4, 2011 issue of the Florida Administrative Weekly.

The change will correct the DATE PROPOSED RULE APPROVED BY AGENCY HEAD and DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 19, 2011

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 9, 2011

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32399-55267.

DEPARTMENT OF HEALTH

Board of Medicine

RULE NOS.: 64B8-42.001, 64B8-42.002
RULE TITLES: Licensure by Endorsement, Licensure by Examination

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 42, October 21, 2011 issue of the Florida Administrative Weekly.

The SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST shall read as "During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Cost (SERC) was not necessary and that these rule amendments will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time. The Board has determined that this will not have an adverse impact on small business, or likely increase regulatory costs in excess of \$200,000 in the aggregate within 1 year after implementation of the rule. Any person who wishes to provide information regarding the statement of estimated costs, or to provide a proposal for a lower regulatory cost alternative must do so in writing within 21 days of this notice".

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Council of Dietetic and Nutrition Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: 64B9-4.014
RULE TITLE: Inactive Status; Reactivation

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 36, No. 52, December 30, 2010 issue of the Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Agency for Persons with Disabilities

RULE NOS.:	RULE TITLES:
65G-4.014	Eligibility for Services
65G-4.015	Eligibility Criteria
65G-4.016	Application Process
65G-4.017	Establishing Eligibility

NOTICE OF PUBLIC HEARING

The Agency for Persons with Disabilities announces a hearing regarding the above rule, as noticed in Vol. 37, No. 44, November 4, 2011 Florida Administrative Weekly.

DATE AND TIME: Thursday, December 1, 2011, 9:00 a.m. – 11:00 a.m.

PLACE: Agency for Persons with Disabilities, 4030 Esplanade Way, Room 301, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Process and criteria for determining eligibility for services provided to persons with developmental disabilities.

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: Terri McGarrity, Senior Management Analyst Supervisor, Agency for Persons with Disabilities, 4030 Esplanade Way, Suite 380, Tallahassee, Florida 32399, (850)414-7452. 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).

DEPARTMENT OF FINANCIAL SERVICES

Division of Worker’s Compensation

RULE NO.:	RULE TITLE:
69L-9.015	Drug Testing Criteria

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 37, No. 36, September 9, 2011 issue of the Florida Administrative Weekly.

The Notice of Proposed Rule, as advertised on September 9, 2011, did not fully address information that should have been included under the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification.

The following language is inserted under the Summary of Statement of Estimated Regulatory Costs and Legislative Ratification: The Department has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Department has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described

herein: The Department neither uses nor relies on Rule 69L-9.015, F.A.C., and lacks the rulemaking authority necessary to retain it. The rule is an artifact of the multiple reorganizations made to State of Florida’s government agencies that have occurred over the years. The rule was inadvertently transferred to the Department in 2003. The text of Rule 69L-9.015, F.A.C., is limited to a statement incorporating Agency for Health Care Administration (AHCA) Rule 59A-24.006, F.A.C., by reference. Given that Rule 59A-24.006 is actively administered under a grant of rulemaking authority provided to AHCA, the repeal of Rule 69L-9.015 will not result in any economic impact and will therefore not be subject to legislative ratification.

**Section IV
Emergency Rules**

DEPARTMENT OF REVENUE

Miscellaneous Tax

RULE NO.:	RULE TITLE:
12BER11-17	Tax on Transfers of Ownership Interest in Legal Entities

SPECIFIC REASONS FOR FINDING AN IMMEDIATE DANGER TO THE PUBLIC HEALTH, SAFETY OR WELFARE: Chapter 2009-131, Laws of Florida, authorizes the Department to promulgate an emergency rule, and to renew such rule, to implement the provisions of the law. The law provides that conditions necessary for an emergency rule and its renewal have been met. Section 201.02(1)(b), F.S., provides for the imposition of tax on transfers of ownership interest in a conduit entity when the transfer is within three years of a transfer of Florida real property into the conduit entity, documentary stamp tax was not paid on the full consideration when the real property was transferred into the conduit entity, and the ownership interest transferred belonged to the grantor of the real property. This emergency rule provides how the tax is imposed, when the tax is due, and examples of transfers of real property that would be subject to the tax.

REASON FOR CONCLUDING THAT THE PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES: The Legislature expressly authorized the promulgation of an emergency rule, and the renewal of such rule, to implement Chapter 2009-131, Laws of Florida, and determined that all conditions necessary for this emergency rule have been met. This law imposes a tax on the transfer of a grantor’s ownership interest in a conduit entity when the grantor conveyed real property to the conduit entity without having paid tax on the full consideration for the real property and the transfer is within three years after the grantor conveyed the real property to the conduit entity.

SUMMARY: Emergency Rule 12BER11-17 (Tax on Transfers of Ownership Interest in Legal Entities), provides for the application of tax to transfers of a grantor’s ownership interest

in a conduit entity after the grantor has conveyed real property to the conduit entity without having paid tax on the full consideration for the real property. This emergency rule: (1) provides when the tax is imposed under Section 201.02(1)(b), F.S., as amended by Chapter 2009-131, L.O.F., how the tax is computed, and when the tax is due; (2) provides definitions of the terms "conduit entity" and "full consideration"; and (3) provides examples of transfers of real property that would be subject to the tax.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Tim Phillips, Revenue Program Administrator I, Technical Assistance and Dispute Resolution, Department of Revenue, P. O. Box 7443, Tallahassee, Florida 32314-7443, telephone (850)717-7224

THE FULL TEXT OF THE EMERGENCY RULE IS:

12BER11-17 Tax on Transfers of Ownership Interest in Legal Entities.

(1)(a) Scope. This rule applies to transfers of a grantor's ownership interest in a conduit entity after the grantor has conveyed real property to the conduit entity without having paid tax on the full consideration for the real property.

(b) Definitions. For purposes of this rule:

1. "Conduit entity" means a legal entity to which real property is conveyed without full consideration by a grantor who owns a direct or indirect interest in the entity or a successor entity.

2. "Full consideration" means the consideration that would be paid in an arm's length transaction between unrelated parties.

(2) When a grantor conveys real property to a conduit entity without tax being paid on full consideration and all or a portion of the grantor's ownership interest, either direct or indirect, is subsequently transferred for consideration within 3 years after the grantor conveyed the real property to the conduit entity, the transfer of the grantor's ownership interest in the conduit entity is subject to tax.

(3) The tax is based on the consideration paid or given for the grantor's ownership interest in the conduit entity. The tax rate is 70 cents for each \$100 or fraction thereof of the consideration. If the conduit entity owns assets other than the real property described in subsection (2), tax is calculated by multiplying the consideration for the interest in the conduit entity by a fraction, the numerator of which is the value of the real property described in subsection (2) and the denominator of which is the value of all assets owned by the conduit entity, and then multiplying the result by the tax rate.

(4) A gift of an ownership interest in a conduit entity is not subject to tax to the extent there is no consideration.

(5) The transfer of shares or similar equity interests that are dealt in or traded on public, regulated security exchanges is not subject to the tax.

(6) The tax is to be paid pursuant to Section 201.133, F.S., on the earliest of the 20th day of the month following the month the ownership interest is transferred or the date that an instrument evidencing the transfer is filed or recorded in Florida.

(7) The provisions of this rule do not affect the imposition of tax on transactions described in Section 201.02(4), F.S.

(8) Examples.

(a) Example 1: On July 2, 2009, Lloyd transferred Florida real property (the real property), owned by him alone, to a limited liability company (LLC) he owned alone. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 3, 2009, Lloyd transferred his interest in the LLC for \$1,000,000. The LLC owned no assets other than the real property. Documentary stamp tax of \$7,000.00 was due on the transfer of Lloyd's ownership interest in the LLC based on the \$1,000,000 consideration, since Lloyd was the grantor of the real property and since tax was not paid on full consideration when the real property was transferred to the LLC.

(b) Example 2: On July 2, 2009, Calvin and Sally transferred Florida real property (the real property) which they owned jointly, to a limited liability company (LLC) owned equally by Calvin and Sally. The full consideration at the time of the transfer would have been \$30,000. Documentary stamp tax of \$210 was paid on the document that transferred the real property to the LLC. On July 10, 2009, Calvin and Sally sold their ownership interests in the LLC for \$35,000. The only asset owned by the LLC at the time was the real property. No documentary stamp tax was due on the transfer of Calvin and Sally's ownership interests in the LLC, since tax was paid on the full consideration for the real property when it was transferred to the LLC.

(c) Example 3: On July 2, 2009, Vern and Carol transferred Florida real property (the real property) which they owned jointly, to a limited liability company (LLC) owned equally by Vern and Carol. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 10, 2009, Vern sold his interest in the LLC for \$200,000. Tax of \$1400 was due on the transfer of Vern's ownership interest in the LLC, since Vern was a grantor of the real property and since tax was not paid on full consideration for the real property when it was transferred to the LLC.

(d) Example 4: On July 2, 2009, Pam and Mike transferred Florida real property (the real property) which they owned jointly, to a corporation. The corporation was owned equally by Mike and a limited liability company (LLC) owned by Pam alone. No documentary stamp tax was paid on the document that transferred the real property to the corporation. On July 10, 2009, Pam sold her interest in the LLC (thereby selling her indirect ownership interest in the corporation) for \$45,000. The corporation owned property in addition to the real property transferred to it on July 2, 2009. Full consideration for the real

property would have been \$85,000, and the real property made up 95% of the value of all assets owned by the corporation. The only asset owned by the LLC was its interest in the corporation. Tax of \$299.60 was due on the transfer of Pam's ownership interest based on consideration of \$42,750 (\$45,000.00 multiplied by the 95% attributable to the real property), since Pam was the grantor of the real property and since tax was not paid on full consideration for the real property when it was transferred to the corporation.

(e) Example 5: On July 2, 2009, Tom transferred Florida real property (the real property) owned by him alone, to a limited liability company (LLC) he owned alone. No documentary stamp tax was paid on the document that transferred the real property to the LLC. On July 10, 2009, Tom sold 50% of his interest in the LLC to Imogene for \$200,000. Tax of \$1,400 was due on the transfer of Tom's ownership interest in the LLC based on consideration of \$200,000, since documentary stamp tax was not paid on full consideration for the real property when it was transferred to the LLC. On July 25, 2009, Tom sold one-half of his remaining 50% ownership interest in the LLC for \$105,000, and Imogene sold one-half of her 50% ownership interest in the LLC for \$105,000. Tax of \$735 was due on the transfer of Tom's ownership interest, since Tom was the grantor of the real property and since tax was not paid on the fair market value of the real property when it was transferred to the LLC. No tax was due on Imogene's transfer, since Imogene was not a grantor of the real property.

Rulemaking Authority s. 6, Ch. 2009-131, L.O.F. Law Implemented Ch. 2009-131, L.O.F. History—New 11-3-11.

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

EFFECTIVE DATE: November 3, 2011

Section V Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF COMMUNITY AFFAIRS

The Department of Economic Opportunity issued an Order Granting Waiver on October 25, 2011.

NAME OF THE PETITIONER: City of Inverness, Florida, DCA11-WAI-176

DATE PETITION WAS FILED: August 22, 2011

RULE NUMBER AND NATURE OF THE RULE FROM WHICH THE WAIVER OR VARIANCE IS SOUGHT: Subsection 9B-43.0051(7), Florida Administrative Code.

THE GENERAL BASIS FOR THE DECISION:

The petition sought a waiver of the twenty-five point penalty imposed upon the City under the Small Cities Community Development Block Grant Program by subsection 9B-43.0051(7), Florida Administrative Code, for failure to timely file an audit. The waiver was granted because the City had timely prepared the audit and timely filed it in other venues.

A copy of the Order or additional information may be obtained by contacting: Miriam Snipes, Agency Clerk, Department of Economic Opportunity, 107 E. Madison St., MSC 110, Tallahassee, FL 32399.

DEPARTMENT OF LAW ENFORCEMENT

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order on September 21, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Atlantis Police Department on behalf of one officer for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, September 30, 2011.

The petition supported the requested waiver by stating that the officer at issue is a CJSTC-certified firearms instructor and that he did successfully complete the course of fire, however, he signed his own CJSTC form 86A. Petitioner stated that the officer will suffer a substantial hardship if his certification were rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because he signed his own CJSTC form 86A for the 2010 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner's officer is a CJSTC-certified firearms instructor and that he signed his own form CJSTC 86A. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 15, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Canaveral Port Authority Police Department on behalf of one officer. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, on September 30, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire for the 2010 reporting cycle, however, the firearms instructor who supervised the requalification shoot was not CJSTC certified at the time. Petitioner stated that the agency's officer would suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officer affected by this situation did successfully complete the requirement simply because the instructor had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalification was that the firearms instructor who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming a CJSTC certified firearms instructor on the date he supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 8 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Clewiston Police Department on behalf of one officer for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, September 30, 2011.

The petition supported the requested waiver by stating that the officer is a CJSTC-certified firearms instructor and that he did successfully complete the course of fire, however, the instructor utilized by the Petitioner during the 2006-2008 and 2008-2010 reporting cycles to supervise the officer's firearms requalification was not a CJSTC-certified firearms instructor. Petitioner stated that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because his CJSTC form 86A was not signed by a CJSTC-certified firearms instructor during the 2006 – 2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/08 – 6/30/10) reporting cycles.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner's officer was not supervised by a CJSTC-certified firearms instructor during his requalifications. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued a final order on October 27, 2011. The Criminal Justice Standards and Training Commission received a petition from the Coral Springs Police Department on August 23, 2011, requesting a permanent

waiver of subsection 11B-27.00212(14), F.A.C., on behalf of 67 officers. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire for the 2008 reporting period, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, on September 2, 2011. On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officers had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the date that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued an order. August 30, 2011, the Criminal Justice Standards and Training Commission, received a petition for a variance of subsection 11B-27.002(4), F.A.C., from Diego Abel Colon-Batiz. Subsection 11B-27.002(4), F.A.C., requires recruits to complete basic recruit training, pass the SOCE, and gain employment within four years of beginning basic recruit training. The petition states that the Petitioner began basic on April 2, 2007, and paid his own way through basic by working full time. Petitioner further states that he was injured while completing basic and that prevented him from graduating until

August 13, 2008. Petitioner states that he will suffer a substantial hardship if he is not permitted an extra six months to find employment because he will have to retake basic recruit training and retake the SOCE. The Petitioner requests an extra six months to find employment.

Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 37 on September 16, 2011. On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is not unique. The Petitioner did not demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that recruits receive adequate and timely retraining, will not be met by granting this waiver request. The Commission issued an order denying the Petitioner's request for a variance.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission, issued an order. The Criminal Justice Standards and Training Commission received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Duval County School District Police Department on September 21, 2011, behalf of 18 officers. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire for the 2008 and 2010 reporting period, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's

course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officers had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the date they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on September 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Edgewater Police Department on behalf of Officer Lawler for the 2006 – 2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/2008-6/30/10) mandatory firearms requalification reporting cycles and Chief Arcieri for the 2008-2010 (7/1/08 – 6/30/10) reporting cycle. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver for Officer Lawler by stating there is no CJSTC form 86A on file for him for the 2006-2008 reporting cycle, however, Officer Lawler did complete the required course of fire in 2008, but after the reporting period. The petition further supported the requested waiver by stating that the officers did successfully complete the course of fire in 2010, however, Officer Lawler did so after the reporting date and Chief Arcieri requalified under a non-certified firearms instructor and later in the year requalified under a certified firearms instructor after the reporting date. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was one of timing. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and

timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 21, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Florida Atlantic University Police Department on behalf of 30 officers for firearms requalification period ending in 2008. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, on September 2, 2011.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire, however, the instructors conducting the course of fire were not CJSTC certified firearms instructors during the 2008 reporting cycle. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors were not CJSTC certified firearms instructors for their requalification shoots during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner's officer is a CJSTC-certified firearms instructor and that he signed his own form CJSTC 86A. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued an order. On September 28, 2011, the Criminal Justice Standards and Training Commission, received a petition for a variance of subsection 11B-18.0071(1), F.A.C., from the Florida Criminal Justice Training Center Directors' Association. Subsection 11B-18.0071(1), F.A.C., requires criminal justice training centers to submit budgets to the CJSTC staff by February 1 each year. The petition supported the requested waiver by stating that the Legislature meets in January this year and, therefore, the budget of available moneys from the CJSTC trust fund to fund training at the centers will not be finalized by February 1, 2012. The FCJTCD requested a variance for this reporting deadline for this year so that their budgets may be based upon the actual CJSTC budget as approved by the Legislature. The FCJTCD requested to be permitted to submit budgets for the training centers to the CJSTC staff by April 1, 2012.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that training centers submit timely budgets for review, will be met by granting the petition. The Commission issued an order granting the Petitioner's request for a waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 9, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Glades County Sheriff's Office Police Department on behalf of two deputies for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, September 30, 2011.

The petition supported the requested waiver by stating that one deputy's paperwork for the 2006-2008 reporting period (July 1, 2006 – June 30, 2008) is missing, however, the deputy has since successfully requalified twice. The second deputy's CJSTC form 86A, which showed a successful requalification score, was signed by a non-CJSTC certified firearms instructor for the 2008-2010 reporting cycle (July 1, 2008 – June 30, 2010). Petitioner stated that these two deputies will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the deputies did successfully complete the firearms requalification requirement simply because the paperwork was misfiled in one case and the instructor was not CJSTC certified in the other.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that: one deputy's CJSTC 86A form was missing for the 2008 reporting cycle; and, one deputy's CJSTC 86A form was signed by a non-CJSTC-certified instructor for the 2010 reporting cycle. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 1, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Graceville Police Department on behalf of eight officers for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 31, on August 19, 2011.

The petition supported the requested waiver by stating that the eight officers did successfully complete the course of fire, however, the instructor was not an active CJSTC-certified

firearms instructor at the time of the requalifications for the 2006-2008 (7/1/06 – 6/30/08) and 2008-2010 (7/1/08 – 6/30/10) mandatory requalification periods. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructor was not an active CJSTC-certified firearms instructor at the time that he supervised the mandatory requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was that the Petitioner's officers were not supervised by a CJSTC-certified firearms instructor during requalifications for the 2008 and 2010 reporting cycles. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 21, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Groveland Police Department on behalf of one officer for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 and 2010 reporting cycles. Petitioner stated that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would

violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because his instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 and 2010 reporting cycles.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner was requalified by a non-CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued a final order on October 27, 2011. The Criminal Justice Standards and Training Commission received a petition from Holmes County Sheriff's Office on September 27, 2011, on behalf of 21 deputies for the 2006-2008 (7/1/2006 – 6/30/2008) reporting period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011.

The petition supported the requested waiver by stating that the 21 deputies did successfully complete the course of fire for the 2008 reporting period, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's deputies will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the deputies affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's deputies had, in fact, completed the Commission's

course of fire and achieved a passing score. The only deficiency in the deputies' firearms requalifications was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's deputies had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the date they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued an order. On October 7, 2011, the Criminal Justice Standards and Training Commission, received a petition for a temporary variance of paragraphs 11B-27.00213(4)(a), (b), F.A.C., by Ashley Humphrey. Paragraphs 11B-27-00213(4)(a), (b), F.A.C., requires individuals who are terminated in one Temporary Employment Authorization (TEA) to wait four years prior to becoming employed on another TEA. The Petitioner wished to be granted a waiver so that she could seek another TEA without waiting four years from her termination date. The Petitioner stated as a reason for granting the waiver that she will face economic hardship if the waiver is not granted. She stated that she will have to pay for the class that she failed at Basic Recruit Training and then pay to take the State Officer Certification Examination. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 32 on October 21, 2011.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is not unique. The Petitioner did not demonstrate that the strict application of the Commission's rules in this case would violate the principles of fairness. The Commission found that the purposes of the underlying statute, to ensure that recruits receive adequate and timely retraining and do not unreasonably expand their time on a TEA or unreasonably burden employers with multiple TEAs, will not be met by granting this waiver request. The Commission issued an order denying the Petitioner's request for a permanent waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 23, 2011 for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Lady Lake Police Department on behalf of two officers for the 2008 and 2010 reporting cycles. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the two officers did successfully complete the course of fire for the 2008 and 2010 reporting cycle, however, the firearms instructor who supervised the requalification shoot was not CJSTC certified at the time. Petitioner stated that the agency's officers would suffer a substantial hardship if their certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructor had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalification was that the firearms instructor who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming a CJSTC certified firearms instructor on the dates that he supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that it has issued a final order on October 27, 2011. The Criminal Justice Standards and Training Commission received a petition from the Margate Police

Department on August 4, 2011, requesting a permanent waiver of subsection 11B-27.00212(14), F.A.C., on behalf of 106 officers.

Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. The petition supported the requested waiver by stating that the officers did successfully complete the course of fire for the 2008 reporting period, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 33, on August 19, 2011.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalifications was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officers had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the date they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission issued an order granting the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 19, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Mascotte Police Department on behalf of two officers for the 2010 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a

firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire, however, the instructors conducting the course of fire were not a CJSTC certified firearms instructors during the 2010 reporting cycle. Petitioner stated that these officers will suffer a substantial hardship if their certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that these officers did successfully complete the requirement simply because the instructors were not CJSTC certified firearms instructors for the requalification shoot during the 2010 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that they were requalified by a non-CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 1, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Milton Police Department on behalf of 27 officers for the 2008 and 2010 reporting cycles. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 37, on September 16, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the 27 officers did successfully complete the course of fire for the 2008 and 2010 reporting cycle, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers would suffer a substantial hardship if their

certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officers' firearms requalification was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the dates that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 9, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Monticello Police Department on behalf of 2 officers for the 2008 reporting cycle. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, on September 30, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the CJSTC-certified firearms instructor signed his own CJSTC form 86A for the 2010 reporting cycle (7/1/08 – 6/30/10). The second officer did not complete his mandatory retraining qualification for the 2008 cycle (7/1/2006 – 6/30/2008) because of an extended sick leave. Petitioner stated that the agency's officers would suffer a substantial hardship if their certifications were rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the one of the officers affected by this situation did successfully complete the

requirement simply because the firearms instructor signed his own CJSTC 86A form and the other officer was on extended sick leave and, thus incapable of completing the requirement.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The firearms instructor completed the course of fire as mandated in the Commission rule, however, he signed his own CJSTC 86A form. The other officer could not complete his mandatory firearm requalification because of extended sick leave.

The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 7, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Orange City Police Department on behalf of 25 officers for the 2008 and 2010 reporting cycles. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 38, on September 23, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the 25 officers did successfully complete the course of fire for the 2008 reporting cycle, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner additionally requests that the requalification of one officer for the 2010 reporting cycle be viewed as in compliance because the officer is a CJSTC-certified firearms instructor and signed his own CJSTC 86A form after successfully completing the mandatory firearms retraining course of fire. Petitioner stated that the agency's officers would suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm

requalifications or because a CJSTC-certified firearms instructor signed his own CJSTC 86A form for completing the course of fire for the 2010 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved passing scores. The only deficiency in the officers' firearms requalification was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the dates that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 31 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Oviedo Police Department on behalf of one officer for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under the supervision of a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, on September 2, 2011. The petition supports the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 reporting cycle. Petitioner states that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because his instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner

demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score for the 2008 firearms requalification period. The only deficiency in the officer's firearms requalifications was that the Petitioner's officer was not supervised by a CJSTC-certified firearms instructor during his requalifications. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 17, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Palatka Police Department on behalf of one officer for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not CJSTC certified firearms instructors during the 2008 reporting cycle. Petitioner stated that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officer did successfully complete the requirement simply because his instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalification was that the firearms instructor supervising the requalification shoot for the 2008 reporting period was not a CJSTC-certified firearms instructor. The Commission found that the purposes of the

underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327, or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 15, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Sanibel Police Department on behalf of 37 officers for the 2006-2008 (7/1/2006 – 6/30/2008) reporting period and one officer for the 2008-2010 (7/1/2008 – 6/30/2010) reporting period. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, on October 7, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

Petitioner supported the requested waiver by stating that the officers at issue did successfully complete the course of fire, however, the CJSTC form 86A's for these officers cannot be located for the 2008 reporting period. For the 2010 reporting period, one of the officers was supervised by a non-CJSTC-certified firearms instructor, but the officer did successfully complete the course of fire. Petitioner stated that the officers would suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement for the 2008 reporting period simply because the agency cannot locate their CJSTC form 86A's; and, for the one officer for the 2010 reporting period, because the instructor had not become CJSTC-certified prior to supervising the requalification shoot.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The officers involved did complete the requirement of subsection 11B-27.00212(14), F.A.C. The only deficiency in these officers' requalification was that the agency cannot locate the officers' CJSTC 86A forms. The officer who requalified under a non-CJSTC-certified firearms instructor for the 2010 reporting cycle did, in fact, successfully complete his requalification.

The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 10, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Sarasota – Manatee Airport Authority Police Department on behalf of two officers for the 2008 and 2010 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm every two years under a CJSTC-certified firearms instructor on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officers did successfully complete the course of fire, however, the CJSTC form 86A for each officer was not signed by a CJSTC certified firearms instructor during the 2008 and 2010 reporting cycles. Petitioner stated that the agency's officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had failed to sign their CJSTC form 86A for their requalification shoots during the 2008 and 2010 reporting cycles.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that their CJSTC 86A forms were not signed by a CJSTC-certified firearms instructor for the 2008 and 2010 reporting cycles. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 19, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Sebring Police Department on behalf of one officer for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, September 2, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 reporting cycle. Petitioner stated that this officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that this officer did successfully complete the requirement simply because the instructor was not CJSTC certified firearms instructors for the requalification shoot during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra Beach, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the Petitioner was requalified by a non-CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training

Commission received a petition on September 7, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Suwannee County Sheriff's Office on behalf of one deputy for the 2008 reporting cycle. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 38, on September 23, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the deputy did successfully complete the course of fire, however, he was the only CJSTC certified firearms instructor in the agency at the time and signed his own CJSTC form 86A requalification certifications for the 2008 and 2010 reporting cycles. Petitioner stated that this deputy will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the deputy did successfully complete the requirement.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The firearms instructor completed the course of fire as mandated in the Commission rule even though he signed his own CJSTC 86A form for the 2008 and 2010 reporting cycles.

The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Titusville Police Department on behalf of one officer for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 40, October 7, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC certified firearms instructor during the 2008 reporting cycle. Petitioner stated that this officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that this officer did successfully complete the requirement simply because the instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalification was that the firearms instructor supervising the requalification shoot for the 2008 reporting period was not a CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On September 20, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Venice Police Department on behalf of one officer for the 2008 and 2010 firearms requalification periods. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, September 30, 2011.

The petition supported the requested waiver by stating that the officer did successfully complete the course of fire, however, the instructor conducting the course of fire was not a CJSTC-certified firearms instructor during the 2008 and 2010 reporting cycles. Petitioner stated that the officer will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further stated that it would violate the principles of fairness to fail to recognize that the

officer did successfully complete the requirement simply because the instructor was not a CJSTC certified firearms instructor for the requalification shoot during the 2008 and 2010 reporting periods.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officer had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the officer's firearms requalifications was that the firearms instructor supervising the requalification shoot was not a CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order.

On August 3, 2011, the Criminal Justice Standards and Training Commission, received a petition for a permanent waiver of subsection 11B-27.00212(14), F.A.C., by the Washington County Sheriff's Office on behalf of one deputy for the 2008 firearms requalification period. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule. Notice of receipt of the petition was published in the Florida Administrative Weekly Vol. 37, No. 33, August 19, 2011.

The petition supported the requested waiver by stating that the deputy did successfully complete the course of fire for the 2006-2008 reporting period (July 1, 2006 – June 30, 2008), however, the instructor who supervised the deputy's requalification was not a CJSTC-certified firearms instructor at the time he supervised the requalification shoot. Petitioner states that the deputy will suffer a substantial hardship if his certification is rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the deputy did successfully complete the firearms requalification requirement simply because his instructor had failed to complete the CJSTC Instructor Techniques Course and did not file all paperwork necessary to becoming a CJSTC-certified firearms instructor for the 2008 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's deputy had, in fact, completed the Commission's course of fire and achieved a passing score. The only deficiency in the deputy's firearms requalification was that the firearms instructor supervising the requalification shoot for the 2008 reporting period was not a CJSTC-certified firearms instructor. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on August 17, 2011, for a permanent waiver of Subsection 11B-27.00212(14), F.A.C., from Williston Police Department on behalf of 10 officers for the 2008 reporting cycle. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 35, on September 2, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the 10 officers did successfully complete the course of fire for the 2008 reporting cycle, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner stated that the agency's officers would suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved passing scores. The only deficiency in the officers' firearms requalification was that the firearms instructors who conducted the mandatory firearms

requalifications for Petitioner's officer had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the dates that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 15, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Windermere Police Department on behalf of 22 officers for the 2006-2008 (7/1/2006 – 6/30/2008) reporting period, and for 12 officers for the 2008-2010 (7/1/2008 – 6/30/2010) reporting period. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, on September 30, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supports the requested waiver by stating that the officers did successfully complete the course of fire, however, the instructors conducting the course of fire were not CJSTC certified firearms instructors during the 2008 and 2010 reporting cycle. Petitioner states that the 34 officers will suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers did successfully complete the requirement simply because the instructors were not CJSTC certified firearms instructors for the requalification shoots during the 2008 and 2010 reporting cycles.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The officers involved did complete the requirement of subsection 11B-27.00212(14), F.A.C. The only deficiency in these officers' requalification was that their firearms instructors were not CJSTC-certified firearms instructors.

The Commission found that the purposes of the underlying statute, to ensure that officers receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

The Criminal Justice Standards and Training Commission hereby gives notice that on October 27, 2011, the Criminal Justice Standards and Training Commission has issued an order. The Criminal Justice Standards and Training Commission received a petition on September 9, 2011, for a permanent waiver of subsection 11B-27.00212(14), F.A.C., from Winter Garden Police Department on behalf of 9 officers for the 2008 and one officer also for the 2010 reporting cycle. Notice of the petition was published in the Florida Administrative Weekly Vol. 37, No. 39, on September 30, 2011. Subsection 11B-27.00212(14), F.A.C., requires officers to requalify with a firearm under the supervision of a CJSTC-certified firearms instructor every two years on a course of fire mandated by Commission rule.

The petition supported the requested waiver by stating that the 9 officers did successfully complete the course of fire for the 2008 reporting cycle, however, the firearms instructors who supervised the requalification shoots were not CJSTC certified at the time. Petitioner additionally requests that the requalification of one officer for the 2010 reporting cycle be viewed as in compliance because the officer is a CJSTC-certified firearms instructor and signed his own CJSTC 86A form after successfully completing the mandatory firearms retraining course of fire. Petitioner stated that the agency's officers would suffer a substantial hardship if their certifications are rendered inactive as a result of this situation. Petitioner further states that it would violate the principles of fairness to fail to recognize that the officers affected by this situation did successfully complete the requirement simply because their instructors had not completed CJSTC firearms instructor certification prior to supervising the firearm requalifications or because a CJSTC-certified firearms instructor signed his own CJSTC 86A form for completing the course of fire for the 2010 reporting cycle.

On October 27, 2011, at its regularly scheduled business agenda meeting held in Ponte Vedra, Florida, the Commission found that the Petitioner's situation is unique. The Petitioner demonstrated that the strict application of the Commission's rules in this case would violate the principles of fairness. The Petitioner's officers had, in fact, completed the Commission's course of fire and achieved passing scores. The only deficiency in the officers' firearms requalification was that the firearms instructors who conducted the mandatory firearms requalifications for Petitioner's officer had not complied with all administrative aspects of becoming CJSTC certified firearms instructors on the dates that they supervised the requalification shoots. The Commission found that the purposes of the underlying statute, to ensure that officers

receive adequate and timely retraining, will be met by granting this waiver request. The Commission granted the Petitioner's waiver.

A copy of the Order or additional information may be obtained by contacting: Grace A. Jaye, Assistant General Counsel, Florida Department of Law Enforcement, P. O. Box 1489, Tallahassee, FL 32327 or by telephoning (850)410-7676.

DEPARTMENT OF TRANSPORTATION

The Department of Transportation hereby gives notice that on October 19, 2011, the Department of Transportation entered an Order Granting Petition for Waiver. On July 27, 2011, the City of Umatilla filed a petition seeking a permanent waiver of the set-back requirements for overhanging encroachments along a state highway under Rule 14-43.001, F.A.C. Notice of the Petition for Waiver was published in the August 19, 2011, edition of the Florida Administrative Weekly. The Petitioner has demonstrated the purpose of the statutes underlying Rule 14-43.001, F.A.C., can be achieved through other means due to the additional set-back offered by the traffic berm located in front to the encroachments.

Petitioner's request for permanent waiver is granted.

A copy of the Order or additional information may be obtained by contacting: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, MS #58, Tallahassee, Florida 32399-0458, email: deanna.hurt@dot.state.fl.us.

DEPARTMENT OF MANAGEMENT SERVICES

NOTICE IS HEREBY GIVEN that on October 14, 2011, the E911 Board, received a petition for Leon County Florida c/o Richard Smith, Director of Emergency Management, seeking a variance or waiver of subparagraph 60FF1-5.003(3)(b)6., Florida Administrative Code, providing the right to incur costs expires two years from receipt of award and funds.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ryan Butler, E911 Board, 4030 Esplanade Way, Suite 160Q, Tallahassee, Florida 32399-0950.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Colony Hotel, filed September 1, 2011, and advertised in Vol. 37, No. 37 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 2.7.4, 3.10.4(e), (h) and (u),

3.3.2, 3.11.1, 3.10.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires restricted door openings, top-car stop switch, final terminal stopping devices, emergency stop switch, platform guards, car emergency signaling device and top-of-car operating devices because the features required under the new rules will not be installed within a reasonable time period and no means of meeting the code have been put forth (VW 2011-293).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from FSU Wellness Center, filed October 3, 2011, and advertised in Vol. 37, No. 41, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires the use of a 9.5 mm steel rope because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-331).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Betty Drew Apartments, filed September 9, 2011, and advertised in Vol. 37, No. 38, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.2.2 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a permanent means of access to the machine room because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-308).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Australian Condo, filed August 29, 2011, and advertised in Vol. 37, No. 36, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.4.4(a) ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires car top emergency exits because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-288).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Suntrust Tower at Rialto Place, filed September 9, 2011, and advertised in Vol. 37, No. 38, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until December 1, 2015, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-311).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Land End at Sunset Beach 2, filed October 6, 2011, and advertised in Vol. 37, No. 42, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for

Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1, 1981 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a shut off valve in the machine room because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-339).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Land End at Sunset Beach 2, filed October 6, 2011, and advertised in Vol. 37, No. 42, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1, 1981 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a shut off valve in the machine room because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-338).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011, the Division issued an order. The Final Order was in response to a Petition for a Variance from Bellair Condos, filed August 31, 2011, and advertised in Vol. 37, No. 37, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations until September 1, 2013, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-292).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 24, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from P.B. Professional Building Condo, filed September 26, 2011, and advertised in Vol. 37, No. 40, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 303.3d ASME A17.1, 1981 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a shut-off valve in the machine room because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-326).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 24, 2011, the Division issued an order. The Final Order was in response to a Petition for emergency Variance from Diamond, Truth & Cropper Halls, filed September 23, 2011, and advertised in Vol. 37, No. 40, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.19.4.1 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires a temporary emergency shut-off valve until January 31, 2012, because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-323).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 25, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Church of Scientology, filed September 26, 2011, and advertised in Vol. 37, No. 40 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for

Variance denies the Petitioner a variance from Rule 3.3.2, 3.10.4(u), 2.1.3(b), 2.1.5, 3.4.3(a)(3) and 3.4.5(d), ASME A17.3, 1996 edition and from Rule 303.2c, ASME A17.1, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards, emergency stop switch, fascia under the hoistway sill to extend no less than the depth of the leveling zone plus 3 inches, counterweight guard in the pit, the maximum distance between hoistway and car doors as 5.5 inches, emergency lighting and support of the hydraulic line because the Petitioner has not demonstrated substantial hardship would be suffered if required to comply with this rule (VW 2011-328).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 24, 2011, the Department issued a Final Order that was in response to a Petition for Variance from Church of Scientology – Sandcastle, filed September 27, 2011, and advertised in Vol. 37, No. 40 of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance denies the Petitioner a variance from Rule 3.11.3, ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the distance of travel was verified by a state inspector as greater than 25 feet, thus making the Petitioner's reasoning for seeking a variance invalid (VW 2011-327).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013, (850)488-1133.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from 250 Royal Palm Way, filed September 28, 2011, and advertised in Vol. 37, No. 41, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 3.11.3 ASME A17.3, 1996 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires upgrading the elevators for firefighters' emergency operations because the Petitioner has demonstrated that the purpose of the

statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-329).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice on October 27, 2011 the Division issued an order. The Final Order was in response to a Petition for emergency Variance from FSU Wildwood Hall, filed September 30, 2011, and advertised in Vol. 37, No. 41, of the Florida Administrative Weekly. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.20.4 ASME A17.1, 2005 edition, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires 9.5 mm ropes because the Petitioner has demonstrated that the purpose of the statute underlying the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2011-330).

A copy of the Order may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 27, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for 723 Whiskey Bravo Building. Petitioner seeks a variance of the requirements of ASME A17.1, Section 2.18.5.1 and 2.20.1, as adopted by Chapter 30, Section 3001.2 Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires that suspension be provided by steel wire ropes and that governor ropes be no less than 9.5mm which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-362).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 24, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for Clarion Resort & Waterpark. Petitioner seeks a variance of the requirements of an unspecified Section of A17.3, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, which poses a significant economic/

financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-363).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 28, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for News Press Publishing Co. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.9.1 and 3.3.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires normal terminal stopping devices and platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-368).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 28, 2011, the Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety, received a petition for News Press Publishing Co. Petitioner seeks a variance of the requirements of ASME A17.3, Section 3.3.2, as adopted by Chapter 30, Section 3001.2, Florida Building Code, adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code, that requires platform guards which poses a significant economic/financial hardship. Any interested person may file comments within 14 days of the publication of this notice with: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013 (VW 2011-367).

A copy of the Petition may be obtained by contacting: Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

NOTICE IS HEREBY GIVEN that on October 27, 2011, the The Florida Department of Business and Professional Regulation, Division of Hotels and Restaurants, received a petition for an Emergency Variance for Paragraph 4-301.12(A), 2001 FDA Food Code and subsection 61C-4.010(5), Florida Administrative Code, from Lauderdale Tennis Club located in Ft. Lauderdale, FL. The above referenced F.A.C. addresses the requirement that dishwashing facilities for manually washing, rinsing and sanitizing equipment and utensils are provided. They are requesting to utilize dishwashing facilities located within another licensed establishment under the same ownership.

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

A copy of the Petition for Variance or Waiver may be obtained by contacting: Lydia.Gonzalez@dbpr.state.fl.us, Division of Hotels and Restaurants, 1940 North Monroe Street, Tallahassee, Florida 32399-1011.

The Division of Pari-Mutuel Wagering, Department of Business and Professional Regulation, hereby gives notice on October 31, 2011, it issued a final order on a petition for variance from Petitioner Hartman & Tyner, Inc., d/b/a Mardi Gras Racetrack & Gaming Center (Mardi Gras), filed June 13, 2011, and advertised in Vol. 37, No. 26, of the Florida Administrative Weekly – DBPR Case No. 2011030307 (VW 2011-203).

The final order denies, as moot, Petitioner's request for a variance from Rule 61D-14.073, Florida Administrative Code (F.A.C.), as it existed prior to amendment on August 14, 2011, subsection (1) of which required Petitioner monthly to manually read all slot machine meters referenced in subsections 61D-14.042(1), (2), F.A.C., and reconcile those readings with the information in its facility based monitoring system (FBMS). The amendment to Rule 61D-14.073, F.A.C., effective August 14, now permits Petitioner and all Florida licensed slot machine facilities to record just 25% of their slot machine meters each quarter and reconcile them with information in the FBMS. As this is the relief Petitioner requested in its petition for variance, Petitioner's request is moot and, accordingly, denied.

A copy of the Order or additional information may be obtained by contacting: Agency Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-2202, (850)921-0342.

NOTICE IS HEREBY GIVEN that on October 26, 2011, the Board of Accountancy, received a petition for Carson J. Moss, seeking a variance or waiver of subsection 61H1-38.004(2), F.A.C., which requires that applicants must be enrolled as full-time students in a fifth year accounting program as defined in Section 473.306(2), F.S., at an approved institution as defined in Rule 61H1-27.001, F.A.C., and declared a major in accounting in order to be eligible to receive an award from the CPA Education Minority Assistance Program.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Voloria Kelly, Division Director, Board of Accountancy, 240 N.W. 76th Dr., Suite A, Gainesville, Florida 32607. Comments on this petition should be filed with the Board of Accountancy within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling hereby gives notice of the issuance of an Order regarding the Petition for Waiver or Variance, which was filed on September 7, 2011, by Valerie Hoelscher Garoutte. The Notice of Petition for Waiver or Variance was published in Vol. 37, No. 38, of the September 23, 2011, Florida Administrative Weekly. The Petitioner was seeking a waiver or variance of paragraph 64B4-3.003(3)(c), F.A.C., entitled, "Examination for Licensure," which requires for Marriage and Family Therapists that the minimum passing score is the recommended cut-off score provided by the national vendor and established according to the Angoff procedure. The Board considered the instant Petition at a duly-noticed meeting, held October 13, 2011, in Tampa, Florida.

The Board's Order, filed on October 26, 2011, denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by granting a variance or waiver from paragraph 64B4-3.003(3)(c), F.A.C. The Board further finds that Petitioner failed to establish that applying the requirements of the aforementioned rule to her circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Sue Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

NOTICE IS HEREBY GIVEN that on October 24, 2011, the Board of Medicine, received a petition for waiver or variance filed on behalf of Edward K. Miller, M.D., from paragraph 64B8-13.0045(2)(b), F.A.C., with regard to the requirement for taking and passing the SPEX examination for the purpose of reinstatement of a retired license. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on October 25, 2011, the Board of Medicine, received a petition for permanent waiver filed by Sreenivas Vangara, M.D., from Rule 64B8-9.009, F.A.C., with regard to the requirement for dantrolene on site for Level III office surgery. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on October 20, 2011, the Board of Medicine, received a petition for waiver or variance filed by Frantz Saint Vil, M.D., from Rule 64B8-4.018, F.A.C., with regard to the requirement for two years of approved post-graduate training. Comments on this petition should be filed with the: Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3053, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Joy A. Tootle, Executive Director, Board of Medicine, at the above address or telephone (850)245-4131.

NOTICE IS HEREBY GIVEN that on October 12, 2011, the Board of Opticianry, received a petition for waiver or variance filed by Johnny Miracola, from subsection 64B12-16.003(4), F.A.C., with regard to an apprentice completing 6,240 hours of training within a five year limit after first registering with the Department of Health. Comments on this petition should be filed with the: Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Sue Foster, Executive Director, at the above address or telephone (850)245-4474.

NOTICE IS HEREBY GIVEN that on November 1, 2011, the Board of Osteopathic Medicine, received a petition for waiver or variance filed on behalf of David J. Sassano, D.O., from subparagraph 64B15-14.0051(2)(n)6., F.A.C., with regard to the time requirement for completion of the 40-hour CME requirements in the rule, or in the alternative, to grant Petitioner a permanent waiver of the requirement to have successfully completed an AOA approved residency in Family Practice by accepting his AOA certification in Family Practice in lieu of successful completion of the required residency program. Comments on this petition should be filed with: Board of Osteopathic Medicine, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3056, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Osteopathic Medicine, at the above address, or telephone (850)245-4161.

NOTICE IS HEREBY GIVEN that on October 17, 2011, the Board of Psychology, received a petition for waiver or variance filed by Donna K. Hippman-West, Psy.D., from Rule 64B19-11.0075, F.A.C., with regard to an extension of time in which to complete the EPPP licensing examination. Comments

on this petition should be filed with the: Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address, or telephone (850)245-4373.

NOTICE IS HEREBY GIVEN that on October 31, 2011, the Department of Health, received a petition for Emergency Variance or Waiver from subsection 64B23-7.003(1), F.A.C., from Dr. Chulhaeng Huh. The Petition requests a Variance or Waiver from the rule that specifies that a medical physicist-in-training may renew the certificate every year, for a period not to exceed eight years. Comments on this Petition should be filed with: Bruce Deterding, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Bruce Deterding, Executive Director, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE IS HEREBY GIVEN that on October 17, 2011, the Department of Children and Families, received a petition for waiver of subsection 65C-15.017(3), Florida Administrative Code, from Erwin Famous, assigned Case No. 11-037W. Subsection 65C-15.017(3), F.A.C., requires agency staff responsible for case work services shall have a bachelor's degree of social work or related area of study from an accredited college or university.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Department of Children and Families, 1317 Winewood Blvd., Bldg. 2, Room 204, Tallahassee, FL 32399-0700.

Section VI Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF STATE

The **Bureau of Historic Preservation**, Florida Folklife Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 29, 2011, 10:00 a.m.

PLACE: R. A. Gray Building, 4th Floor, 500 South Bronough Street, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general Council business and review the nominees for the 2012 Heritage Awards.

A copy of the agenda may be obtained by contacting: Emily Douglas at (850)245-6333 or via email: Emily.Douglas@dos.myflorida.com.

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 48 hours before the workshop/meeting by contacting: Emily Douglas at (850)245-6333. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Emily Douglas at (850)245-6333.

The **Bureau of Historic Preservation**, Florida Historical Marker Council announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 29, 2011, 2:00 p.m.

PLACE: R. A. Gray Building, 4th Floor, Room 417, 500 South Bronough Street, Tallahassee, FL 32399-0250

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review applications for the Florida Historical Marker Program. A copy of the agenda may be obtained by contacting: Michael Zimny at (850)245-6333 or email: Michael.Zimny@dos.myflorida.com.

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 48 hours before the workshop/meeting by contacting: Michael Zimny at (850)245-6333 or email: Michael.Zimny@dos.myflorida.com. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Michael Zimny at (850)245-6333 or email: Michael.Zimny@dos.myflorida.com.

DEPARTMENT OF LEGAL AFFAIRS

The **Department of Legal Affairs**, Council on the Social Status of Black Men and Boys announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 1, 2011, 10:30 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 5591694127

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Council shall make a systematic study of the conditions affecting black men and boys, including, but not limited to, homicide rates, arrest and incarceration rate, poverty, violence, drug abuse, death rates, disparate annual income levels, school performance in all grade levels including postsecondary levels, and health issues.

A copy of the agenda may be obtained by contacting: visiting: <http://www.cssbmb.com>.

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 48 hours before the workshop/meeting by contacting: The Bureau of Criminal Justice Programs at (850)414-3300. 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).

For more information, you may contact: Bureau of Criminal Justice Programs at (850)414-3300.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

The Florida **Department of Agriculture and Consumer Services**, Florida Forest Service announces a public meeting to which all persons are invited.

DATE AND TIME: December 7, 2011, 9:30 a.m.

PLACE: Tallahassee Forestry Center, Administrative Office, 685 Geddie Road, Tallahassee, Florida 32304

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting of the Off-Highway Vehicle Recreation Advisory Committee.

A copy of the agenda may be obtained by contacting: Stefis Demetropoulos, 3535 N.E. 39th Avenue, Gainesville, Florida 32609, (352)955-2083

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: Stefis Demetropoulos, 3535 N.E. 39th Avenue, Gainesville, Florida 32609, (352)955-2083. 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 **Florida Food Safety and Food Defense Advisory Council-Sub-Committee** announces a public meeting to which all persons are invited.

DATE AND TIME: December 2, 2011, 10:00 a.m. – 11:30 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 1721332685

GENERAL SUBJECT MATTER TO BE CONSIDERED: insuring effective and complete council representation and assessing communication methods and identifying critical issues to inform the council in advance.

A copy of the agenda may be obtained by contacting: Darcy Poole, Division of Food Safety, 3125 Conner Building, Mail Stop #C-18, Tallahassee, Florida 32399-1650, (850)245-5595.

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 48 hours before the workshop/meeting by contacting: Darcy Poole, Administrative Assistant II, Division of Food Safety at (850)245-5595. 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).

For more information, you may contact: Darcy Poole, Administrative Assistant II, Division of Food Safety, 3125 Conner Building, Mail Stop #C-18, Tallahassee, Florida 32399-1650, (850)245-5595.

DEPARTMENT OF EDUCATION

The **Gulf Coast State College District**, Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: December 8, 2011, 10:00 a.m.

PLACE: William C. Cramer Jr. Seminar Room (Room 306), SUW, Gulf Coast State College, Panama City, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Gulf Coast State College District Board of Trustees will hold its monthly meeting as follows. Contact person for this meeting is Dr. Jim Kerley, President.

A copy of the agenda may be obtained by contacting: Dr. Steve Nettles, District Board of Trustees Liaison, Director of Institutional Effectiveness, Gulf Coast State College.

DEPARTMENT OF COMMUNITY AFFAIRS

The **Florida Building Commission**, “The Commission” announces a public meeting to which all persons are invited.

ACCESSIBILITY ADVISORY COUNCIL MEETING

DATE AND TIME: November 21, 2011, 2:00 p.m. – Until Completion

PLACE: Meeting to be conducted using Communications Technology specifically, Webinar and Conference Call, Public Point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Waiver Applications for the following projects:

Sherbrooke Apartments, Inc., 901 Collins Avenue, Miami Beach, FL

Boys and Girls Club of Palm Beach, 905 Drexel Road, West Palm Beach, FL

Loews Miami Beach Hotel, 1601 Collins Avenue, Miami Beach, FL

The Coca Cola Company, 2501 West Orange Avenue, Apopka, FL

Family Fun Concepts LLC, 5891 Lyons Road, Coconut Creek, FL

Sanctuary 7 Pilates, 1700 S.W. 3rd Avenue, Miami, FL

Wave Hotel, 350 Ocean Drive, Miami Beach, FL

Alan Waserstein, 1221, 1225., 1225A Collins Avenue, Miami Beach, FL

Barton G – The Restaurant, 1427 West Avenue, Miami Beach, FL

A copy of the agenda may be obtained by contacting: Mary Kathryn Smith, Building Codes and Standards Office, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399 or call (850)487-1824.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mary Kathryn Smith, Building Codes and Standards Office, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399 or call (850)487-1824.

The Division of Codes and Standards, of the Department of Business and Professional Regulation, The Florida Building Commission, “The Commission” announces a public meeting to which all persons are invited.

The Plumbing Technical Advisory Committee concurrent with the Swimming Pool Sub-Committee

DATE AND TIME: November 28, 2011, 10:00 a.m. – until completion

PLACE: Meeting to be conducted using Communications Media Technology, specifically Conference Call: 1(888)808-6959, Code: 2059360213; Public point of access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consideration and recommendation of Declaratory Statements and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Division of Housing and Community Development, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards Office, Division of Housing and Community Development, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

The Division of Housing and Community Development, of the Department of Business and Professional Regulation, The Florida Building Commission, “The Commission”, The Energy Technical Advisory Committee (TAC) announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, November 29, 2011, 10:00 a.m. – Until Completion

PLACE: Meeting to be conducted using Teleconference Technology, specifically Conference Call: 1(888)808-6959, Code: 1045158897; Public Point of Access: Room 250L, 2555 Shumard Oak Boulevard, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider a brief overview of the concepts behind the DRAFT Technical Assistance Manual for energy code compliance software approval/disapproval criteria and review and provide recommendations to the Commission on possible submittals for approval of energy code compliance software for the 2010 Florida Building Code, Energy Conservation, effective March 15, 2012.

A copy of the agenda may be obtained by contacting: Ms. Ann Stanton, Building Codes and Standards Office, Division of Housing and Community Development, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824.

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 10 days before the workshop/meeting by contacting: Ms. Barbara Bryant, Building Codes and Standards

Office, Division of Housing and Community Development, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Mr. Mo Madani, Building Codes and Standards Office, Division of Housing and Community Development, Department of Business and Professional Regulation, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436, Website: www.floridabuilding.org.

DEPARTMENT OF TRANSPORTATION

The Florida **Department of Transportation**, District 2 announces a workshop to which all persons are invited.

DATE AND TIME: December 8, 2011, 4:30 p.m. – 6:30 p.m.

PLACE: 7th Day Adventist Conference Center, 1771 East Highway 20, Hawthorne, Florida 32640

GENERAL SUBJECT MATTER TO BE CONSIDERED: This workshop is being held to afford interested persons the opportunity to express their views concerning the location, conceptual design and social, economic and environmental effects of Financial Project ID Numbers 210024-1 and 207818-1, otherwise known as the SR 20 Project Development and Environment Study in Alachua and Putnam counties. The Department is conducting a Project Development and Environment (PD&E) Study to determine the transportation needs and possible improvements for the segment of SR 20 from SR 200 (US301) in Hawthorne to CR 315 in Interlachen, roughly 12.2 miles in length. The PD&E Study will address the feasibility of widening SR 20 to four through-lanes and providing bicycle and pedestrian enhancements. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

A copy of the agenda may be obtained by contacting: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 South Marion Avenue, MS #2007, Lake City, Florida 32025-5874.

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: Mr. Bill Henderson, District Planning and Environmental Manager, Florida Department of Transportation, District 2, 1109 South Marion Avenue, MS

#2007, Lake City, Florida 32025-5874, (386)961-7873 or 1(800)749-2967, ext. 7873. 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 Florida **Department of Transportation (FDOT)**, District Five announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 13, 2011, 3:00 p.m. – 7:00 p.m.

PLACE: City of Flagler Beach City Hall, 105 S. 2nd Street, Flagler Beach, FL 32136

GENERAL SUBJECT MATTER TO BE CONSIDERED: Financial Management No.: 427232-1-32-01

Project Description: SR 100 Resurfacing from East of I-95 to SR A1A, Flagler County

The Florida Department of Transportation will conduct a public information meeting to provide details on the upcoming roadway construction project on SR 100 (Moody Boulevard) from 420 feet east of Old Kings Road in Flagler County, Florida to SR A1A (Ocean Shore Boulevard) in Flagler Beach, Florida. The improvements to be made as part of this project consist of removing old asphalt (milling) and repaving the roadway and shoulders, minor roadway widening to accommodate a bicycle lane at the SR 100, Flagler Avenue intersection and bicycle lanes through right turn lanes at Old Kings Road and Roberts Road. Other miscellaneous work includes pedestrian curb ramp improvements, relocation of the westerly midblock pedestrian crossing in Flagler Beach and signing and pavement markings. This public information meeting will be an open house format with no formal presentation. Project staff will be available to answer questions regarding the anticipated improvements, lanes closures and other project related information.

A copy of the agenda may be obtained by contacting: There is no agenda but a flyer will be handed out at the meeting.

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: Ms. Ada Vargas, Public Information Coordinator at (407)401-8527 or email: ada.vargas@burgessniple.com.

Persons who require translation services (free of charge) should contact: Ms. Angela Wilhelm at (386)943-5333, angela.wilhelm@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, disability or family status. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Either Gene Varano, FDOT Project Manager at (386)943-5145 or e-mail: gene.varano@dot.state.fl.us or Scott Perfater, PE, Burgess & Niple, Project Manager at (407)401-8527 or e-mail: scott.perfater@burgessniple.com.

Additional information on the project can be obtained at www.cflroads.com.

STATE BOARD OF ADMINISTRATION

The **Florida Hurricane Catastrophe Fund Advisory Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 21, 2011, 3:00 p.m. (ET) – until conclusion of meeting

PLACE: Conference Call: 1(888)808-6959, enter Conference Code: 4765251363

GENERAL SUBJECT MATTER TO BE CONSIDERED: A Notice of Proposed Rule for Rule 19-8.010, F.A.C., Reimbursement Contract, was published on October 28, 2011, providing the public with 21 days from that date to request a rule hearing. If a rule hearing is timely requested, the Advisory Council will meet by conference call on November 21, 2011, to review comments made by the public at the rule hearing. In addition, other general business of the Council may be addressed.

A copy of the agenda may be obtained by contacting: Tracy Allen, Florida Hurricane Catastrophe Fund, P. O. Drawer 13300, Tallahassee, FL 32317-3300, tracy.allen@sbafla.com, (850)413-1341.

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: Tracy Allen at the email or number listed above. 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).

PUBLIC SERVICE COMMISSION

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

TITLE: Application for increase in water/wastewater rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

DOCKET NUMBER: 100330-WS

DATES AND TIME: Tuesday, November 29, 2011, 9:30 a.m.; November 30, 2011; December 1, 7, 8, 2011, have also been reserved for continuation of the hearing if needed. The starting time of the next day's session will be announced at the conclusion of the prior day. The hearing may be adjourned early if all testimony is concluded.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the technical hearing is to permit parties to present testimony and exhibits relative to the application by Aqua Utilities Florida, Inc., and for such other purposes as the Commission may deem appropriate. All witnesses shall be subject to cross-examination at the conclusion of their testimony on the issues identified by the parties at the prehearing conference held on November 8, 2011.

Emergency Cancellation of Customer Meeting: If a named storm or other disaster requires cancellation of the meeting, Commission staff will attempt to give timely direct notice to the parties. Notice of cancellation of the meeting will also be provided on the Commission's website (<http://www.psc.state.fl.us/>) under the Hot Topics link found on the home page. Cancellation can also be confirmed by calling the Office of the General Counsel at (850)413-6199.

In accordance with the Americans with Disabilities Act: Persons needing a special accommodation to participate at this proceeding should contact the Office of Commission Clerk no later than five days prior to the conference at 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, via 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD), Florida Relay Service.

EXECUTIVE OFFICE OF THE GOVERNOR

The **Executive Office of the Governor**, Gubernatorial Fellows Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 14, 2011, 3:00 p.m.

PLACE: Telephone Conference Call

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Gubernatorial Fellows Board of Directors to discuss general business of the Board.

A copy of the agenda may be obtained by contacting: Executive Office of the Governor, Gubernatorial Fellows Program, Attn.: Lauren McKeague, 400 South Monroe Street, The Capitol, LL-08, Tallahassee, Florida 32399-0001 or by calling (850)410-0230.

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 3 days before the workshop/meeting by contacting: Lauren McKeague, 400 South Monroe Street, The

Capitol, LL-08, Tallahassee, Florida 32399-0001 or by calling (850)410-0230. 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).

For more information, you may contact: Lauren McKeague, (850)410-0230 or Lauren.McKeague@eog.myflorida.com.

REGIONAL PLANNING COUNCILS

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

DATE AND TIME: November 21, 2011, 12:00 Noon

PLACE: North Central Florida Regional Planning Council, Charles F. Justice Conference Room, 2009 N.W. 67th Place, Gainesville, Florida

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

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

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 2 business days before the workshop/meeting by contacting: (352)955-2200. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

DATE AND TIME: November 21, 2011, 1:00 p.m.

PLACE: Suwannee River Economic Council, Meeting Room, 114 Southwest Community Circle, Mayo, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Lafayette County Transportation Disadvantaged Coordinating Board.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

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 2 business days before the workshop/meeting by contacting: (352)955-2200. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **North Central Florida Regional Planning Council** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 22, 2011, 10:00 a.m.

PLACE: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida; Conference Call: 1(888)808-6959, and enter 0898681#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The North Central Florida Local Emergency Planning Committee (District 3) is conducting a telephone conference call to develop and approve comments to submit on the proposed rule from the United States Department of Homeland Security on the Ammonium Nitrate Security Program (Docket ID 2008-0076), Federal Register Vol. 76, No. 149, August 3, 2011.

A copy of the agenda may be obtained by contacting: Dwayne Mundy, Public Safety and Regulatory Compliance Program Director, North Central Florida Regional Planning Council, 2009 N.W. 67 Place, Gainesville, Florida 32653-1603.

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 2 business days before the workshop/meeting by contacting: (352)955-2200. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

DATE AND TIME: November 30, 2011, 2:30 p.m.

PLACE: North Central Florida Regional Planning Council, Charles F. Justice Conference Room, 2009 N.W. 67th Place, Gainesville, FL 32653

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Comprehensive Economic Development Strategy Committee.

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, FL 32653-1603.

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 2 business days before the workshop/meeting by contacting: (352)955-2200. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

DATE AND TIME: December 1, 2011, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

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

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

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 2 business days before the workshop/meeting by contacting: (352)955-2200. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

DATE AND TIME: December 1, 2011, 6:00 p.m.

PLACE: Holiday Inn Hotel and Suites, Olustee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

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

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

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 2 business days before the workshop/meeting

by contacting: (352)955-2200. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

DATE AND TIME: December 1, 2011, 7:30 p.m.

PLACE: Holiday Inn Hotel and Suites, Suwannee Room, 213 Southwest Commerce Boulevard, Lake City, Florida

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

A copy of the agenda may be obtained by contacting: North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653-1603.

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 2 business days before the workshop/meeting by contacting: (352)955-2200. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Putnam County Transportation Disadvantaged Local Coordinating Board announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 28, 2011, 10:00 a.m.

PLACE: Putnam County Governmental Complex, 2509 Crill Avenue, Palatka, FL 32177

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Ed Lehman, elehman@nefrc.org or (904)279-0880.

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 days before the workshop/meeting by contacting: Bonnie Magee, (904)279-0880. 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).

For more information, you may contact: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216

The **Clay County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 28, 2011, 2:00 p.m.

PLACE: Clay County Council on Aging, 604 Walnut Street, Green Cove Springs, FL 32043

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Ed Lehman, elehman@nefrc.org or (904)279-0880.

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 days before the workshop/meeting by contacting: Ed Lehman, elehman@nefrc.org or (904)279-0880. 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).

For more information, you may contact: The Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

The **St. Johns County Transportation Disadvantaged Local Coordinating Board** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, 2:00 p.m.

PLACE: River House Board Room, 179 Marine Street, St. Augustine, FL 32084

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regular Quarterly Meeting.

A copy of the agenda may be obtained by contacting: Ed Lehman, email: elehman@nefrc.org or (904)279-0880.

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 days before the workshop/meeting by contacting: Bonnie Magee, (904)279-0880. 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).

For more information, you may contact: Northeast Florida Regional Council, 6850 Belfort Oaks Place, Jacksonville, FL 32216.

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

DATE AND TIME: November 30, 2011, 9:30 a.m.

PLACE: Heartland Workforce Office, 5901 U.S. Hwy. 27 South, Suite 1, Sebring, FL 33870

GENERAL SUBJECT MATTER TO BE CONSIDERED: A meeting of the Heartland 2060 Consortium Partners and the Affordable Housing Working Group.

A copy of the agenda may be obtained by contacting: Shannon Brett, Project Manager, (863)534-7130, ext. 132 or email: sbrett@cfrpc.org.

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

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

DATE AND TIME: December 2, 2011, 9:30 a.m. – 11:00 a.m.

PLACE: Southwest Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, Florida 33901

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Region IX – Local Emergency Planning Committee (LEPC). To discuss and implement provisions of the Emergency Planning and Community Right-To-Know Act. Additionally, the Southwest Florida Regional Hazmat Teams Meeting will be held at the same location beginning at 11:00 a.m.

A copy of the agenda may be obtained by contacting: Principal Planner, John Gibbons, Southwest Florida Regional Planning Council at (239)338-2550, ext. 229 or email: jgibbons@swfrpc.org.

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 48 hours before the workshop/meeting by contacting: Ms. Deborah Kooi at (239)338-2550, ext. 210 or dkooi@swfrpc.org. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Visit our website: www.swfrpc.org.

WATER MANAGEMENT DISTRICTS

The **South Florida Water Management District** announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2011, 10:00 a.m.

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

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Everglades Technical Oversight Committee (TOC).

A copy of the agenda may be obtained by contacting: (1) The District Website (<http://www.sfwmd.gov/toc>) or (2) Kim Chuirazzi, South Florida Water Management District, Mail Stop #7282, P. O. Box 24680, West Palm Beach, FL 33416-4680.

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: The District Clerk's Office, (561)682-2087. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Dr. Garth Redfield, Water Quality Bureau, South Florida Water Management District, Mail Stop #7211, P. O. Box 24680, West Palm Beach, FL 33416-4680, (561)682-6611.

AGENCY FOR HEALTH CARE ADMINISTRATION

The **Agency for Health Care Administration** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 21, 2011, 10:00 a.m. – 4:00 p.m.

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building 3, Conference Room "A", Tallahassee, FL 32308. Any person interested in participating by telephone may dial: 1(888) 808-6959, Participant Code: 8509223803. If you have any difficulty accessing the teleconference, please call: Florida Center's Main Number at (850)412-3730.

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Commission on Review of Taxpayer Funded Hospital Districts. The commission was created by Governor's Executive Order Number 11-63, to assess and make recommendations on the role of hospital districts, whether it is in the public's best interest to have government entities operating hospitals and what is the most effective model for enhancing health-care access for the poor.

A copy of the agenda may be obtained by contacting: Faye Miller, Agency for Health Care Administration, 2727 Mahan Drive, Bldg. 3, Mail Stop #16, Tallahassee, FL 32308-5407. The agenda will also be posted at the Agency website: <http://ahca.myflorida.com/mchq/FCTFH/ctfh.shtml> seven (7) days prior to the meeting.

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: Faye B. Miller, Bureau of Health Facility Regulation, Florida Center, Faye.Miller@ahca.myflorida.com or (850)412-3735. 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).

For more information, you may contact: Faye Miller, Bureau of Health Facility Regulation, Florida Center, email: Faye.Miller@ahca.myflorida.com or (850)412-3735.

DEPARTMENT OF MANAGEMENT SERVICES

The **Department of Management Services** announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2011, 9:00 a.m.

PLACE: 4075 Esplanade Way, Conference Room 152, Tallahassee, Florida 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: In accordance with Section 120.525, Florida Statutes, a Pre-Response Vendor Conference is hereby noticed within the timeline for the Invitation to Negotiate (Number: 10-268-000-E) for Pharmaceuticals. The Department reserves the right to issue amendments, addenda, and changes to the timeline and specifically to the meeting notice listed above. Notice of any changes or additional meetings will be posted within the Vendor Bid System (VBS) in accordance with Section 287.042(3), Florida Statutes, and will not be re-advertised in the Florida Administrative Weekly (FAW). The VBS can be accessed at: http://vbs.dms.state.fl.us/vbs/main_menu.

A copy of the agenda may be obtained by contacting: Corina Chiorescu at (850)921-0030, email: corina.chiorescu@dms.myflorida.com.

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 48 hours before the workshop/meeting by contacting: Corina Chiorescu at (850)921-0030, email: corina.chiorescu@dms.myflorida.com. 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).

For more information, you may contact: Corina Chiorescu at (850)921-0030, corina.chiorescu@dms.myflorida.com.

The Probable Cause Panel of the **Construction Industry Licensing Board** announces a public meeting to which all persons are invited.

DATE AND TIMES: November 29, 2011, 9:00 a.m. & 10:00 a.m. or soon thereafter

PLACE: Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202

GENERAL SUBJECT MATTER TO BE CONSIDERED: To review complaints in which a determination of the existence of probable cause has already been made.

A copy of the agenda may be obtained by contacting: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

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: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Paul Richard Waters, Chief Construction Attorney, Department of Business and Professional Regulation, Office of the General Counsel, 1940 N. Monroe Street, Suite 42, Tallahassee, Florida 32399-2202, (850)488-0062.

The **Board of Pilot Commissioners** announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 21, 2011, 10:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 4878197#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Deputy Pilot Advancement Committee.

A copy of the agenda may be obtained by contacting: Board of Pilot Commissioners, 1940 N. Monroe St., Tallahassee, FL 32399-0773.

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: The Board Office. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Professional Engineers**, Nominating Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 23, 2011, 10:00 a.m. (EST) or soon thereafter

PLACE: Conference Call: 1(888)392-4560, Passcode: 1188973; Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, FL 32303

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the committee including nominations of chair and vice chair for 2012.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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 48 hours before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.org. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

The **Florida Engineers Management Corporation** announces a public meeting to which all persons are invited.

DATE AND TIME: December 7, 2011, 9:00 a.m. or soon thereafter

PLACE: Florida Board of Professional Engineers, 2639 North Monroe St., Building B-112, Tallahassee, Florida 32303; Conference Call: 1(888)392-4560, Passcode: 1188973

GENERAL SUBJECT MATTER TO BE CONSIDERED: general business of the corporation.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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 48 hours before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.org. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

The Florida **Board of Professional Engineers** announces a public meeting to which all persons are invited.

DATES AND TIMES: December 7, 2011, 1:00 p.m. or soon thereafter; December 8, 2011, 8:30 a.m. so soon thereafter

PLACE: Monroe Street Conference Center, 2714 Graves Road, Tallahassee, FL 32303, (850)536-2003

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board.

A copy of the agenda may be obtained by contacting: Rebecca Sammons, rsammons@fbpe.org.

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 48 hours before the workshop/meeting by contacting: Rebecca Sammons, rsammons@fbpe.org. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Rebecca Sammons, rsammons@fbpe.org.

DEPARTMENT OF HEALTH

The Florida **Department of Health**, Infant, Maternal, Reproductive Health Unit announces a telephone conference call to which all persons are invited.

DATES AND TIME: November, 2011 – March, 2013. Information about specific meeting dates and times will be available at <http://www.doh.state.fl.us/family/mch/hs/hs.html>

PLACE: WebEx information and call in numbers will be available at <http://www.doh.state.fl.us/family/mch/hs/hs.html>

GENERAL SUBJECT MATTER TO BE CONSIDERED: Healthy Start Redesign Project.

A copy of the agenda may be obtained by contacting: <http://www.doh.state.fl.us/family/mch/hs/hs.html>.

The Florida **Board of Acupuncture** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 9, 2011, 9:00 a.m. (EST) or shortly thereafter

PLACE: Holiday Inn & Suites, 2725 Graves Road, Tallahassee, FL 32303, (850)536-2005

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct general business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, 4052 Bald Cypress Way, Bin #C-06, Tallahassee, Florida 32399-3256, (850)245-4161.

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: Paula Mask at (850)245-4161. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, 8:00 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Chandra Prine at chandra_prine@doh.state.fl.us or call (850)245-4135.

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 10 hours before the workshop/meeting by contacting: Chandra Prine at chandra_prine@doh.state.fl.us or call (850)245-4135. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Electrology/Dietetics & Nutrition Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, immediately following the Credentials Committee

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517.

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 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Expert Witness Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, immediately following the Electrology/Dietetics & Nutrition Committee

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the general business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call the: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517.

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 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Surgical Care/Quality Assurance Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, immediately following the Finance & Statistics Committee

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine.

A copy of the agenda may be obtained by contacting: George Johnson at email: george_johnson@doh.state.fl.us or call: (850)245-4134.

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 10 days before the workshop/meeting by contacting: George Johnson at george_johnson@doh.state.fl.us or call: (850)245-4134. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Finance & Statistics Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, immediately following the Probationers Committee

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at www.flhealthsource.com for cancellations or changes to meeting dates or call the: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517.

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 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Medicine**, Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, immediately following the Surgical Care/Quality Assurance Committee

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call the Board of Medicine.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517.

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 10 days before the workshop/meeting by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517. 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).

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The **Board of Medicine**, Physician Assistants Council announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 1, 2011, 2:00 p.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site: www.flhealthsource.com for cancellations or changes to meeting dates or call the: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Chandra Prine at chandra_prine@doh.state.fl.us or call: (850)245-4135.

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 10 days before the workshop/meeting by contacting: Chandra Prine at chandra_prine@doh.state.fl.us or call: (850)245-4135. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Medicine** announces a public meeting to which all persons are invited.

DATES AND TIME: Friday & Saturday, December 2-3, 2011, 8:00 a.m.

PLACE: Marriott Orlando Airport, 7499 Augusta National Drive, Orlando, FL 32822, Hotel phone #: (407)851-9000

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the board. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at: www.flhealthsource.com for cancellations or changes to meeting dates or call the: Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Whitney Bowen at whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517.

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 10 days before the workshop/meeting by contacting: Whitney Bowen at email: whitney_bowen@doh.state.fl.us or call: (850)245-4131, ext. 3517. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Nursing**, Central Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 24, 2011, 2:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me Number: 1(888)808-6959, Code: 0109310

GENERAL SUBJECT MATTER TO BE CONSIDERED: For cases previously heard by the panel.

A copy of the agenda may be obtained by contacting: Joe Baker Jr., Executive Director, 4052 Bald Cypress Way, Bin #C02, Tallahassee, FL 32399-3257.

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 48 hours before the workshop/meeting by contacting: The Board Office at (850)245-4125. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Board of Orthotists & Prosthetists** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, December 14, 2011, 9:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 9849329103; Department of Health, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

GENERAL SUBJECT MATTER TO BE CONSIDERED: General board business.

A copy of the agenda may be obtained by contacting: Sherra W. Causey, Board of Orthotists & Prosthetists, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida or access the web site: www.doh.state.fl.us/mqa/orthPros/index.html.

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 48 hours before the workshop/meeting by contacting: Sherra W. Causey. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The Florida **Board of Speech-Language Pathology and Audiology** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, 9:00 a.m. (EST) or shortly thereafter

PLACE: Holiday Inn & Suites, 2725 Graves Road, Tallahassee, FL 32303, (850)536-2005

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board.

A copy of the agenda may be obtained by contacting: Anthony Jusevitch, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, (850)245-4161.

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: Christy Robinson, (850)245-4161. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **Department of Health** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 2, 2011, 1:00 p.m. – 4:00 p.m.

PLACE: Capital Circle Office Center, 4025 Esplanade Way, Room #301, Tallahassee, FL 32399-0950

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida KidCare Coordinating Council, an advisory body appointed by the Florida Department of Health, to discuss Florida KidCare, the state children's health insurance program. The Council is charged with making recommendations about possible changes and adjustments to the Florida KidCare Program which may result in recommendations for legislative action, state agency rule change, federal agency rule or policy change, or Congressional action.

A copy of the agenda may be obtained by contacting: Gail Vail, Department of Health, (850)245-4200, ext. 2238, email: Gail_Vail@doh.state.fl.us.

The **Department of Health**, Brain and Spinal Cord Injury Program announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 18, 2011, 9:00 a.m. – 12:30 p.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454045, after the tone, clearly state your name and press #

GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the Brain and Spinal Cord Injury Advisory Council as required by Section 381.78, Florida Statutes. The council meets twice per year to provide advice and expertise to the department in preparation, implementation, and periodic review of the brain and spinal cord injury program.

A copy of the agenda may be obtained by contacting: Suzanne Kelly, Department of Health, 4052 Bald Cypress Way, Bin #C-25, Tallahassee, FL 32399-1744, (850)245-4045, email: Suzanne_Kelly@doh.state.fl.us.

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 10 days before the workshop/meeting by contacting: Teresa Hall, Department of Health, 4052 Bald Cypress Way, Bin #C-25, Tallahassee, FL 32399-1744, (850)245-4045. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Suzanne Kelly, Department of Health, 4052 Bald Cypress Way, Bin #C-25, Tallahassee, Florida 32399-1744, (850)245-4045, email: Suzanne_Kelly@doh.state.fl.us.

The **Division of Health Access and Tobacco** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Thursday, December 8, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454144

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a Policy Subcommittee meeting of an Advisory Council required by Section 381.84, F.S. This conference call will address the committee's continued development of policy recommendations and work tasks to address the mandates of the Tobacco Education and Use Prevention Program as instituted in Section 381.84, Florida Statutes.

A copy of the agenda may be obtained by contacting: Elizabeth Howell at (850)245-4444, ext. 2153 (Elizabeth_Howell2@doh.state.fl.us) or by going to the Department of Health Tobacco website: <http://www.doh.state.fl.us/tobacco/TAC.html> prior to the meeting.

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: Elizabeth Howell at (850)245-4444, ext. 2153 (Elizabeth_Howell2@doh.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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Elizabeth Howell at (850)245-4444, ext. 2153 (Elizabeth_Howell2@doh.state.fl.us).

The **Division of Health, Access and Tobacco** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Tuesday, December 13, 2011, 9:00 a.m. – 12:00 Noon

PLACE: Conference Call: 1(888)808-6959, Conference Code: 2454144

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of an Advisory Council required by Section 381.84, F.S. The council meets to provide advice to the Department of Health relating to the Comprehensive Tobacco Education and Use Prevention Program. The meeting will provide information about the Tobacco Education and Use Prevention Program and each of the program's major components including media, the cessation quitline, and community programs.

A copy of the agenda may be obtained by contacting: Elizabeth Howell at (850)245-4444, ext. 2153 (Elizabeth_Howell2@doh.state.fl.us) or by going to the Department of Health Tobacco website: <http://www.doh.state.fl.us/tobacco/TAC.html> prior to the meeting.

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: Elizabeth Howell at (850)245-4444, ext. 2153 (Elizabeth_Howell2@doh.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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Elizabeth Howell at (850)245-4444, ext. 2153 (Elizabeth_Howell2@doh.state.fl.us).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

The **Department of Children and Family Services** announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2011, 11:00 a.m. – 12:30 p.m.

PLACE: Roberts Building, DCF, 5920 Arlington Expressway, Jacksonville, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: Topic: Designation of Baker Act Receiving Facility-HCA-Memorial Hospital, Duval County.

Invitation to public to discuss any questions or concerns regarding the designation of Memorial Hospital to operate a Baker Act receiving facility. The meeting is open to the public. Those who wish to call in may do so by calling the Conference Call: 1(888)808-6959, and use the Code: 7232014.

A copy of the agenda may be obtained by contacting: Nancy Eisele at email: nancy_eisele@dcf.state.fl.us.

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: the SAMH Northeast program office at (904)723-2068. 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 **Department of Children and Families** announces a public meeting to which all persons are invited.

DATE AND TIME: November 21, 2011, 8:00 a.m.

PLACE: Florida Department of Children & Families, 1317 Winewood Blvd., Bldg. 6, Conference Room A, Tallahassee, FL 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: Negotiations to become a Community-Based Managing Entity for Substance Abuse and Mental Health Services for the Northeast Region.

A copy of the agenda may be obtained by contacting: Michele Staffieri, (850)717-4354, michele_staffieri@dcf.state.fl.us.

The **Refugee Services Program** announces a public meeting to which all persons are invited.

DATE AND TIME: November 21, 2011, 2:00 p.m.

PLACE: Florida Department of Children and Families, Refugee Services, 1317 Winewood Blvd., Bldg. 5, Room 203, Tallahassee, FL 32399-0700; Conference Call: 1(888)808-6959, Conference Code: 4883791#

GENERAL SUBJECT MATTER TO BE CONSIDERED: The solicitation conference for the Invitation to Negotiate for Medical Professional Recertification Services for Refugees and Entrants in Miami-Dade County (ITN #SNR12K01), as provided for in Section 2.7 of the ITN published on the Vendor Bid System (VBS) on October 31, 2011.

A copy of the agenda may be obtained by contacting: Anna Bethea at Anna_Bethea@dcf.state.fl.us.

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: Pamela Thornton at (850)717-4567 or email: Pamela_Thornton@dcf.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).

FLORIDA HOUSING FINANCE CORPORATION

The **Florida Housing Finance Corporation**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2011, 8:30 a.m. – until adjourned

PLACE: Tallahassee City Hall, Commission Chambers, 300 Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.
2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.
3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.

4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Universal Cycle ranking and grading with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the December 9, 2011, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, approximately two days prior to the meeting, or by visiting the Corporation's website: www.floridahousing.org.

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: Sheila Freaney, Florida Housing Finance

Corporation at (850)488-4197. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **FHFC II, Inc.**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2011, 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned

PLACE: Tallahassee City Hall, Commission Chambers, 300 Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Conduct business necessary for the organization of FHFC II, Inc.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC II, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC II, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the December 9, 2011, Board Meeting.

A copy of the agenda may be obtained by contacting: Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, approximately two days prior to the meeting, or by visiting the Corporation's website: www.floridahousing.org.

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: Sheila Freaney, Florida Housing Finance Corporation at (850)488-4197. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

The **FHFC III, Inc.**, Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: December 9, 2011, 11:00 a.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned

PLACE: Tallahassee City Hall, Commission Chambers, 300 Adams Street, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED:

1. Conduct business necessary for the organization of FHFC III, Inc.
2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC III, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC III, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.
8. Such other matters as may be included on the Agenda for the December 9, 2011, Board Meeting.

A copy of the agenda may be obtained approximately two days prior to the meeting by contacting Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, (850)488-4197, approximately two days prior to the meeting, or by visiting the Corporation's website: www.floridahousing.org.

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: Sheila Freaney, Florida Housing Finance Corporation at (850)488-4197. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

FISH AND WILDLIFE CONSERVATION COMMISSION

The Florida **Fish and Wildlife Conservation Commission** announces a series of facilitated stakeholder meetings to discuss and examine issues relating to the draft bear management plan.

DATE AND TIME: November 22, 2011, 6:00 p.m.

PLACE: Veterans Memorial Civic Center, 10405 N.W. Theo Jacobs Lane, Bristol, FL 32321

DATE AND TIME: November 29, 2011, 6:00 p.m.

PLACE: Rookery Bay National Estuarine Research Reserve, 300 Tower Road, Naples, FL 34113

DATE AND TIME: December 6, 2011, 6:00 p.m.

PLACE: Florida Department of Transportation, 719 South Woodland Boulevard, Deland, FL 32720

DATE AND TIME: December 13, 2011, 6:00 p.m.

PLACE: Gainesville City Hall, 200 East University Avenue, Gainesville, FL 32601

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is fact finding, to solicit input from stakeholders to the agency in evaluating a draft plan to manage Florida black bears. The public can attend the meeting; however, space is limited. This meeting will be structured and facilitated. Limited public comments will be taken.

The public comment period for the draft Management Plan for the Florida black bear will be from November 10, 2011 to January 10, 2012. The plan can be read or downloaded and comments submitted online at www.MyFWC.com/Bear or comments can be mailed to: David Telesco, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section 6A, 620 South Meridian Street, Tallahassee, Florida 32399.

A copy of the agenda may be obtained by contacting: David Telesco at (850)922-4330 or email: [BearManagement@MyFWC.com](mailto: BearManagement@MyFWC.com).

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: The FWC at (850)488-6411. 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).

For more information, you may contact: David Telesco, Florida Fish and Wildlife Conservation Commission, Imperiled Species Management Section 6A, 620 South Meridian Street, Tallahassee, Florida 32399, (850)922-4330.

AREA AGENCY ON AGING OF PASCO-PINELLAS INC.

The **Area Agency On Aging of Pasco-Pinellas Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: November 21, 2011, 9:30 a.m.

PLACE: Area Agency on Aging of Pasco-Pinellas Inc., 9887 4th Street, North, Suite 100, St. Petersburg, FL 33702

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items related to Area Agency on Aging of Pasco-Pinellas business and Board of Directors oversight.

A copy of the agenda may be obtained by contacting: Brenda Black at (727)570-9696, ext. 233.

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 4 days before the workshop/meeting by contacting: Brenda Black at (727)5709696, ext. 233. 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).

For more information, you may contact: Brenda Black at (727)570-9696, ext. 233.

FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY

The **Florida Atlantic Research and Development Authority** announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2011, 8:00 a.m.

PLACE: C. Scott Ellington Technology Business Incubator, 3701 FAU Blvd., Suite 210, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: Board Meeting.

A copy of the agenda may be obtained by contacting: Christine Cannon-Burres at cc@research-park.org.

NORTHWOOD SHARED RESOURCE CENTER

The **Northwood Shared Resource Center**, Board of Trustees announces a public meeting to which all persons are invited.

DATE AND TIME: November 17, 2011, 1:30 p.m.

PLACE: Department of Business and Professional Regulation, 1940 N. Monroe Street, Professions Board Room, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General meeting.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com.

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 3 days before the workshop/meeting by contacting: Monica Cash, (850)921-4479. 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 **Northwood Shared Resource Center**, Finance & Audit Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 18, 2011, 9:00 a.m.

PLACE: Agency for Person's with Disabilities, 4030 Esplanade Way, Suite 215 L, Tallahassee, Florida 32399

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Finance Matters.

A copy of the agenda may be obtained by contacting: monica_cash@nsrc.myflorida.com.

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 3 days before the workshop/meeting by contacting: Monica Cash, (850)921-4479. 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).

CENTER FOR INDEPENDENT LIVING OF SOUTH FLORIDA

The **Center for Independent Living of South Florida** announces a public meeting to which all persons are invited.

DATE AND TIME: Saturday, November 19, 2011, 12:00 Noon – 2:00 p.m.

PLACE: 6660 Biscayne Boulevard, Miami, FL 33138

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting of the Board of Directors of the Center for Independent Living of South Florida, Inc. The Finance Committee and other ad hoc committees will meet 11:00 a.m. – 12:00 Noon, prior to the Board Meeting.

If alternative format (Braille, large print, electronic or audiotape), ASL interpreter, or other accommodation is required, please request at least 14 days in advance of the meeting date. RSVP to: Mary@soflacil.org or call: (305)751-8025, (TDD) (305)751-8891.

A copy of the agenda may be obtained by contacting: Mary@soflacil.org or call: (305)751-8025, ext. 110.

SOUTHWOOD SHARED RESOURCE CENTER

The **Southwood Shared Resource Center** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, November 17, 2011, 1:30 p.m.
 PLACE: SSRC Business Office, Conference Room 103, 2002 Old St. Augustine Road, Building C, Tallahassee, FL
 GENERAL SUBJECT MATTER TO BE CONSIDERED: Meeting of the SSRC Board of Trustees' Ad Hoc Workgroup on Key Performance Indicators to establish Board-level performance measures.

A copy of the agenda may be obtained by contacting: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.
 For more information, you may contact: Rick Mitchell, (850)488-9895, rick.mitchell@ssrc.myflorida.com.

CITIZENS PROPERTY INSURANCE CORPORATION

The **Citizens Property Insurance Corporation** announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday, November 30, 2011, 9:00 a.m.
 PLACE: Conference Call: 1(866)361-7525, Participant Code: 8632017402#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include but are not limited to business before the Actuarial and Underwriting Committee.

A copy of the agenda may be obtained by contacting: Heather Ousley at (904)208-7263 or online: https://www.citizensfla.com/about/future_boardmtgs.cfm.

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: Heather Ousley at (904)208-7263. 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 **Citizens Property Insurance Corporation**, Claims Committee announces a public meeting to which all persons are invited.

DATE AND TIME: November 30, 2011, 3:00 p.m. (EST)
 PLACE: Conference Call: 1(866)361-7525, Conference ID: 5219676193#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Items of discussion include, but are not limited to, business before the Claims Committee.

A copy of the agenda may be obtained by contacting: Debbie Rambo, (904)407-0384.

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: Debbie Rambo, (904)407-0384. 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).

For more information, you may contact: Debbie Rambo, (904)407-0384.

FLORIDA INDEPENDENT LIVING COUNCIL, INC.

The **Florida Independent Living Council, Inc.** announces a telephone conference call to which all persons are invited.

Network of Centers Teleconference
 Voting and Advocacy

DATE AND TIME: Thursday, November 17, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(866)730-7514, Code: 938460#
 Network of Centers Teleconference

Crime Victims with Disabilities and the ADA

DATE AND TIME: Thursday, December 8, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(866)730-7514, Code 938460#
 Network of Centers Teleconference

Service Dogs and the ADA

DATE AND TIME: Thursday, January 12, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(866)730-7514, Code 938460#
 Network of Centers Teleconference

DCF and It's Settlement with HHS. Serving People Who Are Deaf or Hard of Hearing

DATE AND TIME: Thursday, January 26, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(866)730-7514, Code 938460#
 Network of Centers Teleconference

The ADA and Domestic Violence Shelters

DATE AND TIME: Thursday, February 9, 2012, 10:00 a.m. – 11:00 a.m.

PLACE: Conference Call: 1(866)730-7514, Code: 938460#

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

COMMITTEE AND TASK FORCE MEETINGS: Please note that committees and task forces of the Florida Independent Living Council will meet at various times throughout the year to carry out the work of the council; the meeting dates and times will be posted at the above address at least seven days prior to the meeting. Persons who want to be notified of such meetings may request to be put on the mailing list for such notices by writing to: Molly Gosline at the council address.

A copy of the agenda may be obtained by contacting: Florida Independent Living Council, 1416 N. Adams Street, Tallahassee, Florida 32303, (850)488-5624 or Toll Free 1(877)822-1993.

Any person who needs an accommodation to participate in this meeting because of a disability, including alternative formats, should submit a request for such accommodation in writing at least one week before the meeting date.

SOUTHWEST FLORIDA CRIMINAL JUSTICE ACADEMY

The **Regional 10, Criminal Justice Training School** announces a public meeting to which all persons are invited.

DATE AND TIME: November 29, 2011, 9:30 a.m.

PLACE: Southwest Florida Public Service Academy, 3800 Michigan Avenue, Fort Myers, FL 33916

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Agenda:

1. Pledge of Allegiance.
2. Approval of minutes of August, 2011 Meeting.
3. Introduction of guests.
4. F.D.L.E. Report – Dawn Reed.
5. Academy report from Sarasota County Technical Institute.
6. Academy report from Southwest Florida Public Service Academy.
7. Old business.
8. New business.
9. Schedule of next meeting.
10. Adjournment.

A copy of the agenda may be obtained by contacting: Angela Esteves, (239)989-5027, mariaaes@leeschools.net.

FL CURED

The **FL CURED** announces a telephone conference call to which all persons are invited.

DATES AND TIME: Thursday, November 17, 2011; Monday, November 21, 2011, 5:00 p.m. – 6:00 p.m.

PLACE: Conference Call: 1(888)808-6959, Code: 6440842 and URL: <http://fcprwebinar.na4.acrobat.com/flcuredmeeting/>

GENERAL SUBJECT MATTER TO BE CONSIDERED: To discuss Advisory Council recommendations for the 2011 FL CURED Annual Report.

A copy of the agenda may be obtained by contacting: Tommy Bowermeister, FL CURED Liaison to DOH, (850)528-0388 or liaison@flcured.org.

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: Tommy Bowermeister, FL CURED Liaison to DOH, (850)528-0388 or liaison@flcured.org. 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).

For more information, you may contact: Tommy Bowermeister, FL CURED Liaison to DOH, (850)528-0388 or liaison@flcured.org.

PALM TRAN CONNECTION, INC.

The **Palm Tran Connection** announces a public meeting to which all persons are invited.

DATE AND TIME: November 8, 2011, 9:00 a.m.

PLACE: Palm Tran Connection, 3040 South Military Trail, Suite J, Conference Room, Lake Worth, FL 33463

GENERAL SUBJECT MATTER TO BE CONSIDERED:
AGENDA:

- I. CALL TO ORDER – Roll Call
- II. ADOPTION OF AGENDA
- III. CONSENT AGENDA
 - a. Approval of Meeting Minutes – May 25, 2011
 - b. Transportation Operators Payments
- IV. ELECT VICE CHAIR
- V. ANNUAL OPERATING REPORT – John Coons
- VI. ACTUAL EXPENDITURE REPORT – John Coons
- VII. CTC REVIEW – Angela Morlok
- VIII. COORDINATED CONTRACT REPORT – Ron Jones
- IX. CTC UPDATE
 - a. Monthly Operating Report – John Coons
 - b. Connection RFP – Ron Jones
- X. FIXED ROUTE UPDATE – Chuck Cohen
- XI. TD DAY TRIP – Bobbi Valentine
- XII. PUBLIC HEARING
 - a. Open Public Hearing
 - b. Proof of Advertising
 - c. Public Comments on Transportation Matters
 - d. Adjourn public Hearing
- XIII. COMMENTS BY BOARD MEMBERS
- XIV. NEXT MEETING – February 2012
- XV. ADJOURNMENT

A copy of the agenda may be obtained by contacting: Lou Ferri, (561)649-9848, ext. 3620, LFerri@pbcgov.org.

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 24 hours before the workshop/meeting by contacting: Lou Ferri, (561)649-9848, ext. 3620, LFerri@pbcgov.org. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

FLORIDA LEAGUE OF CITIES, INC.

The **Florida League of Cities, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, December 8, 2011, 4:00 p.m.

PLACE: The Vinoy, 501 5th Avenue, N.E., St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Construction Trust.

A copy of the agenda may be obtained by contacting: Linda Bridges, lbridges@flcities.com.

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: Linda Bridges, lbridges@flcities.com. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jeannie Garner, Director of Insurance and Financial Services, email: jgarner@flcities.com.

The **Florida League of Cities, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, December 9, 2011, 8:30 a.m.

PLACE: The Vinoy, 501 5th Avenue, N.E., St. Petersburg, FL 33701

GENERAL SUBJECT MATTER TO BE CONSIDERED: Florida Municipal Insurance Trust.

A copy of the agenda may be obtained by contacting: Linda Bridges, lbridges@flcities.com.

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: Linda Bridges, lbridges@flcities.com. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Jeannie Garner, Director of Insurance and Financial Services, email: jgarner@flcities.com.

ENVIRONMENTAL PROTECTION/FLORIDA MARINE RESEARCH INSTITUTE

The **Tampa Bay Estuary Program** announces a public meeting to which all persons are invited.

DATES AND TIMES: Management Board, Thursday, November 17, 2011, 1:30 p.m.; Policy Board, Friday, November 18, 2011, 10:00 a.m.

PLACE: Tampa Bay Regional Planning Council, 4000 Gateway Centre Boulevard, Suite 100, Pinellas Park, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Action will be taken on acceptance of the revised Final 2010-2011 Agency-wide Budget, approval of the 2011-2012 Bay Mini-Grants, and approval to contract with Salter Mitchell to continue Fertilizer Education Campaign.

A copy of the agenda may be obtained by contacting: ron@tbep.org.

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: ron@tbep.org. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: ron@tbep.org.

SOIL AND WATER CONSERVATION DISTRICTS

The **Madison Soil and Water Conservation District** announces a public meeting to which all persons are invited.

DATE AND TIME: November 16, 2011, 8:00 a.m.

PLACE: Madison Service Center, Suite 2, Madison, FL

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business.

A copy of the agenda may be obtained by contacting: (850)973-6595, ext. 101.

FLORIDA SURPLUS LINES SERVICE OFFICE

The **Florida Surplus Lines Service Office**, National Clearinghouse Committee announces a telephone conference call to which all persons are invited.

DATES AND TIME: November 10, 15, 17, 22, 24, 29, 2011, 10:00 a.m.

PLACE: 1441 Maclay Commerce Drive, Suite 200, Tallahassee, FL 32312

GENERAL SUBJECT MATTER TO BE CONSIDERED: General matters to come before the Committee.

A copy of the agenda may be obtained by contacting: Georgie Barrett at gbarrett@fslso.com.

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 2 days before the workshop/meeting by contacting: Jessica Brown at jbrown@fslso.com or 1(800)562-4496. 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).

FLORIDA TELECOMMUNICATIONS RELAY, INC.

The **Florida Telecommunications Relay, Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, November 14, 2011, 10:00 a.m.

PLACE: Florida Telecommunications Relay, Inc., Conference Room, 1820 E. Park Avenue, Suite 101, Tallahassee, FL 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a regular meeting of the Board of Directors. The meeting is subject to cancellation for lack of a quorum or unavailability of interpreter.

A copy of the agenda may be obtained by contacting: Mr. James Forstall, Executive Director, Florida Telecommunications Relay, Inc., 1820 E. Park Avenue, Suite 101, Tallahassee, FL 32301.

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

The **Sunshine State One Call of Florida, Inc.** announces a public meeting to which all persons are invited.

DATES AND TIME: November 17, 2011, Committee Meetings; Board Meeting, November 18, 2011, 8:00 a.m.

PLACE: Sunshine State One Call, 11 Plantation Road, DeBary, FL 32713

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business matters relating to preventing damages to underground utilities in the State of Florida.

A copy of the agenda may be obtained by contacting: http://www.callsunshine.com/images/stories/board/201111_agenda.pdf.

FLORIDA WORKERS' COMPENSATION INSURANCE GUARANTY ASSOCIATION

The Investment Committee of the **Florida Workers' Compensation Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, 8:30 a.m.

PLACE: Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will meet to discuss general business of the Association. The agenda will include but not limited to: Minutes, Investment Report and Investment Policy Review.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

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 3 days before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. 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 Board of Directors of the **FL Workers' Compensation Insurance Guaranty Association** announces a public meeting to which all persons are invited.

DATE AND TIME: December 7, 2011, 9:00 a.m.

PLACE: Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Board of Directors will meet regarding general business of the Association. The Agenda will include but not limited to: Minutes, Receiver's Report, Legal Report, Operations Report, Financial Report, Committee Reports, and Board Elections.

A copy of the agenda may be obtained by contacting: Cathy Irvin at (850)386-9200.

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 3 days before the workshop/meeting by contacting: Cathy Irvin at (850)386-9200. 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).

BABCOCK RANCH INC.

The **Babcock Ranch Inc.** announces a public meeting to which all persons are invited.

DATE AND TIME: November 14, 2011, 1:30 p.m. – 3:00 p.m.

PLACE: Conference Call: (904)596-2362, Participant Code: 63683903#GENERAL SUBJECT MATTER TO BE

CONSIDERED: The Babcock Ranch Inc., Board of Directors announces an upcoming public meeting to which all persons

are invited. This conference call/meeting will be considered a public meeting however, the Board will not take comments from the listening public.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Will cover a varied range of topics regarding the management and operations of the Babcock Ranch and its associated agencies.

A copy of the agenda may be obtained by contacting: Debbie Upp, execassistant@archbold-station.org or (863)465-2571, ext. 251.

Agenda items from any source will need to be submitted for consideration at least 10 days prior to the scheduled meeting. Agendas will be sent out prior to each meeting to Board members and agency staff and may be requested in advance by the public.

For more information, you may contact: For more information, you may contact: Debbie Upp at execassistant@archbold-station.org or (863)465-2571, ext. 251.

MRG MIAMI

The Florida **Department of Transportation (FDOT)**, District Six, announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 6, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Miami Springs Country Club, Majestic Room, 650 Curtiss Parkway, Miami Springs, Florida 33166

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT, District Six, is conducting a Project Development and Environment (PD&E) Study for the State Road 948/N.W. 36 Street Bridge (Bridge No. 870625) from N.W. 42 Avenue (LeJeune Road) to US 27/SR 25 Okeechobee Road. The primary purpose of this study is to rehabilitate, or replace the bridge and address numerous substandard existing facility conditions. The proposed replacement consists of new construction providing a fixed bridge over the Miami Canal (C-6) with two travel lanes in each direction (eastbound and westbound), and introduce a new westbound auxiliary lane from the S.R. 112 (Airport Expressway) westbound exit ramp to South Royal Poinciana Boulevard. The improvements will provide a sidewalk on the south side and a raised median. The replacement bridge will improve safety and alleviate current congestion.

A copy of the agenda may be obtained by contacting: Ms. Bao-Ying Wang, P.E., Project Manager, Florida Department of Transportation District Six, 1000 N.W. 111 Avenue, Room 6111-A, Miami, Florida 33172, (305)470-5211, Fax: (305)470-5205 or via e-mail: BaoYing.Wang@dot.state.fl.us. Draft project documents will be available for review from Tuesday, November 15, 2011 through Tuesday, December 6, 2011 in the following locations: Florida Department of Transportation District Six, 1000 N.W. 111 Avenue, Miami, Florida 33172, between Monday and Friday from 8:30 a.m. –

5:30 p.m., City of Hialeah City Hall, 501 Palm Avenue, Hialeah, Florida 33010, between Monday and Friday from 8:30 a.m. – 5:00 p.m., and the Miami Springs Branch Library, 401 Westward Drive, Miami Springs, Florida 33166, Monday, Wednesday, Thursday and Saturday from 10:00 a.m. – 6:00 p.m. and Tuesday from 12:00 Noon – 8:00 p.m. The library is closed Friday and Sunday. Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Mr. Alejandro Martinez at (305)470-5298, or in writing: 1000 N.W. 111th Avenue, Room 6111-A, Miami, FL 33172 or via e-mail: alejandro.martinez@dot.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).

For more information, you may contact: Ms. Bao-Ying Wang, P.E., Project Manager, Florida Department of Transportation, District Six, 1000 N.W. 111 Avenue, Room 6111-A, Miami, Florida 33172, (305)470-5211, Fax: (305)470-5205 or via e-mail: BaoYing.Wang@dot.state.fl.us.

The Florida **Department of Transportation**, District Six announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, 6:00 p.m. – 8:00 p.m.

PLACE: Our Lady of Lebanon Church, 2055 Coral Way, Miami, FL 33145

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT is developing the design for a repaving project to improve the roadway along State Road 972/Coral Way in Miami-Dade County. The limits for the proposed project extend from S.W. 37 Avenue to just east of S.W. 13 Avenue. The project is within the City of Miami.

The proposed work for this project includes: repaving the roadway to extend the life of the road; widening the sidewalks in certain areas; removing some parking spaces to add a new bus bay at S.W. 27 Avenue; adding new pedestrian signals, signs and pavement markings; extending the southbound left-turn lane at S.W. 37 Avenue; minor drainage enhancements; and changing the mast arms at the intersection of S.W. 37 Avenue. Construction for the project is expected to start in March 2013 and last about 200 days.

A copy of the agenda may be obtained by contacting: David Ramil, Public Information Specialist at (786)877-4375 or via e-mail: dramil@mrgmiami.com.

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 seven days before the workshop/meeting by

contacting: Brian Rick at (305)470-5349 or in writing: FDOT, 1000 N.W. 111 Ave., Miami, FL 33172, e-mail: brian.rick@dot.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).

For more information, you may contact: David Ramil, Public Information Specialist at (786)877-4375, via e-mail: dramil@mrgmiami.com.

PB AMERICAS, INC.

The Florida **Department of Transportation**, District One announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, December 6, 2011, 5:00 p.m. – 7:30 p.m. (Presentation at 6:00 p.m.)

PLACE: St. Michael the Archangel Catholic Church, 5394 Midnight Pass Road, Sarasota, FL 34242

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public information meeting is being held to inform interested persons about the proposed pedestrian refuge improvements to State Road 758/Midnight Pass Road from State Road 72/Stickney Point Road to County Road 789A/Beach Road in Siesta Key. The improvements consist of installing small pedestrian refuge islands within the two-way center turn lane at various points along the project limits to improve pedestrian safety. The improvements will not affect access to properties, and will minimize impacts to left turn movements.

Financial Project ID No.: 428124-4-52-01

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: Robin Parrish, Florida Department of Transportation, District One, 801 N. Broadway Street, Bartow, Florida 33830-3809, (863)519-2675 or email: robin.parrish@dot.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).

For more information, you may contact: Gary Amig, Access Management and Safety Manager, at address listed above 1(800)292-3368 or gary.amig@dot.state.fl.us.

QUEST CORPORATION OF AMERICAN, INC.

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

DATE AND TIME: Tuesday, November 29, 2011, 5:30 p.m. – 6:30 p.m.

PLACE: Gadsden County Commission Chambers, Commission Meeting Room, 7 West Jefferson Street, Quincy, Florida 32351

GENERAL SUBJECT MATTER TO BE CONSIDERED: I-10 Master Plan in Gadsden, Leon and Jefferson Counties Kick Off. The purpose of the meeting is to present project information, outline the master planning process and present the project schedule. After a brief presentation, FDOT and project staff will be available to discuss the project, answer questions, and address any concerns.

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: Ray Kirkland at (850)415-9590 or email: Ray.Kirkland@dot.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).

For more information, you may contact: Ian Satter at 1(888)638-0250, ext. 205 or Ian.Satter@dot.state.fl.us.

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

DATE AND TIME: Thursday, December 1, 2011, 10:00 a.m. – 11:00 a.m.

PLACE: Jefferson County Courthouse Commission Chambers, Courthouse Annex, 4335 West Walnut Street, Monticello, Florida 32344

GENERAL SUBJECT MATTER TO BE CONSIDERED: I-10 Master Plan in Gadsden, Leon and Jefferson Counties Kick Off. The purpose of the meeting is to present project information, outline the master planning process and present the project schedule. After a brief presentation, FDOT and project staff will be available to discuss the project, answer questions, and address any concerns.

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: Ray Kirkland at (850)415-9590 or email: Ray.Kirkland@dot.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).

For more information, you may contact: Ian Satter at 1(888)638-0250, ext. 205 or Ian.Satter@dot.state.fl.us.

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

DATE AND TIME: Thursday, December 1, 2011, 5:30 p.m. – 6:30 p.m. (CST)

PLACE: Pine Log Volunteer Fire Department, 1652 North Highway 81, Westville, Florida 32464

GENERAL SUBJECT MATTER TO BE CONSIDERED: Arrant Road over Timber Branch Bridge Replacement Project.

The public will have the opportunity to preview the proposed design, ask questions, and/or submit comments. Maps, drawings and other information will be on display. There will be no formal presentation. Representatives from the Florida Department of Transportation will be available to answer questions and explain the proposed improvements.

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: Garrett Martin at (850)638-2288 or email: Garrett.Martin@atkinglobal.com. 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).

For more information, you may contact: Ian Satter at 1(888)638-0250, ext. 205 or Ian.Satter@dot.state.fl.us.

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

DATE AND TIME: Tuesday, December 6, 2011, 5:30 p.m. – 6:30 p.m.

PLACE: Renaissance Center, Second Floor, Conference Room, 435 North Macomb Street, Tallahassee, Florida 32301

GENERAL SUBJECT MATTER TO BE CONSIDERED: I-10 Master Plan in Gadsden, Leon and Jefferson Counties Kick Off. The purpose of the meeting is to present project information, outline the master planning process and present the project schedule. After a brief presentation, FDOT and project staff will be available to discuss the project, answer questions, and address any concerns.

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: Ray Kirkland at (850)415-9590 or email: Ray.Kirkland@dot.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).

For more information, you may contact: Ian Satter at 1(888)638-0250, ext. 205 or Ian.Satter@dot.state.fl.us.

CORZO CASTELLA CARBALLO THOMPSON SALMAN, PA

The Florida **Department of Transportation** announces a hearing to which all persons are invited.

DATE AND TIMES: Thursday, December 8, 2011, Open House, 6:00 p.m.; Formal Presentation, 6:30 p.m. followed by a public comment period

PLACE: Binks Forest Golf Club, 400 Binks Forest Drive, Wellington, Florida 33414

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public hearing is being held to give interested persons an opportunity to express their views concerning the location, conceptual design, and social, economic, and environmental effects of the proposed improvements to SR 80 (Southern Boulevard) from CR 880 to Forest Hill Boulevard. The proposed improvements consist of widening SR 80 (Southern Boulevard) from Lion Country Safari Road to Forest Hill Boulevard from the existing four (4) lanes to six (6) lanes, three (3) lanes in each direction to meet future travel demands. Other improvements include upgrading the drainage system and median access along the corridor. A 12-ft. shared use path is also being proposed along the north side of SR 80 (Southern Boulevard). The project corridor is approximately nine (9) miles and is located in Palm Beach County, Florida (Financial Management Number 419345-1-22-01).

A copy of the agenda may be obtained by contacting: Mr. John Thompson, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309 or email: john.thompson@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Mr. John Thompson at (954)777-4680, toll free: 1(866)336-8435, ext. 4680 or by email: john.thompson@dot.state.fl.us. Any persons who require translation services (free of charge) should also contact: Mr. John Thompson seven (7) days before the hearing. 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).

For more information, you may contact: Mr. John Thompson, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4680, toll free: 1(866)336-8435, ext. 4680, by email: john.thompson@dot.state.fl.us or by visiting the project website: www.sr80study.com.

STANLEY CONSULTANTS, INC.

The Florida **Department of Transportation (FDOT)**, District Four, announces an Elected Officials and Agencies Kick-Off meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, Open House, 2:00 p.m. – 4:00 p.m.

PLACE: The Peter and Julie Cummings Library, 2551 S.W. Matheson Avenue, Palm City, Florida 34990

GENERAL SUBJECT MATTER TO BE CONSIDERED: This Elected Officials and Agencies Kick-Off meeting is being conducted to present preliminary project information and

obtain public comment for the I-95 Project Development and Environment Study (PD&E). The I-95 study corridor is approximately 12 miles in length, beginning south of S.W. High Meadow Avenue in Martin County and ending north of Becker Road in St. Lucie County, Florida. The proposed improvements consist of expanding the northbound and southbound travel lanes and improving the interchanges within the study area. (Financial Project Identification Number 422681-1-22-01, ETDM Number 13063, Federal Aid Project Number 0952-145-I).

A copy of the agenda may be obtained by contacting: Julio Delgado, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, email: julio.delgado@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability or family status.

Pursuant to the provisions of the Americans with Disabilities Act: Any person requiring special accommodations to participate in the workshop/meeting is asked to advise the agency at least seven (7) days before the elected officials and agencies kick-off meeting by contacting: Julio Delgado at (954)777-4390 or toll free at 1(866)336-8435, ext. 4390 or by email: julio.delgado@dot.state.fl.us Any persons who require translation services (free of charge) should also contact: Julio Delgado seven (7) days before the workshop.

For more information, you may contact: Julio Delgado, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, by telephone: (954)777-4390 or Toll Free: 1(866)336-8435, ext. 4390 or by email: julio.delgado@dot.state.fl.us or by visiting the project website: <http://www.i95martinnorth.com>.

The Florida **Department of Transportation (FDOT)**, District Four, announces a public Kick-Off meeting to which all persons are invited.

DATE AND TIME: Wednesday, December 7, 2011, Open House, 5:00 p.m. – 7:00 p.m.

PLACE: The Peter and Julie Cummings Library, 2551 S.W. Matheson Avenue, Palm City, Florida 34990

GENERAL SUBJECT MATTER TO BE CONSIDERED: This public Kick-Off meeting is being conducted to present preliminary project information and obtain public comment for the I-95 Project Development and Environment Study (PD&E). The I-95 study corridor is approximately 12 miles in length, beginning south of S.W. High Meadow Avenue in Martin County and ending north of Becker Road in St. Lucie County, Florida. The proposed improvements consist of expanding the northbound and southbound travel lanes and improving the interchanges within the study area. (Financial Project Identification Number 422681-1-22-01, ETDM Number 13063, Federal Aid Project Number 0952-145-I).

A copy of the agenda may be obtained by contacting: Julio Delgado, Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309 or email: julio.delgado@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability or family status. Pursuant to the provisions of the Americans With Disabilities Act, any person requiring special accommodations to participate in the workshop/meeting is asked to advise the agency at least seven (7) days before the public Kick-Off meeting by contacting: Julio Delgado at (954)777-4390 or Toll Free at 1(866)336-8435, ext. 4390 or by email: julio.delgado@dot.state.fl.us. Any persons who require translation services (free of charge) should also contact: Julio Delgado seven (7) days before the workshop.

FOR MORE INFORMATION, YOU MAY CONTACT: Julio Delgado, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4390 or toll free at 1(866)336-8435, ext. 4390 or by email: julio.delgado@dot.state.fl.us or by visiting the project website: <http://www.i95martinnorth.com>.

THE CORRADINO GROUP, INC.

The Florida **Department of Transportation (FDOT)**, District Four announces an Elected Officials/Agencies Kick-Off Meeting.

DATE AND TIME: Tuesday, December 6, 2011, 1:30 p.m.

PLACE: Florida Department of Transportation, District Four, Auditorium, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT, District Four, will conduct an Elected Officials/Agencies Kick-Off Meeting for the SR 9/1-95 Project Development and Environment (PD&E) Study. Project Limits: From north of Oakland Park Boulevard (SR 816) to south of Glades Road (SR 808) in Broward and Palm Beach Counties, Florida (Distance of approximately 13 miles). Financial Project No's.: 409359-1-22-01 and 409355-1-22-01; Efficient Transportation Decision Making (ETDM) No.: 3330. The primary purpose for this project is to provide additional capacity to meet existing and future traffic needs as well as improve safety. The additional capacity will be provided by the implementation of managed lanes also called High Occupancy Tolerated Lanes (HOT Lanes). This will improve emergency access and enhance hurricane evacuation along the project corridor. The project development analysis will also evaluate traffic capacity, operational and safety improvements, which could include Active Traffic Management and Intelligent Transportation System (ITS) strategies, as well as ramp interchange modifications, and bus rapid transit. Your participation is encouraged and appreciated.

Public Participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting or persons who require translation services (free of charge) is asked to advise the agency at least 7 days before the meeting by contacting: Mr. Henry A. Oaikhena, MPA, P.E. at (954)777-4445, Toll Free: 1(866)336-8435, ext. 4445 or by e-mail: henry.oaikhena@dot.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).

For more information, you may contact: Mr. Henry A. Oaikhena, MPA, P.E., Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4445 or Toll Free: 1(866)336-8435, ext. 4445 or by e-mail: henry.oaikhena@dot.state.fl.us. You may also visit the project website: www.i95study.com.

The Florida **Department of Transportation (FDOT)**, District Four announces a public meeting to which all persons are invited.

1st Public Kick-Off Meeting

DATE AND TIMES: Tuesday, December 6, 2011, 5:30 p.m. – 7:30 p.m.; Open House, 5:30 p.m.; Presentation, 6:00 p.m.

PLACE: Florida Department of Transportation, District Four, Auditorium, 3400 West Commercial Boulevard, Fort Lauderdale, FL 33309

2nd Public Kick-Off Meeting

DATE AND TIMES: Thursday, December 8, 2011, 5:30 p.m. – 7:30 p.m.; Open House, 5:30 p.m.; Presentation, 6:00 p.m.

PLACE: Florida Atlantic University, Marleen & Harold Forkas Alumni Center, 777 Glades Road, Building #94, Boca Raton, FL 33431

GENERAL SUBJECT MATTER TO BE CONSIDERED: FDOT, District Four, will conduct two similar Public Kick-Off Meetings for the SR 9/1-95 Project Development and Environment (PD&E) Study. Project Limits: From Counties, Florida (Distance of approximately 13 miles. Financial Project No's.: 409359-1-22-01 and 409355-1-22-01; Efficient Transportation Decision Making (ETDM) No.: 3330. The primary purpose for this project is to provide additional capacity to meet existing and future traffic needs as well as improve safety. The additional capacity will be provided by the implementation of managed lanes also called High Occupancy Tolled Lanes (HOT Lanes). This will improve emergency access and enhance hurricane evacuation along the project corridor. The project development analysis will also evaluate traffic capacity, operational and safety improvements, which could include Active Traffic Management and Intelligent

Transportation System (ITS) strategies, as well as ramp interchange modifications, and bus rapid transit. Your participation is encouraged and appreciated.

Public Participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting or persons who require translation services (free of charge) is asked to advise the agency at least 7 days before the meeting by contacting: Mr. Henry A. Oaikhena, MPA, P.E. at (954)777-4445 or Toll Free: 1(866)336-8435, ext. 4445 or by e-mail: henry.oaikhena@dot.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).

For more information, you may contact: Mr. Henry A. Oaikhena, MPA, P.E., Project Manager, Florida Department of Transportation, District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4445, Toll Free: 1(866)336-8435, ext. 4445 or by e-mail: henry.oaikhena@dot.state.fl.us. You may also visit the project website: www.i95study.com.

Section VII

**Notices of Petitions and Dispositions
Regarding Declaratory Statements**

DEPARTMENT OF COMMUNITY AFFAIRS

NOTICE IS HEREBY GIVEN that the Department of Community Affairs, Florida Building Commission has received the petition for declaratory statement from Dan Johnson on behalf of Swim, Incorporated, on October 26, 2011. It has been assigned the Number DS 2011-085. The petition seeks the agency's opinion as to the applicability of Sections R4101.6.1, Florida Building Code, Residential (2010) and 403.9, Florida Building Code, Energy Conservation (2010) as it applies to the petitioner.

The Petitioner is designing a 10,700 gallon residential swimming pool and requests clarification of the codes' flow and velocity requirements for swimming pool piping.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Ronda Bryan, Commission Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

Please refer all comments to: Mr. Mo Madani, Department of Community Affairs, 2555 Shumard Oak Blvd., Tallahassee, Florida 32399-2100, (850)487-1824 or Fax: (850)414-8436.

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Dan Johnson on behalf of Swim, Incorporated, on October 26, 2011. It has been assigned the Number DS 2011-085. The petition seeks the agency's opinion as to the applicability of Sections R4101.6.1, Florida Building Code, Residential (2010) and 403.9, Florida Building Code, Energy Conservation (2010) as it applies to the petitioner.

The Petitioner is designing a 10,700 gallon residential swimming pool and requests clarification of the codes' flow and velocity requirements for swimming pool piping.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Ronda Bryan, Commission Clerk, Department of Business and Professional Regulation, 1940 North Monroe Street, Suite 92, Tallahassee, Florida 32399-2203.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Tommy Puckett, In re: Pelican at Destin West Beach and Bayside Resort Condominium Association, Inc., Docket No. 2011052540. The petition seeks the agency's opinion as to the applicability of none cited as it applies to the petitioner.

Whether the Pelican at Destin West Beach and Bayside Resort Condominium Association, Inc., may adopt a bylaw restricting an owner's candidacy for election based on election to another condominium board.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that the Division of Florida Condominiums, Timeshares, and Mobile Homes, Department of Business and Professional Regulation, State of Florida, has received the petition for declaratory statement from Brian C. Willis, Esq., on behalf of Bay Indies Home Owner's Association, Inc., Docket No. 2011052329 on October 31, 2011. The petition seeks the agency's opinion as to the applicability of Section 723.059(3), Florida Statutes, as it applies to the petitioner.

Whether a mobile home park owner may amend a mobile home prospectus to change a requirement for multi-section homes to single-section mobile homes for lots it has purchased and leases along with a mobile home to tenants under Section 723.059(3), Florida Statutes.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Division Clerk, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

Please refer all comments to: Janis Sue Richardson, Chief Assistant General Counsel, Department of Business and Professional Regulation, Division of Florida Condominiums, Timeshares, and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2202.

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Lawrence B. Lambert, Esq. on behalf of Homesure of America, Inc. and Cross Country Home Services, Inc., filed on October 24, 2011. The petition seeks the agency's opinion as to the applicability of Sections 489.103(9) and 489.105(3), Florida Statutes, as it applies to the petitioner.

And whether a licensed home warranty association and service warranty association must obtain an air conditioning or mechanical contractors license to market and sell a program to provide minor routine air conditioning preventative maintenance services using CCHS' network of licensed contractors to provide the services, where the aggregate contract price for labor, materials and all other items provided to each customer will be less than \$1,000.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

NOTICE IS HEREBY GIVEN that Construction Industry Licensing Board has received the petition for declaratory statement from Pete Quintella, Chief Mechanical Inspector, City of Miami Beach Building Department, filed on October 27, 2011. The petition seeks the agency's opinion as to the applicability of Section 489.105(3)(g), Florida Statutes, as it applies to the petitioner.

And whether it is in the scope of a Class B air conditioning contractor to replace a water cooled 2 ton unit which is connected to the riser of a 500 ton water cooling tower.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

Please refer all comments to: Drew Winters, Executive Director, Construction Licensing Board, P. O. Box 5257, Tallahassee, Florida 32314-5257.

DEPARTMENT OF HEALTH

NOTICE IS HEREBY GIVEN that the Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling has issued an order disposing of the petition for declaratory statement filed by Irina Fredericks, LMHC on behalf of Florida International University on September 6, 2011. The following is a summary of the agency’s disposition of the petition:

The Notice of Petition for Declaratory Statement published on September 16, 2011, in Vol. 37, No. 37, of the Florida Administrative Weekly. The petition seeks the Board’s interpretation of “appropriately trained” as referenced in Section 491.003(9)(b), Florida Statutes. The petition also asks the following question to the Board regarding Section 491.003(9), F.S., entitled, “Definitions.” “Is a LMHC who is a Qualified Supervisor for LMHC’s and who completed the majority of his or her 1000 hours of Practicum and Internship specifically in psychological testing eligible to (1) charge for and sign off reports of psychological testing and (2) supervise the PCP student who are interested in receiving the Graduate Certificate in Psychological Assessment?” The Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling considered the Petition at a duly noticed public meeting held on October 13, 2011, in Tampa, Florida. The Board’s Order filed on October 26, 2011, stated that the Board determined that it did not have sufficient information to answer the questions. Based on the lack of information, the Board declined to answer the petition.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

**Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules**

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

**Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges**

NONE

**Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XI
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee**

NONE

**Section XII
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF EDUCATION

NOTICE TO PROFESSIONAL CONSULTANTS

The University of Central Florida announces that continuing professional services for certain projects are required in the following discipline: Building Envelope includes, analysis and inspection of: roofing, exterior walls, windows, and doors.

The projects will consist of Building Envelope services for the University of Central Florida main and associated campuses. These services will also include developing design and construction standards and working with the University’s Facilities Planning and Construction and Facilities Operations Departments on various projects.

Projects included in the scope of this agreement will be specific projects for the University of Central Florida main and associated campuses. Campus Service contracts for these projects provide that the consultant will be available on an as-needed basis. The consultant receiving the award will not

have an exclusive contract to perform services for these projects. The university may have additional campus service professionals under contract during the same time period.

Firms desiring to provide professional services shall apply by letter specifying the discipline for which they are applying. Proximity of location will be a prime factor in the selection of the firm. Firms will be evaluated in the following areas: experience of professional personnel, recent and projected workload, location, past performance, and the ability to meet time and budget requirements.

Carefully review the Contract and General Conditions documents. Submitting a proposal for this project constitutes complete agreement with and acceptance of the terms and conditions contained within these documents. These documents can be found on our website at www.fp.ucf.edu with the advertisement. Please note that the University of Central Florida will not compensate for lodging or food associated with this project.

Attach to each letter of application:

1. The most recent version of the Florida Board of Education "Professional Qualifications Supplement" (PQS) dated 7/03, completed by the applicant. Do not alter the PQS form.
2. A copy of the applicant's current Professional Registration Certificate from the appropriate governing board. An applicant must be properly registered at the time of application to practice its profession in the State of Florida. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

Submit four (4) copies of the above requested data bound in the order listed above. Applications that do not comply with the above instructions will not be considered. Application material will not be returned.

The selection committee members have elected not to meet with proposed firms. Please do not contact the selection committee.

The plans and specifications for projects are subject to re-use in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$15,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

Project Fact Sheet contains the selection criteria, which is the primary basis for determining the shortlist. The Project Fact Sheet, Professional Qualifications Supplement forms, descriptive project information, and selection criteria may be obtained by contacting: Ms. Gina Seabrook, University of

Central Florida, Phone (407)823-2166, Fax (407)823-5141, Email: Gina.Seabrook@ucf.edu, or the Facilities Planning and Construction Website: www.fp.ucf.edu under the heading advertisements.

Four (4) bound copies of the required proposal data shall be submitted to: Mrs. Gina Seabrook, Facilities Planning and Construction, 4000 Central Florida Blvd., Post Office Box 163020, Orlando, FL 32816-3020, by 5:00 p.m. December 9, 2011. Late submissions will not be accepted. Facsimile (FAX) submittals are not acceptable and will not be considered.

**PUBLIC ANNOUNCEMENT FOR CONSTRUCTION
MANAGEMENT SERVICES**

NOTICE OF CORRECTION FOR PROJECT NUMBER: FSDB – 20120002 and 20120004 – In the paragraph, **INSTRUCTIONS FOR SUBMITTAL**, the website was inadvertently published incorrectly in Vol. 37, No. 43, October 28, 2011, Florida Administrative Weekly. The paragraph should have read:

INSTRUCTIONS FOR SUBMITTAL: Firms interested in being considered for this project should contact The Florida School for the Deaf and the Blind, Laura Bowden, Contract Administrator, by email: bowdenl@fsdb.k12.fl.us requesting instruction booklet "Selection of the Construction Management firm, dated January 2009."

DEPARTMENT OF MANAGEMENT SERVICES

**PUBLIC ANNOUNCEMENT REQUESTING BIDS
FROM QUALIFIED GENERAL CONTRACTORS**
PROPOSALS ARE REQUESTED FROM QUALIFIED GENERAL CONTRACTORS BY THE DEPARTMENT OF MANAGEMENT SERVICES AND FLORIDA INSTITUTE OF TECHNOLOGY.

PROJECT NUMBER: DOE-10018000

PROJECT NAME: WFIT Radio Studio Addition to Gleason Auditorium (Bid Part "A" for DMS) and Gleason Auditorium Improvements (Bid Part "B" for FIT) on Florida Institute of Technology, Melbourne Campus Note: There will be a separate contract from each respective owner with no responsibility or obligation to make payments on the others' contract.

PROJECT LOCATION: Gleason Auditorium, 150 W. University Blvd., Florida Institute of Technology, Melbourne, FL 32901

MANDATORY PRE-BID MEETING: November 22, 2011, 10:30 a.m., at Gleason Auditorium

BID OPENING: December 22, 2011, 10:30 a.m., at Gleason Auditorium

ESTIMATED BASE BID CONSTRUCTION BUDGET: \$1,500,000 Bid Part "A" and \$250,000 Bid Part "B"

PREQUALIFIED BIDDERS: Refer to DMS Website (link below) for further details on Mandatory Specific Experience.

The award will be made in accordance with Section 255.29, F.S., and the procedures and criteria of the Department of Management Services, Division of Real Estate Development and Management. Award will be to lowest combined bidder Part "A" and "B".

Please visit the Department's Website: http://fcn.state.fl.us/owa_vbs/owa/vbs_www.main_menu and click on "Search Advertisements – Division of Real Estate Development and Management" Look for "Opportunities for Design and Construction Firms" and click on link.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INVITATION TO BID

BID NO. BDC 19-11/12

The Department of Environmental Protection, Division of Recreation and Parks, Bureau of Design and Construction is soliciting formal competitive bids from certified or registered contractors licensed to work in the jurisdiction for the project listed below:

PROJECT NAME: Curry Hammock State Park- 3 Bay Shop Building

SCOPE OF WORK: The Contractor shall provide the necessary labor, materials, equipment, and supervision to construct of a new three bay shop facility to include bringing in fill, utilities (water, electric, sewer, communications), structural and slab concrete work, masonry work, general construction work, rough and finish carpentry, and driveway work.

Pursuant to Executive Order 07-126 and Section 255.252(3), F.S. the Department requires the proposed project be designed and constructed in accordance with green building standards where applicable.

PROJECT BUDGET: \$300,000.00

PARK LOCATION: Curry Hammock State Park, 56200 Overseas Highway, Marathon in Monroe County, Florida.

PROJECT MANAGER: Dean Stoddart, Bureau of Design and Construction, Alfred B. Maclay Gardens State Park, 3540 Thomasville Road, Tallahassee, Florida 32309, (850)488-5372, Fax: (850)488-1141.

INSTRUCTIONS: Any firm desiring a Project Manual for this project may obtain a copy by writing to the address or calling the telephone number below. A Compact Disk (CD) containing the plans and specifications will be available on November 10, 2011, at Curry Hammock State Park, 56200 Overseas Highway, Marathon, Florida 33050, Attention: Kenneth Troisi, Park Manager, (305)289-2690, Fax: (305)289-2693.

NOTICE TO ALL VENDORS: All bid solicitations are subject to change. It is the responsibility of the vendor to verify with the Department of Management Services, Vendor Bid System website for any future addendums, questions, revisions, etc., prior to the bid opening. Failure to do so will be the sole responsibility of the vendor. Addenda will be posted only on

the Vendor Bid System website. Addenda will not be sent directly to plan holders, except in limited circumstances and at the discretion of the Department. When the Department determines that circumstances warrant sending addenda directly to plan holders, a notice will be posted on the website notifying vendors that addenda have been sent. Addenda must be acknowledged and included in each vendor's bid package. Failure to include acknowledged addenda in the bid package is grounds for disqualification of the vendor's bid.

MINORITY BUSINESS REQUIREMENT: The Department of Environmental Protection supports diversity in its Procurement Program and requests that all sub-contracting opportunities afforded by this bid embrace diversity enthusiastically. The award of sub-contracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of Minority Owned Firms that could be offered sub-contracting opportunities.

PREQUALIFICATION: When the total Bid including Alternates exceeds \$200,000, each Bidder whose field is governed by Chapter 399, 455, 489 or 633, Florida Statutes, for licensure or certification, must submit the following prequalification data of their eligibility to submit bids 240 hours (10 days) PRIOR TO the Bid Opening date, unless the Bidder has been previously qualified by the Department of Environmental Protection for the current biennium (July 1 – June 30) of odd numbered years in accordance with subsection 60D-5.004(2), F.A.C., as evidenced by a letter from DEP to the Bidder, which letter shall be presented to DEP upon request. If the Department requires clarification or additional information, Bidder shall submit such information by 120 hours (5 days) prior to Bid Opening. Material submitted after those deadlines shall disqualify the Bidder.

ADA REQUIREMENTS: Any person with a qualified disability shall not be denied equal access and effective communication regarding any bid/proposal documents or the attendance at any related meeting or bid/proposal opening. If accommodations are needed because of disability, please contact: Michael Renard, Bureau of Design and Construction, (850)488-5372 at least five (5) workdays prior to openings. If you are hearing or speech impaired, please contact the Florida Relay Services by calling 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

BID SUBMITTAL DUE DATE: No later than 2:00 p.m. (ET), Tuesday, December 6, 2011 to the below address: Florida Department of Environmental Protection, Bureau of Design and Construction, 3540 Thomasville Road, Tallahassee, Florida 32309, Attention: Michael Renard, Construction Projects Administrator, Bureau of Design and Construction, (850)488-5372. The Department reserves the right to reject any or all bids.

BID POSTING DATE: No later than 2:00 p.m. (ET), Tuesday, December 13, 2011, unless extended by the Department for good cause.

NOTICE OF RIGHTS: Notice of Intent to Protest the Bid Specifications must be filed with (received by) the Agency Clerk, Lea Crandall, Department of Environmental Protection, Office of General Counsel, MS #35, 3900 Commonwealth Blvd., Tallahassee FL 32399-3000, (850)245-2242, Fax: (850)245-2303, email: Lea.Crandall@dep.state.fl.us during the 72-hour period after Bid Specifications are posted on the Vendor Bid System. Failure to file a Notice of Intent to Protest or a formal, written Protest in accordance with Chapter 28-110, F.A.C., within ten days after the 72-hour period ends, as prescribed in Section 120.57(3), Florida Statutes, shall constitute a waiver of your right to an administrative hearing on the Bid Specifications under Chapter 120, Florida Statutes. Rules for bid protests can be found in Sections 120.569 and 120.57, F.S., and Chapter 28-110, Florida Administrative Code. A bid protester shall comply with these statutes and rules.

DEPARTMENT OF MILITARY AFFAIRS

INVITATION TO BID

The State of Florida, Department of Military Affairs, Construction and Facility Management Office requests bids from State of Florida registered licensed General and/or Building Contractors (as required by Florida Law) for the following project located at Florida National Guard Armory, 38017 Live Oak Avenue, Dade City, FL 33523.

FOR COMPLETE INFORMATION, AND SUBMISSION REQUIREMENTS YOU MUST GO TO THE MYFLORIDA.COM VENDOR BID SYSTEM ON OR AFTER 11/11/2011 AT: http://vbs.dms.state.fl.us/vbs/main_menu.

FUNDING: The State of Florida's performance and obligation to pay under this contract is contingent upon availability of funding and an annual appropriation by the Legislature. These projects will be awarded based upon the availability of Federal Cooperative Agreement End of Year Funding. There is no promise or guarantee this project will be awarded in Fiscal Year 2011 or Fiscal Year 2012 if funds are not received.

BID OPENING DATE: As stated on the Vendor Bid System (late bids will not be accepted)

MANDATORY PRE-BID/SITE VISIT DATE: As stated on the Vendor Bid System

PROJECT DESCRIPTION: Florida Armory Renovation Program (FARP)

Florida National Guard Armory Renovation – Dade City, Pasco County, Florida.

This project will renovate the Dade City Armory which was originally built in the 1950s. The goal is to upgrade the facility to current Florida Codes, as well as revise the interior space to better accommodate the current needs of the Florida Army National Guard. The renovation will include the removal and replacement of existing power and lighting, wiring and

equipment; removal and replacement of toilet and shower facilities; removal and replacement of HVAC equipment; and removal and replacement of interior partitions to reconfigure office spaces, toilets and showers. The roofing will be replaced in its entirety. An addition of a new storage facility will be constructed at the rear of the armory. The exterior enclosure of the armory will be made more storm resistant by replacing all windows and doors with impact resistant and energy efficient units. The exterior walls and remaining interior walls will be repaired and repainted. All existing suspended ceilings will be replaced with new, and a suspended ceiling will be added to the assembly hall.

The Department reserves the right to reject any and all submissions, or accept minor irregularities in the best interest of the DMA.

POINT OF CONTACT: Department of Military Affairs, Construction and Facility Management Office, Contract Management Branch, (904)823-0256, (904)827-8544 or e-mail: cfmocontracting@ng.army.mil.

Section XIII Miscellaneous

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Notice of Publication for a New Point Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that BMW of North America, LLC, intends to allow the establishment of Corsair Powersports of Jacksonville, Inc., d/b/a BMW Motorcycles of Jacksonville as a dealership for the sale of motorcycles manufactured by BMW (line-make BMW) at 1515 Wells Road, Orange Park (Clay County), Florida 32073, on or after December 11, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Corsair Powersports of Jacksonville, Inc., d/b/a BMW Motorcycles of Jacksonville are dealer operator(s): Don Passell, 1164 Wyndegate Drive, Orange Park, Florida 32073, principal investor(s): Don Passell, 1164 Wyndegate Drive, Orange Park, Florida 32073.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Lou Provato, BMW of North America LLC, 200 Chestnut Ridge Road, Woodcliff Lake, New Jersey 07677.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Family Power Sports, LLC, as a dealership for the sale of motorcycles manufactured by Jiangsu Linhai Power Machinery Group (line-make LINH) at 7914 B US Highway 19 North, Port Richey (Pasco County), Florida 34668, on or after December 11, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Family Power Sports, LLC, are dealer operator(s): Stuart Taft, 7914 B Highway 19 North, Port Richey, Florida 34668; principal investor(s): Stuart Taft, 7914 B Highway 19 North, Port Richey, Florida 34668.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Family Power Sports, LLC, as a dealership for the sale of low-speed vehicles manufactured by Tomberlin Automotive Group (line-make TOMB) at 7914 B US Highway 19 North, Port Richey (Pasco County), Florida 34668, on or after December 11, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Family Power Sports, LLC, are dealer operator(s): Stuart Taft, 7914 B Highway 19 North, Port Richey, Florida 34668; principal investor(s): Stuart Taft, 7914 B Highway 19 North, Port Richey, Florida 34668.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Power Group International, LLC, intends to allow the establishment of Family Power Sports, LLC, as a dealership for the sale of motorcycles manufactured by

Taizhou Zhongneng Motorcycles Co. Ltd. (line-make ZHNG) at 7914 B US Highway 19 North, Port Richey (Pasco County), Florida 34668, on or after December 11, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Family Power Sports, LLC, are dealer operator(s): Stuart Taft, 7914 B Highway 19 North, Port Richey, Florida 34668; principal investor(s): Stuart Taft, 7914 B Highway 19 North, Port Richey, Florida 34668.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: Elinore Hollingsworth, Power Group International, LLC, 3123 Washington Road, Augusta, Georgia 30907.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that The Vehicle Production Group, LLC, intends to allow the establishment of Mobility Vehicle Solutions, LLC, d/b/a MV-1 of Orlando as a dealership for the sale of low-speed vehicles manufactured by The Vehicle Production Group, LLC (line-make VHPG) at 4175 South Orlando Drive, Sanford (Seminole County), Florida 32773, on or after December 11, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Mobility Vehicle Solutions, LLC, d/b/a MV-1 of Orlando are dealer operator(s): William L. Bishop, 4175 South Orlando Drive, Sanford, Florida 32773; principal investor(s): William L. Bishop, 4175 South Orlando Drive, Sanford, Florida 32773.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: L. Lodge Weber, The Vehicle Production Group, LLC, 1395 Brickell Avenue, Suite 630, Miami, Florida 33131.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that The Vehicle Production Group, LLC, intends to allow the establishment of O'Brien Imports of Ft. Myers, Inc., d/b/a MV-1 of Fort Myers as a dealership for the sale of low-speed vehicles manufactured by The Vehicle Production Group, LLC (line-make VHPG) at 2850 Colonial Boulevard, Fort Myers (Lee County), Florida 33966, on or after December 11, 2011.

The name and address of the dealer operator(s) and principal investor(s) of O'Brien Imports of Ft. Myers, Inc., d/b/a MV-1 of Fort Myers are dealer operator(s): Joseph D. O'Brien, 2850 Colonial Boulevard, Fort Myers, Florida 33966; principal investor(s): Joseph D. O'Brien, 2850 Colonial Boulevard, Fort Myers, Florida 33966.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License

Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: L. Lodge Weber, The Vehicle Production Group, LLC, 1395 Brickell Avenue, Suite 630, Miami, Florida 33131.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that The Vehicle Production Group, LLC, intends to allow the establishment of Schumacher Auto Group, Inc., d/b/a MV-1 of Palm Beach as a dealership for the sale of low-speed vehicles manufactured by The Vehicle Production Group, LLC (line-make VHPG) at 3031 Okeechobee Boulevard, West Palm Beach (Palm Beach County), Florida 33409, on or after December 11, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Schumacher Auto Group, Inc., d/b/a MV-1 of Palm Beach are dealer operator(s): Charles A. Schumacher, 3021 Okeechobee Boulevard, West Palm Beach, Florida 33409; principal investor(s): Charles A. Schumacher, 3021 Okeechobee Boulevard, West Palm Beach, Florida 33409.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: L. Lodge Weber, The Vehicle Production Group, LLC, 1395 Brickell Avenue, Suite 630, Miami, Florida 33131.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Notice of Publication for a New Point
Franchise Motor Vehicle Dealer in a County of More
than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that The Vehicle Production Group, LLC, intends to allow the establishment of Vera-Williamson Investments, Inc., d/b/a MV-1 of South Florida as a dealership for the sale of low-speed vehicles manufactured by The Vehicle Production Group, LLC (line-make VHPG) at 300 South University Drive, Pembroke Pines (Broward County), Florida 33025, on or after December 11, 2011.

The name and address of the dealer operator(s) and principal investor(s) of Vera-Williamson Investments, Inc., d/b/a MV-1 of South Florida are dealer operator(s): Louis Vera, 300 South University Drive, Pembroke Pines, Florida 33025; principal investor(s): Louis Vera, 300 South University Drive, Pembroke Pines, Florida 33025.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Nalini Vinayak, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312, MS #65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by U.S. Mail to: L. Lodge Weber, The Vehicle Production Group, LLC, 1395 Brickell Avenue, Suite 630, Miami, Florida 33131.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving

the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

REGIONAL PLANNING COUNCILS

North Central Florida Regional Planning Council Comprehensive Economic Development Strategy 2008-2012 30 Day Comment Period North Central Florida Regional Planning Council has published draft amendments to the Comprehensive Economic Development Strategy 2008-2012 report for the North Central Florida Regional Planning Council region. Prior to adopting and submitting the amendments to the U.S. Economic Development Administration, a 30-day period of public comment is required.

PUBLICATION: The draft amendments to the Comprehensive Economic Development Strategy 2008-2012 report are available for review on the North Central Florida Regional Planning Council website at: www.ncfrpc.org. Copies are also available upon request from the business address listed at the end of this notice.

DATE AND TIME: Public comment period is from publication of this notice through December 13, 2011, by 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Amendments to the Comprehensive Economic Development Strategy 2008-2012 for the North Central Florida Regional Planning Council region. Comments will be forwarded to the North Central Florida Regional Planning Council for consideration prior to final adoption of the amendments at its January 26, 2012 meeting.

COMMENTS: Comments should be received no later than December 13, 2011 by 5:00 p.m. and should be submitted either by email: thomas@ncfrpc.org or write: Bryan Thomas, Economic Development Director, North Central Florida Regional Planning Council, 2009 N.W. 67th Place, Gainesville, Florida 32653.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of Intergovernmental Programs

The state is coordinating reviews of federal activities and federally funded projects as required by Section 403.061(40), F.S. A list of projects, comments deadlines and the address for providing comments are available at: <http://appprod.dep.state.fl.us/clearinghouse/>. For information, call: (850)245-2161. This public notice fulfills the requirements of 15 CFR 930.

DEPARTMENT OF HEALTH

Notice of Emergency Action

On October 27, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Augusto Gabriel Lizarazo, M.D., License #ME 85422. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 1, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Elio Madan, M.D., License #ME 61095. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public

Notice of Emergency Action

On November 1, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Stephanie M. Jerome, R.N., License #RN 9288455. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 1, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Niver Placeres, R.N., License #RN 9239814. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

Notice of Emergency Action

On November 1, 2011, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Robert Frederick Cefola, R.R.T., License #RRT 5677. This Emergency Suspension Order was predicated upon the State Surgeon General's findings of an immediate and serious danger to the public health, safety and welfare pursuant to Sections 456.073(8) and 120.60(6), Florida Statutes (2010). The State Surgeon General determined that this summary procedure was fair under the circumstances, in that there was no other method available to adequately protect the public.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF RENEWAL OF FLORIDA'S STATE PLAN FOR TANF

Notice is hereby given that the Department of Children and Families Services, Economic Self-Sufficiency Program, has submitted the renewal of the Florida State Plan for Temporary Cash Assistance for Needy Families for Federal Fiscal Years 10/01/11-9/30/14.

To receive a copy of the submitted state plan email: cindy_keil@dcf.state.fl.us, call: (850)717-4113 or write: ACCESS Florida Headquarters, 1317 Winewood Boulevard, Building 3, Room 406, Tallahassee, Florida 32399-0700. The Department will accept written comments from the public on this submitted state plan renewal through 5:00 p.m., December 27, 2011, submitted to the above address.

FINANCIAL SERVICES COMMISSION

NOTICE OF FILINGS

Notice is hereby given that the Office of Financial Regulation, Division of Financial Institutions, has received the following applications. Comments may be submitted to the Division Director, 200 East Gaines Street, Tallahassee, Florida 32399-0371, for inclusion in the official record without requesting a hearing. However, pursuant to provisions

specified in Chapter 69U-105, Florida Administrative Code, any person may request a public hearing by filing a petition with the Agency Clerk as follows:

By Mail or Facsimile OR By Hand Delivery
Agency Clerk Agency Clerk
Office of Financial Regulation Office of Financial Regulation
P. O. Box 8050 General Counsel's Office
Tallahassee, Florida 32314-8050 The Fletcher Building Suite 118
Phone (850)410-9800 101 East Gaines Street, Tallahassee, Florida 32399-0379
Fax: (850)410-9548
Phone: (850)410-9889

The Petition must be received by the Clerk within twenty-one (21) days of publication of this notice (by 5:00 p.m., December 1, 2011):

APPLICATION TO MERGE

Constituent Institutions: SUN Credit Union, Hollywood, Florida, and Miami Shores Village Employees Federal Credit Union, Miami Shores, Florida
Resulting Institution: SUN Credit Union
Received: October 26, 2011

APPLICATION TO ACQUIRE CONTROL

Financial Institution to be Acquired: Legacy Bank of Florida, Boca Raton, Florida
Proposed Purchasers: Martin Diaz Alvarez, Alejandro Rodriguez Blanco, Adelaida Capriles de Brillembourg, Carlos Jose Acosta Lopez and Miguel A. Capriles Lopez
Received: October 27, 2011

APPLICATION TO MERGE

Constituent Institutions: 1st United Bank, Boca Raton, Florida, and Anderen Bank, Palm Harbor, Florida
Resulting Institution: 1st United Bank
Received: November 1, 2011

Section XIV
Index to Rules Filed During Preceding Week

RULES FILED BETWEEN October 24, 2011
 and October 28, 2011

Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Marketing and Development

5H-5.001	10/28/11	11/17/11	37/31	
5H-5.004	10/28/11	11/17/11	37/31	

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Beaches and Shores

62B-41.002	10/28/11	11/17/11	36/35	36/47
62B-41.003	10/28/11	11/17/11	36/35	36/47
62B-41.005	10/28/11	11/17/11	36/35	36/47

DEPARTMENT OF HEALTH

Board of Dentistry

64B5-16.002	10/27/11	11/16/11	37/32	
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Board of Pharmacy

64B16-26.351	10/28/11	11/17/11	36/37	36/43
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FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

68A-15.063	10/25/11	11/14/11	37/38	
68A-17.005	10/25/11	11/14/11	37/38	
68A-27.0001	10/25/11	11/14/11	37/17	
68A-27.001	10/25/11	11/14/11	37/38	
68A-27.0012	10/25/11	11/14/11	37/17	
68A-27.003	10/25/11	11/14/11	37/17	
68A-27.0031	10/25/11	11/14/11	37/17	

Manatees

68C-22.010	10/25/11	11/14/11	37/12	37/39
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Rule No.	File Date	Effective Date	Proposed Vol./No.	Amended Vol./No.
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DEPARTMENT OF FINANCIAL SERVICES

Division of Insurance Agents and Agency Services

69B-215.235	10/27/11	11/16/11	37/25	37/37
69B-221.010	10/24/11	11/13/11	37/32	

Division of Risk Management

69H-3.001	10/24/11	11/13/11	37/34	
69H-3.002	10/24/11	11/13/11	37/34	
69H-3.003	10/24/11	11/13/11	37/34	
69H-3.004	10/24/11	11/13/11	37/34	
69H-3.005	10/24/11	11/13/11	37/34	
69H-3.006	10/24/11	11/13/11	37/34	
69H-3.007	10/24/11	11/13/11	37/34	
69H-3.008	10/24/11	11/13/11	37/34	
69H-3.009	10/24/11	11/13/11	37/34	

Division of Funeral, Cemetery and Consumer Services

69K-13.005	10/24/11	11/13/11	37/33	
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Division of Workers' Compensation

69L-7.100	10/24/11	11/13/11	37/24	37/36
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LIST OF RULES AWAITING LEGISLATIVE APPROVAL PURSUANT TO (CHAPTER 2010-279, LAWS OF FLORIDA)

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

5F-11.002	7/7/11	*****	37/14	
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DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

69L-7.020	10/24/11	*****	37/24	37/36
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