

Section I Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Plant Industry

RULE NOS.:	RULE TITLES:
5B-67.001	Definitions
5B-67.002	Purpose and Declaration of a Nuisance
5B-67.003	Quarantine Area
5B-67.004	Movement or Possession of Hosts and Regulated Articles; Conditions of Certification from Regulated Areas
5B-67.005	Confiscation and Disposal of Hosts and Regulated Articles
5B-67.006	Treatment Areas, Treatment Procedures, Mitigative Measures, and Declaration of Eradication

PURPOSE AND EFFECT: The purpose of this rule is to establish delimiting survey, regulatory actions, and control procedures designed to contain and eradicate the giant African land snail in the State of Florida. The effect will be that the Florida Department of Agriculture can respond to the giant African land snail infestation in Miami /Dade County and contain and eliminate it within the authority of state laws and rules.

SUBJECT AREA TO BE ADDRESSED: The subject area includes procedures necessary to establish regulatory requirements for giant African land snail quarantine areas, movement or possession of regulated articles, conditions for certification of regulated articles, confiscation and disposal of regulated articles, designation of treatment areas and treatment procedures, and declaration of eradication.

RULEMAKING AUTHORITY: 570.07(23), 581.031(1), (5), (7) FS.

LAW IMPLEMENTED: 570.07(2), (13), 581.031(1), (5), (6), (7), (20) 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 REGISTER.

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: Richard Gaskalla, Director, Division of Plant Industry, Florida Department of Agriculture and Consumer

Services, P. O. Box 147100, Gainesville, Florida 32614-7100. 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: Richard Gaskalla, Director, Division of Plant Industry, Florida Department of Agriculture and Consumer Services, P.O. Box 147100, Gainesville, Florida 32614-7100

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.:	RULE TITLE:
69A-39.0071	Procedures for Fire Code Administrator Certification

PURPOSE AND EFFECT: Section 633.081(8), F.S., requires the Division of State Fire Marshal to implement an advanced training and certification program for fire safety inspectors having fire code management responsibilities. The proposed amendment will adopt Form DFS-K4-2085, Application for Fire Code Administrator Certification, which is incorporated by reference in Rule 69A-37.039, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Adoption of Application for Fire Code Administrator Certification form.

RULEMAKING AUTHORITY: 633.01, 633.081(8) FS.

LAW IMPLEMENTED: 633.081 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: April 2, 2013, 1:00 p.m.

PLACE: Florida State Fire College, 11655 N.W. Gainesville Rd., Ocala, FL 34482

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: Bill Wentlandt at (352)369-2829 or Bill.Wentlandt@MyFloridaCFO.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).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bill Wentlandt, Assistant Superintendent, Bureau of Fire Standards and Training, Division of State Fire Marshal, Phone

(352)369-2829 or Bill.Wentlandt@MyFloridaCFO.com. The text is also available on the department's website at <http://www.MyFloridaCFO.com/LegalServices/ruleHearing/> THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

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 and Specific Cultural Project Programs. The guidelines for both programs clarify eligibility criteria, match requirements, application submission criteria, panel review and evaluation criteria, amend materials incorporated by reference, update the application form, and create a separate document for grant administration.

SUMMARY: 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.

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.

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

LAW IMPLEMENTED: 265.284, 265.286, 286.011, 286.012 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: April 5, 2013, 10:00 a.m.

PLACE: Brokaw McDougall House, 329 North Meridian 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 72 hours before the workshop/meeting by contacting: Sarah Stage, Division of Cultural Affairs, (850)245-6459. 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: Sarah Stage, Division of Cultural Affairs, (850)245-6459

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.036 Arts and Cultural Grants.

(1) This rule provides the requirements for grant programs administered by the Division of Cultural Affairs (Division). Each program is governed by guidelines which contain eligibility requirements, application review procedures, evaluation and funding criteria, grant administration procedures, and application forms. All grant awards are subject to the approval of the Secretary of State.

(2) All grant applicants must meet the requirements set forth in the ~~2013-2014~~ guidelines for the following programs, which are available from the Division at www.Florida-arts.org and are hereby incorporated by reference:

(a) Cultural and Museum Grants Program, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01018>. Provides general program support for local arts agencies, state service organizations, and organizations that have general program activity in any of the art and cultural disciplines in Section 265.283(7), F.S.

(b) Specific Cultural Projects Program, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01019>. Provides funding for arts in education, underserved cultural community development, culture builds Florida, and other nonprofit public or private organizations having specific cultural project activity in any of the arts and cultural disciplines in Section 265.283(7), F.S.

(3) The following application form is available from the Division at www.Florida-arts.org and is hereby incorporated by reference: Cultural and Museums Grants Program and Specific Cultural Projects Program Application (Form CA2E145), effective ~~5/2013~~ ~~4/2012~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01014>.

(4) The following forms are used in the administration of all grant programs in this rule and are hereby incorporated by reference and available at www.Florida-arts.org:

(a) Grant Report Form and State Funds Expenditure Log (Form CA2E004), effective ~~5/2013~~ ~~4/2012~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01017>.

(b) Grant Amendment Request (Form CA2E002), effective ~~5/2013~~ ~~4/2012~~, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01015>.

(c) Grant Award Agreement (Form CA2E142), effective 4/2012, <http://www.flrules.org/Gateway/reference.asp?No=Ref-01016>.

Rulemaking Authority 265.286(11) FS. Law Implemented 265.286 FS. History—New 10-27-09, Amended 6-1-10, 4-2-12,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Sarah Stage, Arts Administrator, Division of Cultural Affairs, (850)245-6459

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Sandy Shaughnessy, Director, Division of Cultural Affairs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 30, 2013

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 9, 2013

DEPARTMENT OF STATE

Division of Cultural Affairs

RULE NO.: IT-1.040
 RULE TITLE: Fast Track Grants

PURPOSE, EFFECT AND SUMMARY: The purpose of this rule amendment is to establish in rule the guidelines, application form and grant administration requirements for a new grant program, Fast Track Project Grants. The program will provide expedited access to funds supporting small organizations through arts and cultural projects including but not limited to artist residencies, performances or exhibitions. A small organization for this program is defined as one with a last completed fiscal year's operating budget of \$250,000 or less.

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

LAW IMPLEMENTED: 265.284, 265.286, 286.011, 286.012 FS.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(1)(i)5., F.S. SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

IT-1.040 Fast Track Grants.

(1) This rule provides the requirements for the Fast Track Grants Program administered by the Division of Cultural Affairs (Division). The guidelines contain eligibility requirements, application review procedures, evaluation

criteria, grant administration procedures, and application forms. All grant awards are subject to the approval of the Secretary of State.

(2) All grant applicants must meet the requirements set forth in the ~~2012-2013~~ guidelines for the Fast Track Grants Program, which are available from the Division at www.Florida-arts.org and are hereby incorporated by reference:

(3) The following application form is available from the Division at www.Florida-arts.org and is hereby incorporated by reference: Fast Track Grants Program Application (Form CA2E157), effective 6/2012;

(4) The following forms are used in the administration of the Fast Track Grant Program in this rule and are hereby incorporated by reference and available at www.Florida-arts.org:

(a) Grant Report Form and State Funds Expenditure Log (Form CA2E004), effective ~~6/2013~~ ~~4/2012~~;

(b) Grant Amendment Request (Form CA2E002), effective ~~6/2013~~ ~~6/2012~~;

(c) Grant Award Agreement (Form CA2E142), effective 6/2012;

Rulemaking Authority 265.286(11) FS. Law Implemented 265.286 FS. History—New 10-27-09, Amended 6-1-10,_____.

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-57.010	Definitions for Use in Part II
14-57.012	Public Railroad-Highway Grade Crossings - Opening and Closure
14-57.014	Rail Corridor Crossing Management

PURPOSE AND EFFECT: The amendments to this rule are being made to clarify existing language, update forms, provide a five year expiration period for railroad opening permits, and clarify that crossing permits for Department-owned rail crossings will only be granted for inactive rail corridors.

SUMMARY: These amendments clarify criteria reviewed in the issuance of a permit to allow the opening or closing of a public railroad-highway crossing. Under these revisions, an opening permit will expire after five years if the opening has not been completed. The revisions also clarify that permits for crossing a Department-owned rail corridor will only be granted if the rail corridor is inactive and the applicant demonstrates a need for the crossing.

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 rule does not impose any cost upon the applicant. The revised forms do not impose a fee, but requests the applicant provide information, if available, to assist the Department in determining if the permit to open or close a highway-railroad crossing would serve the public interest. The forms are primarily submitted by railroads and local governments. Any small business requesting the opening or closure of a highway-railroad crossing could defer to the Department for the information requested.

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: 334.044(2) FS.

LAW IMPLEMENTED: 335.141, 334.044(14), 337.242(3) and (4), 341.302(10), 339.05 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Susan Schwartz, Assistant General Counsel, Florida Department of Transportation, 605 Suwannee Street, MS 58, Tallahassee, Florida 32399-0458, (850)414-5392, susan.schwartz@dot.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

14-57.010 Definitions for Use in Part II.

The following definitions apply to this Part II:

(1) "Applicant" means any person or entity seeking permission to open or close a public railroad-highway grade crossing, group, railroad, governmental entity, or the Department.

(2) "Application" means a Railroad Grade Crossing Application, Form 725-090-66, Rev. 01/13 03/03, incorporated herein by reference <https://www.flrules.org/Gateway/reference.asp?No=Ref-02402> and available. Form 725-090-66 can be obtained from <http://www.dot.state.fl.us/rail/> or the Central Rail Office, Department of Transportation, 605 Suwannee Street, MS 25, Tallahassee, Florida 32399-0450.

(3) "Department" means the Florida Department of Transportation.

(4) "Governmental Entity" means as defined in Section 334.03(11) + 45(1)(d), F.S.

(5) "Public Railroad-Highway Grade Crossing" or "Crossing" means as defined in Section 335.141(1)(b), F.S.

(6) "Railroad" means as defined in Section 341.301(12) 341.301(5), F.S.

(7) "State Highway System" means as defined in Section 334.03(24) 334.03(25), F.S.

(8) "Stipulation of Parties" means a voluntary agreement between the railroad(s), the governmental entity(ies), the Department, and the applicant, if different from the aforementioned.

Rulemaking Authority 334.044(2) FS. Law Implemented 335.141, 339.05 FS. History--New 3-16-03, Amended 10-9-11, _____.

14-57.012 Public Railroad-Highway Grade Crossings – Opening and Closure.

(1) No change.

(2) Opening and Closing Public Railroad-Highway Grade Crossings. The Department will accept applications for the opening and closing of public railroad-highway grade crossings from the governmental entity that has jurisdiction over the public street or highway; any railroad operating trains through the crossing; or any other applicant that has for a public railroad-highway grade crossing provided there is in existence an agreement with a between the applicant and governmental entity to assume jurisdiction as a public crossing. The Department, on behalf of the State of Florida, will also open or close public railroad-highway grade crossings in accordance with the criteria set forth herein. Closure applications will also be accepted from individual citizens or groups, such as neighborhood associations. Opening and closure of public railroad-highway grade crossings shall be based upon Notices of Intent issued by the Department, Final Orders of the Department following administrative hearings conducted pursuant to Chapter 120, F.S., or upon a Stipulation of Parties executed by any applicant, governmental entity, the appropriate railroad, and the Department. The burden of proof for the opening or closing of a crossing is on the applicant. A Final Order or a Stipulation of Parties concludes the application process. Acceptance of any application for processing by the Department shall not be construed as indicating the Department's position regarding the application. If the preliminary review of the application does not support the crossing opening or closure, or the application does not demonstrate a material change of circumstances has occurred at the crossing since the execution of a Final Order or a Stipulation of Parties, the applicant will be advised of these findings. The applicant may choose to withdraw the application or continue the process. If withdrawn, the process is concluded. An applicant may suspend an application at any time. If the applicant chooses to pursue the opening or closure of the public railroad-highway crossing, the railroad and governmental entity having jurisdiction at the location will be ~~are~~ notified and provided a copy of the application. The governmental entity should provide a public forum for community involvement and contact affected individuals or groups to obtain input on impacts to the community. The expense of crossing closures or openings, which shall include

installation, maintenance, and replacement of grade crossing traffic control devices and grade crossing surfaces, will be the responsibility of the applicant, unless otherwise negotiated and accepted by all parties. Unless otherwise provided in the Stipulation of Parties or Final Order, if a permitted public railroad-highway grade crossing has not been installed, inspected, approved, and opened for transportation within five (5) years of the date of execution of the Stipulation of Parties or issuance of the Final Order, the permit will be deemed expired. The expiration of the permit to open a new public crossing does not restrict the applicant from submitting future applications for the subject public railroad-highway grade crossing or other public railroad-highway grade crossing openings or closures.

(a) Opening of Public Railroad-Highway Grade Crossings. In considering an application to open a public railroad-highway grade crossing, the following criteria will apply:

1. through 7. No change.

8. When the estimated highway traffic is 30,000 vehicles or more a day across main line tracks, an engineering and benefit-cost analysis must be performed by the applicant to determine if a grade separation is warranted.

(b) Conversion of Crossings. Conversion of private railroad-highway grade crossings to public use constitutes opening a new public crossing, and shall meet the same requirements.

(c) Active grade crossing traffic control devices meeting the criteria set forth in Rule 14-57.013 subsection 14-57.012(3), F.A.C., are required at all new public railroad-highway grade crossings.

(d)(e) Closure of Public Railroad-Highway Grade Crossings. In considering an application to close a public railroad-highway grade crossing, the following criteria will apply:

1. through 7. No change.

(e)(d) Closure of Public Railroad-Highway Grade Crossings by the Department. The Department will initiate and maintain a crossing consolidation and closure program based on analysis of engineering and safety factors, and impact on operating efficiency to vehicle and rail traffic. Governmental entities will be notified provided the listing of potential closures for review and recommendation. Closures by the Department will be considered based upon following:

1. through 3. No change.

4. Individual Recommendations: Recommendations for closure may be submitted by federal or state Safety Inspectors, Operation Lifesaver volunteers, Railroad Safety Committees, engineers involved in "near misses," neighborhood associations, or other persons.

~~(e) Grade Separation. When estimated highway traffic has 30,000 vehicles a day across main line tracks, an engineering and benefit-cost analysis must be performed by the applicant to determine if a grade separation is warranted.~~

Rulemaking Authority 334.044(2) FS. Law Implemented 335.141, 341.302(10) FS. History—New 3-16-03, Amended 11-13-06, 10-9-11,

14-57.014 ~~Rail Corridor~~ Crossing Management of Department-Owned Active and Inactive Rail Corridors.

(1) Definitions for Use in Part III.

(a) "Applicant" means any person or local governmental entity requesting a rail corridor opening or closure on a Department-owned inactive rail corridor.

(b) "Application" means the Rail Corridor Crossing Permit Application for Department-Owned Inactive Rail Corridor, DOT Form 725-080-86, Rev. 01/13 ~~01/06~~, incorporated herein by reference https://www.flrules.org/Gateway/reference.asp?No=Ref-02403 and available. DOT Form 725-080-86 can be obtained from http://www.dot.state.fl.us/rail/ or the Central Rail Office, Department of Transportation, 605 Suwannee Street, MS 25, Tallahassee, Florida 32399-0450.

(c) "Active Rail Corridor" ~~or "Rail Corridor"~~ means Department-owned lineal property acquired from a railroad that is operational for the use of rail transportation ~~not incorporated into the state highway system.~~

(d) "Inactive Rail Corridor" means Department-owned lineal property acquired from a railroad that is not incorporated into the state highway system and is abandoned or does not currently operate rail transportation service. Inactive rail corridors may be unused property, kept intact for future state highway expansion, or used by local governmental entities for recreational or other purposes.

(e)(d) "Department" means the Florida Department of Transportation.

(f)(e) "Local Governmental Entity" means as defined in Section 334.03 ~~11-45(1)(e)~~, F.S.

(g)(f) "Rail Corridor Crossing" means either a public or private travel way intended to be used for vehicular ingress and egress to and from a state, county, city, or private roadway ~~highway~~ across a Department-owned active or inactive rail corridor.

(h)(g) "State Highway" means a component of the State Highway System as defined in Section 334.03 ~~(25)~~, F.S.

(2) Existing Rail Corridor Crossings. The Department recognizes existing public and private rail corridor crossings identified and described by a railroad at the time an active or inactive ~~a~~ rail corridor is transferred from a railroad to the Department. All other rail corridor crossings shall be closed if rail corridor crossing permits are not obtained by an applicant

~~consistent with this rule chapter within twelve six months following completion~~ of acquisition of the rail corridor by the Department.

(3) Rail Corridor Crossing Permits. New rail corridor crossing permits for public or private roadways are prohibited on active rail corridors. The issuance of a rail corridor crossing permit on a Department-owned inactive rail corridor does not create a property right or vested interest in a rail corridor crossing and such permit is revocable in accordance with the provisions of this rule chapter. ~~Prior to submitting an application,~~ Potential applicants are encouraged to contact the Department Central Rail Office to inquire as to the feasibility of a proposed rail corridor crossing before submitting an application.

(a) Public Crossing. An application by a local governmental entity for a rail corridor crossing permit for an inactive rail a corridor ~~where rail service has been abandoned~~ will be evaluated and conditioned upon the following criteria:

1. The local governmental entity's jurisdiction over the county ~~road~~ or city street at the proposed rail corridor crossing and acceptance of maintenance responsibility for the county ~~road~~ or city street, including the rail corridor crossing area ~~by the local governmental entity is required.~~

2. A demonstrated transportation need on the part of the public for the rail corridor crossing.

3. Consistency with the any applicable Metropolitan Planning Organization (MPO) long range plans and local governmental entity comprehensive plans.

4. Closure of an existing public rail corridor crossing for each new public rail corridor crossing.

5. Construction of the crossing in a way that is compatible with the present and future planned use of the rail corridor.

6. Payment of construction costs and responsibility for maintenance costs for the new public rail corridor crossing, as well as any additional costs to modify the corridor to accommodate its planned use.

(b) Private Crossing. An application for a rail corridor crossing permit by a person who owns property abutting an inactive a rail corridor ~~where rail service has been abandoned~~ will be evaluated and conditioned upon the following criteria:

1. The private property must have no other legal access, including no access to frontage roads that exist or that could be cost-effectively constructed.

2. The new private rail corridor crossing will be ~~must~~ be consistent with applicable MPO long range plans and local governmental entity comprehensive plans.

3. The new private rail corridor crossing will ~~must~~ be constructed in a way that is compatible with the present and future planned use of the rail corridor, and the design plans for ~~of~~ the new private rail corridor crossing shall be signed and sealed by a professional engineer registered in the State of Florida.

4. A private rail corridor crossing permit is revocable, without compensation, upon a Department determination that the private rail corridor crossing is incompatible with the Department's use of the corridor, and with written notice of not less than 30 days.

5. The owner must indemnify, defend, and hold the Department harmless from any and all claims arising out of the use of the new private rail corridor crossing.

(4) Installation of a Rail Corridor Crossing on Inactive Rail Corridors

When authorized by permit to install a rail corridor crossing, a local governmental entity or private crossing applicant must comply with the following, in addition to any terms specifically stated on the permit.

(a) Traffic Signals and Other Traffic Control Devices. Traffic signals and other traffic control devices, installed by an applicant, shall conform to the Manual on Uniform Traffic Control Devices as incorporated in Rule 14-15.010, F.A.C., MUTCD and the Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways as incorporated in Rule 14-15.002, F.A.C ~~Department design and construction standards referenced herein.~~

(b)(a) Disruption of Traffic. For safety and operational purposes, the Department will require or restrict hours of construction if construction will cause disruption of traffic on a the sState hHighway System. When construction activity on a rail corridor crossing causes undue disruption of traffic, or creates safety hazards on a state highway, the permittee will be advised of the need for immediate corrective action by a specified time and a stop work order will be issued if the permittee does not comply.

~~(c)(b) Rail Corridor Crossing Completion~~ Time Limit. Installation of a rail corridor crossing on an inactive rail corridor ~~Construction~~ shall be completed within one year of the date of issuance of the rail corridor crossing permit. Failure to comply with the one year time limit shall result in an automatic expiration of the rail corridor crossing permit. A stop work order will be issued by the Department if work exceeds the imposed time restrictions. For any rail corridor crossing permit which expires for failure to construct the rail corridor crossing within the one year limit, a new application will be required unless the permit is extended in writing by the Department. The corridor right of way shall be returned to the condition existing prior to the rail corridor crossing permit being issued, at the permittee's expense, unless a new permit is obtained or extended pursuant to this rule.

(d)(e) Assurance of Performance. Assurance of performance conforming to Section 334.187, F.S., and Rule 14-116.002, F.A.C., will be required if the rail corridor crossing permit requires extensive work within the right of way, such as relocation of structures or traffic signals.

1. No change.

2. No change.

3. Security Instrument Receipt, Form 850-040-20, Rev. 04/93, ~~must be used, and is~~ incorporated herein by reference ~~and available. DOT Form 850-040-20 can be obtained from~~ <http://www.dot.state.fl.us/rail/> or the Central Rail Office, Department of Transportation, 605 Suwannee Street, MS 25, Tallahassee, Florida 32399-0450 must be submitted by the applicant.

4. No change.

5. ~~A The Department will waive the security instrument will not be required requirement~~ when there is an agreement with the local governmental entity to withhold a certificate of occupancy until any problems are corrected and there is no indication that the requirements of this rule will be violated.

6. Upon completion, the applicant must provide documentation by a professional engineer registered in the State of Florida that construction was accomplished in accordance with the requirements set out in the corridor crossing permit. The security instrument will be returned to the applicant when final inspection by the Department shows that the work has been completed as permitted.

~~(e)(d)~~ Posting of rail corridor crossing permit. The approved rail corridor crossing permit shall be displayed in a prominent location in the vicinity of the crossing construction.

~~(f)(e)~~ Governmental entity permits or approval. The applicant is responsible for securing any additional permit or local governmental entity approval needed for traffic signalization and regulatory signing and marking.

~~(f) Professional Engineer Statement of Construction for Extensive Roadway Construction or Large Developments. If the rail corridor crossing permit requires extensive work within the right of way, such as relocation of structures or traffic signals, a statement from the project's professional engineer will be necessary. The applicant will provide documentation by a professional engineer registered in the State of Florida that construction was accomplished in accordance with the requirements set out in the corridor crossing permit.~~

(h) Access Permitting. A rail corridor crossing permit for a crossing that is intended to be used for vehicular ingress and egress to and from a ~~sState hHighway System~~ is not a permit for a connection to the state highway under Section 335.182(3)(a), F.S., and a separate access connection permit must be obtained pursuant to Rule Chapter 14-96, F.A.C., prior to the construction of an access connection. (g) Utility and Right of Way User Notification. The applicant has the responsibility to determine, and notify, the users of the right of way of the permitted construction. The applicant shall also resolve any conflicts within the right of way. Before a rail corridor crossing permit is issued, the applicant shall provide show documentation of this notification and resolution of conflicts.

Rulemaking Authority 334.044(2) FS. Law Implemented 334.044(14), 337.242(3) and (4), 341.302(10) FS. History—New 8-14-06, Amended 10-9-11,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janice Bordelon, Rail Program Specialist
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ananth Prasad, P.E., Secretary
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 05, 2013
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: January 18, 2013

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE NO.: 64B16-29.005 RULE TITLE: Storage

PURPOSE AND EFFECT: The board proposes the rule development to update the medicinal drug storage pursuant to legislative changes.

SUMMARY: The proposed rule amendments are necessary to update the medicinal drug storage pursuant to legislative changes.

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: 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 Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 465.005, 828.055 FS.

LAW IMPLEMENTED: 828.055 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-29.005 Storage.

All controlled substances, medicinal drugs or legend drugs Sodium pentobarbital and sodium pentobarbital with lidocaine shall be stored in a safe place. At a minimum, this shall require that the drugs be kept in a securely locked cabinet within a locked storage room. Schedule II order forms are to be stored under the same conditions. Records of purchases of sodium pentobarbital and sodium pentobarbital with lidocaine shall be maintained in a separate file from the records of administration. The records of purchases and administration shall be maintained at the location.

Rulemaking Specific Authority 465.005, 828.055 FS. Law Implemented 828.055 FS. History—New 10-17-79, Formerly 21S-14.05, Amended 4-24-88, Formerly 21S-14.005, 21S-29.005, 61F10-29.005, 59X-29.005, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Pharmacy
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 6, 2013
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: February 22, 2013

Section III
Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Alcoholic Beverages and Tobacco

RULE NO.: RULE TITLE:
61A-5.010 Completed Application
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. 38, No. 94, December 19, 2012 issue of the Florida Administrative Register.

61A-5.010 Applications; Transfer Fee.

(1) An application for new licensure shall be filed on DBPR ABT 6001, APPLICATION FOR ALCOHOLIC BEVERAGE LICENSE AND RETAIL TOBACCO, effective February 2013 December, 2012 and incorporated herein by reference. The application must be completed in accordance with the list of license requirements contained in the

application instructions. This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtddistrictOfficeInformation.doc or at http://www.myfloridalicense.com/dbpr/abt/forms/index_licensing.html or at http://www.myfloridalicense.com/dbpr/abt/forms/index_licensing.html.

(2) An application for transfer of ownership of an existing license shall be filed on DBPR ABT 6002, APPLICATION FOR TRANSFER OF OWNERSHIP OF AN ALCOHOLIC BEVERAGE LICENSE AND NEW TOBACCO PERMIT, effective February 2013 December, 2012 and incorporated herein by reference. The application must be completed in accordance with the list of license requirements contained in the application instructions. This form is available upon request from the Division of Alcoholic Beverages & Tobacco at 1940 N. Monroe Street, Tallahassee, Florida 32399-1021, the Division’s district office serving your area of interest whose contact information is provided at http://www.myfloridalicense.com/dbpr/abt/forms/documents/abtddistrictOfficeInformation.doc or at http://www.myfloridalicense.com/dbpr/abt/forms/index_licensing.html or at http://www.myfloridalicense.com/dbpr/abt/forms/index_licensing.html. An applicant for transfer of a quota liquor license shall also provide records of gross sales of alcoholic beverages for the past 3 years, which the division will utilize to compute the applicable transfer fee. An applicant for transfer of a quota liquor license may elect to pay a \$5000 transfer fee, in lieu of providing such records. This transfer fee shall be paid in addition to any other applicable transfer fees provided by general law and is subject to the following provisions:

- (a) through (e) No change.
(3) through (7) No change.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Table with 2 columns: RULE NOS. and RULE TITLES. Rows include: 62-807.200 Definitions; 62-807.400 Application for Corridor Certification, Recipients; 62-807.460 Conduct of Studies; 62-807.470 Local Government Informational Meetings; 62-807.510 Recommendations for Conditions of Certification; 62-807.530 Alternate Corridors, Criteria for Rejection; 62-807.570 Postcertification – Compliance Reviews, Monitoring and Reporting; 62-807.580 Postcertification – Easements, Federal Permitting; 62-807.600 Amendments to Application

- 62-807.610 Modifications
- 62-807.620 Replacements
- 62-807.660 Fees, Disbursement of Funds,
Contracts
- 62-807.670 Specifications and Text for
Newspaper Notice
- 62-807.680 Specifications for Florida
Administrative Weekly Notice
- 62-807.690 Evidence of Notice, Additional
Notice
- 62-807.900 Form

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 39, No. 47, March 8, 2013 issue of the Florida Administrative Register.

Two corrections are necessary for the Notice that was published on March 8, 2013 for these rule sections.

First, the SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST section of the notice was inadvertently left off. The following section should have been included in the original notice:

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: This set of edits to the rule consists of revisions to add clarifying detail and remove confusing or unclear rule sections. The proposed changes give regulated entities a more concise and consistent process in which to submit applications, but do not add additional regulatory burden. Therefore the changes will not result in additional regulatory costs. 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.

Second, the section regarding a potential hearing for the Proposed Rule was incorrect. This rulemaking effort is not being undertaken pursuant to 120.54(1)(i)5 F.S. as stated in that notice, rather it is under the more general umbrella of 120.54 and the following applies to any request for hearing on the proposed rule:

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: April 3, 2013, 9:00 a.m. – 12:30 p.m.

PLACE: Marjory Stoneman Douglas Building, Conference Room A, 3900 Commonwealth Blvd., Tallahassee, FL 32399-3000

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this hearing is asked to advise the agency at least 5 days before the hearing by contacting: Toni Sturtevant at (850)245-2257 or toni.sturtevant@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).

**Section IV
Emergency Rules**

NONE

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

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on February 26, 2013, the South Florida Water Management District (District) received a petition for Variance (Application 130226-16) from Stephen Ross. The property is located in Palm Beach County, Section 11, Township 43 South, Range 43 East, at 702 N County Road, Palm Beach, FL 33480. The petition seeks relief from provisions in paragraphs 40E-24.201(5)(a) and 40E-24.201(6)(a), Florida Administrative Code, which states that irrigation of existing landscaping shall be conducted at specific times on specific days, pursuant to Section 120.542, Fla. Stat.

A copy of the Petition for Variance or Waiver may be obtained by contacting the Regulation Division during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406; by telephone, 682-6911; by e-mail, permits@sfwmd.gov; or, by accessing the District’s website (www.sfwmd.gov/ePermitting) using the Application/Permit Search. To be considered, comments must be received by the close of business on January 28, 2013, at the South Florida Water Management District, 3301 Gun Club Road, West Palm

Beach, FL 33401, Attn: District Clerk. For additional information, contact Patrick Martin, (561)682-2176, e-mail pmartin@sfwmd.gov.

Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk. For additional information, contact Patrick Martin at (561)682-2176 or e-mail pmartin@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on February 26, 2013, the South Florida Water Management District (District), received a petition for Variance (Application 130226-20) from 951 Yamato Acquisition Company LLC. The property is located in Palm Beach County, Section 1, Township 47 South, Range 42 East, at 951 Yamato Road, Boca Raton, FL 33431. The petition seeks relief from provisions in paragraphs 40E-24.201(5)(a) and 40E-24.201(6)(a), Florida Administrative Code, which state that irrigation of existing landscaping shall be conducted at specific times on specific days, pursuant to Section 120.542, Fla. Stat.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on February 26, 2013, the South Florida Water Management District (District), received a petition for Variance (Application 130226-18) from John Blades, Henry M Flagler Museum. The property is located in Palm Beach County, Section 22, Township 43 South, Range 43 East, at 1 Whitehall Way, Palm Beach, FL 33480. The petition seeks relief from provisions in paragraphs 40E-24.201(5)(a) and 40E-24.201(6)(a), Florida Administrative Code which states that irrigation of existing landscaping shall be conducted at specific times on specific days, pursuant to Section 120.542, Fla. Stat.

A copy of the petition may be obtained by contacting the Regulation Division during the normal business hours of 8:00 a.m. - 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406; by telephone at 682-6911; by e-mail at permits@sfwmd.gov; or, by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search. To be considered, comments must be received by the close of business on January 28, 2013, at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, attn: District Clerk. For additional information, contact Patrick Martin at (561)682-2176 or e-mail pmartin@sfwmd.gov.

A copy of the Petition for Variance or Waiver may be obtained by contacting: the Regulation Division, during the normal business hours of 8:00 a.m. - 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406; by telephone at 682-6911; by e-mail at permits@sfwmd.gov; or, by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search. To be considered, comments must be received by the close of business on March 25, 2013, at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk. For additional information, contact Patrick Martin at (561)682-2176 or e-mail pmartin@sfwmd.gov.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on February 26, 2013, the South Florida Water Management District (District), received a petition for Variance (Application 130226-19) from Scully Company/Crystal Palms. The property is located in Palm Beach County, Section 22, Township 42 South, Range 47 East, at 6874 Palmetto Circle South, Boca Raton, FL 33433. The petition seeks relief from provisions in paragraphs 40E-24.201(5)(a) and 40E-24.201(6)(a), Florida Administrative Code, which state that irrigation of existing landscaping shall be conducted at specific times on specific days, pursuant to Section 120.542, Fla. Stat.

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

NOTICE IS HEREBY GIVEN that on February 26, 2013, the South Florida Water Management District (District) received a petition for Variance (Application 130226-17) from GB Investors LLC. The property is located in Palm Beach County, Section 4, Township 42 South, Range 43 East, at 11770-11780 US Highway 1, Palm Beach Gardens, FL 33408. The petition seeks relief from provisions in paragraphs 40E-24.201(5)(a) and 40E-24.201(6)(a), Florida Administrative Code which states that irrigation of existing landscaping shall be conducted at specific times on specific days, pursuant to Section 120.542, Fla. Stat.

A copy of the Petition for Variance or Waiver may be obtained by contacting the Regulation Division during the normal business hours of 8:00 a.m. - 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406; by telephone, 682-6911; by e-mail, permits@sfwmd.gov; or, by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search. To be considered, comments must be received by the close of business on March 25, 2013, at the South Florida

A copy of the Petition for Variance or Waiver may be obtained by contacting the Regulation Division during the normal business hours of 8:00 a.m. - 5:00 p.m., Monday through Friday, except legal holidays, at 3301 Gun Club Road, West Palm Beach, FL 33406; by telephone at 682-6911; by e-mail at permits@sfwmd.gov; or, by accessing the District's website (www.sfwmd.gov/ePermitting) using the Application/Permit Search. To be considered, comments must be received by the

close of business on March 25, 2013, at the South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33401, Attn: District Clerk. For additional information, contact Patrick Martin at (561)682-2176 or e-mail pmartin@sfwmd.gov.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on March 7, 2013 the Division issued an order. The Final Order was in response to a Petition for an emergency Variance from Plaza Tower, filed February 25, 2013, and advertised on February 26, 2013 in Vol. 39, No. 39, of the Florida Administrative Register. 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 and 2.7.4 ASME A17.3, 1996 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations and restricted door openings until February 25, 2016 because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-059).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on March 7, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Transfiguration Manor Elevator #1, filed February 11, 2013, and advertised on February 14, 2013 in Vol. 39, No. 31, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the safety of the new rope meets or exceeds the safety

factor of required diameter ropes and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-044).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on March 7, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Connexions Building, filed February 15, 2013, and advertised on February 19, 2013 in Vol. 39, No. 34, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1 and 2.20.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the safety of the new rope meets or exceeds the safety factor of required diameter ropes and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-051).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on March 7, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Transfiguration Manor Elevator #2, filed February 11, 2013, and advertised on February 14, 2013 in Vol. 39, No. 31, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1 and 2.20.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the safety of the new rope meets or exceeds the safety

factor of required diameter ropes and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-043).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on March 7, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from HCTA Professional Learning Center, filed February 11, 2013, and advertised on February 14, 2013 in Vol. 39, No. 31, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1 and 2.20.1 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the safety of the new rope meets or exceeds the safety factor of required diameter ropes and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-045).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on March 7, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Church Street Station, filed February 12, 2013 and advertised on February 14, 2013 in Vol. 39, No. 31, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.18.5.1, 2.20.4, and 8.11.2.1.3(cc)1&3 ASME A17.1b, 2009 edition, as adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires steel ropes of a minimum diameter of 9.5 mm because the Petitioner has demonstrated that the safety of

the new rope meets or exceeds the safety factor of required diameter ropes and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-046).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on March 7, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from North Cove, filed February 14, 2013 and advertised on February 19, 2013 in Vol. 39, No. 34, of the Florida Administrative Register. No comments were received in response to the petition. The Final Order on the Petition for Variance grants the Petitioner a variance from Rule 2.1.4 ASME A17.1, 2007 edition, and Chapter 30, Section 3004, 2007 includes 2009 supplement, Florida Building Code adopted by paragraph 61C-5.001(1)(a), Florida Administrative Code that requires the control of smoke and hot gases and hoistway venting until May 1, 2015 because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-050).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on March 7, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Sabadell United Bank Bldg, filed February 1, 2013 and advertised on February 7, 2013 in Vol. 39, No. 26, of the Florida Administrative Register. 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 paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations until January 31, 2015 because the Petitioner has demonstrated

that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2013-036).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Hotels and Restaurants

RULE NO.: RULE TITLE:

61C-5.001: Safety Standards

The Department of Business and Professional Regulation, Division of Hotels and Restaurants, Bureau of Elevator Safety hereby gives notice: on March 7, 2013 the Division issued an order. The Final Order was in response to a Petition for a Variance from Woolbright Corporate Center, filed December 31, 2012, and advertised on January 7, 2013 in Vol. 39, No. 4, of the Florida Administrative Register. 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 paragraph 61C-5.001(1)(a), Florida Administrative Code that requires upgrading the elevators for firefighters' emergency operations until June 1, 2015 because the Petitioner has demonstrated that the intent of the rule will be met and that Petitioner would suffer a substantial hardship if required to comply with this rule (VW 2012-419).

A copy of the Order or additional information may be obtained by contacting Mark Boutin, Bureau of Elevator Safety, 1940 North Monroe Street, Tallahassee, Florida 32399-1013.

Section VI

Notices of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

State Board of Education

The State Board of Education announces a public meeting to which all persons are invited.

DATE AND TIME: March 19, 2013, 8:30 a.m.

PLACE: Department of Education, Turlington Building, 325 West Gaines St., Suite 1703/07, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting agenda will consist of approval of minutes of the State Board meeting held February 18, 2013, and updates on various reports and status of education initiatives by the Commissioner. Updates will be provided on the Teacher Salary Increase, College and Career First Agenda, Career and Adult Education, Transition to Common Core Standards and Assessments, and 2013 Legislative Session. Updates will also

be provided by President Joe Pickens on behalf of the Council of Presidents and by a Representative of Florida Association of District School Superintendents. Items for consideration include action relating to the following: New Rule 6A-6.0252, Use of Prescribed Pancreatic Enzyme Supplements; Amendment to Rule 6A-14.0411, Issuance of Continuing Contracts; and New Rule 6A-14.092, Textbook Affordability. Other items for consideration include: Request for Approval of Baccalaureate Proposal by Northwest Florida State College for a BS in Early Childhood Education, Birth through Age Four; Approval of Request by Palm Beach State College to Add Concentrations to its BAS Degrees in Supervision and Management and Information Management; Approval of Request by St. Johns River State College to Add a Concentration to its BAS Degree in Organizational Management; Approval of Request by Valencia College to Add a Concentration to its BS Degree in Electrical and Computer Engineering Technology; Charter School Appeals: Northeast Florida Virtual Charter School Board and the Florida Virtual School at Marion County vs. School Board of Marion County; Innovations Middle Charter School of Lake County vs. School Board of Lake County; Central Florida Virtual Charter School Board and the Florida Virtual School at Seminole County vs. School Board of Seminole County; Central Florida Virtual Charter School Board and the Florida Virtual School at Orange County vs. School Board of Orange County; Southwest Florida Virtual Charter School Board and the Florida Virtual School at Pasco County vs. School Board of Pasco County; and Approval of Appointments and Reappointment to the Education Practices Commission.

A copy of the agenda may be obtained by contacting: Lynn Abbott, (850)245-9661 or lynn.abbott@fldoe.org; or by visiting the Department's website at: <http://www.fldoe.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: Lynn Abbott, (850)245-9661 or lynn.abbott@fldoe.org. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Lynn Abbott, (850)245-9661 or lynn.abbott@fldoe.org.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The North Florida Regional Water Supply Partnership Stakeholder Advisory Committee (the Advisory Committee) is a committee of stakeholders selected by the St. Johns River Water Management District and the Suwannee River Water Management District in consultation with the Florida Department of Environmental Protection, to advise these

agencies on issues affecting water supplies in both water management districts. The Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, March 18, 2013, 1:00 p.m.

PLACE: Florida Gateway College, Wilson S. Rivers Library and Media Center, 149 SE College Place, Building 200, Room 102, Lake City, FL 32025

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a meeting of the Advisory Committee described above. The purpose of the meeting is to hear presentations on and discuss: rainfall data, phosphate mining conservation and water resources protection strategies, and introductory information on water use and land use data. An opportunity for public comment will be provided near the end of the meeting.

NOTE: One or more members of the Governing Board from each of the water management districts named above may attend and participate in the meeting of the Advisory Committee.

A copy of the agenda may be obtained by contacting: Julie Green, 4049 Reid Street, Palatka, FL 32177, (386)329-4240, email: jgreen@sjrwmd.com or by visiting the North Florida Regional Water Supply Partnership website at www.northfloridawater.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: Vanessa Fultz, Communications/Creative Services Specialist, Suwannee River Water Management District, (386)362-1001. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Julie Green, (386)329-4240, email: jgreen@sjrwmd.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission announces public meetings to which all persons are invited.

DATES AND TIMES: March 18, 2013; April 1, 2013; April 22, 2013; April 29, 2013 and May 13, 2013, 10:00 a.m. until completion

PLACE: Meetings to be conducted using communications media technology, specifically conference call. Call-in toll-free number: (888)670-3525 (US), call-in number: (720)389-1212 (US), attendee access code: 297 701 3986. Public point of access: Northwood Centre, Suite 90, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Legislative updates and other old and new business approved by the Commission Chair.

A copy of the agenda may be obtained by contacting: Jim Richmond, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, (850)717-1823, fax: (850)414-4836.

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 Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, telephone: (850)717-1838, fax: (850)414-4836. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice). If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Ms. Ila Jones, Building Codes and Standards Office, Division of Professions, Department of Business and Professional Regulation, 1940 North Monroe Street, Tallahassee, Florida 32399-0772, telephone: (850)717-1822, fax: (850)414-4836.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "the Commission", Product Approval Program Oversight Committee, announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2013, 10:00 a.m. – 12:00 Noon.

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar. You must access both the teleconference number for audio only and the webinar for visual only.

To start or join the online meeting go to <https://suncom.webex.com/suncom/j.php?ED=174043242&UID=492507407&RT=MIMxMQ%3D%3D>. Provide your phone number when you join the meeting to receive a call back. Alternatively, you can call: (720)389-1212 (US); toll-free, (888)670-3525 (US); host access code 199 238 0257; attendee access code 297 701 3986. Public point of access: Suite 90, 1940 North Monroe Street, Tallahassee, Florida

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider and decide on approval of products and product approval entities, and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Sandy O'Connor, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N.

Monroe Street, Tallahassee, Florida 32399; call (850)487-1824, or visit our website at: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

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, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399; (850)487-1824, fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399; (850)487-1824, fax (850)414-8436, website: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "the Commission", Fire Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2013, at 1:00 p.m. – 2:00 p.m.

PLACE: To join the online meeting (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=174043432&UID=1344338947&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

To view in other time zones or languages, please click the link: <https://suncom.webex.com/suncom/j.php?ED=174043432&UID=1344338947&ORT=MIMxMQ%3D%3D>.

To join the teleconference only, provide your phone number when you join the meeting to receive a call back. Alternatively, you can call: (720)3891212 (US); toll-free, (888)670-3525 (US); attendee access code: 297 701 3986. Public point of access: Suite 90, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider and make recommendations regarding a request for declaratory statement and other business for the Commission.

A copy of the agenda may be obtained by contacting: Mr. Ken Cureton, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399; call (850)487-1824 or visit our website at: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

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, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone (850)487-1824, fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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. Ken Cureton, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, phone (850) 487-1824 or fax (850)414-8436, website: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "the Commission", Code Administration Technical Advisory Committee, concurrent with the Special Occupancy Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 28, 2013, 2:30 p.m. until completion

PLACE: Meeting to be conducted using communications media technology, specifically teleconference and webinar: You must access both the teleconference number for audio only and the webinar for visual only.

To join the online meeting (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=174043932&UID=1344343517&RT=MIMxMQ%3D%3D>
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)

4. Click "Join".

To view in other time zones or languages, please click the link: <https://suncom.webex.com/suncom/j.php?ED=174043932&UID=1344343517&ORT=MIMxMQ%3D%3D>

To join the teleconference only, provide your phone number when you join the meeting to receive a call back. Alternatively, you can call: (720)389-1212 (US); toll-free, (888)670-3525 (US); attendee access code: 297 701 3986. Public point of access: Suite 90, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider and make recommendations regarding a request for declaratory statement and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

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, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, phone (850)487-1824 or fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Ms. Marlita Peters, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, phone (850)487-1824 or fax (850)414-8436, website: http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

The Florida Building Commission, "the Commission", Accessibility Technical Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: March 29, 2013, 10:00 a.m. until completion

PLACE: : Meeting to be conducted using communications media technology, specifically teleconference and webinar. You must access both the teleconference number for audio only and the webinar for visual only.

To join the online meeting (Now from mobile devices!)

1. Go to <https://suncom.webex.com/suncom/j.php?ED=174045437&UID=1344350322&RT=MIMxMQ%3D%3D>.
2. If requested, enter your name and email address.
3. If a password is required, enter the meeting password: (This meeting does not require a password.)
4. Click "Join".

To view in other time zones or languages, please click the link: <https://suncom.webex.com/suncom/j.php?ED=174045437&UID=1344350322&ORT=MIMxMQ%3D%3D>.

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, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, FL 32399, (850)487-1824, fax (850)414-8436. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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: Ms. Mary-Kathryn Smith or Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399; call (850)487-1824, or visit our website at http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

To join the teleconference only, provide your phone number when you join the meeting to receive a call back. Alternatively, you can call (720)389-1212 (US); toll-free, (888)670-3525 (US); attendee access code: 297 701 3986. Public point of access: Suite 90, 1940 North Monroe Street, Tallahassee, Florida.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Consider and make recommendations regarding a request for declaratory statement and other business for the Commission.

A copy of the agenda may be obtained by contacting: Ms. Mary-Kathryn Smith or Mr. Chip Sellers, Building Codes and Standards Office, Department of Business and Professional Regulation, 1940 N. Monroe Street, Tallahassee, Florida 32399, call (850)487-1824 or visit our website at http://www.floridabuilding.org/fbc/meetings/1_meetings.htm.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Mobile Home Relocation Corporation

The Florida Mobile Home Relocation Corporation announces a public meeting to which all persons are invited.

DATE AND TIME: March 29th, 2013, 9:30 a.m.

PLACE: The Clarion Inn & Suites, 20967 US Hwy 19 N, Clearwater, FL 33765

GENERAL SUBJECT MATTER TO BE CONSIDERED: Official business of the Florida Mobile Home Relocation Corporation. Review of mobile home owner applications for compensation for relocation and/or abandonment due to change in land use, and such other business as may come before the board. A schedule for future meetings will be determined.

A copy of the agenda may be obtained by contacting: Vicky Krentz, (888)862-7010.

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, least 48 hours before the workshop/meeting by contacting: Vicky Krentz, (888)862-7010. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Vicky Krentz, Executive Director, FMHRC, PO Box 7848, Tallahassee, FL 33765, (888)862-7010, vicky@fmhrc.org.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a public meeting to which all persons are invited.

DATE AND TIME: March 14, 2013, 1:00 p.m.

PLACE: Florida Department of Environmental Protection-Northeast District Office, Conference Rooms 1A and 1B, 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public annual meeting of interested stakeholders to discuss the Lower St. Johns River Tributaries Basin Management Action Plans (BMAPs) I and II. The BMAPs are the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary purpose of this meeting is to share annual updates.

A copy of the agenda may be obtained by contacting: Anita Nash, Watershed Planning and Coordination Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, MS 3565, Tallahassee, Florida 32399-2400 or by e-mail at Anita.Nash@dep.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 48 hours before the workshop/meeting by contacting: Anita Nash, (850)245-8545. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The Department of Environmental Protection announces a hearing to which all persons are invited.

DATE AND TIME: April 10, 2013, 10:00 a.m.

PLACE: The Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400

GENERAL SUBJECT MATTER TO BE CONSIDERED: To receive testimony and public comment and take final action on amendment of the Small Community Wastewater Facilities Grants priority list under Chapter 62-505, Florida Administrative Code (F.A.C.). Funds are available for adjusting authorized grant amounts for projects already listed on the Small Community Grants priority list based on revised project cost estimates. Additionally, administrative actions may be made to existing grant projects as required to coordinate with combination grant/loan requirements. No new projects will be considered for addition to the priority list at this hearing.

Prior to Department action at the hearing, all interested persons will have the opportunity to testify regarding the list and any proposed actions. The Department may adopt, modify, or deny the proposed actions at the hearing.

After the hearing, the Department will file the written Record of Final Agency Action. A copy of the Record of Final Agency Action will be made available to persons sponsoring the projects at issue and to any person submitting a timely written request. Such written requests must be submitted at the hearing or must be filed with the Department's State Revolving Fund Program, 2600 Blair Stone Road, Mail Station #3505, Tallahassee, Florida 32399-2400, no later than 5:00 p.m. on the first working day after the public hearing.

A copy of the agenda may be obtained by contacting: Gary Powell, (850)245-8383 or email to gary.powell@dep.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: Gary Powell as shown above. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

For more information, you may contact: Timothy Banks, (850)245-8360 or email to timothy.banks@dep.state.fl.us.

DEPARTMENT OF HEALTH

Board of Nursing

The Florida Board of Nursing Central Probable Cause Panel announces a telephone conference call to which all persons are invited.

DATE AND TIME: March 29, 2013, 2:30 p.m.

PLACE: Department of Health, Tallahassee at Meet Me number (888)670-3525, code 9638257208

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 at (850)245-4125. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (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.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

Family Safety and Preservation Program

The Department of Children & Families announces a telephone conference call to which all persons are invited.

DATE AND TIME: Friday, March 22, 2013, 2:00 p.m. – 3:30 p.m.

PLACE: Conference call only

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Children and Families has embarked upon a major reengineering project that will change the culture of the organization and redesign the way the Department and its community providers and stakeholders operate under a

shared and common vision of integration and collaboration. In June 2011, Secretary David Wilkins formed the Child Protection Transformation Board, made up of skilled experts in the Florida child welfare community to help advise and guide the Department throughout this transformation process. The end result will be to enhance child safety, well-being and permanency, by fostering positive assets in Florida children and building a collaborative bridge to strong families and communities. As the Department nears the end of the Child Protection Transformation Project, this meeting will sunset the Board.

A copy of the agenda may be obtained by contacting: Alicia Dyer, Department of Children and Families, 1317 Winewood Boulevard, Building 2, Room 341, Tallahassee, FL 32399-0700, (850)717-4508.

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: Alicia Dyer, Department of Children and Families, 1317 Winewood Boulevard, Building 2, Room 341, Tallahassee, FL 32399-0700, (850)717-4508. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, (800)955-8771 (TDD) or (800)955-8770 (Voice).

Section VII
Notices of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

NOTICE IS HEREBY GIVEN that The Department of Elder Affairs has issued an order disposing of the petition for declaratory statement filed by Douglas D. Adkins, Executive Director, Dayspring Village, Inc. on December 12, 2012. The following is a summary of the agency's disposition of the petition.

Petitioner's request for declaratory statement under Section 120.565, Florida Statutes, seeking instruction and clarification on applicable aspects of the National Fire Protection Association Life Safety Code in relation to both existing and

planned assisted living facilities was granted in part and denied in part by the Department. Although section 429.41, Florida Statutes, directly addressed several of Petitioner's inquiries, the Department declined to issue a declaratory statement in response to portions of the Petition on procedural grounds, as those particular aspects of the Petition should have properly been raised to the Department of Financial Services, Division of State Fire Marshal if Petitioner is seeking administrative clarification and guidance.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Tony DePalma, Assistant General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000, depalmaa@elderaffairs.org.

Please refer all comments to: Tony DePalma, Assistant General Counsel, Department of Elder Affairs, 4040 Esplanade Way, Suite 315, Tallahassee, Florida 32399-7000, depalmaa@elderaffairs.org.

DEPARTMENT OF HEALTH
Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has received the petition for declaratory statement from Lisa Bishop, on behalf of Heart of Florida Regional Medical Center. The petition seeks the agency's opinion as to the applicability of Florida Statutes 464.003(3)(a) as it applies to the petitioner. The petitioner is seeking the Board's interpretation as to whether the changing of epidural anesthesia solutions on obstetrical patients is within the scope of practice for a registered nurse. The Board will address this petition at its next meeting.

A copy of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399.

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
Notices Regarding Bids, Proposals and
Purchasing

NONE

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 (2011). 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.

Section XII
Miscellaneous

DEPARTMENT OF HEALTH

Emergency Action

On March 8, 2013, State Surgeon General issued an Order of Emergency Suspension Order with regard to the certification of William Arnold Greene, PMD, Certification # PMD 19010. 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 (2011). 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 HEALTH

Board of Pharmacy

Emergency Action

On March 7 2013, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Thomas John Lawley, R.Ph. License # PS 37816. 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 (2011). 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 HEALTH

Board of Nursing

Emergency Action

On March 7, 2013, State Surgeon General issued an Order of Emergency Suspension Order with regard to the license of Katherine W. Burns, C.N.A. License # CNA 144438. This Emergency Suspension Order was predicated upon the State

Section XIII
Index to Rules Filed During Preceding Week

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.
